

*Other party to the proceedings:* European Investment Bank (EIB) (represented by: G. Nuvoli and E. Raimond, acting as Agents, and by A. Dal Ferro, lawyer)

**Re:**

Appeal against the judgment of the Civil Service Tribunal of the European Union (First Chamber) of 11 November in *De Nicola v EIB* (F-52/11, ECR-SC, EU:F:2014:243), and seeking that that judgment be set aside.

**Operative part of the order**

*The Court:*

1. *Dismisses the appeal.*
2. *Orders Mr Carlo De Nicola to bear his own costs and to pay those incurred by the European Investment Bank (EIB) in the present proceedings.*

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<sup>(1)</sup> OJ C 73, 2.3.2015.

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**Order of the General Court of 9 September 2015 — Alsharghawi v Council**

**(Case T-66/15) <sup>(1)</sup>**

***(Common foreign and security policy — Restrictive measures taken in view of the situation in Libya — Action for failure to act — Council's position — Subject-matter of the action ceasing to exist — No need to adjudicate)***

(2015/C 381/49)

*Language of the case: French*

**Parties**

*Applicant:* Bashir Saleh Bashir Alsharghawi (Johannesburg (South Africa) (represented by: E. Moutet, lawyer)

*Defendant:* Council of the European Union (represented by: V. Piessevaux and A. Vitro, acting as Agents)

**Re:**

Declare, on the basis of Article 265 TFEU, that the Council unlawfully refrained from re-examining its decision to include the applicant's name on the list of persons and entities covered by the restrictive measures taken in view of the situation in Libya.

**Operative part of the order**

1. *There is no longer any need to adjudicate on the action.*
2. *The Council of the European Union shall pay the costs.*

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(<sup>1</sup>) OJ C 146, 4.5.2015.

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**Order of the President of the General Court of 1 September 2015 — *Pari Pharma v EMA***  
**(Case T-235/15 R)**

*(Application for interim measures — Access to documents — Regulation (EC) No 1049/2001 — Documents held by the EMA concerning information submitted by an undertaking as part of its application for authorisation to place a medicinal product on the market — Decision to grant a third party access to the documents — Application for suspension of operation of a measure — Urgency — Prima facie case — Weighing up of interests)*

(2015/C 381/50)

Language of the case: English

**Parties**

*Applicant:* Pari Pharma GmbH (Starnberg, Germany) (represented by: M. Epping and W. Rehmann, lawyers)

*Defendant:* European Medicines Agency (EMA) (represented by: T. Jabłoński, N. Rampal Olmedo, A. Rusanov and S. Marino, acting as Agents)

*Intervener in support of the defendant:* Novartis Europharm Ltd (Camberley, United Kingdom) (represented by: C. Schoonderbeek, lawyer)

**Re:**

Application, in essence, for the suspension of operation of Decision EMA/271043/2015 of the EMA of 24 April 2015, granting to a third party, pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ 2001 L 145, p. 43), access to certain documents containing information submitted in the context of an application for marketing authorisation for the medicinal product Vantobra.

**Operative part of the order**

1. *The operation of Decision EMA/271043/2015 of the European Medicines Agency (EMA) of 24 April 2015 is suspended, in so far as that decision grants a third party access, pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, to the assessment report (EMA/CHMP/702525/2014) concerning the similarity of Vantobra with Cayston and TOBI Podhaler and the assessment report (EMA/CHMP/778270/2014) concerning the clinical superiority of Vantobra over TOBI Podhaler.*