

Request for a preliminary ruling from the Cour de cassation (France) lodged on 26 July 2018 — UB v VA, Tiger SCI, WZ, as UB's trustee in bankruptcy, Banque patrimoine et immobilier SA

(Case C-493/18)

(2018/C 364/04)

Language of the case: French

Referring court

Cour de cassation

Parties to the main proceedings

Appellant in cassation: UB

Respondents in cassation: VA, Tiger SCI, WZ, as UB's trustee in bankruptcy, Banque patrimoine et immobilier SA

Questions referred

1. Does the action brought by the trustee in bankruptcy appointed by the court of the Member State which opened the insolvency proceedings seeking a declaration that mortgages registered over immovable property of the debtor located in another Member State and the sale of that immovable property in that State are ineffective as against the trustee, with a view to the restitution of those assets to the debtor's estate, derive directly from the insolvency proceedings and is it closely linked to them?
2. If so, do the courts of the Member State in which the insolvency proceedings were opened have exclusive jurisdiction to hear and determine the action brought by the trustee in bankruptcy or, on the contrary, do the courts of the Member State in which the immovable property is located alone have jurisdiction for that purpose, or is there concurrent jurisdiction between those various courts, and, if so, under what conditions?
3. Can the judgment by which the court of the Member State which opened the insolvency proceedings authorises the trustee in bankruptcy to bring, in another Member State, an action falling, in principle, within the jurisdiction of the court which opened the proceedings, have the effect of imposing the jurisdiction of that other State, in so far as, inter alia, that judgment could be classified as a judgment concerning the course of insolvency proceedings within the meaning of Article 25(1) of Regulation [No 1346/2000] ⁽¹⁾ which may, on that basis, be recognised with no further formalities, pursuant to that article?

⁽¹⁾ Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings (OJ 2000 L 160, p. 1).

Request for a preliminary ruling from the Administrativen sad Sofia-grad (Bulgaria) lodged on 30 July 2018 — BT v Balgarska narodna banka

(Case C-501/18)

(2018/C 364/05)

Language of the case: Bulgarian

Referring court

Administrativen sad Sofia-grad

Parties to the main proceedings

Applicant: BT