

Re:

Application for compensation under Article 235 EC and the second paragraph of Article 288 EC for damage allegedly suffered by the applicant as a result of the adoption of Commission Decision C (2000) 453 of 9 March 2000 concerning the withdrawal of marketing authorisations for medicinal products for human use containing amfepramone

Operative part of the judgment

The Court:

1. Dismisses the action.
2. Orders Artegodan GmbH to bear its own costs and to pay those incurred by the European Commission.
3. Orders the Federal Republic of Germany to bear its own costs.

(¹) OJ C 48, 25.2.2006.

**Judgment of the General Court of 3 March 2010 —
Bundesverband deutscher Banken v Commission**

(Case T-36/06) (¹)

(State aid — Transfer of public assets to Landesbank Hessen-Thüringen Girozentrale — Decision finding that the notified measure does not constitute aid — Private investor test — Obligation to state the reasons on which the decision is based — Serious difficulties)

(2010/C 100/56)

Language of the case: German

Parties

Applicant: Bundesverband deutscher Banken eV (Berlin, Germany) (represented by: H.-J. Niemeyer and K.-S. Scholz, lawyers)

Defendant: European Commission (represented by: N. Khan and T. Scharf, Agents)

Interveners in support of the defendant: Land Hessen (Germany) (represented initially by H.-J. Freund and M. Holzhäuser, and subsequently by H.-J. Freund and S. Lehr, lawyers); and Landesbank Hessen-Thüringen Girozentrale (Frankfurt am Main, Germany) (represented by H.-J. Freund, lawyer)

Re:

Application for annulment of Commission Decision C(2005) 3232 final of 6 September 2005 relating to the transfer of the Hessischer Investitionsfonds (Hessian Investment Fund) as a silent partnership contribution to Landesbank Hessen-Thüringen Girozentrale

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders the Bundesverband deutscher Banken eV to bear its own costs and to pay those of the European Commission, the Land Hessen and Landesbank Hessen-Thüringen Girozentrale.

(¹) OJ C 96, 22.4.2006.

**Judgment of the General Court of 3 March 2010 —
Freistaat Sachsen and Others v Commission**

(Joined Cases T-102/07 and T-120/07) (¹)

(State aid — Aid granted by Germany in the form of a participation and loan guarantees — Decision declaring aid incompatible with the common market — General aid scheme approved by the Commission — Concept of a firm in difficulty — Guidelines on State aid for rescuing and restructuring firms in difficulty — Amount of aid — Obligation to state the reasons on which the decision is based)

(2010/C 100/57)

Language of the case: German

Parties

Applicants: Freistaat Sachsen (Germany) (represented by: C. von Donat and G. Quardt, lawyers) (Case T-102/07), MB Immobilien Verwaltungs GmbH (Neukirch, Germany) (represented initially by: G. Brüggem, and subsequently by A. Seidl, K. Lengert and W. Sommer, lawyers) and MB System GmbH & Co. KG, (Nordhausen, Germany) (represented by: G. Brüggem, lawyer) (Case T-120/07)

Defendant: European Commission (represented by: K. Gross and T. Scharf, Agents)