

By the second ground of appeal, the appellant claims that the General Court made errors in law in its assessment of the Council's requests to remove certain documents from the case file and in granting its requests. In particular, the General Court erred in undertaking its assessment entirely under the framework of Regulation 1049/2001 ⁽²⁾ on public access to documents while failing to consider whether the documents in question were manifestly relevant for the determination of the dispute. The General Court also erred in applying the restrictive framework established by the Court of Justice in the specific and acute circumstances of the Hungary v Commission and Slovenia v Croatia cases ⁽³⁾, to other situations of a fundamentally different nature. Finally, the General Court erred in law by attaching significant weight to the existence of the separate arbitration brought by the appellant under the Energy Charter Treaty, which is not relevant to its assessment on any basis, even under Regulation 1049/2001.

⁽¹⁾ Directive (EU) 2019/692 of the European Parliament and of the Council of 17 April 2019 amending Directive 2009/73/EC concerning common rules for the internal market in natural gas (OJ 2019, L 117, p. 1).

⁽²⁾ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ 2001, L 145, p. 43).

⁽³⁾ Order of 14 May 2019, Hungary v Parliament, C-650/18, not published, EU:C:2019:438; judgment of 31 January 2020, Slovenia v Croatia, C-457/18, EU:C:2020:65.

Appeal brought on 30 July 2020 by Liviu Dragnea against the order of the General Court (First Chamber) delivered on 12 May 2020 in Case T-738/18, Dragnea v Commission

(Case C-351/20 P)

(2020/C 313/22)

Language of the case: English

Parties

Appellant: Liviu Dragnea (represented by: C. Toby, O. Riffaud, B. Entringer, avocats)

Other party to the proceedings: European Commission

Form of order sought

The applicant claims that the Court should:

- set aside the disputed order of the General Court in whole;
- annul the Commission decision (OCM(2018)20575) sent to the legal representative of the applicant by letter dated 1 October 2018;
- order the Commission to pay the costs.

Pleas in law and main arguments

In support of the action, the applicant relies on three pleas in law.

First plea in law, alleging a breach of articles 9(1), 9(2) and 9(4) of the OLAF Regulation ⁽¹⁾ and a violation of the rights of defence of the applicant in the investigations, including the right to be heard and the respect of the presumption of innocence.

Second plea in law, alleging a breach of the principle of sound administration in relation to the investigations as well as the refusal to open an investigation on the conduct of the OLAF investigation.

Third plea in law, alleging a violation of the right of access to documents concerning the OLAF investigations.

- ⁽¹⁾ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ 2013, L 248, p. 1).

Order of the President of the Fourth Chamber of the Court of 17 January 2020 (request for a preliminary ruling from the Court of Appeal (England & Wales) (Civil Division) — Royaume-Uni) — Sandoz Ltd, Hexal AG v G.D. Searle LLC, Janssen Sciences Ireland

(Case C-114/18) ⁽¹⁾

(2020/C 313/23)

Language of the case: English

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

- ⁽¹⁾ OJ C 152, 30.4.2018.

Order of the President of the Court of 3 February 2020 (request for a preliminary ruling from the Sąd Najwyższy — Poland) — Proceedings brought by YV, interested party Krajowa Rada Sądownictwa

(Case C-537/18) ⁽¹⁾

(2020/C 313/24)

Language of the case: Polish

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

- ⁽¹⁾ OJ C 427, 26.11.2018.

Order of the President of the Court of 4 February 2020 (request for a preliminary ruling from the Tribunal Superior de Justicia de Canarias — Spain) — KA v Instituto Nacional de la Seguridad Social (INSS), Tesorería General de la Seguridad Social

(Case C-811/18) ⁽¹⁾

(2020/C 313/25)

Language of the case: Spanish

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

- ⁽¹⁾ OJ C 139, 15.4.2019.
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