

Question referred

Do Articles 63 and 65 of the Treaty on the Functioning of the European Union preclude legislation of a Member State under which, when a resident of that State, a shareholder in a company established in another Member State, receives dividends taxed in both States, that double taxation is not remedied by the grant in the State of residence of a tax credit at least equal to the amount of tax paid in the State of the distributing company?

**Request for a preliminary ruling from the Judecătoria Sibiu (Romania) lodged on 30 April 2015 —
Direcția Generală Regională a Finanțelor Publice (DGRFP) Brașov v Vasile Toma, Biroul Executorului
Judecătoresc Horațiu-Vasile Cruduleci**

(Case C-205/15)

(2015/C 245/08)

Language of the case: Romanian

Referring court

Judecătoria Sibiu

Parties to the main proceedings

Applicant: Direcția Generală Regională a Finanțelor Publice (DGRFP) Brașov

Defendants: Vasile Toma, Biroul Executorului Judecătoresc Horațiu-Vasile Cruduleci

Question referred

On a proper construction of Article 4(3) TEU and Articles 20, 21 and 47 of the Charter of Fundamental Rights of the European Union, do those provisions preclude legislation such as Article 16 of the [Romanian] Constitution and Article 30 of Government Emergency Order No 80/2103, which enshrines the principle of equality before the law only as between citizens as natural persons and not between citizens as natural persons and legal persons governed by public law, and which, a priori, exempts legal persons governed by public law from the requirement to pay stamping fees and to lodge a security in order to gain access to justice, whilst making access to justice by natural persons conditional upon payment of stamping fees/the lodging of a security?

**Appeal brought on 8 May 2015 by Orange, formerly France Télécom, against the judgment delivered
by the General Court (Ninth Chamber) on 26 February 2015 in Case T-385/12 Orange v Commission**

(Case C-211/15 P)

(2015/C 245/09)

Language of the case: French

Parties

Appellant: Orange, formerly France Télécom (represented by: S. Hautbourg and S. Cochard-Quesson, avocats)

Other party to the proceedings: European Commission

Form of order sought

The applicant claims that the Court should:

— set aside the judgment under appeal;