

4. Is it compatible with Article 2(4) in conjunction with Article 2(3)(a), Article 2(3)(b)(i) and Article 2(1) of Directive 98/59/EC to place on workers pursuing a judicial process to assert the invalidity of their dismissal effected in the context of collective dismissals, on the basis that the employer effecting the dismissal did not properly consult the workers' representatives, a burden of presenting the facts and adducing evidence that goes beyond presenting the indicia for a controlling influence?

5. If Question 4 is answered in the affirmative:

What further obligations to present facts and adduce evidence may be placed on the workers in the present case pursuant to the abovementioned provisions?

<sup>(1)</sup> OJ 1998 L 225, p. 16.

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**Request for a preliminary ruling from the Tribunal d'instance de Limoges (France) lodged on 6 February 2017 — Banque Solfea SA v Jean-François Veitl**

**(Case C-63/17)**

(2017/C 144/32)

*Language of the case: French*

**Referring court**

Tribunal d'instance de Limoges

**Parties to the main proceedings**

*Applicant:* Banque Solfea SA

*Defendant:* Jean-François Veitl

**Question referred**

Where the annual percentage rate of credit is 6,75772 %, does the rule provided for in Directives 98/7/EC of 16 February 1998 <sup>(1)</sup> and 2008/48/EC of 23 April 2008, <sup>(2)</sup> according to which, in the French version, '*Le résultat du calcul est exprimé avec une exactitude d'au moins une décimale. Si le chiffre de la décimale suivante est supérieur ou égal à 5, le chiffre de la première décimale sera augmenté de 1*' [translated in literal terms as '[t]he result of the calculation shall be expressed correct to at least one decimal place; [i]f the figure at the following decimal place is greater than or equal to 5, the figure at that particular decimal place shall be increased by one'] allow a stated APR of 6,75 % to be considered correct?

<sup>(1)</sup> Directive 98/7/EC of the European Parliament and of the Council of 16 February 1998 amending Directive 87/102/EEC for the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit (OJ 1998 L 101, p. 17).

<sup>(2)</sup> Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (OJ 2008 L 133, p. 66).

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**Request for a preliminary ruling from the Corte suprema di cassazione (Italy) lodged on 6 February 2017 — Oftalma Hospital Srl v CIOV -Commissione Istituti Ospitalieri Valdesi, Regione Piemonte**

**(Case C-65/17)**

(2017/C 144/33)

*Language of the case: Italian*

**Referring court**

Corte suprema di cassazione