

*Defendant:* Single Resolution Board

### **Form of order sought**

The applicant claims that the General Court should:

- On the basis of Article 263 TFEU, annul Decision SRB/EES/2017/08 of the Single Resolution Board (SRB) of 7 June 2017 adopting a resolution scheme in respect of the Banco Popular Español, S.A.;
- In accordance with Article 340(2) TFEU and Article 41(3) of the Charter of Fundamental Rights of the European Union, order the Single Resolution Board to pay compensation to the applicant for the harm suffered, in a precise amount which will be determined once the information required by the applicant's representatives is provided in full and, in particular Deloitte's provisional report and those prepared by independent experts in accordance with Regulation (EU) No 806/2014, access to which is hereby requested;
- In accordance with Articles 133 and 134 of the Rules of Procedure of the General Court, order the Single Resolution Board 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*.

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### **Action brought on 4 October 2017 — Helibética v SRB**

**(Case T-680/17)**

(2017/C 424/72)

*Language of the case:* Spanish

### **Parties**

*Applicant:* Helibética, SL (Alicante, Spain) (represented by: R. Vallina Hoset and A. Lois Perreau de Pinninck, lawyers)

*Defendant:* Single Resolution Board

### **Form of order sought**

The applicant claims that the General Court should:

- Declare that the Single Resolution Board has incurred non-contractual liability and order it to repair the harm suffered by the applicant as a result of both its actions and its omissions which deprived the applicant of the BANCO POPULAR ESPAÑOL, S.A. bonds and securities it owned;
- Order the Board to pay the applicant EUR 50 000 as compensation for the harm suffered ('the amount due'):
  - Principally, the reimbursement of the investments made, namely EUR 1 010 677,50 in Banco Popular shares;
  - In the alternative to the above claim, EUR 514 957;
- Increase the amount due with compensatory interest as of 7 June 2017 until delivery of the judgment disposing of the present case;
- Increase the amount due with corresponding default interest as of the date of delivery of judgment until its payment in full, at the rate set by the European Central Bank (ECB) for main refinancing operations, increased by two percentage points.
- Order the SRB to pay the costs.

**Pleas in law and main arguments**

The pleas in law and main arguments are similar to those relied on in Case T-659/17 *Vallina Fonseca v SRB*.

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**Action brought on 4 October 2017 — Miralla Inversiones v SRB****(Case T-685/17)**

(2017/C 424/73)

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

*Applicant:* Miralla Inversiones (Madrid, Spain) (represented by: R. Vallina Hoset and A. Lois Perreau de Pinninck, lawyers)

*Defendant:* Single Resolution Board

**Form of order sought**

The applicant claims that the General Court should:

First — take note of the present application and acknowledge the lodging of annulment proceedings against 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 carried out, declare the action admissible and follow the procedure set out in Article 120 et seq. of the Rules of Procedure of the General Court;

Second — In accordance with the application, order SRB to submit without delay the provisional valuation carried out by DELOITTE in accordance with Article 20 of the Regulation (EU) 806/2014 for the purpose of enabling the proper exercise of the right of the defence and, once that valuation has been submitted, allow the applicant a specific period to analyse and examine it in detail, so that it is in a position to oppose it during the reply stage;

Third — In the event that it does not accept the claims made in the previous paragraph and the proceedings continue, rule that Decision SRB/EES/2017/08 of 7 June 2017 concerning the resolution of Banco Popular and the valuation on which it is based are contrary to EU law.

**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 4 October 2017 — Policlínico Centro Médico de Seguros and Medicina Asturiana v SRB****(Case T-686/17)**

(2017/C 424/74)

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

*Applicants:* Policlínico Centro Médico de Seguros, SA (Oviedo, Spain) and Medicina Asturiana, SA (Oviedo) (represented by: R. Vallina Hoset and A. Lois Perreau de Pinninck, lawyers)