

***Case No COMP/M.4792 -
RREEF / MONTEREY /
DRH***

Only the English text is available and authentic.

**REGULATION (EC) No 139/2004
MERGER PROCEDURE**

Article 6(1)(b) NON-OPPOSITION
Date: 09/08/2007

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 09/08/2007

SG-Greffe(2007) D/204988

PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying parties

Dear Madam, Dear Sir,

**Subject: Case No. COMP/M.4792 - RREEF/ Monterey/ DRH
Notification of 10.07.2007 pursuant to Article 4 of Council Regulation (EC) No. 139/2004¹
Publication in the Official Journal of the European Union No. C163,
17.07.2007, p.12**

1. On 10.07.2007 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No. 139/2004 by which the fund RREEF Two Lux (Luxembourg), which is ultimately managed by Deutsche Bank, and Monterey Capital IV S.à.r.l. ('Monterey', Luxembourg), a company belonging to the Terra Firma Group, will acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of Deutsche Raststätten Holding ("DRH") by way of purchase of shares. Currently, DRH is solely controlled by Monterey.

¹ OJ L 24, 29.1.2004 p. 1

2. The business activities of the undertakings concerned are :
 - RREEF Two Lux: fund, managed by Deutsche Bank who is active in banking, financial and related services worldwide;
 - Monterey/Terra Firma: private equity investor, active worldwide;
 - DRH: running and leasing of motorway service stations in Germany:
3. After examination of the notification, the Commission has concluded that the notified operation falls within the scope of Council Regulation (EC) No. 139/2004 and of paragraph 5, subparagraph b, of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No. 139/2004².
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 (EC) No. 139/2004.

For the Commission
(signed)
Philip LOWE
Director General

² OJ C 56, 05.3.2005 p.32