

***Non-binding convenience translation of the court summons in the public restructuring case of
BRANICKS Group AG dated 8 March 2024
For Information Purposes only***

Local Court Frankfurt am Main – Restructuring court
file number: 810 RES 3/24 B

In the restructuring case of BRANICKS Group AG, Neue Mainzer Landstr. 32-34, 60311 Frankfurt am Main, represented by

1. Johannes von Mutius (Member of the Executive Board),
2. Sonja Wärtges (Member of the Executive Board),
3. Christian Fritzsche (Member of the Executive Board),
4. Torsten Doyen (Member of the Executive Board)

Authorised representatives:

Lawyers Allen & Overy, Haus am OpernTurm, Bockenheimer Landstraße 2, 60306 Frankfurt am Main

Date for

a) the discussion of the restructuring plan dated 6 March 2024 and the voting rights of the plan-affected parties, and

b) voting on the restructuring plan

is scheduled for:

Tuesday, 26. March 2024, 10:00 am, Room 101 B, Building B, Local Court Frankfurt am Main, Gerichtsstraße 2, 60313 Frankfurt am Main.

By this order, the plan-affected parties (*Planbetroffene*) are summoned to the hearing.

The discussion and voting hearing (*Erörterungs- und Abstimmungstermin*) must be notified by the Local Court of Nuremberg on the internet (www.restrukturierungsbekanntmachung.de and via the Federal Gazette with Europe-wide distribution) (Section 85 (1) no. 1 German Stabilisation and Restructuring Framework for Companies Act – **StaRUG**).

The restructuring officer is assigned the task of serving the summonses.

Notices

1. The restructuring plan and its annexes can be inspected by all plan-affected parties as of 8 March 2024 at the office of the Local Court of Frankfurt am Main – Restructuring Court –, Klingerstr. 20, 60313 Frankfurt am Main, Room 402, 069 1367 6406, during office hours

Monday to Friday from 8.00 a.m. to 12.00 p.m. following enquiry by telephone.

2. It is pointed out that the content of individual provisions of the restructuring plan may be amended as a result of the discussion at the hearing (sections 45 (4) sentence 1 StaRUG, 240 German Insolvency Code (**InsO**)).

3. An immediate appeal (*sofortige Beschwerde*) against a subsequent court decision confirming the restructuring plan is only admissible if the party filing the request has objected to the restructuring plan in writing or on the record in the voting meeting at the latest and voted against the restructuring plan (Section 66 (2) StaRUG).
4. The meeting and thus a discussion and vote can also be held if not all parties affected by the plan participate (Section 45 Abs. 3 S. 2 StaRUG).
5. The discussion and voting hearing is not open to the public. There will be admission controls. Participation in the creditors' meeting requires proof of the participant's identity in a suitable manner (e.g. by presenting a valid identity document), stating a current address.
6. If creditors are not natural persons but exist as a legal entity or partnership (e.g. as a stock corporation, limited liability company, limited partnership, general partnership, entrepreneurial company), their representatives at the creditors' meeting must prove their authorisation to represent the company by submitting a current extract (not older than 14 days) from a register office (e.g. commercial register, register of associations).
7. If authorised representatives appear on behalf of creditors, the original written powers of attorney of the creditors must be submitted by the authorised representatives for retention by the court. The power of attorney must contain the full names of the authorising parties and the authorised representatives, stating their summonable addresses. Proof of the authorisation to represent the principal must also be submitted.
8. The discussion and voting hearing will be held as a physical in person meeting without the possibility of (virtual) participation from another location by means of video and audio transmission within the meaning of Section 128a (1) German Code of Civil Procedure (*Zivilprozessordnung – ZPO*). Audio and video recordings are not permitted.
9. Documents in languages other than German must be accompanied by an officially certified German translation. Foreign documents must also be provided with an apostille or legalisation.
10. At the request of a plan-affected party who has voted against the restructuring plan, confirmation of the plan must be refused if the party filing the request is likely to be in a worse position as a result of the restructuring plan than it would have been without the plan (Section 64 (1) StaRUG). It is pointed out that such a request is only admissible if the party filing the request credibly demonstrates (*glaubhaft machen*) with evidence submitted at the latest at the hearing that it is likely to be in a worse position as a result of the plan (Section 64 (4) s. 3, (2) S. 2 StaRUG).

An application pursuant to Section 63 (2) StaRUG to the effect that the requirements for a cross-group majority decision pursuant to Sections 26 to 28 StaRUG are not met due to an incorrect valuation of the company is only admissible if the applicant has already objected to the plan in the voting procedure.

It is pointed out that an immediate appeal (*sofortige Beschwerde*) against a subsequent court decision confirming the restructuring plan – after the plan has been accepted by the plan-affected parties (Sections 60 - 65 StaRUG) – is only admissible pursuant to Section 66 (2) StaRUG if the party filing the request

- a) objected to the restructuring plan in the voting meeting (Section 64 (2) StaRUG) and
- b) voted against the restructuring plan in the voting meeting, and
- c) credibly demonstrates (*glaubhaft machen*) with evidence submitted that it is put in a substantially worse position as a result of the plan than it would have been without the restructuring plan and that this disadvantage cannot be compensated by a payment from the funds referred to in Section 64 (3) StaRUG.

***Non-binding convenience translation of the court summons in the public restructuring case of
BRANICKS Group AG dated 11 March 2024
For Information Purposes only***

Local Court Frankfurt am Main – Restructuring court
file number: 810 RES 3/24 B

In the restructuring case of BRANICKS Group AG, Neue Mainzer Landstr. 32-34, 60311 Frankfurt am Main, represented by

5. Johannes von Mutius (Member of the Executive Board),
6. Sonja Wärtges (Member of the Executive Board),
7. Christian Fritzsche (Member of the Executive Board),
8. Torsten Doyen (Member of the Executive Board)

Authorised representatives:

Lawyers Allen & Overy, Haus am OpernTurm, Bockenheimer Landstraße 2, 60306 Frankfurt am Main

the resolution dated 8 March 2024 on the scheduling and discussion of the submitted restructuring plan is corrected with regard to the resolution as follows:

Instead of "The discussion and voting hearing (*Erörterungs- und Abstimmungstermin*) must be notified by the Local Court of Nuremberg on the internet (www.restrukturierungsbekanntmachung.de and via the Federal Gazette with Europe-wide distribution) (Section 85 (1) no. 1 German Stabilisation and Restructuring Framework for Companies Act.", it should correctly read: "The discussion and voting hearing (*Erörterungs- und Abstimmungstermin*) must be notified by the Local Court of Frankfurt on the internet (www.restrukturierungsbekanntmachung.de and via the Federal Gazette with Europe-wide distribution) (Section 85 (1) no. 1 StaRUG.

Reasons:

The correction is made ex officio pursuant to Section 38 StaRUG, Section 319 ZPO due to a manifest inaccuracy similar to a clerical or calculation error.