

Judgment of the Court of First Instance of 12 September 2007 — Italy and Brandt Italia v Commission**(Joined Cases T-239/04 and T-323/04) ⁽¹⁾**

(State aid — Legislation providing for urgent measures to assist employment for undertakings in difficulties — Decision declaring the aid scheme incompatible with the common market and ordering recovery of aid paid)

(2007/C 247/39)

Language of the case: Italian

Parties

Applicant in Case T-239/04: Italian Republic (represented by: D. Del Gaizo, Agent)

Applicant in Case T-323/04: Brandt Italia SpA (Verolanuova, Italy) (represented by: M. van Empel, C. Visco and S. Lamarca, lawyers)

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

Re:

Annulment of Commission Decision 2004/800/EC of 30 March 2004 on the State aid scheme put into effect by Italy providing for urgent measures to assist employment (OJ 2004 L 352, p. 10).

Operative part of the judgment*The Court:*

1. Dismisses the actions;
2. Orders the Italian Republic to bear its own costs and to pay those incurred by the Commission in Case T-239/04;
3. Orders Brandt Italia SpA to bear its own costs and to pay those incurred by the Commission in Case T-323/04.

⁽¹⁾ OJ C 217, 28.8.2004.

Judgment of the Court of First Instance of 12 September 2007 — Combescot v Commission**(Case T-249/04) ⁽¹⁾**

(Staff case — Officials — Mental harassment — Duty to provide assistance — Career development report for the period 2001/2002 — Action for annulment — No legal interest in bringing proceedings — Action for damages)

(2007/C 247/40)

Language of the case: Italian

Parties

Applicant: Philippe Combescot (Popayan, Colombia) (represented by: A. Maritati and V. Messa, lawyers)

Defendant: Commission of the European Communities (represented by: V. Joris and M. Velardo, Agents and C. Corongui, lawyer)

Re:

First, declare that the conduct of the applicant's hierarchical superiors is unlawful, declare that the applicant is entitled to assistance and annul his career development report for the period from 1 July 2001 and 31 December 2002 and, secondly, award damages to compensate the applicant for the loss suffered.

Operative part of the judgment*The Court:*

1. Dismisses the action;
2. Orders each of the parties to bear its own costs.

⁽¹⁾ OJ C 217, 28.8.2004.