

3. Third ground of appeal, alleging a distortion of the evidence and of the facts, in so far as the CST included in its judgment only a limited part of the applicant's pleadings, which does not reflect the true situation after the closure of the written procedure.

Appeal brought on 20 June 2014 by Risto Nieminen against the judgment of the Civil Service Tribunal of 10 April 2014 in Case F-81/12, *Nieminen v Council*

(Case T-464/14 P)

(2014/C 261/71)

Language of the case: French

Parties

Appellant: Risto Nieminen (Kraainem, Belgium) (represented by M. de Abreu Caldas, D. de Abreu Caldas and J.-N. Louis, lawyers)

Other party to the proceedings: Council of the European Union

Form of order sought by the appellant

The appellant claims that the Court should:

- set aside the judgment of the Civil Service Tribunal of the European Union (Second Chamber) of 10 April 2014 in Case F-81/12 (*Risto Nieminen v Council*);
- order the Council to pay the costs of both sets of proceedings

Pleas in law and main arguments

The appellant relies on two grounds of appeal.

1. First ground of appeal: infringement of the rights of the defence, in so far as the Civil Service Tribunal found that the appellant had failed to adduce sufficient evidence to show that there had been a manifest error of assessment, even though it was aware that the appellant was not really in a position to do so and despite its refusal to compel the defendant at first instance to produce all the documents relevant for the purposes of determining whether that plea was well founded.
2. Second ground of appeal: distortion of the evidence and the facts.

Action brought on 24 June 2014 — Kingdom of Spain v Commission

(Case T-466/14)

(2014/C 261/72)

Language of the case: Spanish

Parties

Applicant: Kingdom of Spain (represented by: A. Rubio González, Abogado del Estado)

Defendant: European Commission