

Prior notification of a concentration**(Case COMP/M.4802 — Tishman Speyer/Lehman Brothers/Archstone-Smith)****Candidate case for simplified procedure****(Text with EEA relevance)**

(2007/C 207/06)

1. On 29 August 2007, 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 Tishman Speyer Properties L.P. ('Tishman Speyer', USA) and Lehman Brothers Holdings Inc. ('Lehman Brothers', USA) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertakings Archstone-Smith Trust and Archstone-Smith Operating Trust (together 'Archstone-Smith', USA).

2. The business activities of the undertakings concerned are:

- for undertaking Tishman Speyer: owner, developer, fund manager and operator of commercial and residential real estate,
- for undertaking Lehman Brothers: investment bank,
- for undertaking Archstone-Smith: owner, developer and operator of mainly residential real estate.

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 ((32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.4802 — Tishman Speyer/Lehman Brothers/Archstone-Smith, 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.