

5. Fifth plea in law, alleging that, with the adoption of the contested regulation, the Commission infringed the second subparagraph of Article 100(3) of Single CMO Regulation No 1308/2013, in light of the importance of that provision in relation to the fundamental principles of EU law and of Article 17 of the Charter and Article 1 of Protocol No 1 to the European Convention for the Protection of Human Rights and Fundamental Freedoms. The Commission thus exceeded the limits of the power conferred on it by that provision.
6. Sixth plea in law, alleging that, with the adoption of the contested regulation, the Commission infringed Article 290 TFEU and Article 13(2) TEU, in so far as it exceeded the limits of its power to adopt a delegated act, as conferred upon it by Article 290 TFEU, and also exceeded the limits of the powers conferred on it by the Treaties.
7. Seventh plea in law, alleging that, given that the Commission adopted the contested regulation with reference to a request from Croatia to include the wine grape variety 'Teran' in Part A of Annex XV of Commission Regulation No 607/2009 — a request that Croatia should have made before its accession to the EU — even though no such request was in fact made, and Slovenia was not informed of any such request for the purpose of opening negotiations, the Commission infringed the second subparagraph of Article 100(3) of Single CMO Regulation No 1308/2013 and Article 62(3) of Commission Regulation No 607/2009 in conjunction with Article 4(3) TEU. In the same way, the Commission has thus exceeded the power conferred on it by the aforementioned provision of Single CMO Regulation No 1308/2013.
8. Eighth plea in law, alleging that the Commission, having amended the contents of the contested regulation as regards the draft delegated act, which was submitted on 24 January 2017 at the meeting of GREX WINE wine experts, without giving the experts from the Member States the opportunity to comment on the amended version of the draft act, acted in breach of its own commitment under Chapter V, paragraph 28 of the Interinstitutional Agreement on Better Law-Making and Chapter II, paragraph 7, of the Common Understanding on delegated acts between the European Parliament, the Council and the Commission, which is appended to that Interinstitutional Agreement. In so doing, the Commission has committed a breach of essential procedural requirements and a breach of the principle of interinstitutional balance.

Action brought on 21 September 2017 — Rodonita v Commission and SRB

(Case T-645/17)

(2017/C 392/45)

Language of the case: Spanish

Parties

Applicant: Rodonita, SL (Coruña, Spain) (represented by: B. Gutiérrez de la Roza Pérez, P. Rubio Escobar, R. Ruiz de la Torre Esporrín and B. Fernández García, lawyers)

Defendants: European Commission and Single Resolution Board

Form of order sought

The applicants claim that the General Court should:

- Annul Decision SRB/EES/2017/08 of the Single Resolution Board taken at its executive session of 7 June 2017 adopting the resolution scheme regarding the institution Banco Popular Español, S.A.;
- Annul Commission Decision (EU) 2017/1246 of 7 June 2017 endorsing the resolution scheme for Banco Popular Español, S.A.;
- Additionally, in accordance with Articles 133 and 134 of the Rules of Procedure of the General Court, order the defendants and the parties intervening in full or partial support of the form of order sought by them to pay the costs.

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*.

Action brought on 22 September 2017 — Addicion Sicav and Others v SRB

(Case T-646/17)

(2017/C 392/46)

Language of the case: Spanish

Parties

Applicants: Addicion Sicav, SA (Madrid, Spain), Allocation Sicav, SA (Madrid), Fundación Rafael de Pinto (Madrid), Chart Inversiones Sicav, SA (Madrid) and Match Ten Inversiones Sicav, SA (Madrid) (represented by: M. Romero Rey and I. Salama Salama, lawyers)

Defendant: Single Resolution Board

Form of order sought

The applicants claim 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 applicants for the harm suffered, in an amount corresponding to the nominal value of the bonds, updated at the date of resolution, and the related default interest accrued from that date up to the date the reimbursement will be made;
- 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*.
