

Statement of the Management on the countermotion of the Dachverband der Kritischen Aktionärinnen und Aktionäre e.V. to item 3 of the agenda of the Annual General Meeting on May 21, 2021

The General Partner and the Supervisory Board stick to their proposed resolution on the agenda and comment as follows:

Resolution on the Approval of the Actions of the General Partner for the Fiscal Year 2021

The Dachverband der Kritischen Aktionärinnen und Aktionäre ignores the corporate structure of the Fresenius group and the possibilities of taking influence within the group resulting therefrom. The General Partner of Fresenius SE & Co. KGaA, the Fresenius Management SE, has no function of supervising Fresenius Medical Care AG & Co. KGaA. Such a function also does not exist with regards to the proposals of candidates for election to the Supervisory Board of Fresenius Medical Care AG & Co. KGaA. These proposals are made by the Supervisory Board of Fresenius Medical Care AG & Co. KGaA which is not subject to directions or supervision by Fresenius Management SE and, moreover, by Fresenius SE & Co. KGaA.

In substance, we consider the reasoning of the Dachverband der Kritischen Aktionärinnen und Aktionäre e.V. as absurd. In this regard, we refer to [the comprehensive statement by Fresenius Medical Care AG & Co. KGaA](#) which we fully support.