

- First part, according to which the events complained of in support of the contested acts did not occur.
- Second part, according to which the adoption of the contested acts infringed the rules and general principles of law applicable to establishing proof and the burden of proof.
- Third part, according to which the Secretary General's decision to recover the sum overpaid infringed the principle of proportionality. The amount claimed is furthermore not justified by either detail or a method of calculation.
- Fourth part, according to which the contested acts prejudice the political rights of the local assistants of MEPs.
- Fifth part, according to which the contested acts are vitiated by misuse of power, in that the Secretary General assumed compulsion powers of a financial nature which he does not possess for the purpose of restricting a Member's means of acting, whose ideals and the political agenda it is of undeniable public knowledge he does not share.
- Sixth part, according to which the contested acts are discriminatory and that these presuppose the intention of causing political damage to the applicant; thus there is a *fumus persecutionis*.
- Seventh part, according to which the contested acts prejudice the independence of the applicant in her capacity as MEP.
- Eighth part, according to which the contested acts violate the principle of 'electa una via' and raise question of the impartiality of OLAF which only conducts its investigation by seeking evidence against the party concerned where that party is a French MEP from the Front National's list.
- Ninth part, according to which the contested acts amount to an infringement of the general legal principle that 'civil proceedings must await the outcome of criminal proceedings' in that the proceedings for recovery of overpayment ought to be suspended until the outcome of the other proceedings, in particular the French proceedings, and an infringement of the principle *non bis in idem*.

Action brought on 6 September 2016 — Bilde v Parliament

(Case T-633/16)

(2016/C 383/36)

Language of the case: French

Parties

Applicant: Dominique Bilde (Lagarde, France) (represented by: G. Sauveur, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- annul the decision of the Secretary-General of the European Parliament of 23 June 2016, notified on 6 July 2016, determining 'that a sum of EUR 40 320 was wrongfully paid to Ms Dominique BILDE' and ordering the authorising officer responsible and the institution's accounting officer to recover that amount;
- also annul the notification and measures implementing that decision contained in the letters of the Director-General for Finance of 30 June and July 2016, ref. D 201921 and D 31255; and
- annul the entirety of the debit note No. 2016-889 signed by that Director-General for Finance dated 29 June 2016;

- award the applicant the sum of EUR 20 000 as compensation for the non-material damage resulting simultaneously from the unfounded accusations made before any conclusion of the investigation, from the harm to her reputation, and the very significant disruption to her personal and political life caused by the contested decision;
- in addition award her the sum of EUR 15 000 in respect of expenses incurred for fees for the provision of legal advice, the preparation of the present action, photocopying costs and lodging this action and the annexed documents, and order the European Parliament to pay that amount;
- order the European Parliament to pay the entirety of the costs;
- alternatively, in the event that the Court should not be entirely persuaded of the relevance and truthfulness of the applicant's pleas in law and fact, in the interests of the sound administration of justice taking account of the undeniable relationship between the alleged facts on which the contested decision is based and those which are the subject of the criminal investigation opened by the President of the European Parliament:
- stay the proceedings pending a final decision, which is *res judicata*, delivered by the French ordinary court hearing the proceedings initiated by the President of the European Parliament;
- consequently order a stay of execution of the contested decision until the end of the proceedings.

Pleas in law and main arguments

In support of the action, the applicant relies on eleven pleas in law which are in essence identical or similar to those relied on in Case T-624/16, *Gollnisch v Parliament*.

Action brought on 6 September 2016 — Montel v Parliament

(Case T-634/16)

(2016/C 383/37)

Language of the case: French

Parties

Applicant: Sophie Montel (Saint-Vit, France) (represented by: G. Sauveur, lawyer)

Defendant: European Parliament

Form of order sought

The applicant claims that the Court should:

- annul the decision of the Secretary-General of the European Parliament of 24 June 2016, notified on 6 July 2016, determining 'that a sum of EUR 77 276,42 was wrongfully paid to Ms Sophie MONTEL' and ordering the authorising officer responsible and the institution's accounting officer to recover that amount;
- also annul the notification and measures implementing that decision contained in the letters of the Director-General for Finance of 5 and 6 July 2016, ref. D 201922 and D 201851; and
- annul the entirety of the debit note No. 2016-897 signed by that Director-General for Finance dated 4 July 2016;