

**Request for a preliminary ruling from the Landgericht Frankfurt am Main (Germany) lodged on
9 August 2022 — PA v trendtours Touristik GmbH**

(Case C-529/22)

(2022/C 441/09)

Language of the case: German

Referring court

Landgericht Frankfurt am Main

Parties to the main proceedings

Applicant and appellant: PA

Defendant and respondent: trendtours Touristik GmbH

Questions referred

1. Must Article 12(2) of Directive (EU) 2015/2302⁽¹⁾ of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU and repealing Council Directive 90/314/EEC ('the Package Travel Directive') be interpreted as providing for a further right of termination — in addition to that provided for in Article 12(1) of that directive — the legal consequences of which apply only if the traveller invokes, in his or her declaration of termination, unavoidable and extraordinary circumstances occurring at the place of destination or its immediate vicinity and significantly affecting the performance of the package, or which significantly affect the carriage of passengers to the destination?
2. Must Article 12(2) of the Package Travel Directive be interpreted as meaning that an obligation to pay a termination fee does not cease to apply where the traveller does not state a reason when terminating the package and justifies the termination only subsequently by reference to unavoidable and extraordinary circumstances at the time of termination, this being determined by means of a prognosis, or occurring at the time of travel at the place of destination or its immediate vicinity and significantly affecting the performance of the package, or which significantly affect the carriage of passengers to the destination?

⁽¹⁾ OJ 2015 L 326, p. 1.

**Appeal brought on 11 August 2022 by Araceli García Fernández and Others against the judgment of
the General Court (Third Chamber, Extended Composition) delivered on 1 June 2022 in Case
T-523/17, Elevanté Invest Group and Others v Commission and SRB**

(Case C-541/22 P)

(2022/C 441/10)

Language of the case: Spanish

Parties

Appellants: Araceli García Fernández, Faustino González Parra, Fernando Luis Treviño de Las Cuevas, Juan Antonio Galán Alcázar, Lucía Palazuelo Vallejo-Nágera, Macon, SA, Marta Espejel García, Memphis Investments Ltd, Pedro Alcántara de la Herrán Matorras, Pedro José de Jesús Benito Trebbau López, Pedro Regalado Cuadrado Martínez, María Rosario Mari Juan Domingo (represented by: B. M. Cremades Román, J. López Useros, S. Cajal Martín and P. Marrodán Lázaro, lawyers)

Other parties to the proceedings: Elevanté Invest Group, SL, Antonio Bail Cajal, Carlos Sobrini Marín, Edificios 1326 de l'Hospitalet, SL, Juan José Homs Tapias, Anna María Torras Giro, Marbore 2000, SL, Tristán González del Valle, European Commission, Single Resolution Board (SRB), Kingdom of Spain, Banco Santander, SA

Form of order sought

The appellants claim that the Court of Justice should:

- (i) acknowledge the lodging of the appeal and its supporting documents, as well as the claims it contains;