

**Order of the Court of First Instance of 2 June 2009 —
AVLUX v Parliament**

(Case T-524/08) ⁽¹⁾

(Action for annulment — Public service contracts — Call for tenders for the refurbishment and extension of the Konrad Adenauer Building, Luxembourg — Rejection of a tenderer's offer — Annulment of the public procurement procedure — No need to adjudicate)

(2009/C 193/34)

Language of the case: French

Parties

Applicant: AIB-Vinçotte, Luxembourg (AVLUX ASBL) (Luxembourg, Luxembourg) (represented by: R. Adam, lawyer)

Defendant: European Parliament (represented by: M. Ecker and D. Petersheim, Agents)

Re:

Application for annulment of the European Parliament's decision of 2 October 2008 rejecting the offer made by the applicant in connection with a call for tenders for the refurbishment and extension of the Konrad Adenauer Building, Luxembourg (OJ 2008 S 193-254240)

Operative part of the order

1. *There is no longer any need to adjudicate on the present proceedings.*
2. *The European Parliament is ordered to pay the costs.*

⁽¹⁾ OJ C 44, of 21.2.2009.

Order of the President of the Court of First Instance of 30 June 2009 — Tudapetrol Mineralölerzeugnisse Nils Hansen v Commission

(Case T-550/08 R)

(Application for interim measures — Commission decision imposing a fine — Application for suspension of operation of the measure and interim relief (repayment of the fine already paid and waiver of a bank guarantee — No prima facie case and no urgency)

(2009/C 193/35)

Language of the case: German

Parties

Applicant: Tudapetrol Mineralölerzeugnisse Nils Hansen KG (Hamburg, Germany) (represented by: M. Dallmann and U. Krauthause, lawyers)

Defendant: Commission of the European Communities (represented by: A. Antoniadis and R. Sauer, acting as Agents)

Re:

Application for suspension of the operation of Commission Decision C(2008) 5476 final of 1 October 2008 relating to a proceeding under Article 81 of the EC Treaty and Article 53 of the EEA Agreement in Case COMP/39181 — Candle waxes, in so far as it imposes a fine on the applicant, application to release the applicant from the obligation to provide a bank guarantee as a condition for release from the obligation of payment, and other applications for interim measures

Operative part of the order

1. *The application for interim measures is dismissed.*
2. *Costs are reserved.*

Order of the President of the Court of First Instance of 8 June 2009 — Z v Commission

(Case T-173/09 R)

(Interim measures — Access by a third party concerned to a Commission decision imposing a fine but not yet published — Application for interim measures — No need to adjudicate — No urgency)

(2009/C 193/36)

Language of the case: German

Parties

Applicant: Z (X, Germany) (represented by: C. Grau and N. Jäger, lawyers)

Defendant: Commission of the European Communities (represented by: R. Sauer, V. Bottka and A. Bouquet, Agents)

Re:

Access to the Commission's decision of 28 January 2009 in a proceeding pursuant to Article 81 EC and Article 53 of the EEA Agreement (Case COMP/G/39.406 — Marine hoses) and deletion of the applicant's name from the text of that decision

Operative part of the order

1. *The application for interim measures is dismissed insofar as it has not already become devoid of purpose.*
2. *This order annuls and replaces the order of 6 May 2009.*
3. *The costs are reserved.*