

Thus, it considers that it was for the French authorities to determine the control measures to be taken, provided that those measures were proportionate having regard to the financial risk for the EAGF. In that regard, the applicant claims that the French authorities have put in place an ambitious scheme which takes that financial risk into account.

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**Action brought on 8 September 2017 — Ardigo and UO v Commission**

**(Case T-615/17)**

(2017/C 382/62)

*Language of the case: French*

**Parties**

*Applicants:* Nicola Ardigo (Lissone, Italy) and UO (represented by: S. Orlandi and T. Martin, lawyers)

*Defendant:* European Commission

**Form of order sought**

- Declare and rule that
  - the decisions confirming the transfer of the applicants' pension rights into the European Union pension scheme are annulled;
  - the European Commission is ordered to pay the costs.

**Pleas in law and main arguments**

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

1. First plea in law, alleging infringement by the Appointing Authority of Article 7(1) of the General Implementing Provisions (GIPs) of 3 March 2011 in the calculation by that Authority of the deduction of the amount representing the increase in value of that capital between the date of the application for transfer and that of the actual transfer.
2. Second plea in law, alleging infringement of essential procedural measures, namely breaches by the Appointing Authority of its obligations to state reasons and to establish, through the GIPs, the mathematical formula by which it calculated the coefficients necessary for the conversion of the capital transferred into years of pensionable service.

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**Action brought on 19 September 2017 — Hola v Commission and SRB**

**(Case T-631/17)**

(2017/C 382/63)

*Language of the case: Spanish*

**Parties**

*Applicant:* Hola, S.L. (Madrid, Spain) (represented by: R. Vallina Hoset and C. Iglesias Megías, lawyers)

*Defendants:* Single Resolution Board and European Commission

**Form of order sought**

The applicant claims that the General Court should:

- Annul Decision SRB/EES/2017/08 of the Single Resolution Board of 7 June 2017 concerning the adoption of a resolution scheme in respect of Banco Popular Español, S.A.;

- Annul Commission Decision (EU) 2017/1246 of 7 June 2017 endorsing the resolution scheme of Banco Popular Español, S.A.;
- Where appropriate, declare Articles 15, 18, 20, 21, 22 and/or 24 of Regulation No 806/2014 inapplicable, in accordance with Article 277 TFEU;
- Order SRB and the Commission 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*.

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### **Action brought on 15 September 2017 — Erdősi Galcsikné v Commission**

(Case T-632/17)

(2017/C 382/64)

*Language of the case: German*

### **Parties**

*Applicant:* Éva Erdősi Galcsikné (Budapest, Hungary) (represented by: D. Lazar, lawyer)

*Defendant:* European Commission

### **Form of order sought**

The applicant claims that the Court should:

- annul Commission Decision Ares(2017)2755900 of 1 June 2017;
- annul Commission Decision C(2017)5146 final of 17 July 2017;
- order the Commission to grant the applicant access to all documents relating to EU Pilot procedure 8572/15, CHAP (2015)00353, irrespective of whether they are already available or are to be made available only in the future; and
- order the Commission to pay the costs.

### **Pleas in law and main arguments**

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

1. First plea in law: disclosure of the documents at issue would not compromise the protective purpose of investigations

According to the applicant, the subject matter of EU pilot procedure 8572/15 is the large-scale and extensive infringements of the right to independent and impartial judicial authorities and the right to a fair trial by the Hungarian courts through the application of legislation relating to the conversion of so-called foreign currency loans into Hungarian currency. That legislation infringes the principle of the separation of powers as it interferes with private legal relationships between citizens. In particular, that legislation forces borrowers to bear the losses resulting from the exchange rate risk and prohibits challenges to the validity of credit agreements from being brought before the courts.

The applicant maintains that negotiations between the European Commission and the Hungarian Government with a view to bringing the Hungarian legal system into conformity with EU law are inappropriate for achieving this objective since the courts in a State based on the rule of law are independent.