

3. Third plea in law, alleging a manifest error of assessment. In the alternative, the applicant raises a plea of illegality in respect of the administrative provisions relating to family allowances, on the ground that they are contrary to the principles of equal treatment and proportionality.
4. Fourth plea in law, alleging, first, infringement of Article 3(4) of Regulation (EEC, Euratom ECSC) No 260/68 of the Council of 29 February 1968 laying down the conditions and the procedure for applying the tax for the benefit of the European Communities (OJ L 56, p. 8) and, second, a manifest error of assessment.
5. Fifth plea in law, alleging infringement of Article 4(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ 2018, L 295, p. 39), infringement of Article 12 of the Staff Regulations and infringement of the principle of sound administration and of the duty of care. In support of that plea, the applicant argues that his personal data were accessed illegally, that the defendant refused to open an investigation and that the latter unduly supported his ex-spouse.
6. Sixth plea in law, alleging infringement of Article 41 of the Staff Regulations, of the principle of sound administration and of the duty of care.

Action brought on 21 September 2020 — YP v Commission

(Case T-581/20)

(2020/C 371/33)

Language of the case: French

Parties

Applicant: YP (represented by: J. Van Rossum and J.-N. Louis, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul the Commission's decision of 14 November 2019 not to promote the applicant to grade AD 14 in the 2019 promotion procedure;
- order the defendant to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on four pleas in law.

1. First plea in law, alleging infringement of Article 45 of the Staff Regulations of Officials of the European Union ('the Staff Regulations'). The applicant submits that the Commission did not take into account her extensive language combinations in its consideration of the comparative merits.
2. Second plea in law, alleging breach of the principle of the presumption of innocence. The applicant takes issue with the contested decision for having automatically excluded her from the officials eligible for promotion by applying an administrative practice that involves the automatic removal from the promotion list of the names of all staff members who are the subject of an investigation or who have received an administrative or disciplinary penalty. According to the applicant, such a practice breaches the principle of the presumption of innocence.
3. Third plea in law, alleging breach of the settlement agreement of 18 September 2019 entered into in Cases T-562/18, *YP v Commission* and T-563/18, *YP v Commission*. The applicant takes the view that that agreement binds the parties and that they are obliged to comply with all of its terms.

4. Fourth plea in law, alleging infringement of Article 9(3) of Annex IX to the Staff Regulations. The applicant submits that, under that article, a single case of misconduct cannot give rise to more than one disciplinary penalty. While being automatically excluded from the list of officials proposed for promotion and the list of promoted officials does not constitute a disciplinary penalty per se, it is nevertheless a direct consequence of initiating an investigation, disciplinary proceedings or a disciplinary sanction.

Order of the General Court of 24 July 2020 — VG v Commission

(Case T-299/19) ⁽¹⁾

(2020/C 371/34)

Language of the case: French

The President of the Fifth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 230, 8.7.2019.

Order of the General Court of 25 August 2020 — Czech Republic v Commission

(Case T-8/20) ⁽¹⁾

(2020/C 371/35)

Language of the case: Czech

The President of the Tenth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 77, 9.3.2020.

Order of the General Court of 25 August 2020 — Czech Republic v Commission

(Case T-76/20) ⁽¹⁾

(2020/C 371/36)

Language of the case: Czech

The President of the Third Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 103, 30.3.2020.

Order of the General Court of 25 August 2020 — Tempora v Parliament

(Case T-450/20) ⁽¹⁾

(2020/C 371/37)

Language of the case: French

The President of the Fourth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 279, 24.8.2020.
