

Order of the Court of 4 October 2007 — Republic of Finland v Commission of the European Communities(Case C-457/06 P) ⁽¹⁾

(Appeal — Action for annulment — Inadmissibility — Measure not having binding legal effects — European Communities' own resources — Infringement procedure — Article 11 of Regulation (EC, Euratom) No 1150/2000 — Interest for late payment — Negotiations for an agreement on a conditional payment — Refusal letter)

(2008/C 22/34)

Language of the case: Finnish

Parties

Applicant: Republic of Finland (represented by: E. Bygglin, Agent)

Other party to the proceedings: Commission of the European Communities (represented by: G. Wilms and P. Aalto, Agents)

Re:

Appeal against the order of the Court of First Instance (Fourth Chamber) of 5 September 2006 in Case T-350/05 *Finland v Commission* dismissing as inadmissible an application for annulment of the Commission's decision of 8 July 2005 refusing to enter into negotiations with the Republic of Finland on the possibility of paying provisionally the customs duties on defence equipment claimed by the Commission in proceedings for failure to fulfil obligations — Acts against which an action may be brought

Operative part of the order

The Court:

1. Dismisses the appeal;
2. Orders the Republic of Finland to pay the costs.

⁽¹⁾ OJ C 326, 30.12.2006.

Order of the Court of 25 October 2007 — Bart Nijs v Court of Auditors of the European Communities(Case C-495/06 P) ⁽¹⁾

(Appeal — Promotion — 2003 promotion procedure — Staff report — Decision establishing the definitive version of the report — Decision to promote another official to the grade of Translator-reviser — Claim for compensation for damage — Appeal in part manifestly inadmissible and in part manifestly unfounded)

(2008/C 22/35)

Language of the case: French

Parties

Applicant: Bart Nijs (represented by: F. Rollinger, avocat)

Other party to the proceedings: Court of Auditors of the European Communities (represented by: T. Kennedy, Agent)

Re:

Appeal brought against the judgment of the Court of First Instance (Second Chamber) of 3 October 2006 in Case T-171/05 *Bart Nijs v Court of Auditors*, in which the Court of First Instance dismissed — in so far as it relied on grounds other than a failure to give reasons — the action seeking, first, annulment of the decision establishing the definitive version of the appellant's staff report for the 2003 reporting period, the decision allocating the appellant merit points for the 2003 reporting period and the decision not to promote him in 2004, and of the decision rejecting the complaint brought against those decisions and, secondly, an application for compensation in respect of the harm suffered

Operative part of the order

The Court:

1. Dismisses the appeal;
2. Orders Mr Nijs to pay the costs.

⁽¹⁾ OJ C 42, 24.2.2007.