

Form of order sought

- Annul Decision SRB/EES/2017/08 of the Single Resolution Board of 7 June 2017 addressed to the Fund for Orderly Bank Restructuring (FROB) approving a restructuring plan in respect of Banco Popular Español;
- Annul European Commission Decision 2017/1246 of 7 June 2017 supporting the resolution plan for Banco Popular Español; and
- By virtue of the provision in Article 340 TFEU, declare that the SRB and European Commission are non-contractually liable and order them to make good the harm caused to the applicant.

Pleas in law and main arguments

The pleas in law and main arguments are similar to the arguments raised in Cases T-478/17, *Mutualidad de la Abogacía y Hermandad Nacional de Arquitectos Superiores y Químicos v Single Resolution Board*; T-481/17, *Fundación Tatiana Pérez de Guzmán y Bueno and SFL v Single Resolution Board*; T-482/17, *Comercial Vascongada Recalde v Commission and Single Resolution Board*; T-483/17, *García Suárez and Others v Commission and Single Resolution Board*; T-484/17, *Fidesban and Others v Single Resolution Board* and T-497/17, *Sánchez del Valle and Calatrava Real State 2015 v Commission and Single Resolution Board*.

In particular, the applicant claims that the Commission misused its powers in the present case.

Action brought on 4 August 2017 — Esfera Capital Agencia de Valores v Commission and SRB**(Case T-499/17)**

(2017/C 330/22)

*Language of the case: Spanish***Parties**

Applicant: Esfera Capital Agencia de Valores, SA (Madrid, Spain) (represented by: E. Pastor Palomar, F. Arroyo Romero and N. Subuh Falero, lawyers)

Defendants: Commission and Single Resolution Board

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