

Operative part of the order

1. *The appeal is dismissed.*

2. *Pigasos Alieftiki Naftiki Etairia is ordered to pay the costs.*

(¹) OJ C 24, 30.1.2010.

Appeal brought on 11 December 2009 by Hubert Ségaud against the Order of the Court of First Instance (Sixth Chamber) of 29 October 2009 in Case T-249/09 Ségaud v European Commission

(Case C-514/09 P)

(2010/C 234/30)

Language of the case: French

Parties

Appellant: Hubert Ségaud (represented by: J.-P Ekeu, avocat)

Other party to the proceedings: European Commission

By order of 21 May 2010, the Court of Justice (Eight Chamber) dismissed the appeal and ordered Mr Ségaud to bear his own costs.

Reference for a preliminary ruling from the Landesarbeitsgericht Hamm (Germany) lodged on 4 May 2010 — KHS AG v Winfried Schulte

(Case C-214/10)

(2010/C 234/31)

Language of the case: German

Referring court

Landesarbeitsgericht Hamm

Parties to the main proceedings

Applicant: KHS AG

Defendant: Winfried Schulte

Question referred

Is Article 7(1) of Directive 2003/88/EC (¹) to be interpreted as precluding national legislation and/or practices under which entitlement to minimum paid annual leave expires at the end of the reference period and/or carry-over period even in the case where the worker has been unfit for work over a prolonged period (and that prolonged period of unfitness for work has the result that that worker could have accumulated entitlement to minimum leave for several years if the possibility of carrying over such entitlement had not been limited in time)? If that question is answered in the negative, must the possibility of carrying over leave entitlement exist for a period of at least 18 months?

(¹) Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time (OJ 2003 L 299, p. 9).

Reference for a preliminary ruling from the Bundesverwaltungsgericht (Germany) lodged on 19 May 2010 — Mesopotamia Broadcast A/S METV v Federal Republic of Germany

(Case C-244/10)

(2010/C 234/32)

Language of the case: German

Referring court

Bundesverwaltungsgericht

Parties to the main proceedings

Applicant: Mesopotamia Broadcast A/S METV

Defendant: Federal Republic of Germany