

Other party to the proceedings: Willem Stols (Halsteren, Netherlands) (represented by: S. Rodrigues and C. Bernard-Glanz, lawyers)

**Re:**

Appeal against the judgment of the European Union Civil Service Tribunal (First Chamber) of 17 February 2009 F-51/08 *Stols v Council* [2009] ECR II-0000, seeking to have that judgment set aside.

**Operative part of the judgment**

The Court:

1. Sets aside the judgment of the European Union Civil Service Tribunal (First Chamber) of 17 February 2009 in Case F-51/08 *Stols v Council* [2009] ECR II-0000;
2. Refers the case back to the Civil Service Tribunal;
3. Reserves the costs.

(<sup>1</sup>) OJ C 167,18.7.2009.

**Judgment of the General Court of 16 December 2010 — HIT Trading and Berkman Forwarding v Commission**

(Case T-191/09) (<sup>1</sup>)

**(Customs Union — Importation of compact fluorescent lamps with integrated electronic ballasts (CFL-i) from Pakistan — Post-clearance recovery of import duties — Application for remission of import duties — Article 220(2)(b) and Article 239 of Regulation (EEC) No 2913/92)**

(2011/C 38/21)

Language of the case: Dutch

**Parties**

*Applicant:* HIT Trading BV (Lelystad, Netherlands); and Berkman Forwarding BV (Barendrecht, Netherlands) (represented by: A.T.M. Jansen, lawyer)

*Defendant:* European Commission (represented by: L. Bouyon and H. van Vliet, Agents, assisted by Y. van Gerven, lawyer)

**Re:**

Application for annulment of Commission Decision C(2009) 747 final of 12 February 2009, stating that the post-clearance entry in the accounts of certain import duties was justified and that the remission of such duties was not justified (File reference: REC 01/08).

**Operative part of the judgment**

The Court:

1. Dismisses the application;

2. Orders Hit Trading BV and Berkman Forwarding BV to pay the costs.

(<sup>1</sup>) OJ C 180 of 1.8.2009

**Judgment of the General Court of 16 December 2010 — Commission v Arci Nuova associazione comitato di Cagliari and Gessa**

(Case T-259/09) (<sup>1</sup>)

**(Arbitration clause — Agreement entered into as part of support for European discussion projects organised by non-governmental organisations for 2003 — Action brought against the head of an association — No jurisdiction — Failure to implement the agreement — Repayment of sums advanced)**

(2011/C 38/22)

Language of the case: Italian

**Parties**

*Applicant:* European Commission (represented by: A. M. Rouchaud-Joët and N. Bambara, agents, and by M. Moretto, lawyer)

*Defendant:* Arci Nuova associazione comitato di Cagliari (Cagliari, Italy) (represented initially by S. Diana, then by P. Aureli, lawyers); and Alberto Gessa (Cagliari, Italy)

**Re:**

Action brought under Article 238 EC on the basis of an arbitration clause seeking an order that Arci Nuova Associazione Comitato di Cagliari and Alberto Gessa, in a personal capacity and jointly and severally, should repay an advance paid by the Commission under the agreement 2003-1550/001-001, together with late payment interest.

**Operative part of the judgment**

The Court:

1. dismisses the action so far as brought against Mr Alberto Gessa;
2. orders Arci Nuova associazione comitato di Cagliari to repay to the European Commission the principal sum of EUR 15 675, together with late payment interest at the rate of 7,32 % from 20 May 2007 until full payment of the debt;
3. orders Arci Nuova associazione comitato di Cagliari to pay the costs.

(<sup>1</sup>) OJ C 220 of 12.9.2009.