

MANDAT

15.07.2019

GLEISS LUTZ HELPS NIDDA HEALTHCARE GMBH WIN APPRAISAL PROCEEDINGS AGAINST MINORITY SHARE-HOLDERS OF STADA ARZNEIMITTEL AG

Gleiss Lutz has successfully represented Nidda Healthcare GmbH in appraisal proceedings before the 5th Division for Commercial Matters of Frankfurt am Main Regional Court. The Court rejected the shareholders' motion for a higher amount of compensation and a larger settlement to be determined.

Nidda Healthcare GmbH is a holding company controlled by funds advised by private equity companies Bain Capital and Cinven. The two investors manage their shares in STADA Arzneimittel AG via their joint venture Nidda Healthcare.

In 2018, Nidda Healthcare and STADA AG concluded a domination and profit transfer agreement. More than 70 shareholders brought appraisal proceedings with the aim of having the settlement and compensation increased.

Frankfurt Regional Court rejected the motions in its decision of 27 June 2019. In its statement of grounds, the Court used the stock exchange price, which was less than the capitalised earnings value, as the sole basis for the settlement and compensation.

The following team of Gleiss Lutz lawyers advised Nidda Healthcare on the appraisal proceedings: Dr. Dirk Wasmann (partner, lead, Stuttgart), Dr. Thorsten Gayk (counsel, Hamburg), Fabian Graf (Stuttgart, all corporate).

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