

**MANDATE**

03.08.2015

**GLEISS LUTZ HELPS HEIDELBERGCEMENT CLOSE CASE IN EU CARTEL INVESTIGATIONS**

Gleiss Lutz has assisted HeidelbergCement AG in having a cartel case by the European Commission officially closed. This marks the end of proceedings lasting almost seven years, without any fines or other sanctions being imposed. The Commission did not find sufficient grounds to support the original suspicion of price fixing, market sharing or trade restrictions in the EEA.

Investigations began in November 2008 with searches carried out at various cement manufacturers operating in the EU. This led to a number of further measures. Formal investigations were opened against the manufacturers concerned in December 2010. In 2011, the Commission issued an extensive request for information. HeidelbergCement AG countered by filing nullity action with the General Court for disproportionality and insufficient reasoning. This action is still pending before the European Court of Justice.

In-house counsel Dr. Ingo Schaffernak (Head of Legal) and Dr. Norbert Boese (Antitrust) were involved on behalf of HeidelbergCement. HeidelbergCement was advised by the following team of Gleiss Lutz antitrust specialists: Dr. Ulrich Denzel (partner), Dr. Philipp Pichler, Dr. Carsten Klöppner and Susann Markert (all Stuttgart).

Gleiss Lutz regularly advises HeidelbergCement in a wide range of legal fields. In recent years this has included representation in other cartel cases and cartel-related claims for damages. In particular, Gleiss Lutz represented HeidelbergCement in a landmark proceedings before the Düsseldorf Higher Regional Court in early 2015, successfully defending cartel-related claims for damages brought by Cartel Damage Claims (CDC), a Belgian firm specialising in class action lawsuits. Gleiss Lutz also regularly advises HeidelbergCement on corporate law issues and transactions, such as recently on the acquisition of a 45% stake in Italcementi S.p.A., listed on the Milan stock exchange, from its majority shareholder Italmobiliare S.p.A.

PRESS

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