

Form of order sought

The applicant claims that the General Court should:

- Take note of the lodging in due form and within the prescribed period of an action for annulment before the General Court of the European Union against the implementation of the decision of the Single Resolution Board, an implementing decision which has caused significant harm to the assets of the former and legitimate shareholders and debt holders of the Banco Popular, and deliver a judgment in due course annulling that decision;
- In the alternative, declare with immediate effect the suspension of the implementation carried out by the Single Resolution Board and the FROB (Fund for Orderly Bank Restructuring), given that its validity and entry into force results in harm to the assets of the Banco Popular's shareholders, who have lost that status, which it is difficult or impossible to remedy.

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 Vascongada 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 29 August 2017 — Alonso Goñi and Others v SRB

(Case T-585/17)

(2017/C 402/54)

Language of the case: Spanish

Parties

Applicants: Pablo Alonso Goñi (Legutio, Spain), Xavier Alonso Vicinay (Legutio), Leire Alonso Vicinay (Legutio) (represented by: R. García-Bragado Acín, lawyer)

Defendant: Single Resolution Board

Form of order sought

The applicants claim that the General Court should:

- Take note of this action for annulment of Decision SRB/EES/2017/08 of 7 June 2017 concerning the resolution of Banco Popular, as well as the valuation on which it is based and, once the relevant verifications have been completed, declare the action admissible and follow the procedure set out in Articles 120 et seq. of the Rules of Procedure of the General Court;
- Given that it is practically impossible to reverse the implementation of that decision, declare that SRB is under an obligation to make good the damage caused to the applicants, which corresponds to the amount of their investment or the amount determined at the time of enforcement of the judgment;
- Order the Single Resolution Board to pay the costs.

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 Vascongada 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 September 2017 — *Balti Gaas v Commission*

(Case T-596/17)

(2017/C 402/55)

Language of the case: English

Parties

Applicant: Balti Gaas OÜ (Tallinn, Estonia) (represented by: E. Tamm and L. Naaber-Kivisoo, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- join the current case with case T-236/17;
- declare pursuant to the third paragraph of Article 265 of TFEU that the Commission has failed to comply with its obligations under Union law by failing to adopt a motivated decision regarding the applicant's funding application and to order the Commission to carry out a thorough evaluation of the applicant's funding application, to make a motivated decision and deliver that decision to the applicant;
- alternatively, in case the Court finds that the merits for a failure to act are not met, the applicant asks the Court to annul the Commission Implementing Decision of 14/03/2017 on the selection and award of grants for actions contributing to projects of common interest under the Connecting Europe Facility in the field of trans-European energy infrastructure (C(2017) 1593 final); and
- order the defendants to bear their costs and pay those incurred by the applicant.

Pleas in law and main arguments

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

1. First plea in law, alleging that the Commission Implementing Decision of 14/03/2017 on the selection and award of grants for actions contributing to projects of common interest under the Connecting Europe Facility in the field of trans-European energy infrastructure (C (2017) 1593 final) only mentions the applicants receiving funds but Commission has failed to make a motivated decision regarding the applicant's funding application.
2. Second plea in law, alleging that the the Commission has infringed an essential procedural requirement, it has failed to give a statement of reasons.
3. Third plea in law, alleging that INEA/Commission have exceeded their competence. INEA/Commission refused funding based on the reasoning that the Paldiski LNG terminal is no longer necessary for the Baltic Sea region's security of supply of natural gas. Applicant finds that the effect of this statement is a substantial modification of a PCI list (Regulation (EU) No 347/2013 and Regulation (EU) No 2016/89. To do so, the Commission has to adopt a delegated regulation, not send a letter to the Applicant.