

**Order of the President of the Court of First Instance of
17 September 2008 — Melli Bank v Council**

(Case T-332/08 R)

(Applications for interim measures — Regulation (EC) No 423/2007 — Restrictive measures against the Islamic Republic of Iran — Council decision — Measure to freeze funds and economic resources — Application for suspension of operation of a measure — No urgency — Absence of serious and irreparable damage)

(2008/C 327/52)

Language of the case: English

Parties

Applicant: Melli Bank plc (London, United Kingdom) (represented by: R. Gordon, QC, M. Hoskins, Barrister, T. Din, S. Gadhia and D. Murray, Solicitors)

Defendant: Council of the European Union (represented by: M. Bishop, and E. Finnegan, acting as Agents)

Re:

Application for suspension of the application of paragraph 4, section B, of the Annex to Council Decision 2008/475/EC of 23 June 2008 implementing Article 7(2) of Regulation (EC) No 423/2007 concerning restrictive measures against Iran (OJ 2008 L 163, p. 29), in so far as Melli Bank plc is included in the list of legal persons, entities and bodies whose funds and economic resources are frozen.

Operative part of the order

1. *The application for interim measures is dismissed.*
2. *The costs are reserved.*

**Order of the President of the Court of First Instance of
15 October 2008 — Bank Melli Iran v Council**

(Case T-390/08 R)

(Applications for interim measures — Regulation (EC) No 423/2007 — Restrictive measures against the Islamic Republic of Iran — Council decision — Measure to freeze funds and economic resources — Application for suspension of operation of a measure — No urgency — Absence of serious and irreparable damage)

(2008/C 327/53)

Language of the case: French

Parties

Applicant: Bank Melli Iran (Tehran, Iran) (represented by: L. Defalque, lawyer)

Defendant: Council of the European Union (represented by: M. Bishop, E. Finnegan and R. Liudvinavičiute-Cordeiro, acting as Agents)

Re:

Application for suspension of the application of paragraph 4, section B, of the Annex to Council Decision 2008/475/EC of 23 June 2008 implementing Article 7(2) of Regulation (EC) No 423/2007 concerning restrictive measures against Iran (OJ 2008 L 163, p. 29), in so far as Bank Melli Iran is included in the list of legal persons, entities and bodies whose funds and economic resources are frozen.

Operative part of the order

1. *The application for interim measures is dismissed.*
2. *The costs are reserved.*

Appeal brought on 10 September 2008 by the Commission of the European Communities against the judgment of the Civil Service Tribunal delivered on 8 July 2008 in Case F-76/07 Birkhoff v Commission

(Case T-377/08 P)

(2008/C 327/54)

Language of the case: German

Parties

Appellant: Commission of the European Communities (represented by J. Currall and B. Eggers)

Other party to the proceedings: Gerhard Birkhoff (Weitnau, Germany)

Form of order sought by the appellant

- Set aside the judgment of the Civil Service Tribunal delivered on 8 July 2008 in Case F-76/07 *Birkhoff v Commission*;
- order Mr Birkhoff to pay the costs of the proceedings before the Civil Service Tribunal and of the appeal.