

Judgment of the Court of First Instance of 4 October 2006
— Tillack v Commission

(Case T-193/04) ⁽¹⁾

(Investigation by the European Anti-Fraud Office (OLAF) into the publication of confidential information — Suspicions of bribery and breach of professional secrecy — Communication to national judicial authorities of information relating to situations liable to lead to criminal proceedings — Search of the home and office of a journalist — Action for annulment — Admissibility — Action for damages — Causal link — Sufficiently serious breach)

(2006/C 281/56)

Language of the case: English

Parties

Applicant: Hans-Martin Tillack (Brussels, Belgium) (represented by: I. Forrester QC, T. Bosly, C. Arhold, N. Flandin, J. Herrlinger and J. Siaens, lawyers)

Defendant: Commission of the European Communities (represented by: C. Docksey and C. Ladenburger, Agents)

Intervener in support of the applicant: International Federation of Journalists (IFJ) (Brussels, Belgium) (represented by: A. Bartosch and T. Grupp, lawyers)

Re:

APPLICATION, first, for the annulment of the act by which, on 11 February 2004, the European Anti-Fraud Office (OLAF) forwarded to the German and Belgian judicial authorities information concerning suspicions of breach of professional secrecy and bribery and, second, for damages in compensation for non-material injury suffered by the applicant as a result of the forwarding of that information and of the publication of press releases by OLAF.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Declares it unnecessary to give judgment on the request for the production of documents;
3. Orders the applicant to pay his own costs and the costs incurred by the Commission, including those relating to the interlocutory proceedings;
4. Orders the International Federation of Journalists to bear its own costs.

⁽¹⁾ OJ C 251, 9.10.2004.

Judgment of the Court of First Instance of 6 September 2006
— Italy and Wam v Commission

(Joined Cases T-304/04 and T-316/04) ⁽¹⁾

(State aid — Loans at reduced rates intended to make it possible to become established in certain non-member countries — Effect on trade between Member States and distortion of competition — Statement of reasons)

(2006/C 281/57)

Language of the case: Italian

Parties

Applicants: Italian Republic (represented initially by A. Cingolo, and subsequently by P. Gentili, lawyers) and Wam SpA (Cavezzo di Modena, Italy) (represented by E. Giliani, lawyer)

Defendant: Commission of the European Communities (represented by: V. Di Bucci and E. Righini, Agents)

Re:

Application for annulment of Commission Decision 2006/177/EC of 19 May 2004 on State aid No C 4/2003 (ex NN 102/2002) implemented by Italy for WAM SpA (OJ 2006 L 63, p. 11).

Operative part of the judgment

The Court:

1. Annuls Commission Decision 2006/177/EC of 19 May 2004 on State aid No C 4/2003 (ex NN 102/2002) implemented by Italy for WAM SpA (OJ 2006 L 63, p. 11);
2. Dismisses the actions as to the remainder;
3. Orders the Commission to bear its own costs and to pay those incurred, in Case T-304/04, by the Italian Republic and, in Case T-316/04, by Wam, including those relating to the interim proceedings.

⁽¹⁾ OJ C 251 of 9.10.2004.