

ECJ Advocate General Opines Order of General Court of European Union in *Fachverband Spielhallen and LM v Commission* (Case T 510/20) Should Be Annulled: *Fachverband Spielhallen and LM v Commission* (Case C-831/21 P) (State Aid)

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Report from Andreas Perdelwitz, Principal Associate, IBFD

On 25 May 2023, Advocate General Pikamäe of the Court of Justice of the European Union (ECJ) gave his opinion in the case of *Fachverband Spielhallen eV and LM v European Commission* (Case C-831/21 P).

The Appellants brought appeals before the ECJ on 28 December 2021 (see [Fachverband Spielhallen eV \(Berlin, Germany\) and LM Appeal General Court's Order in State Aid Case \(16 May 2022\)](#)) against the judgment of the General Court of 22 October 2021 in *Fachverband Spielhallen eV and LM v European Commission* (T-510/20) (see [General Court Decides on State Aid Case Concerning Action for Partial Annulment of Decision to Open In-Depth Investigation into Possible Advantages for Public Casino Operators in Germany: Fachverband Spielhallen eV \(Berlin, Germany\) and LM \(Case T-510/20\) \(20 December 2021\)](#))).

In this case, the Advocate General concluded that:

"the Court of Justice should set aside the order of the General Court of the European Union of 22 October 2021, *Fachverband Spielhallen and LM v Commission* (T 510/20) and refer the case back to the General Court for it to rule on the single plea in law raised before it by Fachverband Spielhallen eV and LM."

A more substantial report containing details of the Advocate General's reasoning will be published subsequently.

