

2. Dismisses the action for annulment as to the remainder;
3. Dismisses the action for damages;
4. Orders Brink's Security Luxembourg SA to pay, apart from its own costs, half of the costs incurred by the Commission of the European Communities and by G4S Security Services SA, including those relating to the interlocutory proceedings;
5. Orders the Commission to bear half of its own costs;
6. Orders G4S Security Services to bear half of its own costs.

<sup>(1)</sup> OJ C 48, 25.2.2006.

### Judgment of the Court of First Instance of 9 September 2009 — Holland Malt v Commission

(Case T-369/06) <sup>(1)</sup>

**(State aid — Malt production — Investment aid — Decision declaring the aid incompatible with the common market — Adverse effect on competition — Effect on trade between Member States — Obligation to state the reasons on which the decision is based — Guidelines for State aid in the agriculture sector)**

(2009/C 256/40)

Language of the case: English

#### Parties

**Applicant:** Holland Malt BV (Lieshout, Netherlands) (represented initially by: O. Brouwer and D. Mes, and subsequently by O. Brouwer, A. Stoffer and P. Schepens, lawyers)

**Defendant:** Commission of the European Communities (represented by: T. Scharf and A. Stobiecka-Kuik, acting as Agents)

**Intervener in support of the applicant:** Kingdom of the Netherlands (represented by: C. Wissels, M. de Grave, C. ten Dam and Y. de Vries, acting as Agents)

#### Re:

Application for annulment of Commission Decision 2007/59/EC of 26 September 2006 concerning the State aid granted by the Netherlands to Holland Malt BV (OJ 2007 L 32, p. 76).

#### Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Holland Malt BV to bear its own costs and to pay those incurred by the Commission;
3. Orders the Kingdom of the Netherlands to bear its own costs.

<sup>(1)</sup> OJ C 42, 24.2.2007.

### Judgment of the Court of First Instance of 8 September 2009 — ETF v Landgren

(Case T-404/06) <sup>(1)</sup>

**(Appeals — Staff cases — Members of the temporary staff — Contract for an indefinite period — Decision to dismiss — Article 47(c)(i) of the Conditions of Employment of other servants — Obligation to state the reasons on which the decision is based — Manifest error of assessment — Unlimited jurisdiction — Monetary compensation)**

(2009/C 256/41)

Language of the case: French

#### Parties

**Appellant:** European Training Foundation (ETF) (represented by: G. Vandersanden and L. Levi, lawyers)

**Other party to the proceedings:** Pia Landgren (Revigliasco, Italy) (represented by: M.-A. Lucas, lawyer)

#### Re:

Appeal against the judgment of the European Union Civil Service Tribunal (Full Court) of 26 October 2006 in Case F 1/05 Landgren v ETF [2006] EC- SC-I-A-123 and II-A-I 459 seeking to have that judgment set aside

#### Operative part of the judgment

The Court:

1. dismisses the appeal;
2. orders the European Training Foundation (ETF) to bear its own costs and to pay the costs incurred by Ms Landgren in the present instance;
3. orders the Commission of the European Communities to bear its own costs.

<sup>(1)</sup> OJ C 42 of 24.2.2007.

### Judgment of the Court of First Instance of 2 September 2009 — El Morabit v Council

(Joined Cases T-37/07 and T-323/07) <sup>(1)</sup>

**(Common Foreign and Security Policy — Restrictive measures with a view to combating terrorism — Freezing of funds — List of persons, groups and entities — Action for annulment)**

(2009/C 256/42)

Language of the case: Dutch

#### Parties

**Applicant:** Mohamed El Morabit (Amsterdam, Netherlands) (represented by: U. Sarikaya, lawyer)