

Voting results

The votes of the agenda items had the following results:

ITEM 1

Present the adopted annual financial statements and management report (including notes to the statements as per article 289, paragraph 4 of the German Commercial Code) for the 2009/10 financial year, the approved consolidated financial and management reports (including notes to the presented information as per article 315, paragraph 4 of the German Commercial Code) for the 2009/10 financial year and the report of the supervisory board.

No resolution required.

ITEM 2

Appropriate retained earnings

ADOPTED

151,458,253	Shares for which valid votes were cast	(= 79.99 % of capital stock)
151,449,645	Yes votes	99.99 %
8,608	No votes	0.01 %

ITEM 3

Ratify executive board actions for the 2009/10 financial year

ADOPTED

150,980,770	Shares for which valid votes were cast	(= 79.73 % of capital stock)
149,909,595	Yes votes	99.29 %
1,071,175	No votes	0.71 %

ITEM 4

Ratify supervisory board actions for the 2009/10 financial year

ADOPTED

150,618,557	Shares for which valid votes were cast	(= 79.54 % of capital stock)
149,538,330	Yes votes	99.28 %
1,080,227	No votes	0.72 %

ITEM 5

Select the auditors and group auditors for the 2010/11 financial year

ADOPTED

151,451,080	Shares for which valid votes were cast	(= 79.98 % of capital stock)
151,395,486	Yes votes	99.96 %
55,594	No votes	0.04 %

ITEM 6

Amend the Articles of Incorporation regarding the procedure for calling and holding the annual general meeting, in particular to align with the German act to implement the shareholders' rights directive (ARUG)

ADOPTED

151,097,495	Shares for which valid votes were cast	(= 79.80 % of capital stock)
151,050,946	Yes votes	99.97 %
46,549	No votes	0.03 %

ITEM 7

Grant authority to buy back shares including utilization with exclusion of shareholder subscription rights

ADOPTED

150,598,423	Shares for which valid votes were cast	(= 79.53 % of capital stock)
149,259,655	Yes votes	99.11 %
1,338,768	No votes	0.89 %

ITEM 8

Cancel Conditional Capital I and cancel the authorization to issue participation certificates, convertible bonds and income bonds with warrants and amend the Articles of Incorporation accordingly

ADOPTED

151,416,907	Shares for which valid votes were cast	(= 79.97 % of capital stock)
151,310,167	Yes votes	99.93 %
106,740	No votes	0.07 %

ITEM 9

Approve the executive board remuneration policies

ADOPTED

146,927,565	Shares for which valid votes were cast	(= 77.59 % of capital stock)
131,644,769	Yes votes	89.60 %

15,282,796	No votes	10.40 %
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ITEM 10

Opt out of reporting individual executive board members' compensation in the notes to the annual report and the consolidated financial statements

ADOPTED

147,747,971	Shares for which valid votes were cast	(= 78.03 % of capital stock)
127,749,557	Yes votes	86.46 %
19,998,414	No votes	13.54 %