



Fresenius Medical Care

## P R E S S   R E L E A S E

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### Fresenius Medical Care to acquire Phosphate Binder Business from Nabi Pharmaceuticals

**Bad Homburg, Germany** – Fresenius Medical Care AG & Co. KGaA today announced that it has signed a definitive agreement to acquire the worldwide phosphate binder business (PhosLo) from Nabi Biopharmaceuticals Inc. (Nabi). PhosLo is a calcium acetate phosphate binder for oral application in end-stage renal disease patients that has total product line revenues in the U.S. of approximately \$40 million. The total consideration paid in the transaction will be \$65 million cash at closing, royalties on a new potential product formulation plus milestone payments. The milestone payments consist of \$10 million expected to be paid in 2007 and \$10 million to be paid over the next two to three years, contingent upon the achievement of certain performance milestones.

Excess phosphate consumed with food is normally removed by the kidneys in a process that can only partially be replaced by dialysis in patients with chronic kidney failure. Too much phosphate in the blood can result in a number of adverse events, including bone disease, thyroid problems and vascular calcification. The risk of such damage in end-stage renal disease patients can be lowered by regularly taking phosphate binders.

Currently, the phosphate binder market exceeds \$500 million worldwide.

Dr. Ben Lipps, Chairman of the Management Board and Chief Executive Officer commented, "Our acquisition of the PhosLo product line represents an important strategic step. With PhosLo, we are able to expand our clinical therapy offerings using safe, effective and proven drugs. We plan to use PhosLo as part of our overall integrated "pharma-tech" therapy to better manage bone mineralization during dialysis treatment. This acquisition enhances our growth opportunities in this important new initiative for Fresenius Medical Care."

The transaction is subject to customary closing conditions including the expiration of the applicable waiting period under the Hart Scott Rodino Antitrust Act. The Company anticipates closing this transaction in 2006.

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PhosLo is a trademark of Nabi Biopharmaceutical Inc.

#### **About Nabi Biopharmaceuticals**

Nabi Biopharmaceuticals leverages its experience and knowledge in powering the immune system to develop and market products that fight serious medical conditions. Nabi Biopharmaceuticals is focused on developing products that address unmet medical needs and offer commercial opportunities in its core business areas: hepatitis and transplant, kidney disease (nephrology), Gram-positive bacterial infections and nicotine addiction. The company is headquartered in Boca Raton, Florida. Nabi Biopharmaceuticals is listed on the NASDAQ (NABI).

For more information about Nabi Biopharmaceuticals visit the website: [www.nabi.com](http://www.nabi.com).

#### **About Fresenius Medical Care**

Fresenius Medical Care is the world's largest integrated provider of products and services for individuals undergoing dialysis because of chronic kidney failure, a condition that affects more than 1,400,000 individuals worldwide. Through its network of 2,078 dialysis clinics in North America, Europe, Latin America, Asia-Pacific and Africa, Fresenius Medical Care provides dialysis treatment to 161,675 patients around the globe. Fresenius Medical Care is also the world's leading provider of dialysis products such as hemodialysis machines, dialyzers and related disposable products). Fresenius Medical Care is listed on the Frankfurt Stock Exchange (FME, FME3) and the New York Stock Exchange (FMS, FMS-p).

For more information about Fresenius Medical Care visit the website: [www.fmc-ag.com](http://www.fmc-ag.com).

This release contains forward-looking statements that are subject to various risks and uncertainties. Actual results could differ materially from those described in these forward-looking statements due to certain factors, including changes in business, economic and competitive conditions, regulatory reforms, foreign exchange rate fluctuations, uncertainties in litigation or investigative proceedings, and the availability of financing. These and other risks and uncertainties are detailed in Fresenius Medical Care AG & Co. KGaA's reports filed with the U.S. Securities and Exchange Commission. Fresenius Medical Care AG & Co. KGaA does not undertake any responsibility to update the forward-looking statements in this release.