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#### INFORMATION NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee (Part 2)  
Subject: Case before the General Court of the European Union  
- Case T-496/14, Berry Investments Inc v. Council of the European Union

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1. By application notified to the Council on 29 July 2014, the applicant company "Berry Investments Inc" having its seat in Monrovia, Liberia, has brought an action against the Council "(in its Euro Group configuration)" (*sic*) pursuant to Article 340, second paragraph TFEU, seeking compensation for damage allegedly suffered by it as a result of supposed acts of the defendant concerning the 2013 bail-in programme on the Republic of Cyprus, as executed by the Central Bank of Cyprus.
2. The applicant invokes that all the conditions for the non-contractual liability of the Union to be established are met. In particular, it maintains that a number of acts of the defendant concerning the Cypriot bail-in programme are unlawful, as they violate its right to property, the principle of equal treatment, its right to judicial protection and the principle of legal certainty. The applicant further invokes that there is a direct causal link between the allegedly unlawful conduct of the defendant and the damage allegedly suffered by it.

3. In accordance with Article 46(1) of the Rules of Procedure of the General Court, the Council has to lodge its statement of defence within two months of receipt of the notification of the application.
  4. The Director-General of the Council Legal Service has appointed Mr Alberto DE GREGORIO MERINO, Ms Evgenia CHATZIOAKEIMIDOU and Ms Eugenia DUMITRIU-SEGNANA, legal advisers in the Council Legal Service, as the Council's agents in this case.
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