

COURT OF FIRST INSTANCE

Assignment of Judges to Chambers

(2004/C 201/34)

The Court of First Instance decided, at its Plenary Meeting on 8 July 2004, following the entry into office as Judge of Ms Trstenjak, to amend the decision of the Plenary Meeting of 2 July 2003 on the assignment of Judges to Chambers as follows:

The following are appointed for the period from 8 July 2004 to 31 August 2004

to the First Chamber, sitting with three Judges:

Mr Vesterdorf, President, Mr Mengozzi, Ms Martins Ribeiro, Ms Labucka and Ms Trstenjak, Judges;

to the First Chamber, Extended Composition, sitting with five Judges:

Mr Vesterdorf, President, Mr Mengozzi, Ms Martins Ribeiro, Ms Labucka and Ms Trstenjak Judges;

With regard to cases in which the written procedure was completed and a hearing for the oral procedure held or fixed before 8 July 2004, the First Chamber, sitting with three judges, and the First Chamber, Extended Composition, sitting with five judges, shall continue to sit with the same composition as before for the oral procedure, the deliberations and the judgment.

JUDGMENT OF THE COURT OF FIRST INSTANCE

of 25 May 2004

in Case T-69/03: W v European Parliament ⁽¹⁾

(Officials — Resettlement allowance — Definition of residence — Evidence)

(2004/C 201/35)

(Language of the case: French)

In Case T-69/03: W., a former official of the European Parliament, residing in Folkestone (United Kingdom), represented by P Goergen, lawyer, against the European Parliament (Agents: J. de Wachter and L. Knudsen) — application for annulment of the decision of the European Parliament of 3 June 2002

refusing to grant the applicant a resettlement allowance — the Court of First Instance, composed of J.D. Cooke, single judge; I. Natsinas, administrator, for the Registrar, gave a judgment on 25 May 2004, in which it:

1. Dismisses the application.
2. Orders the parties to bear their own costs.

⁽¹⁾ OJ C 101 of 26.4.2003.

Action brought on 13 May 2004 by Asklepios Kliniken GmbH against the Commission of the European Communities

(Case T-167/04)

(2004/C 201/36)

(Language of the case: German)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 13 May 2004 by Asklepios Kliniken GmbH, Königstein-Falkenstein (Germany), represented by K. Füller, lawyer.

The applicant claims that the Court should:

- declare that, by failing to take any decision pursuant to Article 4(2), (3) or (4) of Regulation (EC) No 659/1999 in response to the applicant's letter of complaint of 20 January 2003, the Commission is in breach of its obligations under Article 88 EC and Article 10(1) and Article 13(1) of Regulation (EC) No 659/1999.

Pleas in law and main arguments:

The applicant is a company which specialises in hospital management. It is incorporated under private law and is owned exclusively by private interests. Since January 2003, it has been endeavouring to obtain a decision from the Commission under Article 4(2), (3) or (4) of Regulation (EC) No 659/1999 in relation to alleged aid in favour of publicly-owned hospitals in the Federal Republic of Germany.