

NEWS DEAL

REPORT

Hengeler Mueller files state liability claim for GN Store Nord against Federal Republic of Germany in the amount of approx. € 1.1 billion relative to illegal merger prohibition by Federal Cartel Office

In 2007, the Federal Cartel Office (FCO) prohibited the undertaking of the Danish GN Store Nord A/S ("GN") to sell its global hearing aid business to the Swiss Sonova Holding AG. In spring 2010, the Federal Supreme Court declared the prohibition unlawful. GN is claiming compensation for the significant loss incurred through the illegal prohibition in the amount of approx. € 1.1 billion by way of a state liability claim against the Federal Republic of Germany (FRG).

Hengeler Mueller has already provided advice to GN in the course of the merger control proceedings as well as the legal appeal proceedings. Subsequent to the successful conclusion of the court proceedings, Hengeler Mueller is now representing GN in the state liability proceedings against the FRG. Fundamental importance is being attached to these proceedings in terms of the liability of the FRG for unlawful merger control decisions taken by the FCO.

The Hengeler Mueller team includes partners Markus Meier (Litigation/Arbitration), Horst Satzky (Competition), Dirk Uwer (Public Law) and Michael Baumgartl (Corporate) as well as associates Malte Jaguttis and Sebastian Max Hauser.

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