

**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)

*Defendant:* Single Resolution Board

### **Form of order sought**

The applicants claim 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 applicants as a result of both its actions and its omissions which deprived them of the BANCO POPULAR ESPAÑOL, S.A. bonds and securities they owned;
- Order the Board to pay to the applicants EUR 1 850 000 and the bonds' unpaid interest accrued up to the date of repayment as compensation for the harm suffered ('the amount due');
- 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 9 October 2017 — Italy v Commission**

**(Case T-695/17)**

(2017/C 424/75)

*Language of the case: Italian*

### **Parties**

*Applicant:* Italian Republic (represented by: G. Palmieri, acting as Agent, and P. Gentili, avvocato dello Stato)

*Defendant:* European Commission

### **Form of order sought**

The applicant claims that the Court should:

- annul the notice of Open Competitions — EPSO/AD/343/17 — German-language (DE) translators (AD 5) — EPSO/AD/344/17 — French-language (FR) translators (AD 5) — EPSO/AD/345/17 — Italian-language (IT) translators (AD 5) — EPSO/AD/346/17 — Dutch-language (NL) translators (AD 5), published in *Official Journal of the European Union* No C 224 A of 13 July 2017;
- order the Commission to pay the costs.

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

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

1. First plea in law, alleging infringement of Articles 263 TFEU, 264 TFEU and 266 TFEU.

- The Commission has disregarded the authority of the judgment of the Court of Justice in Case C-566/10 P and of the judgment of the General Court of 24 September 2015 in Cases T-124/15 and T-191/13, which find that it is unlawful for notices for open competitions of the European Union to limit to only English, French and German the languages which candidates may indicate as their second language.