

Action brought on 18 September 2009 — Tecnoprocess v Commission and Delegation of the European Commission to the Republic of Nigeria

(Case T-367/09)

(2009/C 267/145)

Language of the case: Italian

Parties

Applicant: Tecnoprocess (Rome, Italy) (represented by A. Majoli, lawyer)

Defendant: Commission of the European Communities and Delegation of the European Commission to the Republic of Nigeria

Form of order sought

- a declaration pursuant to Article 232 EC that the EU Delegation to Abuya and the Commission of the European Communities have failed to act;
- a declaration, on the basis of Article 288 of the Treaty, that the Delegation and the Commission have incurred non-contractual liability vis-à-vis the applicant and an order that they should jointly and severally pay it compensation for damage in the sum of EUR 600 000 (six hundred thousand euro).

Pleas in law and main arguments

The company which is the applicant in these proceedings is the same as in Case T-264/09 *Tecnoprocess v Commission of the European Communities and European Commission Delegation to Morocco*.⁽¹⁾

The subject-matter of the dispute is the conditions surrounding the performance of the contract 'EuropeAid 123511/D/SUP/NG — Supply, Installation, Delivery, Commissioning and After-Sale Service of 114 27 Kva Generators to the EC Assisted Prime Project in Nigeria', designed to ensure the supply and installation of 114 27 KVA generators, and the performance of after-sales service assistance, for the National Authorising Officer, National Planning Commission and, especially for the

offices of that body situated in six of the main geographic areas of Nigeria.

The applicant claims that the Commission has not shown due care and attention in monitoring the conditions in which the contract at issue was carried out, failing to find a satisfactory solution for its interests faced with the serious breaches of obligations to be found in its performance.

In support of its heads of claim, the applicant puts forward pleas in law and main arguments similar to those pleaded in Case T-264/09, cited above.

⁽¹⁾ OJ 2009 C 220, p. 16.

Order of the Court of First Instance of 22 September 2009 — Fjord Seafood Norway and Others v Council

(Case T-113/06)⁽¹⁾

(2009/C 267/146)

Language of the case: English

The President of the Fifth Chamber has ordered that the case be in part removed from the register.

⁽¹⁾ OJ C 131, 3.6.2006.

Order of the Court of First Instance of 21 September 2009 — Ryanair v Commission

(Case T-404/07)⁽¹⁾

(2009/C 267/147)

Language of the case: English

The President of the Sixth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 8, 12.1.2008.