

Pleas in law and main arguments

In support of the action, the applicant relies on four pleas in law which are, in essence, identical or similar to those raised in Case T-555/22, *France v Commission*.

Action brought on 16 December 2022 — PB v SRB**(Case T-789/22)**

(2023/C 45/39)

*Language of the case: French***Parties**

Applicant: PB (represented by: N. de Montigny, lawyer)

Defendant: Single Resolution Board (SRB)

Form of order sought

The applicant claims that the General Court should:

- annul the decision of 15 February 2022;
- annul, in so far as necessary, the decision of 6 September 2022 rejecting the applicant's complaint;
- order the defendant to pay the applicant compensation in the amount of EUR 50 000 in respect of the harm suffered as a result of the breach of his right to be heard and of his rights of defence;
- order the defendant to pay the costs.

Pleas in law and main arguments

In support of the action brought against the decision of the Single Resolution Board (SRB) rejecting his request for assistance, the applicant relies on three pleas in law.

1. First plea in law, alleging breach of the applicant's rights of defence, together with procedural defects. In the first part of the plea, the applicant complains of a breach of the principle of transparency, the impossibility of believing in the independence of the authority empowered to conclude contracts of employment ('the AECE'), and the refusal to grant access to the essential information and documents in the case file. In the second part of the plea, the applicant complains of a breach of the principle of confidentiality in processing his request for assistance, the failure to observe procedural guarantees, the failure to implement a fair and objective procedure and, lastly, infringement of Articles 4.2 and 4.3 of the SRB Policy on preventing harassment. In the third part of the plea, the applicant complains of the lack of objective and subjective impartiality and of the presence of conflicts of interest which vitiated the examination of his request for assistance. In the fourth part of the plea, the applicant complains of a breach of his right to be heard in an effective manner by the AECE.
2. Second plea in law, alleging infringement of Article 24 of the Staff Regulations of Officials of the European Union ('the Staff Regulations'), breach of the duty to provide assistance and have regard for the welfare of staff, and maladministration.
3. Third plea in law, alleging manifest errors of assessment and infringement of Article 12a of the Staff Regulations.