

3. In the context of Question 2 is the court of the requested Member State required to postpone the final decision on the execution of the European arrest warrant to await greater clarity about the relevant legal regime which is to be put in place after the withdrawal of the relevant requesting Member State from the Union
 - (i) in all cases?
 - (ii) In some cases, having regard to the particular circumstances of the case?
 - (iii) In no cases?
4. If the answer to Question 3 is that set out at (ii) what are the criteria or considerations which a court in the requested Member State must assess to determine whether it is required to postpone the final decision on the execution of the European arrest warrant?

**Request for a preliminary ruling from the Vrhovno sodišče Republike Slovenije (Slovenia) lodged on
19 March 2018 — Jadran Dodič v BANKA KOPER, ALTA INVEST**

(Case C-194/18)

(2018/C 190/13)

Language of the case: Slovenian

Referring court

Vrhovno sodišče Republike Slovenije

Parties to the main proceedings

Appellant: Jadran Dodič

Respondents: BANKA KOPER, ALTA INVEST

Questions referred

1. Is Article 1(1) of Council Directive 2001/23/EC⁽¹⁾ to be interpreted as meaning that a transfer, such as that which took place in the circumstances of the present case, relating to financial instruments and other client assets (specifically, transferable securities), the accounts relating to clients' intangible debt securities and other financial and ancillary services, as well as the records, must be deemed to be a legal transfer of an undertaking or of part of an undertaking, bearing in mind that, after the first respondent ceased to engage in business as a stock-exchange intermediary, the decision whether provision of such services was to be entrusted to the second defendant was, ultimately, a matter for the clients?
2. In the circumstances described above, is the number of clients who, following the cessation of the first respondent's activities as a stock-exchange intermediary, now use the second respondent for the provision of those services, relevant?
3. Is the fact that the first respondent continues to provide services to the clients as a dependant financial promotion company and, in performing that role, cooperates with the second respondent, relevant in any way for the purpose of determining whether there was a transfer of a business or an undertaking?

⁽¹⁾ Council Directive 2001/23/EC of 12 March 2001 on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses (OJ L 82, 22.3.2001, p. 16).
