

***Case No COMP/M.3218 -  
CERBERUS / ANC  
RENTAL***

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: 21/10/2003

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 21.10.2003

SG (2003) D/232546

MERGER PROCEDURE  
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

PUBLIC VERSION

**To the notifying party**

Dear Sir,

**Subject: Case No. COMP/M.3218 - Cerberus/ANC Rental  
Notification of 19.09.2003 pursuant to Article 4 of Council Regulation (EEC)  
No. 4064/89<sup>1</sup>  
Publication in the Official Journal of the European Union No. C 233,  
30.09.2003, page 16**

1. On 19 September 2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which Cerberus Capital Management LP (“Cerberus”) belonging to the Cerberus Group which - through intermediate entities – is indirectly controlled by Mr. Feinberg (all USA), acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of ANC Rental Corporation International (“ANC Rental”, USA), by way of purchase of assets.
2. The business activities of the undertakings concerned are:
  - for Cerberus: investment company;
  - for ANC Rental: rental car services.
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

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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.

4, subparagraph b of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EEC) No 4064/89<sup>2</sup>.

4. 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  
Mario MONTI  
Member of the Commission, signed

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<sup>2</sup> OJ C 217, 29.07.2000, p. 32.