

Form of order sought

The applicants claim that the Court should:

- Declare the present action for annulment before it admissible;
- Annul the contested Regulations with all the attendant consequences in law;
- Order the defendants to pay the costs in their entirety.

Pleas in law and main arguments

In support of the action, the applicants rely on a single plea in law alleging infringement of the prerogatives which they have as trade unions and professional associations, namely the right to consultation and the right of negotiation.

The applicants were not consulted either at the stage of preparation of the proposals or during the stage of the negotiations in respect of the disputed Regulations.

Appeal brought on 18 June 2014 by Thierry Rouffaud against the judgment of the Civil Service Tribunal of 9 April 2014 in Case F-59/13, *Rouffaud v EEAS*

(Case T-457/14 P)

(2014/C 261/70)

Language of the case: French

Parties

Appellant: Thierry Rouffaud (Brussels, Belgium) (represented by M. de Abreu Caldas, D. de Abreu Caldas and J.-N. Louis, lawyers)

Other party to the proceedings: European External Action Service (EEAS)

Form of order sought by the appellant

- Set aside the judgment of the European Union Civil Service Tribunal (Third Chamber) of 9 April 2014 in Case F-59/13 *Rouffaud v European External Action Service*;
- Order the EEAS to pay the costs.

Pleas in law and main arguments

In support of the appeal, the appellant relies on three grounds of appeal.

1. First ground of appeal, alleging infringement of the rights of the defence, in so far as the Civil Service Tribunal (CST) failed to draw the attention of the parties to the question of the admissibility of the application until just before the final act of long proceedings, making it impossible for the applicant to prepare adequate arguments.
2. Second ground of appeal, alleging an error of law as regards the application of the rule on consistency, in so far as the subject-matter and the cause are perfectly identical as between the claim and the action for annulment.

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