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OBLIGATION OF DISCLOSURE AND DUE DILIGENCE IN THE FOCUS OF THE BGH

A SO-CALLED DUE DILIGENCE REVIEW IS PROBABLY INDISPENSABLE IN CONNECTION WITH COMPANY ACQUISITIONS AND SALES AND HAS LONG SINCE ESTABLISHED ITSELF AS THE MARKET STANDARD IN THE RUN-UP TO M&A TRANSACTIONS. HOWEVER, DUE DILIGENCE REVIEWS ARE ALSO A REGULAR OCCURRENCE IN OTHER AREAS OF LAW - INCLUDING REAL ESTATE TRANSACTIONS. A RECENT DECISION BY THE BGH DEALS WITH THE SELLER'S OBLIGATION TO PROVIDE INFORMATION IF HE OFFERS A DATA ROOM TO CARRY OUT A DUE DILIGENCE REVIEW AS PART OF A REAL ESTATE TRANSACTION. CONCLUSIONS FOR M&A TRANSACTIONS COULD ALSO BE DERIVED FROM THIS DECISION. [\(more...\)](#)