



European Law Moot Court Competition
Pisa Regional Final
February 12-15 2015

European Law Moot Court

Pisa Regional Final

12-15 February 2015

organized by the ELMC Society, the Scuola Superiore Sant'Anna, Pisa and the DIRPOLIS
(Institute of Law, Politics and Development)



**Scuola Superiore
Sant'Anna**
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CENTRE FOR STUDIES ON FEDERALISM

A Word of Welcome from the ELMC Society

On behalf of the European Law Moot Court Society, I would like to welcome you to Pisa Regional Final of the 2014-2015 edition of the European Law Moot Court!

I can assure you, that the European Law Moot Court Society really takes great pride into having this Regional Final hosted at the Scuola Superiore Sant'Anna, Pisa.

To the competing teams, I offer my warmest congratulations on being selected amongst the best teams that submitted written pleadings in this year's Competition. The best team & best Advocate General at this Regional Final will have the honor to represent their University before the Court of Justice of the European Union and plead in front of the real EU Judges at the end of April 2015.

However, you should all realize that to a large degree the purpose of the European Law Moot Court – which is to promote studies in European Union Law – has already been achieved.

Think back for a moment over the uncountable hours that you have spent preparing your written and oral pleadings. I assure you that the depth of knowledge acquired through that preparation approaches that of any practicing lawyer in Europe. Admittedly that knowledge is focused on this year's complex ELMC case, but the experience you have acquired in preparing it to be pleaded before the Moot Court will help you tremendously in future – when you will be working as a lawyer, judge, counsel, State or Institution Agent – to expand the breadth of your knowledge of EU Law into other areas.

At this point, I would also like to take the opportunity to thank the members of the Pisa Regional Team, DIRPOLIS Institute and the Scuola Superiore Sant'Anna for their efforts in organizing what I am sure will be an exceptional international event in a beautiful and dynamic University.

Last but not least, I wish to thank our Judges for accepting to sit on the panel, offering to all of us four entire days of their busy schedules. Without their contribution this event would not be possible.

Good luck, and remember to Moot, Meet & Compete!

Georges VALLINDAS

President, European Law Moot Court Society

PANEL OF JUDGES

- Patrick ACTIS PERINETTO



Patrick Actis Perinnetto is an associate resident in Cleary Gottlieb Steen & Hamilton LLP (Rome office). Mr. Actis Perinnetto's practice focuses on advising companies on a wide range of issues under European law, European and Italian antitrust law, including licensing and distribution, abuse of dominant position, restrictive practices and agreements. Mr. Actis Perinnetto joined the firm in 2012. He graduated summa cum laude from the Law School of the University of Turin in 2008 and received an LL.M. with specialization in European Law from the University of Cambridge in 2012.

- Luca ARNAUDO



Luca Arnaudo, Ph.D., is a senior investigative officer at the Italian competition authority, where he has been case-handler of several important antitrust cases in the fields of pharmaceuticals, transports and public utilities. A frequent lecturer, Luca has been visiting professor and scholar at various universities; he authored two books and more than forty articles on legal and economic matters.

- Tim BRUYNINCKX



Tim Bruyninckx is currently PhD researcher at the European University Institute in Florence focusing on EU State aid law and public procurement regulation. He holds a degree “Master in Law” from the Katholieke Universiteit Leuven, a “diplôme d’études spécialisés en droit européen” from the Université Libre de Bruxelles and a “LL.M. in Comparative, European and International Laws”. Previous work experience includes an assistantship at the Katholieke Universiteit Leuven and four years of practicing law at the Brussels bar.

- Delia FERRI



Dr. Delia Ferri is Lecturer at the Maynooth University. She joined the Department of Law in September 2014. Before joining Maynooth University, Delia was Research Associate at the Centre for Disability Law and Policy of the National University of Ireland Galway and lectured at the Irish Centre for Human Rights. She also collaborated with the Faculty of Law of the University of Trento (Italy). In addition, between 2006 and 2014 she worked as of counsel for a law firm in Verona and carried out substantial activity as independent legal consultant for different NGOs, research centres and international law firms.

- Erik PIJNACKER HORDIJK



Erik Pijnacker Hordijk is a Partner with the Amsterdam based law firm De Brauw Blackstone Westbroek. He is a graduate from Utrecht University and the College of Europe. Erik is a leading practitioner in the field of EU and competition law. Apart from having been a Moot Court judge every year since 1995, he has appeared in more than 100 cases before the real European courts. His most remarkable case was *Mulder*, starting with a preliminary ruling in 1988 pronouncing the partial invalidity of the European milk quota regime and ending with the award of the largest damage claim ever against the Council and Commission in 2001.

- Mel MARQUIS



Mel Marquis is Part-time Professor of Law at the European University Institute and “Professore a contratto” at LUMSA University in Rome. He is Co-Director of the Rome Antitrust Forum and an editor on the board of “Mercato Concorrenza Regole”. He has practiced as an attorney in the United States and Belgium, and he has published commentaries on the competition laws of China, Japan, the European Union and the United States.

-Tommy PETTERSSON



Tommy Pettersson is a Partner in the EU and competition law practice group and co-chairman of the group together with Johan Carle. He mainly works as counsel for Swedish and international clients in connection with competition law litigation and complaint matters in Swedish courts, the EU Courts, the European Commission, the Swedish Competition Authorities and in arbitration. He also provides advice in general competition law and works with the collection of concentrations for the European Commission and public authorities such as the Swedish Competition Authority. Tommy Pettersson has written several articles, and is a frequently solicited speaker in this field.

- René REPASI



René Repasi studied law at the Universities of Heidelberg and Montpellier. During his legal clerkship, he used to work for the European Commission and at the European Court of Justice. Since 2007, he has been employed as Assistant Professor at the University of Heidelberg and senior researcher at the Institute for German and European Corporate and Economic. In 2014 he joined the European Research Centre for Economic and Financial Governance of the Universities of Leiden, Rotterdam and Delft as scientific coordinator. He was furthermore appointed as legal expert for the European Parliament on the banking union and for the Constitutional Affairs Committee of the European Parliament on the future economic governance. He published in several English, French

and German law journals on EU legal issues. The Brussels based think tank “Centre for European Policy Studies” (CEPS) nominated him for its High-Level Group on EU Institutional Reforms.

- Allan Francis TATHAM



Called as a barrister of Gray’s Inn, Dr. Tatham was invited to Hungary in the early 1990s and lectured both at ELTE Law Faculty and at Péter Pázmány Catholic University Faculty of Law, Budapest, where he was assistant professor until 2011. He has lectured widely on EU law for over 20 years, particularly in Central and Eastern Europe. He also worked as legal advisor at the Delegation of the European Commission to Hungary in the lead up to accession and has published extensively on EU enlargement and law harmonisation. Since 2011, he has been lecturer in EU and public international law at the Faculty of Law, Universidad CEU San Pablo, Madrid. His current research interests focus on judicial and other legal aspects of regional integration systems in Europe and beyond.

Stefaan VAN DEN BOGAERT



Stefaan Van den Bogaert is Professor in European law and Director of the Europa Institute at Leiden Law School, the Netherlands. Van den Bogaert is also visiting Professor in European Sports Law at the University of Brussels (VUB), Belgium. He is fellow at the Graduate School of legal studies at Leiden Law School, member of the Ius Commune Research School and member of the editorial committee of Common Market Law Review.

Time-Schedule for the Pisa Regional Final

Wednesday, February 11, 2015

Arrival of the two OT members

Thursday, February 12, 2015

13.00 – 18.00 Arrival of Teams and Judges

16.00 – 18.00 Payment of Fees (Hall of the “Grand Hotel Duomo”)

18.15 Departure of the teams from the “Grand Hotel Duomo”

18.30 – 20.00 Welcome Reception at the “Aula Magna” of the Scuola Superiore Sant’Anna, Presentation of Judges, OT, RT, Ex. Sec

20.35 – 22:00 First Dinner of the Judges and Ex. Sec. at the restaurant “La Grotta”

Friday, February 13, 2015 – First Pleading Day

07.30 – 08.30 Breakfast

08.30 Departure to Court Rooms at the Scuola Superiore Sant’Anna, Main Building)

09.00 – 10.00 First Round; Sessions I & II

10.00 – 10.15 Coffee Break

10.15 – 11.15 Second Round; Sessions III & IV

11.15 – 11.30 Coffee Break

11.30 – 12.30 Third Round; Sessions V & VI

12.30 – 12.45	Deliberations
12.45 – 14.15	Lunch break
14.15 – 15.15	Fourth Round; Sessions VII & VIII
15.15 – 15.30	Coffee Break
15.30 – 16.30	Fifth Round; Sessions IX & X
16.30 – 16.45	Coffee Break
16.45 – 17.45	Sixth Round; Sessions XI & XII
17.45 – 18.30	Deliberation and calculation of results
18.30	Announcement of results
19.00	Rest and free evening for the teams. Restaurants will be suggested, one pub will be reserved, RT members will guide the teams in Pisa
20.00 – 22.00	Second Dinner of the Judges at the restaurant “Sosta dei cavalieri”
22.00 onwards	All Participants: Bar Rally (“San Blas”, Lungarno Galileo Galilei 30, Pisa) with OT representatives

Saturday, February 14, 2015 – Second Pleading Day

08.30 – 09.00	Breakfast
09.00	Departure to Court Rooms at the Scuola Superiore Sant’Anna, Main Building)
09.30 – 10.40	First and Second Semi-final
10.40 – 11.00	Coffee Break
11.00 – 12.10	Third and Fourth Semi-final
12.10 – 12.30	Deliberation and announcement of finalists

12.30 – 13.30	Lunch Break
14.00 – 15.30	Final. Venue: Aula Magna Polo Carmignani (Piazza dei cavalieri, Pisa)
15.30 – 16.00	Deliberation
16.00	Winner Ceremony. Venue: Aula Magna Polo Carmignani (Piazza dei cavalieri, Pisa)
20.00	Meeting for all involved at hotel lobbies and farewell dinner /Live Music at Lumière (Vicolo del Tidi 6, Pisa)

Sunday, February 15, 2015

Visit of town (optional) and departure

Pleading Schedule

Friday, February 13

Court I – Aula Magna Storica

Court II –Aula 6

	Court I			Court II			Black List
	<u>APP.</u>	<u>DEF.</u>	<u>CR/AG</u>	<u>APP.</u>	<u>DEF.</u>	<u>CR/AG</u>	
9:00	A	B	C	D	E	F	ALL
10:15	G	H	I	K	L	M	ALL
11.30	E	I	K	B	M	G	ALI
14.15	L	C	D	H	F	A	
15.30	M	D	H	C	G	E	
16.45	F	K	B	I	A	L	

***Black List: Teams and their assistants cannot enter the courtroom, since one of their future opponents is pleading at that time.**

Saturday, February 14

Semi Finals

Court I – Aula Magna Storica

Time	Applicant	Defendant	Advocate General
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09.30-10.40

11.00-12.10

Court II – Aula 6

Time	Applicant	Defendant	Advocate General
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09.30-10.40

11.00-12.10

Final

Court I – Aula Magna Polo Carmignani (Piazza dei cavalieri, Pisa)

Time	Applicant	Defendant
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14.00-15.30

HOSTING UNIVERSITY

Andrea DE GUTTRY



Andrea de Guttry is Director of the DIRPOLIS Institute and Full Professor of Public International Law (as from 2002). He is also Director of the International Training Programme for Conflict Management at the Scuola Superiore Sant'Anna and Director of the International Research Laboratory on "Conflict, Development and Global Studies" at the Scuola. He is Co-ordinator of the Certification mechanism within the EU of training courses for the civilians involved in crisis management and Director of the Training Programme for Members of the EU Civil Protection Mechanism.

ELMC PISA REGIONAL FINAL EXECUTIVE SECRETARIES

Javier PORRAS BELARRA



Javier Porras is lecturer in EU Law at CEU San Pablo University and Junior Researcher and PhD candidate on European Studies (Competition Law, State aids and Public Services) in the University Institute for European Studies of this University. He was Visiting Student at the Law Department at the EUI Florence. He has been Member of the Board of the European Law Moot Court Society since 2013. He was previously Member of the European Law Moot Court Society, Master of the Moot of the Madrid Regional Final (2009) and Member of the Organising Team (2005-2009).

Sina Tannebaum



Sina Tannebaum is a research and teaching assistant at the chair for European Law, International Law, Public Law and Comparative Public Law at the University of Lucerne, Switzerland. Her doctoral thesis deals with the Cooperation Agreement in Competition Matters between the EU and Switzerland. She studied Swiss and EU Competition Law at the Universities of Lucerne and Amsterdam. Sina is a member of the European Law Moot Court Society since 2014. Before, she coached Lucerne's ELMC Team for several years.

ELMC ORGANIZING TEAM

Ana GOIZUETA



European Law Student at the University CEU San Pablo, Member of the European Law Student Association ELSA CEU and of the ELMC Organising Team

Diego REY



He is PhD candidate in European Studies at CEU San Pablo University, where he obtained his European Law Degree. He obtained his LLM at Paris Sorbonne University (Paris IV).

ELMC PISA REGIONAL FINAL RT MEMBERS

Giuseppe Martinico- Master of the Moot



Giuseppe Martinico is currently Associate Professor of Comparative Public law at the Scuola Superiore Sant'Anna, Pisa. Previously he worked as a Lecturer in Constitutional law in the same institution. Prior to joining the Scuola Sant'Anna, he was García Pelayo Fellow at the Centro de Estudios Políticos y Constitucionales (CEPC), Madrid and Max Weber Fellow at the European University Institute, Florence. Giuseppe got a PhD in Law from the Scuola Superiore Sant'Anna, Pisa, Italy, where he also conducted two years of post-doctoral research. In Pisa he also serves as STALS Editor (www.stals.sssup.it). He has also held the position of visiting researcher at the University of Barcelona, Université de Montréal, University of Geneva, King's College, London, and the Tilburg Institute of Comparative and Transnational Law (TICOM). He is also Researcher at the Centre for Studies on Federalism, Turin and Co-Editor of Perspectives on Federalism (<http://www.on-federalism.eu/>).

Paolo Addis



Paolo Addis is a PhD student at the University of Pisa. His field of interest is Comparative Public law. He has also written on disability law. Currently he is carrying out research disability law in three countries.

Paolo Busco



Paolo Busco is a PhD candidate in cotutelle between Scuola Superiore Sant'Anna and the University of Paris 1 - Sorbonne. His research focuses on the intersection between criminal law and international arbitration.

Nasiya Daminova



Nasiya Daminova is a PhD student at Scuola Superiore Sant'Anna and a member of the Sant'Anna Legal Studies (STALS, www.stals.sssup.it) team. She also holds an LL.M degree in European Law from Stockholm University. Her field of interest is European Constitutional Law. She is currently writing a thesis on access to justice in EU law after the coming into force of the Lisbon Treaty.

Leandro Mancano



Leandro Mancano is a PhD student at Scuola Superiore Sant'Anna and a member of the Sant'Anna Legal Studies (STALS, www.stals.sssup.it) team. His fields of interest lie in European and Comparative Criminal Law and European Public Law. He is writing a thesis on EU rules involving deprivation of liberty.

Davide Miniussi



Davide Miniussi is a PhD student at Scuola Superiore Sant'Anna and a member of the Sant'Anna Legal Studies (STALS, www.stals.sssup.it) team. His field of interest is Administrative Law and he is currently working on a thesis on public services in Italian and EU law.

Fabio Pacini



Fabio Pacini is a PhD student at Scuola Superiore Sant'Anna and a member of the Sant'Anna Legal Studies (STALS, www.stals.sssup.it) team. His fields of interest is Constitutional Law and he is writing a thesis on the interplay between legislative drafting and form of Government.

Tommaso Virgili



Tommaso Virgili is a PhD student at Scuola Superiore Sant'Anna and a member of the Sant'Anna Legal Studies (STALS, www.stals.sssup.it) team. His fields of interest is Comparative Constitutional Law and he is writing a thesis on the constitutional implications of the Arab Spring.

BAR/SMALL RESTAURANTS IN PISA FOR A QUICK AND LOW COST MEAL

Vini e Panini-Borgo Largo caffè

Via Oberdan, 16

Bruchetto junior

Via San Lorenzo, 43

Caffè Tozzini

Via Oberdan, 50

La Carta Gialla di G.Leonardi & C. SAS

Via Renato Fucini, 7

PIZZERIA SM

Via S. Lorenzo, 72

Il Baronetto

Via Cavalca, 62

Antica bottega di Pisa

via Santa Maria, 145

Il crudo

Piazza Cairoli, 8

L'Insalateria

Lungarno Pacinotti, 40

Panineria Mordi E Fuggi

Piazza Alessandro D'Ancona, 5

L'Ostellino

Piazza Felice Cavallotti, 1

RESTAURANTS OR "PIZZERIE" FOR DINNER

Osteria di Culegna

Via Mercanti, 25

Giorgio

Via Degli Orafi, 28

Funiculi Funiculà

Pizzeria Funiculà, Lungarno Mediceo, 43

Il Mediceo

Lungarno Mediceo, 53

Osteria la Grotta

Via San Francesco, 103

Ristorante Alle Bandierine

Via Mercanti, 4

Ristorante Il Campano

Via Domenico Cavalca, 19

Osteria dei Cavalieri

Via San Frediano, 16

Trattoria Sant'Omobono

Piazza San Omobono, 6

Acknowledgements

European Law Moot Court Society (<http://www.europeanlawmootcourt.eu/>)

Sponsors of the Pisa Regional Final

Scuola Superiore Sant'Anna di Studi Universitari e Perfezionamento (<http://www.santannaschool.eu/>)

DIRPOLIS Institute (<http://www.dirpolis.it/>)

Centre for Studies on Federalism (<http://www.csfederalismo.it/index.php/en>)

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Comune di San Giuliano Terme (<http://www.comune.sangiulianoterme.pisa.it/>)

All those who made the event possible, including:

The Judges

Patrick Actis Perinetto

Luca Arnaudo

Tim Bruyninckx

Delia Ferri

Erik Pijnacker Hordijk

Mel Marquis

Tommy Pettersson

René Repasi

Allan Francis Tatham

Stefaan Van den Bogaert

The Executive Secretaries

Javier Porras Belarra

Sina Tannebaum

The Members of the Organizing Team

Diego Rey

Ana Goizutea

The Members of the Regional Team

Paolo Addis

Paolo Busco

Nasiya Daminova

Leandro Mancano

Davide Miniussi

Fabio Pacini

Tommaso Virgili

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