

Press Release

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Fresenius terminates merger agreement with Akorn

Fresenius has decided today to terminate the company's merger agreement with Akorn, due to Akorn's failure to fulfill several closing conditions.

Fresenius' decision is based on, among other factors, material breaches of FDA¹ data integrity requirements relating to Akorn's operations found during Fresenius' independent investigation. Fresenius offered to delay its decision in order to allow Akorn additional opportunity to complete its own investigation and present any information it wished Fresenius to consider, but Akorn has declined that offer.

Fresenius confirms its guidance for 2018. The Group continues to expect a sales growth of 5% to 8%² in constant currency. Group net income³ is expected to increase by 6% to 9%⁴ in constant currency (excluding expenditures for the further development of the biosimilars business around 10% to 13%⁵).

On Saturday, Fresenius Medical Care announced the sale of Sound Inpatient Physicians Holdings, LLC. The expected pre-tax book gain of around €800 million on this transaction is excluded from Fresenius' 2018 Group guidance.

¹ FDA: Food and Drug Administration

² 2017 adjusted for IFRS 15 (EUR486 million at Fresenius Medical Care)

³ Net income attributable to shareholders of Fresenius SE & Co. KGaA

⁴ Base 2017: EUR1,816 million; 2018 before special items (acquisition-related expenses); including expenditures for further development of biosimilars business (EUR43 million after tax in FY/17 and ~EUR120 million after tax in FY/18)

⁵ Base 2017: EUR1,859 million; 2018 before special items (acquisition-related expenses); excluding expenditures for further development of biosimilars business (EUR43 million after tax in FY/17 and ~EUR120 million after tax in FY/18)

Fresenius will report its first-quarter results, as scheduled, on May 3, 2018.

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Fresenius is a global health care group, providing products and services for dialysis, hospital and outpatient medical care. In 2017, Group sales were €33.9 billion. On December 31, 2017, the Fresenius Group had 273,249 employees worldwide.

For more information visit the Company's website at www.fresenius.com.

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and <http://www.twitter.com/fresenius>.

This release contains forward-looking statements that are subject to various risks and uncertainties. Future results could differ materially from those described in these forward-looking statements due to certain factors, e.g. changes in business, economic and competitive conditions, regulatory reforms, results of clinical trials, foreign exchange rate fluctuations, uncertainties in litigation or investigative proceedings, and the availability of financing. Fresenius does not undertake any responsibility to update the forward-looking statements in this release.

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