

Operative part of the judgment

The Court:

1. Orders the Commission to pay to Agraz, Sa and the 86 other companies listed in Annexes I and II damages equivalent to an increase of 15.54 % in the amount of production aid which they received for the 2000/2001 marketing year, as set by Annex II to Regulation No 1519/2000.
2. Orders those damages to be reassessed using compensatory interest as from the time of actual payment of the aid to each applicant up to the date of delivery of the present judgment, at the rate fixed by the ECB for principal refinancing operations, plus two points, in respect of the applicants listed in Annex I, and at the rate of annual inflation determined for the period in question by Eurostat in the Member State where they are established, in respect of the applicants listed in Annex II.
3. Orders that the damages, as reassessed, be accompanied by default interest, as from the date of delivery of the present judgment until complete payment, at the rate set by the ECB for principal refinancing operations, plus two points.

(¹) OJ C 251, 18.10.2003.

Judgment of the Court of First Instance of 2 December 2008 — Karatzoglou v EAR

(Case T-471/04) (¹)

(Staff cases — Temporary staff — Referral back to the Court of First Instance after setting aside — Termination of contract — Obligation to state the reasons on which the decision is based — Misuse of powers — Principle of sound administration)

(2009/C 19/43)

Language of the case: English

Parties

Applicant: Georgios Karatzoglou (Préveza, Greece) (represented by: S. Pappas, lawyer)

Defendant: European Agency for Reconstruction (EAR) (represented by: S. Orlandi and J.-N. Louis, lawyers)

Re:

Application for annulment of the decision of the EAR of 26 February 2004 to terminate the applicant's contract of employment

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Mr Georgios Karatzoglou and the European Agency for Reconstruction (EAR) each to bear their own costs incurred before the Court of Justice and the Court of First Instance.

(¹) OJ C 57, 5.3.2005.

Judgment of the Court of First Instance of 2 December 2008 — Nuova Agricast and Cofra v Commission

(Case T-362/05 and T-363/05) (¹)

(Non-contractual liability of the Community — Aid scheme provided for under Italian legislation — Scheme declared compatible with the common market — Transitional measure — Certain undertakings excluded — Principle of protection of legitimate expectations — Sufficiently serious breach of a rule of law conferring rights on individuals — None)

(2009/C 19/44)

Language of the case: Italian

Parties

Applicant: Nuova Agricast Srl (Cerignola, Italy) and Cofra Srl (Barletta, Italy) (represented by: M.A. Calabrese, lawyer)

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

Re:

Action for damages for the loss allegedly suffered by the applicants as a result of the adoption by the Commission of the Decision of 12 July 2000 declaring compatible with the common market an aid scheme for investment in the less-favoured regions of Italy (State aid No 715/1999 — Italy (SG 2000 D/105754)) and as a result of the Commission's conduct during the procedure which preceded the adoption of that decision.