

Operative part of the order

1. *The action is dismissed as manifestly inadmissible;*
2. *General Bearing Corp. is to pay the costs.*

⁽¹⁾ OJ C 297, 5.12.2009.

**Order of the General Court of 17 December 2010 —
Marcuccio v Commission**

(Case T-38/10 P) ⁽¹⁾

(Appeal — Civil service — Officials — Non-contractual liability — Reimbursement of recoverable expenses — Availability of a parallel remedy — Procedural defects — Appeal in part manifestly inadmissible and in part manifestly unfounded)

(2011/C 55/41)

Language of the case: Italian

Parties

Appellant: Luigi Marcuccio (Tricase, Italy) (represented by: G. Cipressa, lawyer)

Other party to the proceedings: European Commission (represented by: C. Berardis-Kayser and L. Currall, agents, and A. Dal Ferro, lawyer)

Re:

Appeal against the order of the Civil Service Tribunal of the European Union (First Chamber) delivered on 10 November 2009 in Case F-70/07 Marcuccio v Commission seeking to have that order set aside.

Operative part of the order

1. *The appeal is dismissed.*
2. *Mr Luigi Marcuccio is to bear his own costs and to pay those incurred by the European Commission in the appeal proceedings.*

⁽¹⁾ OJ C 80, 27.3.2010.

**Order of the General Court of 16 December 2010 —
Meister v OHIM**

(Case T-48/10 P) ⁽¹⁾

(Appeals — Civil service — Officials — Promotion — 2008 promotion procedure — Decision awarding points in the promotion procedure — Mention of points accumulated in previous promotion procedures — Distortion of the facts — Burden of costs — Appeal in part manifestly inadmissible and in part manifestly unfounded)

(2011/C 55/42)

Language of the case: German

Parties

Appellant: Herbert Meister (Muchamiel, Spain) (represented by: H.-J. Zimmermann, lawyer)

Other party to the proceedings: Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) (represented by: I. de Medrano Caballero and G. Faedo, acting as Agents, and D. Waelbroeck and E. Winter, lawyers)

Re:

Appeal against the order of the European Union Civil Service Tribunal (First Chamber) of 30 November 2009 in Case F-17/09 Meister v OHIM ECR-SC I-A-1-0000 and I-A-2-0000, seeking for that order to be set aside.

Operative part of the order

1. *The appeal is dismissed.*
2. *Mr Herbert Meister is ordered to bear his own costs and pay those incurred by the Office for Harmonisation in the Internal Market (Trade Marks and Designs) (OHIM) in the appeal proceedings.*

⁽¹⁾ OJ C 100, 17.4.2010.