

Appeal brought on 20 January 2015 by European Commission against the judgment of the Civil Service Tribunal of 13 November 2014 in Case F-2/12, Hristov v Commission and EMA

(Case T-26/15 P)

(2015/C 118/40)

Language of the case: Bulgarian

Parties

Appellant: European Commission (represented by J. Currall, N. Nikolova and S. Petrova)

Other parties to the proceedings: Emil Hristov, European Medicines Agency (EMA)

Form of order sought by the appellant

The appellant claims that the Court should:

- set aside the judgment of the European Civil Service Tribunal of 13 November 2014 in Case F-2/12 *Hristov v Commission and EMA*,
- refer the case back to the Civil Service Tribunal, for a ruling on the other pleas in support of the appeal,
- reserve the costs of the appeal.

Pleas in law and main arguments

In support of the appeal, the appellant relies on three pleas in law:

- the Civil Service Tribunal infringed EU law by attributing to the principle of good administration a scope which it does not have;
- in the alternative, the Civil Service Tribunal infringed the principle of proportionality by failing to determine, before making the annulment, whether the failure to observe the principle of good administration could have affected the contents of the contested decision;
- in the further alternative, the Civil Service Tribunal, in any event, infringed EU law by failing to balance the respective interests and failing to limit the effects of its judgments.

Appeal brought on 20 January 2015 by European Medicines Agency (EMA) against the judgment of the Civil Service Tribunal of 13 November 2014 in Case F-2/12, Hristov v Commission and EMA

(Case T-27/15 P)

(2015/C 118/41)

Language of the case: Bulgarian

Parties

Appellant: European Medicines Agency (EMA) (represented by J. Currall, N. Nikolova and S. Petrova)

Other parties to the proceedings: Emil Hristov, European Commission

Form of order sought by the appellant

The appellant claims that the Court should:

- set aside the judgment of the European Civil Service Tribunal of 13 November 2014 in Case F 2/12 *Hristov v Commission and EMA*,
- refer the case back to the Civil Service Tribunal, for a ruling on the other pleas in support of the appeal,
- reserve the costs of the appeal.

Pleas in law and main arguments

In support of the appeal, the appellant relies on four pleas in law:

- the Civil Service Tribunal infringed EU law by attributing to the principle of good administration a scope which it does not have;
- in the alternative, the Civil Service Tribunal infringed the principle of proportionality by failing to determine, before making the annulment, whether the failure to observe the principle of good administration could have affected the contents of the contested decision;
- in the further alternative, the Civil Service Tribunal, in any event, infringed EU law by failing to balance the respective interests and failing to limit the effects of its judgments;
- in the final alternative, the Civil Service Tribunal infringed EU law by holding that the unlawfulness of the Commission's decision necessarily led to the decision adopted by the EMA being unlawful.

Action brought on 3 February 2015 — PAN Europe v Commission

(Case T-51/15)

(2015/C 118/42)

Language of the case: English

Parties

Applicant: Pesticide Action Network Europe (PAN Europe) (Brussels, Belgium) (represented by: B. Kloostra, lawyer)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul the Commission's decision of 24 November 2014 with reference Ares(2014)3900631 ('the contested decision'), in which the Commission confirmed for the most part its decision of 3 June 2014 with reference Ares(2014)2150615 in which the Commission took a decision on the request for information of PAN Europe of 3 January 2014 (registered by the Commission on 6 January 2014);
- order the Commission to pay the costs of the proceedings.