

Action brought on 4 August 2017 — La Guirigaña and Others v ECB and SRB

(Case T-613/17)

(2017/C 424/58)

*Language of the case: Spanish***Parties**

Applicants: La Guirigaña, S.L. (Madrid, Spain) and seven other applicants (represented by: J. Díaz-Patón Porras, lawyer)

Defendants: European Central Bank and Single Resolution Board

Form of order sought

The applicants claim that the General Court should take note that an application has been lodged alleging that the European Union has incurred financial liability in respect of acts and omissions attributable to the European Central Bank and take note of the joint lodging of an action against the Decision of the Single Resolution Board of 7 June 2017 and, following the appropriate legal procedure, should:

- Declare that the European Union has incurred financial liability towards the applicants;
- Annul the Single Resolution Board's decision of 7 June 2017, depriving it of effect,
- In the alternative, should the Court not uphold the aforementioned claims, order that the Single Resolution Board compensate the applicants.

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 20 September 2017 — Escriba Serra and Others v Commission and SRB

(Case T-640/17)

(2017/C 424/59)

*Language of the case: Spanish***Parties**

Applicants: Juan Escriba Serra (Girona, Spain) and seven other applicants (represented by: R. Vallina Hoset and C. Iglesias Megías, lawyers)

Defendants: European Commission and Single Resolution Board

Form of order sought

The applicants claim that the General Court should:

- principally, and for reasons of procedural economy:
 - Annul (revoke) in part 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., in so far as it orders the conversion and write down of Banco Popular subordinated bonds;
 - Annul in part Commission Decision (EU) 2017/1246 of 7 June 2017 endorsing the resolution scheme of Banco Popular Español, S.A., in so far as it orders the conversion of Banco Popular subordinated bonds;

- In the alternative,
 - Annul in full 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 in full 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; and
- Order the Board 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*.

Action brought on 21 September 2017 — Euroways v Commission and SRB

(Case T-643/17)

(2017/C 424/60)

Language of the case: Spanish

Parties

Applicant: Euroways, SL (Hospitalet de Llobregat, Spain) (represented by: R. Vallina Hoset and C. Iglesias Megías, lawyers)

Defendants: European Commission and Single Resolution Board

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*.
