## NOT FOR RELEASE / DISTRIBUTION IN THE UNITED STATES



December 9, 2005 Contact: Birgit Grund Fresenius AG Investor Relations Tel. ++49 - 6172 - 608 2485 Fax ++49 - 6172 - 608 2488 e-mail: ir-fre@fresenius.de Internet: http://www.fresenius-ag.com

## **Fresenius Investor News**

## Fresenius obtained antitrust approval to acquire HELIOS Kliniken and the business of Clinico

Fresenius obtained antitrust approval from the European Commission for the acquisition of HELIOS Kliniken GmbH, Fulda, Germany, announced in October. Furthermore, Fresenius obtained the approval of the German antitrust authority to acquire the business of Clinico GmbH, Bad Hersfeld, Germany. This will allow the closing of both acquisitions before the end of this year.

With HELIOS, Fresenius has an excellent platform for further growth in the German hospital market. HELIOS is one of the largest and most successful private German hospital operators with expected sales of approx. € 1.2 billion in 2005. The company is recognized for having the highest medical standards in the sector. HELIOS owns 24 hospitals with a total capacity of approx. 9,300 beds. The company is the only hospital chain in Germany that operates four maximum-care hospitals with more than 1,000 beds each.

Clinico manufactures medical devices used for the application of infusion therapies and clinical nutrition. With this acquisition, Fresenius Kabi extends its product portfolio and will distribute Clinico's products through its existing sales and distribution organization. In addition, the company expands its development and production network for medical devices. Clinico achieved sales of  $\in$  51.5 million in the fiscal year 2004/05 (September 30).

THIS RELEASE IS FOR INFORMATION PURPOSES ONLY AND MAY NOT BE FURTHER DISTRIBUTED OR PASSED ON TO ANY OTHER PERSON OR PUBLISHED, IN WHOLE OR IN PART, FOR ANY PURPOSE.

This release does not constitute or form part of, and should not be construed as, an offer or invitation to subscribe for, underwrite or otherwise acquire, any securities of Fresenius AG ("Fresenius") or any present or future member of its group nor should it or any part of it form the basis of, or be relied on in connection with, any contract to purchase or subscribe for any securities of Fresenius or any member of its group or any commitment whatsoever. In particular, this release is not an offer of securities in the United States of America (including its territories and possessions), and securities of Fresenius may not be offered or sold in the United States of America absent registration under the Securities Act of 1933 (which Fresenius does not intend to effect) or an exemption from registration.

## NOT FOR RELEASE / DISTRIBUTION IN THE UNITED STATES

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.