

4. Fourth plea in law, alleging that the contested decision cannot be based on the protection of the privacy and the integrity of the individual, since Article 4(6) of Regulation (EC) No 1049/2001 provides that 'If only parts of the requested document are covered by any of the exceptions, the remaining parts of the document shall be released'.

(¹) Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ 2001 L 145, p. 43).

(²) Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies (OJ 2006 L 264, p. 13).

Action brought on 4 September 2020 — MF v eu-LISA

(Case T-568/20)

(2020/C 399/55)

Language of the case: English

Parties

Applicant: MF (represented by: L. Levi and M. Vandebussche, lawyers)

Defendant: European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice

Form of order sought

The applicant claims that the Court should:

- annul the decision of 29 October 2019 terminating the applicant's contract on the basis that a security clearance could not be issued to him — as such and insofar as it would also contain a decision to refuse access to EUCI;
- insofar as necessary, annul the decision of 26 May 2020 rejecting the complaint;
- order the defendant to pay all the costs.

Plea in law and main arguments

In support of the action, the applicant relies on one plea in law, alleging that the termination decision is illegal as a consequence of a violation by the defendant of Article 11(5)(b) of Commission decision and of the eu-LISA security Rules.

Action brought on 11 September 2020 — Ryanair v Commission

(Case T-577/20)

(2020/C 399/56)

Language of the case: English

Parties

Applicant: Ryanair DAC (Swords, Ireland) (represented by: E. Vahida, F. Laprévotte, V. Blanc, S. Rating and I. Metaxas-Maranghidis, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- annul the European Commission's decision (EU) of 14 October 2019 on State aid SA.55394 (2019/N) — Germany — Rescue aid to Condor⁽¹⁾, and
- order the European Commission to pay the costs.

Pleas in law and main arguments

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

1. First plea in law, alleging that the aid falls outside the material scope of the European Commission's Rescue and Restructuring Guidelines⁽²⁾, because Condor's difficulties are the result of an arbitrary allocation of costs within the Thomas Cook group.
2. Second plea in law, alleging that the rescue aid does not satisfy the compatibility condition that the aid should contribute to an objective of genuine common interest. The European Commission committed manifest errors of assessment, both regarding the needs of German independent tour operators and travel agencies and the alleged absence of aircraft capacity for the repatriation of stranded passengers during the IATA winter season which is marked by seasonal overcapacity.
3. Third plea in law, alleging that the European Commission failed to review the satisfaction of the one time last time condition for rescue aid by the Thomas Cook group.
4. Fourth plea in law, alleging that the European Commission failed to initiate a formal investigation procedure despite serious difficulties and violated the applicant's procedural rights.
5. Fifth plea in law, alleging that the European Commission violated its duty to state reasons.

⁽¹⁾ OJ 2020 C 294, p. 3

⁽²⁾ Guidelines on State aid for rescuing and restructuring non-financial undertakings in difficulty, OJ 2014 C 249, p. 1

Action brought on 24 September 2020 — Polwax v Commission

(Case T-585/20)

(2020/C 399/57)

Language of the case: Polish

Parties

Applicant: Polwax S.A. (Jasło, Poland) (represented by: E. Nessmann, G. Duda and M. Smółka, lawyers)

Defendant: European Commission

Form of order sought

The applicant claims that the Court should:

- Annul the European Commission Decision of 14 July 2020, in Case M.9014 PKN Orlen/Grupa Lotos ('the decision');
- Order the European Commission to pay the costs.