

V

(Announcements)

COURT PROCEEDINGS

COURT OF JUSTICE

Judgment of the Court (Third Chamber) of 20 May 2009 — Philippe Guigard v Commission of the European Communities(Case C-214/08 P) ⁽¹⁾*(Appeal — Action for damages — Conditions for the Community to incur contractual and non-contractual liability — Articles 313(2)(k), 314 and 317(a) of the Fourth Lomé Convention, as revised by the Mauritius Agreement)*

(2009/C 167/02)

*Language of the case: French***Parties***Appellant:* Philippe Guigard (represented by: S. Rodrigues and C. Bernard-Glanz)*Other party to the proceedings:* Commission of the European Communities (represented by: A. Bordes and F. Dintilhac, Agents)**Re:**

Appeal against the judgment of the Court of First Instance (Third Chamber) of 11 March 2008 in Case T-301/05 *Guigard v Commission*, by which the Court of First Instance dismissed the applicant's action for damages for the loss which he allegedly suffered by reason of the Commission's conduct with regard to the non-renewal of his contract of employment concluded in the framework of technical co-operation between the Community and the Republic of Niger financed by the European Development Fund — Conditions for the Community to incur non-contractual liability — Infringement of Articles 313(2)(k) and 314 of the Fourth Lomé Convention (OJ 1991 L 229), as revised by the Mauritius Agreement (OJ 1998 L 156, p. 3) — Infringement of the obligation to state reasons and of the rights of the defence.

Operative part of the judgment*The Court:*

1. Sets aside the judgment of the Court of First Instance of the European Communities in Case T-301/05 *Guigard v Commission* inasmuch as it declared Mr Guigard's action to be admissible;

2. Dismisses Mr Guigard's action in Case T-301/05;

3. Declares that it is not necessary to rule on the appeal;

4. Orders Mr Guigard to pay the costs incurred by the Commission of the European Communities before the Court of Justice of the European Communities and before the Court of First Instance of the European Communities.

⁽¹⁾ OJ C 223, 30.08.2008.

Order of the Court (Sixth Chamber) of 26 March 2009 (Reference for a preliminary ruling from the Tribunale Amministrativo Regionale per la Sicilia — Italy) — Maria Catena Rita Pignataro v Ufficio Centrale Circostrizionale c/o Tribunale di Catania, Ufficio Centrale Regionale per l'elezione del Presidente dell'Assemblea Regionale Siciliana c/o Corte d'Appello di Palermo, Assemblea Regionale Siciliana, Presidenza del Consiglio dei Ministri, Ministero dell'Interno, Ministero dell'Economia, Andrea Vitale, Antonino Di Guardo, Fabio M. Mancuso

(Case C-535/08) ⁽¹⁾

(Eligibility requirements for regional elections — Requirement of residence in the region concerned — Articles 17 EC and 18 EC — Fundamental rights — No link with Community law — Court clearly lacking jurisdiction)

(2009/C 167/03)

*Language of the case: Italian***Referring court**

Tribunale Amministrativo Regionale per la Sicilia

Parties*Applicant:* Maria Catena Rita Pignataro

Defendants: Ufficio Centrale Circostrizionale c/o Tribunale di Catania, Ufficio Centrale Regionale per l'elezione del Presidente dell'Assemblea Regionale Siciliana c/o Corte d'Appello di Palermo, Assemblea Regionale Siciliana, Presidenza del Consiglio dei Ministri, Ministero dell'Interno, Ministero dell'Economia, Andrea Vitale, Antonino Di Guardo, Fabio M. Mancuso