

Agenda Item 9

“It is proposed that the shareholders’ meeting shall pass the following resolution:

RESOLUTION

The Company is authorised to purchase own participation certificates according to sec 23 para 16 Banking Act (*Bankwesengesetz*) in connection with sec 65 para 1 (7) Stock Corporation Act (*Aktiengesetz*) for the purpose of securities trading, provided that the amount of participation certificates purchased for this purpose does not exceed 5% of the issued participation capital at the end of each day. The consideration for each participation certificate must not be less than EUR 100 and must not exceed EUR 5,000. Own participation certificates which have been acquired hereunder may be disposed of other than via the stock exchange or in a public offering. This authorisation is valid for 30 months, thus until 11 November 2011.”