

2) The CFI erred in law in refusing jurisdiction as regards the claims in relation to the amounts of EUR 118 058,46, EUR 277 939,37 and the legal fees, for which the national remedies have been exhausted following the legal right to settlement. As a result the appellants are left with no effective remedy and are penalised for exercising their legal right to settlement on the basis of the German Civil Code, despite the fact that the Community liability is involved in this case. In this context it is submitted that the CFI distorted the facts and evidence in holding that the appellants did not produce any evidence in support of, on one hand, the role of the Community and the Russian authorities and, on the other hand, the role of the criminal proceedings, in concluding a settlement.

**Action brought on 25 September 2008 — Commission of the European Communities v Republic of Cyprus**

**(Case C-426/08)**

(2008/C 285/51)

*Language of the case: Greek*

**Parties**

*Applicant:* Commission of the European Communities (represented by: H. Støvlbaek and I. Khatzigiannis)

*Defendant:* Republic of Cyprus

**Form of order sought**

— declare that, by not adopting the laws, regulations and administrative provisions necessary to comply with Council Directive 2006/100/EC of 20 November 2006 adapting certain directives in the field of freedom of movement of persons, by reason of the accession of Bulgaria and Romania <sup>(1)</sup>, or in any event by not notifying those provisions to the Commission, the Republic of Cyprus has failed to fulfil its obligations under that directive;

— order the Republic of Cyprus to pay the costs.

**Pleas in law and main arguments**

The time-limit for transposition of the directive into domestic law expired on 1 January 2007.

<sup>(1)</sup> OJ L 363, 20.12.2006, p. 141.

**Action brought on 25 September 2008 — Commission of the European Communities v Hellenic Republic**

**(Case C-427/08)**

(2008/C 285/52)

*Language of the case: Greek*

**Parties**

*Applicant:* Commission of the European Communities (represented by: H. Støvlbaek and I. Khatzigiannis)

*Defendant:* Hellenic Republic

**Form of order sought**

— declare that, by not adopting the laws, regulations and administrative provisions necessary to comply with Council Directive 2006/100/EC of 20 November 2006 adapting certain directives in the field of freedom of movement of persons, by reason of the accession of Bulgaria and Romania <sup>(1)</sup>, or in any event by not notifying those provisions to the Commission, the Hellenic Republic has failed to fulfil its obligations under that directive;

— order the Hellenic Republic to pay the costs.

**Pleas in law and main arguments**

The time-limit for transposition of the directive into domestic law expired on 1 January 2007.

<sup>(1)</sup> OJ L 363, 20.12.2006, p. 141.