

***Case No COMP/M.5590 -
3i GROUP/H.I.G.
CAPITAL/ VOLNAY B.V.***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 17/08/2009

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17/08/2009
SG-Greffe(2009) D/4991/4992/4993
C(2009) 6523

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.5590 – 3i GROUP / H.I.G. CAPITAL / VOLNAY B.V.

Notification of 13.07.2009 pursuant to Article 4 of Council Regulation (EC) No 139/2004¹

Publication in the Official Journal of the European Union No C 170, 22.07.2009, p. 15

1. On 13.07.2009, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 by which the undertaking 3i Group plc ("3i Group", United Kingdom) and the undertakings H.I.G Europe Capital Partners, L.P. and Bayside Debt & LBO Fund II, L.P. belonging to the H.I.G. Capital group of funds ("H.I.G. Capital", United States of America) acquire within the meaning of Article 3(1)(b) of the Council Regulation joint control of the undertaking Volnay B.V. (Netherlands) by way of purchase of shares.

The business activities of the undertakings concerned are:

- for 3i Group: private equity and venture capital firm;
- for H.I.G. Capital: private equity investment firm;
- for Volnay B.V.: magazine publishing and provision of advertising space in the Netherlands.

2. 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

¹ OJ L 24, 29.1.2004, p. 1.

5(b) of the Commission Notice on a simplified procedure for treatment of certain concentrations under Council Regulation (EC) No 139/2004².

3. 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 by Paul CSISZAR, p.p.)
Philip LOWE
Director General

² OJ C 56, 05.3.2005, p. 32.