

***Case No COMP/M.5267 -
SUN CAPITAL / SCS
GROUP***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 08/08/2008

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 08-VIII-2008

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PUBLIC VERSION

MERGER PROCEDURE
ARTICLE 6(1)(b) DECISION

SIMPLIFIED PROCEDURE

To the notifying party:

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

Subject: Case No COMP/M.5267 – Sun Capital/ SCS Group

Notification of 9 July 2008 pursuant to Article 4 of Council Regulation (EC) No 139/2004¹

Publication in the Official Journal of the European Union No C 181, 18 July 2008, page 30.

1. On 9 July 2008, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which Sun Capital Partners V, L.P. ("Sun Capital", USA) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of A. Share & Sons Ltd (UK, the "Target"), the operating business of SCS Upholstery plc, by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - for Sun Capital: private investment;
 - for A. Share & Sons Ltd: specialist upholstered furniture retailing in the UK.

¹ OJ L 24, 29.1.2004, p. 1.

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.