

# CMS ADVISED LLB SWISS INVESTMENT IN RELATION TO AN INVESTMENT IN MCH GROUP

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**Category:** [Deal & transactions](#)

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**LLB Swiss Investment** is the fund management company of AMG Substanzwerte Schweiz Fund, a fund managed by AMG Fondsverwaltung. AMG Substanzwerte Schweiz Fund is invested, *inter alia*, in MCH Group, listed at the SIX Swiss Exchange.

On 19 December 2020, MCH Group announced the completion of a subscription rights issue for the second tranche of two capital increases, approved by an extraordinary general meeting of shareholders on 27 November 2020. This extraordinary general meeting was convened after a settlement agreement was concluded on 26 October 2020, *inter alia*, between LLB Swiss Investment, AMG Fondsverwaltung, MCH Group, Lupa Systems and the Canton of Basel-Stadt. The settlement agreement was the consequence of legal proceedings initiated by LLB Swiss Investment against the resolutions of a first extraordinary general meeting of MCH Group held on 3 August 2020. The legal proceedings involved *inter alia* a successful objection against an opting up introduced at such extraordinary general meeting in front of the Swiss takeover board (TOB) (decision 765/02 of

20 August 2020). The decision of the TOB was confirmed by the Takeover and State Liability Committee of the Swiss Financial Market Supervisory Authority (FINMA) (decision of 16 October 2020).

## **The team**

**CMS [advised LLB Swiss Investment throughout this process](#), and in particular represented LLB Swiss Investment in front of the TOB and FINMA, as well as during the settlement negotiations. The team included André Lebrecht (Partner, Corporate / M&A; Litigation - pictured), Matthias Kuert (Associate, Capital Markets; Litigation), Alexandra Stocker (Associate, Corporate / M&A), Alina Fancelli (Trainee, Capital Markets), Dominik Bonderer (Trainee, Corporate / M&A).**