

7. Seventh plea in law, alleging that the Commission failed to act within the meaning of Article 265 TFEU in relation to the grant of State aid in the form of tax advantages to the third parties concerned which were not authorised in the Planning Decision (Planning Phase).

Action brought on 21 December 2016 — Labiri v EESC and Committee of the Regions

(Case T-904/16)

(2017/C 063/44)

Language of the case: French

Parties

Applicant: Vassiliki Labiri (Brussels, Belgium) (represented by: J.-N. Louis and N. De Montigny, lawyers)

Defendants: European Economic and Social Committee (EESC), Committee of the Regions of the European Union (CoR)

Form of order sought

The applicant claims that the Court should:

- annul the decision of the Secretary General of the Committee of the Regions of 11 May 2016 reassigning the applicant, as an administrator to the Translation Directorate pursuant to the settlement in Case F-33/15;
- hold that the EESC committed a misuse of power and infringed its obligation to act in good faith towards the applicant in knowingly misleading her as to the scope of the agreement concluded between the parties on 4 February 2016;
- order the EESC and the CoR jointly to pay the costs

Pleas in law and main arguments

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

1. First plea in law, alleging the infringement of Article 266 TFEU, since the contested decision was adopted in manifest breach of the amicable agreement reached in Case F-33/15 *Labri v EESC*.
2. Second plea in law, alleging a misuse of power, since the applicant was deliberately misled as to the scope of the agreement reached between the parties and more specifically as to the two committees' interpretation of the terms of that agreement.

Action brought on 22 December 2016 — Schwenk Zement v Commission

(Case T-907/16)

(2017/C 063/45)

Language of the case: German

Parties

Applicant: Schwenk Zement KG (Ulm, Germany) (represented by: U. Soltész, M. Raible and G. Wecker, lawyers)

Defendant: European Commission