

2. The applicants are ordered to pay the costs.

(<sup>1</sup>) OJ C 118, 30.4.2004.

**Order of the Court of First Instance of 8 January 2008 —  
Commission v Lior and Others**

(Case T-245/04) (<sup>1</sup>)

**(Arbitration clause — Jurisdiction of the Court of First  
Instance — Action against a European Economic Interest  
Grouping and its members and former members — Partial  
jurisdiction)**

(2008/C 64/63)

Languages of the case: French and Greek

**Parties**

*Applicant:* Commission of the European Communities (represented by: first H. Støvlbæk, Agent, and M. Bra, lawyer, then H. Støvlbæk and M. Konstantinidis, Agents, and B. Wägenbaur, lawyer)

*Defendants:* Lior GEIE (Brussels, Belgium); Lior International NV (Hoeilaart, Belgium); Deira SA (Hoeilaart); Eutec Srl (Forli, Italy); Mindshare BVBA (Sint-Martens-Latem, Belgium); Società politecnica italiana ricerche e progetti Srl (Città di Castello, Italy); RPA Spa (Perugia, Italy); Carmen eV (Straubing, Germany); (represented by: V. Marien, lawyer); University College Dublin — Energy Research Group (Dublin, Ireland) (represented by: F. Herbert and L. Demeyere, lawyers); Beneport SA (Brussels); Europe Information Service SA (Brussels); Managium SPRL (Brussels) (represented by: J.-P. Brusseleers, lawyer); and Aris Hellas EPE (Kifissia, Greece) (represented by: K. Sakellariadis, lawyer)

**Re:**

Action pursuant to Article 238 EC seeking an order against all the defendants jointly to repay the amounts paid by the Community in accordance with six contracts concluded in the framework of the Thermie programme and one contract concluded in the framework of the Altener II programme.

**Operative part of the order**

1. The action is dismissed as inadmissible in so far as it relates to Deira SA, Eutec Srl, Mindshare BVBA, Società politecnica italiana ricerche e progetti Srl, RPA Spa, Carmen eV, University College

Dublin — Energy Research Group, Beneport SA, Europe Information Service SA, Managium SPRL and Aris Hellas EPE.

2. The Commission shall bear its own costs with regard to the action brought against Deira, Eutec, Mindshare, Società politecnica italiana ricerche e progetti, RPA, Carmen, University College Dublin — Energy Research Group, Beneport, Europe Information Service, Managium and Aris Hellas, and pay the costs of Deira, Eutec, Mindshare, Società politecnica italiana ricerche e progetti, RPA, Carmen, University College Dublin — Energy Research Group, Beneport, Europe Information Service and Managium.

3. Aris Hellas shall bear its own costs.

(<sup>1</sup>) OJ C 213, 6.9.2003 (formerly Case C-280/03).

**Order of the President of the Court of First Instance of  
7 January 2008 — Pellegrini v Commission**

(Case T-375/07 R)

**(Interim measures — Non-contractual liability of the Commission — Commission's failure to act — Provisional payment of damages sought in main proceedings — No prima facie case)**

(2008/C 64/64)

Language of the case: Italian

**Parties**

*Applicant:* Rosario Maria Pellegrini (Genoa, Italy) (represented by: L. Sulfaro, lawyer)

*Defendant:* Commission of the European Communities

**Re:**

Request that the Commission be ordered to pay compensation, on a provisional basis, for the financial damage allegedly suffered by the applicant because of the Commission's failure to ensure full application and correct interpretation of the provisions of Community law governing the activities of financial intermediaries.

**Operative part of the order**

1. The application for interim measures is dismissed.

2. The costs are reserved.