

- annul the contested decisions;
- order the Commission to pay all the costs of the present proceedings.

Pleas in law and main arguments

In support of the action against, first, the decision of the Commission requesting Abengoa SA and Abengoa Bioenergia SA to restart, under certain conditions, the settlement procedure in case AT.40054 — Ethanol Benchmarks and, second, the decision to reopen that procedure, the applicants rely on a single plea alleging infringement of the rules applicable to settlements.

The applicants submit that in adopting the contested decisions, the Commission infringes the rules applicable to settlements. The applicable rules do not provide for the Commission reopening a settlement procedure at that stage of the proceedings, let alone by precluding any discussion concerning the case overview disclosed in an initial settlement procedure in 2016 and 2017. Furthermore, the applicants submit that the contested decisions lead to a clear infringement of their rights of defence.

Order of the General Court of 16 November 2021 — Vodafone Group and Others v Commission

(Case T-491/19) ⁽¹⁾

(2022/C 24/64)

Language of the case: English

The President of the Tenth Chamber has ordered that the case be removed from the register.

⁽¹⁾ OJ C 312, 16.9.2019.
