Order of the President of the Court of First Instance of 24 January 2006 — Leali v Commission

(Case T-46/03 R II)

Application for interim measures — Application for suspension of operation — Competition — Payment of fine — Bank guarantee — Urgency — None

Applications for interim measures — Suspension of operation of a measure — Conditions for granting — Urgency — Prima facie case — Cumulative requirements (Art. 242 EC; Rules of Procedure of the Court of First Instance, Art. 104(2)) (see paras 28, 49)

Re:

APPLICATION for suspension of operation of the decision of the Commission of 17 December 2002 relating to a proceeding under Article 65 CS (COMP/37.956 — concrete-reinforcing bars), inasmuch as it imposes upon the applicant, jointly and severally with Acciaierie e Ferriere Leali Luigi SpA, in liquidation, a fine of EUR 6.093 million and, solely upon the applicant, a fine of EUR 1.082 million.

Operative part

The Court:

1. Dismisses the application for interim measures;

2. Reserves the costs.