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Luther advises Sumitomo Mitsui Finance and Leasing on share acquisition of DMG MORI Finance

Japanese Sumitomo Mitsui Finance and Leasing Co., Ltd. acquires a controlling shareholding in DMG MORI Finance GmbH, a German leasing company

Cologne – Luther advised the Sumitomo Mitsui Finance and Leasing Co., Ltd. (SMFL) in relation to the acquisition of 35.2% of the shares in DMG MORI Finance GmbH. Seller is DMG MORI CO., Ltd., which retains a minority stake in the company.

Prior to the transaction Sumitomo Mitsui Finance and Leasing Co., Ltd. held 14.9% in the DMG Mori Finance GmbH's share capital. As result of the acquisition SMFL gained control over the company.

Upon clearance by the relevant merger control authorities and the German Federal Financial Supervisory Authority (*Bundesanstalt für Finanzdienstleistungsaufsicht – BaFin*) the transaction was closed on 28 December 2015. The parties agreed to keep the purchase price confidential.

Together with DMG Mori Group, SMFL is planning to continue the growth of DMG Mori Finance GmbH and expand its current cooperation with DMG Mori Group.

The acquisition is the first transaction in which Luther represented SMFL. The client has been introduced to Luther by law firm Mori Hamada & Matsumoto which acted as lead counsel in the transaction. Mori Hamada & Matsumoto is a leading Japanese full

service law firm led by top-rated lawyers across a wide array of practice areas.

In 2015 for Luther's M&A Team, this was already the third acquisition of a company under the supervision of BaFin: In May 2015, Luther advised Augsburger Aktienbank AG in connection with the purchase of netbank AG, the former internet bank of German's cooperative banks. In September 2015, the firm accompanied the merger of the SKG Bank on the DKB Bank.

About DMG MORI Finance GmbH

DMG MORI Finance is a financial services institution based in Wernau, Germany. The company specializes in financing of products of DMG MORI Group, such as milling machines and lathes.

About SMFL

Tokyo based Sumitomo Finance and Leasing Company, Ltd., provides a wide range of financial services, in particular leasing and instalment sales of a variety of equipment and machinery as well as loans and factoring. The company, in which one of the world's largest general trading companies, Sumitomo Corporation, has a significant shareholding, is controlled by Sumitomo Mitsui Financial Group, Inc.

For SMFL

Mori Hamada & Matsumoto:

Mergers & Acquisitions: Atsushi Oishi (Lead Partner), Yohsuke Higashi, Haruka Sugiyama (Tokyo)

Banking & Finance Law: Akira Ehira (Partner), Kensuke Sakajiri (Tokyo)

Luther:

Mergers & Acquisitions: Dr Stefan Kraus (Lead Partner), Johannes Voß, Dr Johannes C. Becker (all Cologne)

Banking Regulatory Law: Dr Thomas Koch (Partner, Cologne / Frankfurt am Main), Dr Felix Stamer (Dusseldorf)

Antitrust law: Dr Guido Jansen (Partner), Franz-Rudolf Groß, LL.M. (Counsel, both Dusseldorf)

IP and copyright law: Dr Detlef Mäder (Partner, Dusseldorf / Cologne), Dr Patrick Schlieper (Dusseldorf)

Employment law: Stefanie Prehm (Partner), Peter Dworski, LL.M.
(both Cologne)

Barnert, Egermann, Illigasch:

Antitrust Law: Dr Isabelle Hartung, LL.M. (Vienna / Austria)

For DMG MORI CO., Ltd.

CMS Hasche Sigle (Stuttgart)

Brief Profile Luther

Luther is a leading German commercial law firm that offers comprehensive legal and tax services. The full-service law firm employs over 350 lawyers and tax advisors and is represented at 10 German economic centres and at important investment locations and financial centres in Europe and Asia with international offices in Brussels, London, Luxembourg, Shanghai, Singapore and Yangon. Our clients are medium-sized enterprises and large corporations, as well as the public sector.

Luther works closely with other commercial law firms in all the prevailing jurisdictions worldwide. On the Continent, Luther is part of a group of independent leading law firms who have worked together for many years on joint cross-border projects.

Luther Rechtsanwaltsgesellschaft mbH is a law firm with a business approach: our innovative awareness aspires us to provide our clients with customised legal advice that addresses individual needs and delivers the greatest possible economic benefit. Our lawyers and tax advisors have a solid understanding of interdisciplinary matters and a wealth of experience in collaborating on complex tasks.

Further information is available at: www.luther-lawfirm.com

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