

**Judgment of the General Court of 16 September 2013 —
GL2006 Europe Ltd v Commission**

(Case T-435/09) ⁽¹⁾

(Arbitration clause — Contracts for financial assistance concluded in the context of the Fifth and Sixth Framework Programmes for Community activities in the field of research and technological development and in the context of the eTEN Programme — Highway, J WeB, Care Paths, Cocoon, Secure-Justice, Qualeg, Lensis, E-Pharm Up, Liric, Grace, Clinic and E2SP projects — Termination of contracts — Reimbursement of amounts paid — Debit notes — Counterclaim — Representation of the applicant)

(2013/C 325/34)

Language of the case: English

Parties

Applicant: GL2006 Europe Ltd (Birmingham, United Kingdom) (represented by: M. Gardenal and E. Bélinguier-Raiz, lawyers)

Defendant: European Commission (represented initially by: S. Delaude and N. Bambara, and subsequently by S. Delaude, Agents, and by R. Van der Hout, lawyer)

Re:

Action brought by GL2006 Europe Ltd pursuant to Article 238 EC, on the basis of arbitration clauses, whereby the applicant disputes the checks carried out by OLAF at its premises in December 2008, the decision in the letter of 10 July 2009 whereby the Commission terminated the applicant's participation in two research and technological development projects, and 12 debit notes issued by the Commission on 7 August 2009, seeking the reimbursement of the sums paid by the Commission to the applicant for its participation in 12 research and development projects, and a counterclaim for the reimbursement of those sums

Operative part of the judgment

The Court:

1. Declares that there is no longer any need to adjudicate on the action brought by GL2006 Europe Ltd;
2. Orders GL2006 Europe to pay to the European Commission the sum of EUR 2 258 456,31, along with interest calculated from the time-limits set out in the debit notes of 7 August 2009;

3. Orders GL2006 Europe to pay the costs.

⁽¹⁾ OJ C 11, 16.1.2010.

**Judgment of the General Court of 16 September 2013 —
Poland v Commission**

(Case T-486/09) ⁽¹⁾

(EAGGF — Guarantee Section — EAGF and EAFRD — Expenditure excluded from financing — Rural development measures — Less favoured areas and agri-environment — Flat-rate financial correction — Expenditure incurred by Poland — Control reports — Effectiveness of controls — System of penalties — Obligation to state reasons)

(2013/C 325/35)

Language of the case: Polish

Parties

Applicant: Republic of Poland (represented: initially by M. Szpunar, subsequently by M. Szpunar and B. Majczyna, and lastly by B. Majczyna and S. Balcerak, Agents)

Defendant: European Commission (represented by: P. Rossi and M. Owsiany-Hornung, Agents)

Re:

Application for annulment in part of Commission Decision 2009/721/EC of 24 September 2009 excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF), under the European Agricultural Guarantee Fund (EAGF) and under the European Agricultural Fund for Rural Development (EAFRD) (OJ 2009 L 257, p. 28).

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the Republic of Poland to pay the costs.

⁽¹⁾ OJ C 51, 27.2.2010.