

## Press Release

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### **Akorn shareholders approve merger agreement with Fresenius Kabi - Closing expected latest by early 2018**

At yesterday's Special Meeting, the shareholders of Akorn, Inc., have approved the merger agreement with Fresenius Kabi, with 83.9% of outstanding shares being voted in favour of the transaction. This corresponds to 99.7% of common shares represented in person or by proxy at the Special Meeting. The approval of the merger agreement fulfills one important condition for the full acquisition of Akorn, Inc. The transaction remains subject to additional customary closing conditions, including regulatory review under the Hart-Scott-Rodino Antitrust Improvements Act in the U.S.

On April 24, 2017, Fresenius Kabi announced it would acquire Akorn, Inc., a U.S.-based manufacturer and marketer of prescription and over-the-counter pharmaceutical products, for US\$34 per share, equivalent to a total acquisition price of US\$4.3 billion, plus approximately US\$450 million<sup>1</sup> of net debt.

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<sup>1</sup> Fresenius projection for December 31, 2017

Fresenius is a global health care group, providing products and services for dialysis, hospital and outpatient medical care. In 2016, Group sales were €29.5 billion. On March 31, 2017, the Fresenius Group had 263,957 employees worldwide.

For more information visit the Company's website at [www.fresenius.com](http://www.fresenius.com).

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The information contained in this release is for background purposes only and is subject to amendment, revision and updating. Certain statements contained in this release may be statements of future expectations and other forward-looking statements that are based on management's current views and assumptions and involve known and unknown risks and uncertainties. In addition to statements which are forward-looking by reason of context, including without limitation, statements referring to risk limitations, operational profitability, financial strength, performance targets, profitable growth opportunities, and risk adequate pricing, as well as the words "may, will, should, expects, plans, intends, anticipates, believes, estimates, predicts, or continue", "potential, future, or further", and similar expressions identify forward-looking statements. Actual results, performance or events may differ materially from those in such statements as a result of, among other factors, changing business or other market conditions and the prospects for growth anticipated by the management of Fresenius. These and other factors could adversely affect the outcome and financial effects of the plans and events described herein. Forward-looking statements contained in this release regarding past trends or activities should not be taken as a representation that such trends or activities will continue in the future. Fresenius does not undertake any obligation to update or revise any forward-looking statements, whether as a result of new information, future events or otherwise. You should not place undue reliance on forward-looking statements, which speak only as of the date of this release.

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