

***Case No COMP/M.3317 -
RATOS / LEHMANN
BROTHERS /
FASTIGHETSTORNET***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 01/12/2003

*Also available in the CELEX database
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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 01-12-2003
SG (2003) D/233148

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

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

Case No. COMP/M.3317 - RATOS/LEHMANN BROTHERS/FASTIGHETSTORNET

**Notification of 03.11.2003 pursuant to Article 4 of Council Regulation (EEC) No. 4064/89¹, as last amended by Regulation (EC) No 1310/97²
Publication in the Official Journal of the European Union No. C 271,
November 12, 2003 page 48**

1. On 03.11.2003, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No. 4064/89 by which the undertakings Ratos AB ("Ratos"), Sweden, and Lehman Brothers Real Estate Partnership ("LBREP"), USA, acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the Swedish undertaking Fastighets AB Tornet ("Tornet"), by way of public bid announced on 20 October 2003.
2. The business activities of the undertakings concerned are:
 - for Ratos: A Swedish listed private equity company, specialising in investment management,

¹ OJ L 395, 30.12.1989 p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

² OJ L 180, 9. 7. 1997, p. 1; corrigendum OJ L 40, 13.2.1998, p. 17.

- for LBREP: A Real Estate Private Equity Fund within of the global investment bank Lehman Brothers, specialising in asset investments both in Europe and North America,
 - for Tornet: A Swedish real estate investment company.
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 4064/89³.
 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

(Signed)
Mario MONTI
Member of the Commission

³ OJ C 217, 29.07.2000, p. 32.