

***Case No COMP/M.6792 -
GOLDMAN SACHS/ TPG
LUNDY/ MAX/ MPG***

Only the English text is available and authentic.

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

Article 6(1)(b) NON-OPPOSITION
Date: 24/09/2013

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EUROPEAN COMMISSION

Brussels, 24/09/2013
C(2013) 6309 final

PUBLIC VERSION

SIMPLIFIED MERGER
PROCEDURE

To the notifying party:

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

**Subject: Case No COMP/M.6792 - Goldman Sachs/ TPG Lundy/ Max/ MPG
Commission decision pursuant to Article 6(1)(b) of Council Regulation (EC)
No 139/2004¹**

1. On 28.08.2013, the European Commission received notification of a proposed concentration pursuant to Article 4 of the Merger Regulation No 139/2004 by which the undertaking The Goldman Sachs Group, Inc. ("Goldman Sachs", USA) and TPG LundyCo, L.P. ("TPG Lundy", Cayman Islands), ultimately controlled by the TPG Group (USA), acquire within the meaning of Article 3(1)(b) of the Merger Regulation, joint control with Max Property Group Plc ("Max", Jersey) of MPG Hospital Holdings Limited ("MPG", UK), from Lloyds Banking Group, UK by way of purchase of shares.

The business activities of the undertakings concerned are:

- Goldman Sachs: the provision of financial services as a global investment banking, securities and investment management firm.
- TPG Group: management of a family of funds and investment in a variety of companies through acquisitions and corporate restructurings.

¹ OJ L 24, 29.1.2004, p. 1 ("the Merger Regulation"). With effect from 1 December 2009, the Treaty on the Functioning of the European Union ("TFEU") has introduced certain changes, such as the replacement of "Community" by "Union" and "common market" by "internal market". The terminology of the TFEU will be used throughout this decision.

- Max: investment and active management in the UK real estate market; its investment portfolio includes hospitals, multi-let industrial estate, St Katharine Docks offices and marina investments, London pubs and nightclubs.
 - MPG: management of a portfolio of four private hospitals based in the UK and let on long-term leases.
2. After examination of the notification, the European Commission has concluded that the notified operation falls within the scope of the Merger Regulation and of paragraph 5(a) and (c) 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 European Commission has decided not to oppose the notified operation and to declare it compatible with the internal market and with the EEA Agreement. This decision is adopted in application of Article 6(1)(b) of the Merger Regulation.

For the Commission
(signed)
Alexander ITALIANER
Director General

² OJ C 56, 5.3.2005, p. 32.