

- infringement of the principles of equal treatment and non-discrimination;
- failure to carry out a balancing of interests and failure to observe the principle that the measure adopted must be proportionate.

Action brought on 7 August 2017 — SFP Asset Management and Others v SRB

(Case T-502/17)

(2017/C 347/45)

Language of the case: Spanish

Parties

Applicants: SFP Asset management and Others (Geneva, Switzerland), Twenty First Trade Inc. (Panama, Panama), Merlos Infor, S.L. (Badalona, Spain) (represented by: J. Gálvez Pascual, lawyer)

Defendant: Single Resolution Board

Form of order sought

The applicant claims that the General Court should:

- declare that, by adopting in its executive session of 7 June 2017 Decision SRB/EES/2017/08 establishing the resolution scheme in respect of the financial institution Banco Popular Español S.A., the Single Resolution Board ('the SRB') infringed EU law;
- consequently, annul that measure, and any subsequent implementing measures too that the SRB may have adopted, with effect *ex tunc*.

Pleas in law and main arguments

The pleas in law and main arguments are similar to those put forward in Cases T-478/17, *Mutualidad de la Abogacía and Hermandad Nacional de Arquitectos Superiores y Químicos v Single Resolution Board*, T-481/17, *Fundación Tatiana Pérez de Guzmán el Bueno and SFL v Single Resolution Board*, T-482/17, *Comercial Vascongoda Recalde v Commission and Single Resolution Board*, T-483/17, *García Suárez and Others v Commission and Single Resolution Board*, T-484/17, *Fidesban and Others v Single Resolution Board*, T-497/17, *Sánchez del Valle and Calatrava Real State 2015 v Commission and Single Resolution Board*, and T-498/17, *Pablo Álvarez de Linera Granda v Commission and Single Resolution Board*.

Action brought on 4 August 2017 — Ruiz Sacristán and Arias Mosquera v Commission and SRB

(Case T-503/17)

(2017/C 347/46)

Language of the case: Spanish

Parties

Applicants: Jaime Ruiz Sacristán (Cuauhtémoc, Mexico), José María Arias Mosquera (Madrid, Spain) (represented by: B. Gutiérrez de la Roza Pérez, P. Rubio Escobar, R. Ruiz de la Torre Esporrín and B. Fernández García, lawyers)

Defendants: European Commission and Single Resolution Board

Form of order sought

The applicants claim that the Court should annul the following measures:

- Decision SRB/EES/2017/08 of the Single Resolution Board taken at its executive session of 7 June 2017 adopting the resolution scheme regarding the institution Banco Popular Español S.A..
- Commission Decision (EU) 2017/1246 of 7 June 2017 endorsing the resolution scheme for Banco Popular Español, S. A.