



COUR DE JUSTICE
DE
L'UNION EUROPEENNE

Greffé

9 April 2024

By e-Curia

Tsitra Evitaerc
v.
The Arty-Zen Gallery
Oleg Nalechim
Nevet Sbergspiel

The Registrar of the Court of Justice has the honour of sharing with the parties the attached correspondence received by the Court.

At the forthcoming hearing, the parties' representatives are requested to comment on the effects, if any, of this correspondence on the present proceedings. They are in particular requested by the Judge Rapporteur to take a position on the following points in addition to making submissions on Questions 1 and 2:

- A. Is it possible to withdraw part of a reference for preliminary ruling only, or must the Court treat the request from President Rouge as seeking to withdraw the present case as a whole?
- B. To what extent is it compatible with Article 267 TFEU as well as Article 19 TEU and Article 47 of the Charter for a president of a national court, acting on their own, to seek to withdraw a reference for preliminary ruling made by a judgment formation in principle comprising that president but rendered in their absence and without involving them or obtaining their approval as required under national procedural law?



Administrator

THE PRESIDENT
COPYRIGHT COURT
MELBORP



8 April 2024

The President
Court of Justice of the European Union
Rue du Fort Niedergrünewald
L-2925 Luxembourg

Re: *Tsitra Evitaerc v. The Arty-Zen Gallery, Oleg Nalechim and Nevet Sbergspiel*

Dear Koen,

I am sorry to trouble you with this, but some bothersome elements of my court seem to have contrived to send your court a non-authorised reference for preliminary ruling.

Questions 1 and 2 were never approved by me and I would like to withdraw them. Please order your judges to ignore them.

As Presidents, we have to stick together in meeting our courts' performance targets and I am sure your people will not mind doing a bit less work on this one. I have suspended all the troublemakers at my end and have asked Louise to cover them in disciplinary proceedings until they retire.

We should also meet up more often – how about you come over for a judicial visit, bring your family and maybe a few of your judges, and I will personally take care of you all. There are some great additions to our court wine cellar which you absolutely need to try – I will send you a few “cases” as soon as you’ve managed to get rid of those additional questions. By the way, if it is easier at your end, just get rid of that case altogether and treat this letter as withdrawing all the questions referred.

Thank you so much, as ever,

Rouge

THE PRESIDENT IS ALWAYS RIGHT

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