

Pleas in law and main arguments

The General Court distorted and wrongly presented the evidence submitted by the Appellants when finding that there is no causal link between the unlawful adoption of Decision 2013/226⁽¹⁾ and the damages incurred by the Appellants. (Contested Judgment, paragraphs 155 to 197, and in particular paragraphs 187 to 189).

⁽¹⁾ Council Implementing Decision 2013/226/EU of 21 May 2013 rejecting the proposal for a Council implementing regulation imposing a definitive anti-dumping duty on imports of certain polyethylene terephthalate originating in India, Taiwan and Thailand following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009 and terminating the expiry review proceeding concerning imports of certain polyethylene terephthalate originating in Indonesia and Malaysia, in so far as the proposal would impose a definitive anti-dumping duty on imports of certain polyethylene terephthalate originating in India, Taiwan and Thailand (OJ 2013, L 136, p. 12).

Request for a preliminary ruling from the Tribunal de grande instance de Bobigny (France) lodged on 19 June 2017 — Caisse de retraite du personnel navigant professionnel de l'aéronautique civile (CRPNPAC) v Vueling Airlines SA

(Case C-370/17)

(2017/C 283/34)

Language of the case: French

Referring court

Tribunal de grande instance de Bobigny

Parties to the main proceedings

Applicant: Caisse de retraite du personnel navigant professionnel de l'aéronautique civile (CRPNPAC)

Defendant: Vueling Airlines SA

Question referred

Is the effect of an E 101 certificate issued, in accordance with Article 11(1) and Article 12a(1a) of Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, ⁽¹⁾ by the institution designated by the authority of the Member State whose social security legislation remains applicable to the situation of the employee to be preserved even though the E 101 certificate has been obtained as a result of fraud or an abuse of right, which has been established in a final decision of a court of the Member State in which the employee carries out or should carry out his activity?

If the answer to that question is in the affirmative, does the issuing of E 101 certificates prevent the victims of the damage suffered as a result of the conduct of the employer, who has committed the fraud, from being compensated for that damage, without the affiliation of the employees to the schemes designated by the E 101 certificate being called into question by the action for damages brought against the employer?

⁽¹⁾ OJ 1972 L 74, p. 1.

Reference for a preliminary ruling from the Supreme Court (Ireland) made on 22 June 2017 — The Minister for Justice and Equality Ireland and the Attorney General v Arkadiusz Piotr Lipinski

(Case C-376/17)

(2017/C 283/35)

Language of the case: English

Referring court

Supreme Court