

Re:

Application for suspension of operation of the Commission's decision of 21 December 2010 C(2010) 9525 final State aid, MC 8/2009 and C 43/2009 — Germany — WestLB transfers, in so far as it follows that Westdeutsche Immobilien Bank AG's new operations after 15 February 2011 must be terminated.

Operative part of the order

1. *The application for suspension of operation is rejected.*
2. *There is no need to adjudicate on Westdeutsche Immobilien Bank AG's application for leave to intervene.*
3. *Costs are reserved.*

Order of the President of the General Court of 2 March 2011 — Rheinischer Sparkassen- und Giroverband v Commission

(Case T-27/11 R)

(*Interim proceedings — Application for interim measures — Manifest inadmissibility*)

(2011/C 120/32)

Language of the case: German

Parties

Applicant: Rheinischer Sparkassen- und Giroverband (Düsseldorf, Germany) (represented by: A. Rosenfeld and I. Liebach, lawyers)

Defendant: European Commission (represented by: L. Flynn, B. Martenczuk and T. Maxian Rusche, acting as Agents)

Re:

Application for a stay of execution of Commission Decision C(2010) 9525 final of 21 December 2010 concerning State aid No MC 8/2009 and C 43/2009 — Germany — WestLB transfers, in so far as it follows therefrom that there must be no new transactions involving Westdeutsche ImmobilienBank AG after 15 February 2011.

Operative part of the order

1. *The application for interim measures is dismissed.*
 2. *Costs are reserved.*
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Action brought on 18 February 2011 — GRP Security v Court of Auditors

(Case T-87/11)

(2011/C 120/33)

Language of the case: French

Parties

Applicant: GRP Security (Bertrange, Luxembourg) (represented by: G. Osch, lawyer)

Defendant: Court of Auditors of the European Union

Form of order sought

The applicant claims that the General Court should:

- uphold the applicant's pleas in law set out in this application,
- reserve to the applicant the right to produce any further legal pleas, supporting facts and evidence,
- admit this action as procedurally valid,
- uphold this action as to the substance,
- and therefore on the above stated grounds annul the contested decisions,
- reserve to the applicant the right to seek compensation for damage suffered by reason of the unlawful conduct of the Court of Auditors,
- order the Court of Auditors to pay all the costs of the proceedings,
- reserve to the applicant all other rights, entitlements, pleas and actions.

Pleas in law and main arguments

The applicant seeks the annulment of the decisions of the Court of Auditors of the European Union concerning, first, the administrative penalty of exclusion of the applicant from contracts and subsidies financed by the budget of the European Union for a period of three months and, second, termination of the services framework contract No LOG/2026/10/2 titled 'Various security services'.

In support of the action, the applicant relies on three pleas in law.

1. First plea in law: infringement of the principle of proportionality, the rights of the defence and the right to a fair hearing, since the applicant acted in good faith and was not responsible for the false statements and misrepresentations made by one of its employees and since the Court of Auditors could have requested the replacement of the employee concerned instead of terminating the contract.