

Prior notification of a concentration
(Case COMP/M.4464 — Goldman Sachs/Cerberus/Harpen)
Candidate case for simplified procedure

(2006/C 287/07)

(Text with EEA relevance)

1. On 10 November 2006, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings Goldman Sachs Group Inc. ('Goldman Sachs', USA) and Cerberus Group ('Cerberus', USA) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertakings Harpen Immobilien GmbH & Co. KG and Harpen Immobilien Verwaltungsgesellschaft mbH (together 'Harpen', Germany) by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

- for undertaking Goldman Sachs: investment banking;
- for undertaking Cerberus: private equity fund;
- for undertaking Harpen: rental and development of property.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004 ⁽²⁾ it should be noted that this case is a candidate for treatment under the procedure set out in the Notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (fax No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4464 — Goldman Sachs/Cerberus/Harpen, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Bruxelles/Brussel

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

⁽²⁾ OJ C 56, 5.3.2005, p. 32.