

ORDER OF THE COURT**(Second Chamber)****of 13 December 2000**

in Case C-44/00 P: Société de distribution mécanique et d'automobiles SA (Sodima) v Commission of the European Communities⁽¹⁾

(Competition — Distribution of motor vehicles — Complaint — Action for failure to act, for annulment, and for compensation — Inadmissibility — Appeal in part manifestly inadmissible and in part manifestly unfounded)

(2001/C 200/47)

(Language of the case: French)

(Provisional translation; the definitive translation will be published in the European Court Reports)

In Case C-44/00 P: Société de distribution mécanique et d'automobiles SA (Sodima), a company being wound up by court order, having its registered office in Istres, France, represented by J.C. Fourgoux, of the Paris Bar, with an address for service in Luxembourg at the Chambers of P. Schiltz, 4 Rue Béatrix de Bourbon — Appeal against the judgment of the Court of First Instance of the European Communities (First Chamber) of 13 December 1999 in Joined Cases T-190/95 and T-45/96 Sodima v Commission [1999] ECR II-3617, seeking to have that judgment set aside, the other party to the proceedings being: Commission of the European Communities (Agents: G. Marengo and F. Siredey-Garnier) — The Court (Second Chamber), composed of: V. Skouris, President of the Chamber, R. Schintgen (Rapporteur) and N. Colneric, Judges; D. Ruiz-Jarabo Colomer, Advocate General; R. Grass, Registrar, has made an order on 13 December 2000, the operative part of which is as follows:

1. *The appeal is dismissed.*
2. *Société de distribution mécanique et d'automobiles SA (Sodima) is ordered to pay the costs of the present proceedings.*

⁽¹⁾ OJ C 149 of 27.5.2000.

ORDER OF THE COURT**(Third Chamber)****of 15 December 2000**

in Case C-87/98 (reference for a preliminary ruling from the Consiglio di Stato): Questore di Genova v Eliana Fasciolo⁽¹⁾

(Article 104(3) of the Rules of Procedure — Question identical to one on which the Court has already ruled)

(2001/C 200/48)

(Language of the case: Italian)

(Provisional translation; the definitive translation will be published in the European Court Reports)

In Case C-87/98: reference to the Court under Article 177 of the EC Treaty (now Article 234 EC) from the Consiglio di Stato (Italy) for a preliminary ruling in the proceedings pending before that court between Questore di Genova and Eliana Fasciolo on the interpretation of the provisions of the EC Treaty on freedom to provide services — the Court (Third Chamber), composed of: C. Gulmann, President of the Chamber, J.-P. Puissochet (Rapporteur) and F. Macken, Judges; C. Stix-Hackl, Advocate General; R. Grass, Registrar, has made an order on 15 December 2000, the operative part of which is as follows:

The EC Treaty provisions on freedom to provide services do not preclude national legislation, such as the Italian legislation, which reserves unto certain bodies the right to take bets on sporting events, if that legislation is in fact justified by social-policy objectives designed to limit the harmful effects of such activities and if the restrictions which it imposes are not disproportionate in relation to those objectives.

⁽¹⁾ OJ C 209 of 4.7.1998.