

**Parties to the main proceedings**

*Appellant:* TAP Portugal

*Respondent:* Myflyright GmbH

**Question referred**

Is Article 5(3) of Regulation (EC) No 261/2004 <sup>(1)</sup> to be interpreted as meaning that an extraordinary circumstance within the meaning of that provision exists where a flight departing from an airport outside the base of the operating air carrier is cancelled because a crew member deployed on that flight (*in casu* the co-pilot), who has passed the prescribed regular medical examinations without restriction, dies suddenly and in a way that the air carrier is unable to foresee shortly before the flight or falls so seriously ill that he or she cannot perform the flight?

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<sup>(1)</sup> Regulation of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (OJ 2004 L 46, p. 1).

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**Request for a preliminary ruling from the Landgericht Stuttgart (Germany) lodged on 17 February 2022 — TAP Portugal v Myflyright GmbH**

**(Case C-158/22)**

(2022/C 222/24)

*Language of the case: German*

**Referring court**

Landgericht Stuttgart

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*Respondent:* Myflyright GmbH

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**Request for a preliminary ruling from the Curtea de Apel București (Romania) lodged on 4 March 2022 — Groenland Poultry SRL, in liquidation v Agenția de Plăți și Intervenție pentru Agricultură — Centrul Județean Dâmbovița**

**(Case C-169/22)**

(2022/C 222/25)

*Language of the case: Romanian*

**Referring court**

Curtea de Apel București