Re:

APPEAL brought against the order of the Court of First Instance (First Chamber) of 27 September 2006 (T-440/05) *Correia de Matos* v *Parliament* dismissing as manifestly inadmissible an application for annulment of the decision of the President of the European Parliament of 28 August 2004 rejecting the complaint lodged by the appellant against the Portuguese Republic.

Operative part

1. The appeal by Mr Correia de Matos is inadmissible;

2. The case is removed from the register of the European Communities.

Judgment of the Court (Second Chamber) of 22 November 2007 — Cofradía de pescadores 'San Pedro' de Bermeo and Others v Council

(Case C-6/06 P)

Appeal — Non-contractual liability of the Community — Principles of relative stability, legal certainty and legitimate expectations — Admissibility — Appeal in part unfounded and in part inadmissible — Cross appeal — Application to set aside part of the judgment of the Court of First Instance inasmuch as it holds that it is not necessary to rule on a plea of inadmissibility brought against an action which it dismissed as unfounded — No legal interest in bringing proceedings — Res judicata

1. *Appeals — Admissibility — Decisions capable of forming the subject-matter of an appeal (Statute of the Court of Justice, Art. 56, first para.) (see paras 21, 22)*

2. *Appeals — Grounds — Mere repetition of the pleas and arguments put forward before the Court of First Instance — Error of law relied on not identified — Inadmissibility — Challenge to the interpretation or application of Community law by the Court of First Instance — Admissibility (Art. 225 EC; Statute of the Court of Justice, Art. 58, first para.; Rules of Procedure of the Court, Art. 112(1)(c)) (see paras 34-36, 60)*

3. *Appeals — Grounds — Plea directed against a ground of the judgment not necessary to support the operative part — Inoperative plea (Art. 225 EC; Statute of the Court of Justice, Art. 58, first para.) (see para. 51)*

4. *Appeals — Grounds — Review by the Court of the assessment of the evidence — Party requesting an expert report after the closure of the oral procedure (Art. 225 EC; Statute of the Court of Justice, Art. 58, first para.; Rules of Procedure of the Court of First Instance, Art. 62) (see paras 69-71)*

Re:

APPEAL brought against the judgment of the Court of First Instance (Third Chamber) of 19 October 2005 in Case T-415/03 *Cofradía de pescadores 'San Pedro' de Bermeo and Others* v *Council* in which the Court dismissed the action for damages to compensate for the loss allegedly suffered by the applicants following the Council's authorisation of the transfer to the French Republic of part of the quota for anchovy allocated to the Portuguese Republic.

Operative part

The Court:

1. Dismisses the principal appeal, brought by Cofradía de pescadores 'San Pedro' de Bermeo and the other applicants, whose names are set out in the Annex to the judgment of the Court of First Instance of the European Communities of 19 October 2005 in Case T-415/03 *Cofradía de pescadores 'San Pedro' de Bermeo and Others* v *Council*;

2. Dismisses the cross appeal brought by the Council of the European Union;

3. Orders Cofradía de pescadores 'San Pedro' de Bermeo and the other applicants, whose names are set out in the Annex to the judgment of the Court of First Instance of the European Communities of 19 October 2005 in Case T-415/03 *Cofradía de pescadores 'San Pedro' de Bermeo and Others* v *Council*, and the Council of the European Union, to bear their own costs;

4. Orders the Commission of the European Communities to bear its own costs.

Order of the President of the Court of 22 November 2007 — Commission v Scott

(Case C-296/07 P (R))

Appeal — Interim measures — Order that there is no need to adjudicate — Application to set aside — Appeal manifestly unfounded