

***Case No COMP/M.2292 -  
AEA INVESTORS /  
DLJMB FUNDING III /  
BF GOODRICH  
PERFORMANCE  
MATERIALS***

Only the English text is available and authentic.

**REGULATION (EEC) No 4064/89  
MERGER PROCEDURE**

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Article 6(1)(b) NON-OPPOSITION

Date: 22/02/2001

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.02.2001  
SG(2001)D / 286387

PUBLIC VERSION

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Madam(s) and/or Sir(s),

**SUBJECT: CASE NO. COMP/M.2292 – AEA INVESTORS INC./DLJMB FUNDING III, INC./BF  
GOODRICH PERFORMANCE MATERIALS**

Notification of 23.01.2001 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89<sup>1</sup>  
Publication in the Official Journal of the European Communities No. C 35 , 02.02.2001, page 4.

1. On 23.01.2001, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89<sup>2</sup> by which the undertakings AEA Investors Inc. ("AEA", USA) and DLJMB Funding III, Inc. ("DLJMB", USA), the latter controlled by Credit Suisse First Boston (USA), Inc. ("CSFB") and belonging to the Credit Suisse Group, acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the Performance Materials business of BF Goodrich Company ("Goodrich Performance Materials", USA), by way of purchase of assets and shares.
2. The business activities of the undertakings concerned are:
  - for AEA : collection and management of investments by individuals, funds and institutions,

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<sup>1</sup> OJ L 395, 30.12.1989 p. 1; corrected version OJ L 257 of 21.9.1990, p. 13, as last amended by Regulation (EC) No 1310/97, OJ L 180, 9.7.1997, p. 1, corrigendum in OJ L 40, 13.2.1998, p. 17.

<sup>2</sup> OJ L 395, 30.12.1989 p. 1; corrigendum OJ L 257 of 21.9.1990, p. 13; Regulation as last amended by Regulation (EC) No 1310/97 (OJ L 180, 9. 7. 1997, p. 1, corrigendum OJ L 40, 13.2.1998, p. 17).

- for DLJMB : investment company,
  - For CSFB: investment bank and financial services,
  - for Goodrich Performance Materials: producer of specialty plastics, polymer-based formulations and additives for consumer, textile and industrial products.
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EEC) No. 4064/89 and of paragraph 4, subparagraph (b), of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<sup>3</sup>.
  4. To the extent that restrictions specified by the parties are directly related and necessary to the implementation of the concentration, these restrictions are covered pursuant to Article 6(1)(b), second subparagraph, of Council Regulation (EEC) No. 4064/89.
  5. For the reasons set out in the Notice on a simplified procedure, the Commission has decided not to oppose the notified operation and to declare it compatible with the common market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of Council Regulation (EEC) No. 4064/89.

For the Commission,

*(signed : Mario Monti  
Member of the Commission)*

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<sup>3</sup> OJ C 217, 29.07.2000, p. 32.