

A low-angle, upward-looking photograph of several massive, light-colored stone columns. The columns are fluted and topped with ornate capitals. They frame a view of a bright blue sky with wispy white clouds. The top of the image shows the underside of a classical ceiling with a decorative Greek key (meander) pattern.

State funding measures for enterprises

The REDEKER SELLNER DAHS state aid law team provides clients with expert advice in all cases involving state funding and acts as counsel for them in proceedings before the European Commission, EU courts as well as in recovery and court proceedings in EU Member States.

STATE AID

REDEKER | SELLNER | DAHS



State financial measures – An area requiring a high level of expertise and experience in:

- ▶ **Identifying and analysing state aid**
- ▶ **Developing state-aid compliant solutions and strategies tailored to the unique case**
- ▶ **Assessing recovery risks**
- ▶ **Negotiating with the responsible federal ministries and/ or the Commission**
- ▶ **Conducting proceedings before the European Commission, the Union courts and national courts**

Capital contributions, privatisation, remunicipalisation, cost-effective state services, tax concessions – our lawyers are seasoned experts in identifying opportunities for potential state aid in countless and highly diverse cases. What particularly sets us apart is the ability to develop strategies and solutions for state financing measures in compliance with state aid law. One particular focus of our services is advising on so-called services of general economic interest, which are increasingly playing a role beyond traditional services of general interest. With our lawyers' extensive experience in counselling, their advice is tailored to our clients' specific needs, providing pragmatic solutions in outlines, discussion papers or expert opinions that meet our high scientific standards.

We represent clients in review proceedings before the European Commission, before EU courts and national courts on the national effects of state aid law ("private enforcement"). Our lawyers are well acquainted with the Directorates-General of the European Commission responsible for state aid control and with the relevant federal and state ministries at national level.

Our clients consist of federal and state ministries, municipalities and public corporations as well as associations, public companies and banks. We provide our services on both sides of the spectrum, both to recipients and to donors of state aid. And we support third parties whose interests are affected by a subsidy.

Our long-standing experience and expertise in state aid law are at your disposal. Contact us.

Practice areas (selection)

- ▶ Environmental and forestry policy (financing) measures
- ▶ Research, development and innovation
- ▶ Transport (rail, air, inland waterways and maritime transport)
- ▶ Services of general economic interest (in particular at the interface with non-economic sectors)
- ▶ Privatisation
- ▶ Remunicipalisation
- ▶ Energy
- ▶ Infrastructure measure financing
- ▶ Education and training
- ▶ Public broadcasting
- ▶ Financial sector
- ▶ Aid for SMEs
- ▶ Regional aids
- ▶ EU structural funds
- ▶ Rescue and restructuring
- ▶ Venture capital
- ▶ Telecommunications
- ▶ Postal sector / postal services
- ▶ Coal and steel



Dr Andreas Rosenfeld

Partner *

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State aid law, German and European competition law (antitrust, merger control), EU law, compliance, legislative practice.

Joined the firm in 2004.

Studied law in Würzburg and Dublin. 1996 first, 1998 second State Examination. 1997 Academy of International Law The Hague. 1998–2002 Lecturer for European law at the Academy for Administration of Berlin. 2000 doctoral degree with Prof Dr Blumenwitz, Würzburg. Since 2000 lawyer in Berlin and Brussels.

Member of the German antitrust law association, member of the International Bar Association, member of Berliner Gesprächskreis zum Europäischen Beihilfenrecht e. V.

Various articles on state aid law, antitrust law and EU law. Co-author in “Münchener Kommentar zum Europäischen und Deutschen Wettbewerbsrecht” (Munich commentary on European and German competition law).

EU state aid proceedings involving the rescue and restructuring of SachsenLB, WestLB and BayernLB; state aid legal advice for various Federal German ministries inter alia on government-funded projects in the field of education and research.



Dr Ulrich Karpenstein

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European law, constitutional law, State aid, commercial administration law (esp. energy, finance, health, and foreign trade).

Joined the firm in 2000.

1994 first, 1999 second State Examination.

Member of the Presidium of the German Lawyers' Association. Co-editor of the Neue Juristische Wochenschrift (NJW), the European Journal of Business Law (EuZW), the Munich Commentary on EU State Aid Law (4th ed. 2022) and an ECHR commentary (3rd ed. 2022).

Various articles on state aid, constitutional law and European law, co-author of various commentaries on economic administrative and EU law, including in Grabitz/Hilf, “Recht der Europäischen Union” (law of the European Union), Schwarze, “EU-Kommentar” (EU Commentary).

Represented the Federal Government, associations and companies in more than 100 proceedings before the Union Courts and the Federal Constitutional Court, e. g. in the NPD ban proceedings, on the nuclear phase-out, energy security and data retention; regular representation in landmark proceedings on intellectual property and critical infrastructure; representation and advice on the promotion of public services; litigation in countless administrative court and state liability proceedings. Regular assessment of legislative proposals.



Dr Clemens Holtmann

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State aid law, EU law, national and European funding law.

Joined the firm in 2013.

Studied law and French law in Munster, 2000 first State Examination, 2004 doctoral degree with Prof Dr Hans Peter Bull, Hamburg, 2003–2005 trainee lawyer in Hamburg and Paris, 2005 second State Examination, 2005 joined the public administration of the Federal State of Hamburg, lastly Deputy Director of the Joint Representation of the federal states of Hamburg and Schleswig-Holstein to the EU (Hanse-Office) in Brussels.

Regular lectures on state aid and subsidy law, publications on state aid and on state aid and European law, including author of the in the Munich Commentary on State Aid Law and the Beck Commentary on Energy Security Law.

Notification of the H2Global funding instrument for the market ramp-up of green hydrogen, advice to the Federal Ministry of on R&D subsidies; pre-notification of a funding framework for ultra-fast broadband for ultra-fast broadband; representation of the Warnow Water and Wastewater Association in a state aid investigation by the Commission; Representation of Quarzwerke Group before the ECJ against regional investment aid granted by the Slovak Republic (Case T-745/17).



Kathrin Dingemann

Partner *

Specialist attorney for administrative law

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State aid law, European law, public commercial law (in particular European and German environmental, product and energy law).

Joined the firm in 2014.

Studied law in Trier, Göttingen and Salamanca (Spain). 2007 first, 2013 second state bar examination. 2007 to 2011 research assistant at the Chair for Public Law and European Law at the University of Göttingen and Freie Universität Berlin.

Member of the Administrative Law Committee of the German Bar Association.

Publications on European, environmental and energy law. Co-author inter alia of Säcker/Karpenstein/Ludwigs, Münchener Kommentar zum Wettbewerbsrecht, vol. 5: BeihilfenR, 2022; Grabitz/Hilf/Nettesheim, Recht der Europäischen Union.

Providing advice and acting as counsel in the field of state aid law before European and German Courts (inter alia Land of Berlin concerning transfer of land for youth welfare purposes (Case T-578/17; Berlin Administrative Court 18 K 210/20; companies in the lignite coal industry regarding the Commission's decision on the 2014 Renewable Energy Sources Act, Case T-750/15); providing advice and acting as counsel in the area of European and German environmental and product law (inter alia Federal Government in infringement proceedings for exceeding NO₂ limits, Cases C-635/18; C-664/18).



Dr Simone Lünenbürger

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State aid law and EU law, regulatory law and sector-specific antitrust law.

Joined the firm in Bonn in 1999, resident in the Brussels office since 2010.

Studied law at the University of Mannheim. 1994 first, 1999 second State Examination. 1994–1997, research associate at the Christian Albrechts University of Kiel, Germany. 1998 doctoral degree with Prof Dr von Mutius, Kiel.

Member of the registered association “Berlin Discussion Group on European State Aid Law”, Member of the German Bar Association's. “Administrative Law Working Group” for the Land of North Rhine-Westphalia.

Numerous publications, including research reports for the German Federal Environmental Agency/Federal Ministry for the Environment on environmental state aid law, most recently on the ex-post evaluation of aid schemes (<https://www.umweltbundesamt.de/publikationen>).

Worked as expert, counsel and lecturer in the area of state aid law, in particular regarding factual issues and services of general economic interest; advising on EU General Block Exemption Regulation and state aid in the environmental, forestry, infrastructure, maritime transport and bank sectors; drafting of subsidy guidelines; EU subsidy proceedings involving Landesbanken and in the transport sector; served as counsel of companies as well as authorities issuing approvals and government ministries in national complaint proceedings.



Dr Christian Johann

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State aid law, constitutional law (in particular fundamental rights, state organisation law, financial constitutional law), European and international law, public economic law.

Joined the firm in 2009.

1996–2003 Studied law in Jena, Kiel and Leiden (Netherlands). 2003 first, 2009 second state examination. 2003–2006 research assistant at the research assistant at the Chair for Public Law/International Public Law/International Law at the Helmut-Schmidt-University, Hamburg. 2008 research associate research assistant at the firm. 2011 Doctorate with Prof Dr Andreas Zimmermann, Kiel/Potsdam.

Co-author in: Birnstiel/ Bungenberg/ Heinrich, European State Aid Law.

Advising the associations of non-statutory welfare organisations in Lower Saxony on the conclusion of a agreement on financial aid; representation of the companies of the SARIA Group before German and European courts in the the “Zweckverband Tierkörperbeseitigung” case; Advising the State of Berlin in connection with the case “Jugendherberge Ostkreuz” (East Cross Youth Hostel).



Dr Korbinian Reiter, LL.M.

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State aid law, Public commercial law, in particular competition law and environmental law, European law.

Joined the firm in 2020.

Studied law at the Humboldt University of Berlin. 2007 First state examination. 2007/08 LL.M. Studies in Paris. Legal clerkship at the Higher Regional Court of Munich, including stations at the General Court of the European Union and the German Federal Constitutional Court. 2010 Second state examination. Doctorate in EU antitrust law, supervised by Prof Dr Thomas Ackermann, Munich, funded by the Max Planck Institute for Innovation and Competition; awarded the faculty prize of the Ludwig Maximilian University. 2008–2011 and 2014 research assistant at the chair for civil law and media law of Prof Dr Johannes Hager. Legal secretary at the General Court of the European Union in the chambers of Judge Alfred Dittrich (2012/13) and at the Court of Justice of the European Union in the chambers of Judge Prof Dr Dr h. c. Thomas von Danwitz (2015–2019).

Reiter, K. Market Design Powers of the European Commission? Berlin, Springer 2020.

Advising a company on a state liability action against an EU Member State for illegal state aid.



Dr Leslie Manthey, LL.M.

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State aid law, EU law, public commercial law, constitutional law and public international law.

Joined the firm in 2017.

Studied law, French and history in Mainz and Hanover. Legal training in Hamburg and Brussels. 2009 first, 2017 second State Examination. 2009–2012 research assistant at the department of Public Law, European Law and Legal Philosophy as well as lecturer at Leibniz University Hanover. 2012–2013 graduate studies at Cambridge University (Magdalene College), LL.M. (first class honours).

Member of the German Women Lawyers Association and the German Cambridge Society.

Published on EU law, German public law and public international law. Co-author in Säcker/Karpenstein/Ludwigs, Münchener Kommentar zum Wettbewerbsrecht, Vol. 5: Beihilfenrecht, 4th edition 2022 (GBER).

Providing legal advice and representation in the fields of EU Law, State Aid Law, Public Law and Cartel Damages; representation of clients before the EU Courts (e.g. Case C-681/16, Case T-28/22, Case T-366/22); representation in complaint proceedings before the European Commission concerning State Aid Law, Common Market freedoms and the rule of law.



Julia Pieper, LL.M. Eur.

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German, European and distribution antitrust law, merger controls, state aid law and European law.

Joined the firm in 2017.

Studied German and European law at Wurzburg University and Universitat de Barcelona (Spain). 2009 first, 2015 second State Examination. 2011 Master of European Laws (LL.M. Eur.). 2009–2012 research assistant for European Law and International Economic Law at the University of Würzburg. Legal training at the German Federal Cartel Office and the European Commission, Directorate for Competition in Brussels and a corporate law firm in Cologne.

Publications on European Law.

Providing legal advice and acting as counsel for various enterprises in the area of e-commerce/distribution antitrust law and antitrust damages actions.

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