

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 13, 2022

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 monitoring of the quality of care of Fresenius Medical Care. The management of Fresenius Medical Care AG & Co. KGaA is monitored by the Supervisory Board of Fresenius Medical Care AG & Co. KGaA which is neither subject to directions nor to supervision by Fresenius Management SE and, moreover, not by Fresenius SE & Co. KGaA or its Supervisory Boards.

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 statement by Fresenius Medical Care AG & Co. KGaA](#) which we fully support.