

PRESS RELEASE

Falck Renewables S.p.A.: cases filed in relation to waste-to-energy plants in Sicily remain before the Civil Court in Milan.

Milan, 26 January 2012 – With reference to the disputes filed by the Falck Renewables Group companies on the adjudication of contracts for three waste-to-energy plants in Sicily, Falck Renewables S.p.A. communicates the following.

Through orders dated 20 January 2010 (still effective and against which no complaint has been filed), the Civil Court in Milan had already rejected, in a summary stage finding, the plea of lack of territorial jurisdiction proposed by the Sicily Regional Department for Energy and Public Utility Services.

The Judge stated, *inter alia*, that “[...] the judgement by the European Court of Justice found a procedural error [...] due to the conduct of the Regional Administration” and that the companies of Falck Renewables Group are creditors “of a sum (as confirmed per tabulas) in relation to the costs incurred to executing the project [...]”.

Subsequently, with orders dated 16-18 January 2012, the Civil Court in Milan stated that the plea of lack of territorial jurisdiction filed by the Sicily Regional Administration in the Court appearance should be settled with the judgement on the merits, as the plea cannot be considered “covering”.

Therefore, the cases remain before the Civil Court in Milan.

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