



State funding measures for enterprises

The REDEKER SELNER 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



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, re-municipalisation, 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.

Born in Dortmund in 1969. Studied law in Würzburg and Dublin. 1996 first State Examination, 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 firm's management committee.

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, state aid, constitutional law, commercial administration law (esp. energy, finance, and healthcare).

Joined the firm in 2000.

Born in Brussels in 1968. 1994 first State Examination, 1999 second State Examination.

Member of the board of the German Lawyers' Association.

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), "Münchener Kommentar zum Beihilfenrecht" (Munich commentary on state aid law).

Acted as counsel for the German government, associations and enterprises in over 60 proceedings before Union courts, e.g. on issues involving state aid law such as emissions trading, the Energy Transition and recovery of state aid; tried cases for non-statutory welfare organisations and German Länder involving conformity of subsidised public services with state aid law; expertises on legislative bills and proposals.



Dr. Simone Lünenbürger

Senior Counsel

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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.

Born 1969 in Landau, Germany. Studied law at the University of Mannheim. 1994 first State Examination, 1999 second State Examination. From 1994 to 1997, research associate at the Christian Albrechts University of Kiel, Germany. 1998 doctoral degree with Prof Dr von Mutius, Kiel.

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

Senior Counsel

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State aid, constitutional law, European, public commercial law (in particular, energy, finance, and health).

Joined the firm in 2009.

Born in Hamburg in 1975. Legal studies at the Universities of Jena, Kiel and Leiden, the Netherlands, 1996-2003. 2003 first State Examination, 2008 second State Examination. Research assistant with the institute for public law/international law of Helmut Schmidt University, Hamburg, 2003-2006. Research assistant with the firm in 2008. 2011 doctoral degree with Prof Dr Andreas Zimmermann, Kiel/Potsdam.

Publications on public international law, state liability law, and state aid law. Editor of a commentary on the German Red Cross law, co-author of Karpenstein/Mayer, ECHR and Birnstiel/Bungenberg/Heinrich, European state aid law.

Advised non-statutory welfare associations in Lower Saxony on the conclusion of a new agreement on financial aid; acted as counsel for SARIA Group companies before German and European courts in the case involving a "Special-Purpose Association for the Disposal of Animal Cadavers"; advising companies, associations and government ministries, in particular in the field of environmental and energy state aid and services of general economic interest.



Dr. Clemens Holtmann

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

Joined the firm in 2013.

Born in Münster in 1976. Studied law and French law in Münster, 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.

Publications on state aid law and European law, among others co-author in Münchener Kommentar zum Europäischen und Deutschen Wettbewerbsrecht (Beihilfenrecht).

Advised the German Federal Ministry of Education and Research on state aid for research and innovation; represented one of the Länder in the pre-notification of a framework for the subsidisation of ultra-fast broadband; acted as counsel for the shareholders of an airport in a notification procedure; acted as counsel for Warnow Water and Waste Water Association in a state aid investigation by the Commission; acted as counsel for the Quarzwerke Group before the European CFI in an action taken against regional state investment aid by the Slovak Republic (case T-745/17).



Kathrin Dingemann

Counsel

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

2014 Joined the law firm.

Born in Recklinghausen in 1982. 2001 to 2007 studied law in Trier, Göttingen and Salamanca (Spain). First state examination in 2007, second state examination in 2013. 2007 to 2011 research assistant at the Chair of Public Law and European Law of Prof. Dr. Christian Callies at the University of Göttingen and Freie Universität Berlin.

Publications on European, environmental and energy law. Co-author in: Grabitz/Hilf/Nettesheim, "Recht der Europäischen Union"; Redeker/Uechtritz, Anwaltshandbuch Verwaltungsverfahren; Eckart/Winkelmüller, BeckOK Infektionsschutzrecht; Schink/Fellenberg, GK-WHG; Jarass/Petersen, Kreislaufwirtschaftsgesetz.

Advising and serving as counsel for the Land of Berlin before the ECJ and national administrative courts in proceedings involving state aid law in connection with the transfer of land for youth welfare purposes (inter alia, Case T-578/17; OVG 6 p. 54.15); acted as counsel for undertakings in the lignite industry in an action for annulment of the Commission's decision on the German Renewable Energy Sources Act (EEG 2014 - Case T-750/15); acted as counsel for several aluminium producers in state aid proceedings relating to the special compensation scheme laid down in the Renewable Energy Sources Act (EEG 2012 - Case T-263/14).



Leslie Manthey, LL.M.

Senior Associate

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

Joined the firm in 2017.

Born in Hanover in 1983. Studied law, French and history in Mainz and Hanover. Legal training in Hamburg and Brussels. 2009 first State Examination, 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 of a commentary on the Constitution of Lower Saxony. Reporter on state immunity to "International Law in Domestic Courts – ILDC" (Oxford University Press).

Advised a development bank in an administrative action concerning state investment aid; collaboration on an interdisciplinary research project for the German Federal Environmental Agency/Federal Ministry for the Environment; advising public authorities, companies and associations on law governing state aid, including in the fields of energy, agriculture and trade fairs.



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.

Born in Wuppertal in 1983. Studied German and European law at Würzburg University and Universitat de Barcelona (Spain). 2009 first State Examination, 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.

Advising and acting as counsel for various enterprises in matters involving competition and European law.



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.

Born 1982 in Munich. 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 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 to 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.

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