

The pleas in law and main arguments relied on by the applicant are similar to those relied on in Case T-494/08 *Ryanair v Commission*.

(¹) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ 2001 L 145, p. 43.

Action brought on 14 November 2008 — Ryanair/Commission

(Case T-499/08)

(2009/C 32/83)

Language of the case: English

Parties

Applicant: Ryanair Ltd (Dublin, Ireland) (represented by: E. Vahida, I. Metaxas-Maragkidis, lawyers)

Defendant: Commission of the European Communities

Form of order sought

- declare in accordance with Articles 230 and 231 EC that the Commission's implied decision refusing access to the documents for which access was requested by the applicant in an application dated 25 June 2008 is void and that the Commission's decision of 23 October 2008 refusing access to the same documents is non-existent;
- alternatively, declare in accordance with Articles 230 and 231 EC that the Commission's decision of 23 October 2008 refusing access to the documents for which access was requested by the applicant in an application dated 25 June 2008 is void;
- order the Commission to pay the costs incurred by the applicant in the proceedings; and
- take such further action as the Court may deem appropriate.

Pleas in law and main arguments

By means of this application the applicant seeks annulment of the Commission implied decision rejecting the applicant's request, pursuant to Regulation No 1049/2001 (¹), of the access to documents relating to State aid procedures concerning the

presumed State aid granted through an agreement with the operator of Pau airport. The said decision was followed by the express decision of 23 October 2008. The annulment of the express decision is alternatively sought by the applicant in the present case.

The pleas in law and main arguments relied on by the applicant are identical to those relied on in Case T-494/08 *Ryanair v Commission*.

(¹) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ 2001 L 145, p. 43.

Action brought on 14 November 2008 — Ryanair/Commission

(Case T-500/08)

(2009/C 32/84)

Language of the case: English

Parties

Applicant: Ryanair Ltd (Dublin, Ireland) (represented by: E. Vahida, I. Metaxas-Maragkidis, lawyers)

Defendant: Commission of the European Communities

Form of order sought

- declare in accordance with Articles 230 and 231 EC that the Commission's implied decision refusing access to the documents for which access was requested by the applicant in an application dated 25 June 2008 is void and that the Commission's decision of 31 October 2008 refusing access to the same documents is non-existent;
- alternatively, declare in accordance with Articles 230 and 231 EC that the Commission's decision of 31 October 2008 refusing access to the documents for which access was requested by the applicant in an application dated 25 June 2008 is void;
- order the Commission to pay the costs incurred by the applicant in the proceedings; and
- take such further action as the Court may deem appropriate.