

5. Fifth plea in law, alleging a manifest error in finding the State aid compatible with the internal market, in view of the fact that the proposed restructuring plan does not provide sufficient guarantees that Areva will be able to deliver on the timely completion of the OL3 Project, thus running contrary to certain other EU Treaty objectives which should have been taken in account when examining the compatibility of the State aid.

⁽¹⁾ OJ 2017 L 155, p. 23.

⁽²⁾ OJ 2014 C 249, p. 1, point 47.

Action brought on 21 September 2017 — González Buñuel and Others v SRB

(Case T-642/17)

(2017/C 402/58)

Language of the case: Spanish

Parties

Applicants: Antonio González Buñuel (Barcelona, Spain) and 12 other applicants (represented by: J. De Castro Martín, M. Azpitarte Sánchez and J. Ruiz de Villa Jubany, lawyers)

Defendant: Single Resolution Board

Form of order sought

The applicants claim that the General Court should:

- In accordance with Article 263 TFEU, annul the Decision of the SRB concerning the BANCO POPULAR ESPAÑOL (SRB/EES/2017/08);
- In accordance with Article 340(2) TFEU and Article 41(3) of the Charter of Fundamental Rights of the European Union, order SRB to pay to the applicants, at the expense of the Single Resolution Fund established in accordance with Article 67 of Regulation No 806/2014, compensation for the damage caused to the applicants as a direct consequence of the Decision concerning the BANCO POPULAR ESPAÑOL and the value of which corresponds to the market value of the capital instruments of the banking institution the day preceding (6 June 2017) the implementation of the resolution scheme; in the alternative, in the event that the Court does not uphold the previous claim for compensation, order SRB to pay to the applicants compensation, the value of which corresponds to the difference, which will be determined by the valuation of the independent person laid down in Article 20(16) of Regulation No 806/2014, between the payment in respect of their claims received by the applicants pursuant to the application of the Decision and the amount they would have received under a normal insolvency procedure;
- In accordance with Articles 133 and 134 of the Rules of Procedure of the General Court, order SRB to pay the costs of these proceedings.

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*.
