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COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES  
COUR DE JUSTICE DES COMMUNAUTÉS EUROPÉENNES  
CÚIRT BHREITHIÚNAIS NA gCÓMHPHOBAL EORPACH  
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Press and Information

## INFORMATION FOR THE PRESS No 66/07

21 September 2007

### DELIVERY OF JUDGMENT IN CASE C-112/05 SCHEDULED FOR 23RD OCTOBER 2007

*Commission of the European Communities v Federal Republic of Germany*

Judgment in Case C-112/05 Commission of the European Communities v Federal Republic of Germany will be delivered on 23 October 2007 at 9.30 a.m. in the Grande Salle of the Court of Justice.

An action against the Federal Republic of Germany was brought before the Court of Justice of the European Communities on 4 March 2005 by the Commission of the European Communities, claiming that the Volkswagen Law is an infringement of the free movement of capital and the freedom of establishment.

Specifically, the Commission criticises:

- The right of the Federal Republic and of the Land of Lower Saxony, as long as they are shareholders, to each appoint two members of the supervisory board of the company;
- The limitation of voting rights to 20% of the share capital where any shareholder exceeds that percentage; and
- The increase to more than 80% of the share capital represented for the adoption of certain resolutions of the general shareholders' meeting.

The hearing in this case took place on 12 December 2006, Advocate General Ruiz-Jarabo gave his opinion on the case on 13 February 2007.

**Accreditation may be obtained from the Press and Information Service of the Court of Justice by returning the accompanying form no later than 12:00CET on 12 October 2007.**

*Languages available: DE EN FR*

*This information for the press is also available on the Court's internet site  
<http://curia.europa.eu/en/actu/communiqués/index.htm>*

*For further information please contact Christopher Fretwell  
Tel: (00352) 4303 3355 Fax: (00352) 4303 2731*

*Pictures of the delivery of the judgment will be available on EbS "Europe by Satellite",  
a service provided by the European Commission, Directorate-General Press and  
Communications,*

*L-2920 Luxembourg, Tel: (00 352) 4301 35177 Fax: (00352) 4301 35249  
ou B-1049 Bruxelles, Tel: (00 32) 2 296 4106 Fax: (0032) 2 296 5956*

## **PRACTICAL INFORMATION**

**A press release will be available after delivery of the judgment.**

**A press room fitted with office equipment (telephones: analogue lines, ISDN lines and Wi-Fi) will be available to you.**

**Please note:**

- **only EBS cameras will be allowed in the hearing room;**
- **the press is requested to use the Thomas More entrance, Boulevard Konrad Adenauer;**
- **the public is requested to remain silent and seated until the end of the hearing;**
- **the use of mobile telephones or other electronic devices is forbidden during the entire hearing;**
- **the use of flashes or other supplementary lighting systems is not authorised;**
- **photographers and cameramen may not move around the hearing room in order to take photographs;**
- **if a great number of photographers and cameramen are interested, a "pool" can be arranged by the Press and Information Service.**

## ACCREDITATION

Accreditation to be sent by fax before 12:00 CET on  
12 October 2007 to number: (00352) 4303 2500

re: Delivery of judgment in Case C-112/05 *Commission v Germany*

For further information, please contact the Secretariat of the Press and Information Service  
Tel: (00352) 4303 2035

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Request for authorisation to photograph/film (please delete as appropriate):

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**Your request has been accepted if you have not received a refusal from the Court of Justice  
two days before the hearing.**