



I T A L I A N   R E P U B L I C

The Regional Administrative Court for Lazio

(Section III-*quater*)

has issued this

**RULING**

on appeal no. 3751/2009, supplemented by additional grounds, submitted by: Elena Cattaneo, Elisabetta Cerbai and Silvia Garagna represented by the attorneys Vittorio Angiolini, Marco Cuniberti and Sergio Vacirca, with elected domicile at the offices of Sergio Vacirca in Rome, via Flaminia, 195;

***against***

The Prime Minister's Office, represented by the Attorney General, domiciled by law in Rome, via dei Portoghesi, 12; the Ministry of Employment and Social Policy, the Permanent Conference of the State, Regions and Autonomous Provinces;

***and with the permissive intervention of***

*Movimento per la Vita*, represented by the attorneys Raffaele Izzo, Aldo Loiodice, Isabella Loiodice and Filippo Vari, with elected domicile at the offices of Aldo Loiodice in Rome, via Ombrone, 12 Pal B;

***for the annulment***

*subject to suspension of effect,*

OF THE 2008 CALL FOR BIDS FOR HEALTH RESEARCH INVOLVING  
STEM CELL PROJECTS.

Considering the appeal and additional grounds, with the relative Exhibits;  
Considering all case papers;  
Considering the application for suspension of enforcement of the appealed order, submitted by the appellants;  
Considering the Entry of Appearance and Statement of Defence of the Prime Minister's Office;  
Considering articles 19 and 21, final paragraph, of Law 6 December 1971, no. 1034;  
Judge *Rapporteur* of the court convened in Chambers of 15 July 2009 Dr. Lydia Ada Orsola Spiezia and the attorneys as indicated in the Court Record having been heard for the parties;

Taking into consideration the legislative framework of reference to be found in Law no. 40/2004, which places specific limits on experimentation on human embryos.

Considering that it does not seem to have been proven that the appellants are entitled to challenge the barring clause of the Call for Bids, given that the appeal has not been submitted either by "institutional recipients" or by "External Institutions" linked to the former by specific agreements.

#### FOR THESE REASONS

The Regional Administrative Court for Lazio, Section III-*Quater*, dismisses the application that the appealed order be suspended.

This ruling shall be executed by the Administration and is filed with the Secretary's Office of the Court which shall notify the parties of it.

So decided in Rome in Chambers on 15 July 2009 with the intervention of:

Mario Di Giuseppe, President

Linda Sandulli, Judge

Lydia Ada Orsola Spiezia, Judge, Judge *Rapporteur*

**JUDGE *RAPPORTEUR***

**THE PRESIDENT**

FILED WITH THE SECRETARY'S OFFICE

16/07/2009

THE SECRETARY