

GENERAL COURT

Judgment of the General Court of 12 February 2019 — *Hércules Club de Fútbol v Commission*

(Case T-134/17) ⁽¹⁾

[Access to documents — Regulation (EC) No 1049/2001 — Documents relating to a procedure for reviewing State aid — Refusal of access — Lis alibi pendens — Exception relating to protection of the purpose of inspections, investigations and audits — Exception relating to protection of the commercial interests of a third party — Obligation to conduct a specific and individual examination — Overriding public interest]

(2019/C 122/16)

Language of the case: Spanish

Parties

Applicant: Hércules Club de Fútbol, SAD (Alicante, Spain) (represented by: S. Rating and Y. Martínez Mata, lawyers)

Defendant: European Commission (represented by: J. Baquero Cruz, G. Luengo and P. Němečková, acting as Agents)

Re:

Action under Article 263 TFEU seeking annulment of Commission Decision C(2017) 736 final of 2 February 2017, refusing Hércules Club de Fútbol access to documents relating to the procedure for reviewing State aid SA.363872.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Hércules Club de Fútbol, SAD to pay the costs, including those relating to the application for interim measures.

⁽¹⁾ OJ C 144, 8.5.2017.

Judgment of the General Court of 12 February 2019 — *Printeos v Commission*

(Case T-201/17) ⁽¹⁾

[Non-contractual liability — Competition — Cartels — Decision finding infringement of Article 101 TFEU — Fines — Judgment annulling the decision in part — Reimbursement of the principal amount of the fine — Default interest — Sufficiently serious breach of a rule of law conferring rights on individuals — Causal link — Harm — Article 266 TFEU — Article 90(4)(a), second sentence, of Delegated Regulation (EU) No 1268/2012]

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