

5. Fifth plea, alleging, in the alternative, infringement of Article 70(6) of Regulation (EU) No 806/2014 in conjunction with Article 5(3) and (4) of Delegated Regulation (EU) 2015/63, since the defendant wrongly calculated the applicant's contribution on the basis of a gross approach with regard to derivative contracts
6. Sixth plea, alleging, in the alternative, infringement of Article 70(6) of Regulation (EU) No 806/2014, in conjunction with Article 6(8)(a) of Delegated Regulation (EU) 2015/63, since the defendant wrongly regarded the applicant as an institution undergoing reorganisation
7. Seventh plea, alleging infringement of Article 41(1) and (2)(a) of the Charter, as the defendant should have heard the applicant prior to the adoption of the contested decision
8. Eighth plea, alleging infringement of Article 41(1) and (2)(c) of the Charter and of the second paragraph of Article 296 TFEU on the ground that the defendant failed to provide an adequate statement of reasons for the contested decision

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- (¹) Regulation (EU) No 806/2014 of the European Parliament and of the Council of 15 July 2014 establishing uniform rules and a uniform procedure for the resolution of credit institutions and certain investment firms in the framework of a Single Resolution Mechanism and a Single Resolution Fund and amending Regulation (EU) No 1093/2010 (OJ 2014 L 225, p. 1).
 - (²) Council Implementing Regulation (EU) 2015/81 of 19 December 2014 specifying uniform conditions of application of Regulation (EU) No 806/2014 of the European Parliament and of the Council with regard to *ex ante* contributions to the Single Resolution Fund (OJ 2015 L 15, p. 1).
 - (³) Directive 2014/59/EU of the European Parliament and of the Council of 15 May 2014 establishing a framework for the recovery and resolution of credit institutions and investment firms and amending Council Directive 82/891/EEC, and Directives 2001/24/EC, 2002/47/EC, 2004/25/EC, 2005/56/EC, 2007/36/EC, 2011/35/EU, 2012/30/EU and 2013/36/EU, and Regulations (EU) No 1093/2010 and (EU) No 648/2012, of the European Parliament and of the Council (OJ 2014 L 173, p. 190).
 - (⁴) Commission Delegated Regulation (EU) 2015/63 of 21 October 2014 supplementing Directive 2014/59/EU of the European Parliament and of the Council with regard to *ex ante* contributions to resolution financing arrangements (OJ 2015 L 11, p. 44).

Action brought on 8 July 2019 — CV and Others v Commission

(Case T-496/19)

(2019/C 305/71)

Language of the case: French

Parties

Applicants: CV, CW and CY (represented by: J.-N. Louis, lawyer)

Defendant: European Commission

Form of order sought

The applicants claim that the Court should:

- annul the Commission's decision rejecting their request of 4 June 2018;
- order the Commission to pay the costs.

Pleas in law and main arguments

In support of the action seeking the annulment of the Commission's decision rejecting their request for the adoption of measures such as to end the infringement of the principle of equivalence in purchasing power between officials and other members of staff, irrespective of the place of their posting, the applicants rely on three pleas in law.

1. First plea in law, alleging infringement of the obligation to state reasons and of the principle of equivalence in purchasing power between officials, irrespective of their place of posting. In the first place, the applicants submit that the contested decision is vitiated by a failure to state any reasons for it, which prevents them from understanding the justification for that decision and does not allow the General Court to exercise its judicial review. In the second place, the applicants take the view that

they carry out their duties under the same conditions as their colleagues posted at the European Commission Representation in Paris and that they should therefore receive, like those colleagues, a fixed entertainment allowance. Lastly, they take the view that observance of the principle of equivalence in purchasing power is incompatible with the existence of the same weighting for officials posted in Paris, Strasbourg, Marseille and Valenciennes.

2. Second plea in law, alleging infringement of the principle of equal treatment and of non-discrimination, inasmuch as the applicants, unlike their colleagues posted at the European Commission Representation in Paris, do not receive the fixed entertainment allowance, although they carry out their duties under the same conditions as those colleagues.
3. Third plea in law, alleging infringement of the duty of care, which requires the competent authority to state, in the grounds given for the contested decision, the reasons which led it to find that the interest of the service prevailed.

Action brought on 8 July 2019 — CZ and Others v EEAS

(Case T-497/19)

(2019/C 305/72)

Language of the case: French

Parties

Applicants: CZ, DB, DC and DD (represented by: J.-N. Louis, lawyer)

Defendant: European External Action Service

Form of order sought

The applicants claim that the Court should:

- annul the decision of the EEAS rejecting their request of 4 June 2018;
- order the EEAS to pay the costs.

Pleas in law and main arguments

In support of the action seeking the annulment of the decision of the EEAS rejecting their request for the adoption of measures such as to end the infringement of the principle of equivalence in purchasing power between officials and other members of staff, irrespective of the place of their posting, the applicants rely on three pleas in law.

1. First plea in law, alleging infringement of the obligation to state reasons and of the principle of equivalence in purchasing power between officials, irrespective of their place of posting. In the first place, the applicants submit that the contested decision is vitiated by a failure to state any reasons for it, which prevents them from understanding the justification for that decision and does not allow the General Court to exercise its judicial review. In the second place, the applicants take the view that they carry out their duties under the same conditions as their colleagues posted at the European Commission Representation in Paris and that they should therefore receive, like those colleagues, a fixed entertainment allowance. Lastly, they take the view that observance of the principle of equivalence in purchasing power is incompatible with the existence of the same weighting for officials posted in Paris, Strasbourg, Marseille and Valenciennes.