WWW.ICGG.BIZ

ISSUE 09/2006

INSIGHT CORPORATE GOVERNANCE GERMANY

Essential: Information, Analysis and Opinion for Investment Professionals, Advisers and Academics

CONTENTS

COMPANIES

Daimler to renew executive contracts for 3 years only

Carmaker DaimlerChrysler will henceforth as a rule renew board members' contracts for only 3 years instead of the usual German 5 years allowed by the Companies Act. Initial appointments of executives will now similarly be for three years. Board members over 60 will as a rule now in every case be appointed for one year only. DaimlerChrysler points out that where there are special reasons executives over 65 may also have their appointments renewed. Reappointment before expiry of one year before the end of the term of appointment with simultaneous termination of the current appointment will take place only where there are special circumstances. As a rule, in Germany the Supervisory Board in any case decides on renewal around a year before expiry of the appointment. The carmaker justifies the move to shorten normal contract duration on grounds of harmonization of corporate-governance rules in Germany and the US, where executive contracts are usually considerably shorter than in Germany. Currently, reduction of standard contract lengths is being discussed in Germany because of the high payouts to executives having to leave early.
At DaimlerChrysler the new arrangements will apply for the first time to executives Rüdiger Grube and Andreas Renschler, whose contract renewals are to be decided on at the next Supervisory Board meeting in October. Grube (group development, IT, takeovers, Northeast Asia business) has an executive appointment till 19 September 2007; Renschler (truck business) till 30 September 2007.

DaimlerChrysler must pay over 230 million euros more

The Stuttgart Regional Court has sentenced car group DaimlerChrysler to pay over 230 million euros to old shareholders in valuation proceedings (Spruchstellenverfahren) running since 1999 in connection with the merger of Daimler Benz and the Chrysler Corporation. The merger ratio set for the compulsory conversion was found inappropriate. The Regional Court laid down an additional cash payment of €22.15 per Daimler Benz share. 17 old shareholders had brought the action. The additional sum to pay to old shareholders amounts for the 10.5 million shares to more than €232 million. DaimlerChrysler is appealing against the decision. Three years ago a group of former Chrysler shareholders received some 300 million dollars in a settlement. A suit by former Chrysler shareholder Kirk Kerkorian for additional payment by contrast failed in a US court. He had argued that the Stuttgarters had from the outset planned not a merger of equals but a takeover of Chrysler. They ought therefore to have made shareholders an additional payment.

Executive contract renewals at Stada ...

The contracts of Stada CEO Hartmut Retzlaff and CFO Wolfgang Jeblonski were renewed on 4 August for a further 5 years, until 31 August 2011. At the same time, the medicaments maker's Supervisory Board decided to extend the appointments of executives Alexander Oehmichen (Law, Personnel, Company Development) and Christof Schumann (Research and Development) from their present 3 to 5 years, i.e. until 31 December 2010.

... and ThyssenKrupp

Olaf Berlien has been continued for a further five years as director (Technologies sector) of steel group ThyssenKrupp, until 31 March 2012. The Supervisory Board has not yet taken decisions on the appointments of Edwin Eichler (Services) and Ralph Labonte (Personnel and Social Policy). Eichler's contract runs till 30 September 2007 and Labonte's till 31 December next year. CFO Stefan Kirsten will unexpectedly be leaving the group, probably on 30 November; his executive contract runs till July 2007.

Mobilcom making progress with settlements

Mobil phone service provider Mobilcom has reached settlements with 21 of the 24 parties and all 4 of the intervening parties to the action for avoidance against the resolutions of the 2005 extraordinary general meeting to merge with Internet subsidiary Freenet into Telunico. Mobilcom waived until the end of 2008 a partly credit-financed special dividend of one billion euros to shareholders. This had been an aim particularly of financial investor Texas Pacific Group. The private-equity firm holds some 29 percent of the Mobilcom shares. Mobilcom also reached agreement with Millennium GmbH. Both parties had raised claims in the millions. Millennium belongs to the wife of former Mobilcom founder and CEO Gerhard Schmid. Part of the settlement with Schmid is that Mobilcom will not proceed against the Millennium action against former major shareholder France Télécom.

BUHLMANN´S CORNER

From "old guard" to "young Turk"

Who'd have thought it? The centre of the old "Germany Inc", DaimlerChrysler, has overtaken the Government Commission on the German Corporate Governance Code in the right-hand lane. The upper limit of 60 months for executives prescribed by law is generally treated by German firms as a minimum term of appointment, associated with a "notice period" of 12 months before end of contract. This was hitherto regarded as an untouchable German rule that no Supervisory Board opposed. Why should they? Until reality caught up with them, as at DaimlerChrysler, where then CEO Jürgen Schrempp's contract was renewed despite vociferous criticism from the AGM.

Now the car group's home page is presenting "novelties in Corporate Governance." It has been decided to conclude executive contracts normally for 3 years, despite the potentially possible 5, and then renew them for a further three. After 60, renewals are to be for one year only. Exceptions are explicitly allowed. Should this decision be Supervisory Board chair Hilmar Kopper's farewell present, he could almost be "forgiven" his inability to let go and the hesitant disclosure of the leadership change from Schrempp to Dieter Zetsche. In my view, though, the decisive point here is more the international composition of the Supervisory Board. Here (at long last!) a new wind is blowing. Half the employer side is non-German. And the new man on the Supervisory Board, Dr. Manfred Bischoff, on it since April, could certainly do with a model of better Corporate Governance for his other post (EADS). All it needs is for employees internationally to note that only a small fraction of them (the Germans) provide the co-determination half of the whole Supervisory Board .... That would be a good chance for Code Commission chair Gerhard Cromme to show his mettle!

So it's international influence that's to be the cure for German Corporate Governance – DaimlerChrysler has blazed the trail. Will it work elsewhere? Particularly at Deutsche Telekom, just that would be the best solution. Perhaps Cromme will soon be finding powerful allies. Pension funds and private investors are growing in number and importance. But some of those so-called CTAs still have a lot to learn, especially as regards codetermination responsibilities and duties of trust. Hardly any of them are aware of what the law has long laid down (§ 115 VAG [Insurance Supervision Act]): "The pension fund MUST inform those covered by it in writing when concluding the contract, and annually, of whether and how it takes into account ethical, social and ecological concerns in using the amounts paid in."

The social image at DaimlerChrysler will be better in future, and the pension fund can and must give an account of it – thanks to Dr. Bischoff (ex DaimlerChrysler executive, Chairman of the Board of EADS)!

Hans-Martin Buhlmann is the founder of proxy-voting agency VIP Vereinigung Institutionelle Privatanleger e.V. (www.vip-cg.com)

YOUR FEEDBACK

Have you any questions, criticisms or suggestions? We look forward to hearing from you:
verlag@icgg.biz

Do you wish to subscribe to the Newsletter? Please send a mail to :
verlag@icgg.biz

Ex Infineon director admits corruption

Andreas von Zitzewitz has admitted taking bribes, in the Infineon corruption trial. “By taking that money I let my independence be bought,” said the former executive of the chipmaker. He had several times accepted from Ralf Udo Schneider, who was organizing motor-sport sponsoring for Infineon, cash amounting to a total of €70,000 to €100,000. The sponsoring agent is accused of having bribed several Infineon managers to the tune of something over €260,000, in order to secure lucrative motor-sport advertising contracts. Additionally, public prosecutors accuse him of having cheated Infineon of €1.4 million by marketing for his own account to third parties advertising areas on racing cars that really ought to have gone exclusively to Infineon. Von Zitzewitz had on his own evidence helped Schneider to find these so-called co-sponsors in Infineon customer circles. Zitzewitz does not see himself as the “centre of the corruption affair.” Schneider had indicated to him that the group’s ex-chief Ulrich Schumacher had also been favoured. Schumacher has asserted he did not accept any money. Public prosecutors are investigating him as well as von Zitzewitz.

Retiral speculations at Telekom

Telekom CEO Kai-Uwe Ricke, in office for just over four years, rules out his retirement from it. “I want to prove that my strategy works,” he responded to speculation about his withdrawal, sparked off by the disappointing quarterly result and especially a profit warning for the whole year. Earnings before interest, taxes, depreciation and amortization (EBITDA) would reach a maximum of €19.7 billion in 2006. That is around one billion euros less than forecast. As recently as May Ricke had confirmed this profit prediction. For 2007 the Telekom boss was now expecting only stagnating EBITDA, 12 percent less than previously announced. He intended to counter the “dramatically” further intensified competitive environment through a renewed extensive cost-cutting programme. Telekom Supervisory Board chair Klaus Zumwinkel points out in connection with the replacement speculations that all the more strategic decisions, from reducing indebtedness to the profit warning, were reached by common accord between the Executive and Supervisory Boards. Regarding the decision due in November on renewing Ricke’s contract, Zumwinkel said there are “certain usages for contract negotiations, which would be observed.” Ricke’s appointment as board chairman runs until November 2007.

INTERVIEW

"The independence problem will simply be grown out of"

Dr. Schilling, EU parliamentarians are calling for legal regulations on the independence of Supervisory Board members. Is that necessary, in the light of your experience?
SCHILLING: No, that would mean politics fighting yesterday's battles. On the one hand our Supervisory Board members suffer much less from lack of independence than from lack of technical skills. On the other, independence is a question of character, and cannot be tied down in formal criteria and thus externally checked on.

The VW case was only a few months ago.
SCHILLING: There are always individual cases of unresolved conflicts of interest where the independence of the Supervisory Board is in question. But there's no need to involve the legislature for that.

What makes you so sure that independence is no longer much of a problem?
SCHILLING: Because the sensitivity of those involved on both sides is by now so high that even potential conflicts of interest lead to a retreat by the firm or the candidate concerned. That's something I see in my everyday professional practice.

What do the companies primarily associate independence with?
SCHILLING: With existing consultancy appointments and relations with a competitor. By contrast with the US with its "rule-based system," quantitative criteria like amount of turnover with a competitor play no part here in Germany. I am convinced that any problems with the independence of supervisors will in any case be grown out of.

The Government Commission's Corporate Governance Code states that a Supervisory Board member should be transparent about conflicts of interest, particularly because of consultancy or official positions with customers, suppliers, credit providers or other business partners. Is the Code provision enough?
SCHILLING: In principle yes, it need only be applied more consistently. Any room for interpretation is exploited, and many conservatively oriented Supervisory Board members change their behaviour only once there is a clear Code provision.

Hilmar Kopper has proposed disclosing Supervisory Board members' affiliations in the business report ...
SCHILLING: ... a very sensible suggestion. Perhaps one might even go a step further: shareholders should be informed at the AGM before a Supervisory Board member's election of any positions held. Then the capital-market

Dr. Florian Schilling is a partner in Board Consultants International, Frankfurt

representatives could decide whether the candidate's degree of independence was sufficient in their view. That would create transparency, and the capital market would regulate the problem through shareholders' votes, instead of bringing in the legislature.

Are candidate Supervisory Board members already prepared to face an actual vote by shareholders? Especially since the election slate would then have to have more candidates than the places to be filled?
SCHILLING: Clearly not, however attractive the idea might be from a regulatory-policy viewpoint. It has already got very hard even today to interest qualified candidates in a Supervisory Board post. If they were then to be exposed to the risk of a public defeat in a vote into the bargain, then no top manager would prepared to make himself available any longer. Politics too has to do without many qualified people who are unwilling to expose themselves to the risk of an uncertain election.

IWKA restructuring burdens budget more heavily than forecast

Financial investor Guy Wyser-Pratte has according to his own statements increased his holding in machine and plant builder IWKA from 7 to around 8 percent. He presents the increase as demonstrating support to the management in restructuring the firm. Shortly before, IWKA had again predicted a loss for the whole year. "Burdens arising from the companies up for sale will once again lead to a definite loss in after-tax yield," announced IWKA's CEO Wolfgang-Dietrich Hein. In spring IWKA had forecast a small after-tax profit for the whole of 2006. In the first half-year the company showed a loss after taxes of €62.2 million. In October 2003 Wyser-Pratte announced a holding of over 5 percent in IWKA. Since then he has been working on restructuring the company. In the first stage staff changes were made. Since late July 2005 Hein has chaired the board and has been working on a restructuring with core competences in automotive, robotics and packaging technologies. On 9 November 2005 Rolf Bartke became Supervisory Board chair. Bartke is a member of utility-vehicles management at DaimlerChrysler and head of the Mercedes-Benz transporter sector. Since May this year there has been a new CFO, Jürgen Koch. At the end of August his executive colleague Dieter Schäfer, who headed the packaging division, left the board. With the appointment of Gerhard Wiedemann of Kuka Schweißtechnik and Bernd Liepert of Kuka Robotertechnik as directors for the automotive and robotics technology sectors, Hein had in March declared restructuring complete at executive level.

Public prosecutors accuse BMW buyers

Munich public prosecutors are charging Günther L. with a particularly severe case of corruption in business transactions. In the corruption case, running for over a year, alongside two other former BMW employees 27 employees of 6 automotive suppliers are accused. At the centre of the bribery affair is the former head buyer at BMW. According to the prosecutors, he received a total of 1 million euros in bribes from suppliers, in return for indications as to how they could win the award of certain orders. Employees of Faurecia, and VW and its subsidiary Audi, are also being investigated by Frankfurt public prosecutors.

Dispute among major VW shareholders

Whereas Porsche CEO Wendelin Wiedeking is calling for abolition of the VW Act, Christian Wulff, representative of the other major VW shareholder on the Supervisory Board of car group VW, defends the law. Porsche is actively supporting the relevant suit against the Federal Republic at the European Court of Justice. The EU sees the Act as an illegal barrier to investment and demands its abolition. Wiedeking justifies his support on the ground that Porsche wants fully to exercise its shareholder rights. The VW Act, dating from the 1960s, says that no VW shareholder can exercise more than 20 percent of the voting rights. Wulff, Premier of Lower Saxony, defends the special provisions for VW on the basis that they guarantee good development for VW and "specifically also the interests of the VW locations in Lower Saxony." Porsche wants by October to hold a blocking minority of 25.1 percent at VW. Currently the sports-car maker holds a 21.2 percent block. On reaching the blocking minority Porsche can force through charter amendments. The State of Lower Saxony holds 18.1 percent of the shares.

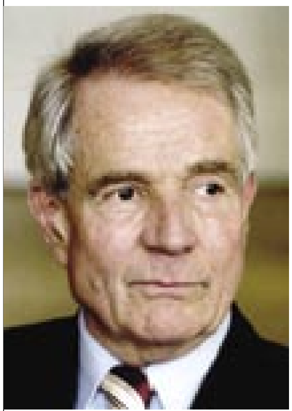
Withdrawal from foreign stock exchanges

Deutsche Bank and DaimlerChrysler are cutting back their stock-exchange listings. The financial institution is withdrawing the listing of its shares on the Tokyo exchange TSE because of low turnover. The carmaker's share will be delisted for similar reasons from the regional exchanges in Düsseldorf, Berlin-Bremen and Munich as from 29 December.

ANALYSIS

Succession: the problem - the solution?

" They never come back" was the saying about ageing boxing champions – "They never step back" is increasingly becoming the watchword for ageing family entrepreneurs. It may be hard to believe, but recently cases where a business pioneer who had already appointed a functioning, professional top management takes back direction of the firm and at a stroke de facto disempowers that management have been multiplying. This happens even with listed family companies. Even supposing that nobody can do it better than the firm's brilliant founder, this development becomes a problem in relation to the capital market. For neither succeeding family members nor external managers have a chance before the founder's physically inevitable departure to take the reins firmly in their hands. But particularly in a founder-led firm, it takes a longish period of parallel operation both to acquire the necessary know-how and to bring about image transfer. In the medium term the shareholder at best gets, where a firm's founder takes back power, a takeover with an associated higher severance payment, but at worst the total decline of the firm and thus a considerable loss in the value of his shares.



But even if the business pioneer is prepared wisely to pass on the baton in good time and permanently, succession to the firm must first be brought about smoothly, in order from the shareholder's viewpoint to comply with Milton Friedman's maxim: the social responsibility of business is to increase its profits. That requires measures to arrange the succession. For a structured succession process, the first question to clear up is whether in the family itself the necessary potential is present for continued leadership of the firm. The ideal solution for succession candidates from the family who are able enough but do not yet in every respect offer the necessary requirements for taking over leadership is to install an experienced top manager. He should, depending on the "maturity" of the successor from the family, take up the chair of either the board or the Supervisory Board, in agreement and in coordination with the founder entrepreneur. This top manager should take on strategic tasks, but above all act as coach and mentor for the successor.

Often, despite the best of intentions, it will nonetheless not be possible to teach the family member the abilities needed to run the firm. In this case the external top manager heading the firm must have the necessary full powers to call in capable managers from outside. That is the only way to guarantee the firm's long-term existence. Only in individual cases may it suffice to fill out the Supervisory Board or advisory board with people who can de facto compensate for the operational weaknesses of the successor from the family.

A decisive factor in solving the succession problem is the process of selecting the leadership people on the board or the Supervisory Board or advisory board. They must, with a firm oriented to the requirements of the capital market, be subjected to audit not just when a management is appointed, but continually. This evaluation can however be successfully done only if the objectives, markets, strategies, and also problem areas of the given firm have been analysed and the requisite competences on the board deduced from them. Only a professionally manned leadership body subjected continually to audit can cope with the succession problem. Then even the business pioneer will have no reasonable basis for intervening in the firm again.

Dr. Helmut Neumann, Partner in Neumann Leadership Deutschland GmbH and Founder of the Neumann Leadership Foundation for Corporate Governance

Innovation and continuity.

WGZ BANK – member of the GENO Group Germany

The co-operative banking group in Germany with its more than 15.5 million members and about 30 million customers is an important factor in the German banking industry.

About 1,300 independent Volksbanken and Raiffeisenbanken with their 14,000 outlets provide short distances as well as personal contacts to members and customers.

WGZ BANK – the Central Bank with tradition and an innovative profile

Since 1884, WGZ BANK has been the central institution of the Volksbanken and Raiffeisenbanken in the Rhineland and Westphalia, with its head office in Düsseldorf, Germany's second largest financial centre. Located in the heart of Europe, in one of Germany's and Europe's economically most important regions, it supports and complements the services of its about 240 member banks in both national and international business. With consolidated total assets of around Euro 75 bn, WGZ BANK is one of Germany's largest banking institutions. The co-operative banks linked up with WGZ BANK maintain about 2,500 outlets and have approximately 2.6 million members. The combined balance sheet total of these banks amounts to about EUR 144 bn.

WGZ BANK – the commercial and wholesale bank with individual solutions

Apart from its traditional function as a central institution, WGZ BANK is a commercial bank, offering a wide range of customized and highly sophisticated services and products to corporates and capital market clients. As a wholesale bank, WGZ BANK plays an active role as a trading partner in the international money, forex, derivatives and capital markets as well as in bond issues and syndications.

WGZ BANK – a strong partner in international business

WGZ BANK provides its local co-operative banks with a link to the international markets. It cooperates with more than 3,000 correspondent banks on all continents and thus ensures a speedy and smooth handling of international transactions. Additionally, WGZ BANK plays an active role in the international syndicated loan market. With subsidiaries, participations and the network of the co-operative FinanzVerbund in many relevant international places, WGZ BANK has access to all important financial centres in the world.

Your contact partner:

Rolf Drees
Press Spokesman

Phone: +49 211 778 1112
e-Mail: rolf.drees@wgzbank.de

Im FinanzVerbund der Volksbanken Raiffeisenbanken

WGZ BANK
Die Initiativbank

+++ fitch +++ rating cooperative financial services network +++ long term A2 +++

FINANCIAL INVESTORS

Flagging dynamism on the buyout market

In the first half of 2006 investment companies in Germany collected €846.3 million in capital from investors (up 24 percent). From April through June, however, the fund-raising volume slumped by comparison with the first quarter, according to industry association BVK, from €553.1 million to €293.2 million. This is the lowest figure since the first quarter of 2005. Investments rose sharply in the first six months of 2006, by almost a quarter to €939.3 million. 61.2 percent of total investments went to buyout transactions. In the second quarter of this year, instead, investments fell by 16 percent to €428.5 million. The number of holdings rose in the first half-year by 16 to 473 companies, with 276 companies receiving investments in the second quarter. By contrast with the three previous record quarters, in the period from April to June 2006 there were no major purchases of companies in the M&A market. The exit volume, at €316.5 million, was a good third below the previous quarter. The most important exit channels, with a share of together over a half, were trade sales and buybacks. Nine private-equity financed companies went on to the stock market, four in Germany and five abroad. On investments in 37 firms, investment companies registered total losses in the second quarter of altogether €21.6 million (in the first half-year altogether €55.3 million).

BVK awaits clear signals from politics with regard to the prospects on the German investment market. "The new government plans for programmed taxation of interest in connection with company-tax reform lead to costlier investments that are debt-financed," criticizes BVK board member Klaus-Michael Höltershinken. That would negatively affect all firms, and the investment industry especially hard. The development of the market would be plainly inhibited. The announced company-tax reform provides for a reduction in the tax burden from just over 39 to under 30 percent. However, at the same time interest, rents, hiring and leasing instalments will be made taxable. Limited deductibility of credit costs would heavily raise costs of leveraged buyouts.

Bigger influence from investors

A fifth of the 75 managers of the biggest European companies on the stock exchange expect involvement of active major shareholders in their firms. The companies, surveyed by PR agency Brunswick, together have a market capitalization of €870 billion. While 80 percent are not expecting such investors to come in, they still want to prepare for greater exercise of influence. The top managers take it that investors want to determine corporate governance and company strategies more. However, only 19 percent of the managers surveyed regularly meet investors, 52 percent of them practically never. 70 percent of the companies, on their own indications, make use of the information about the market derived from the conversations, as well as the inspirations for their company.

INTERVIEW

"A cooperative locust"

Mr Seggewiß, Buchanan Capital, with its 150 million euro fund for investing in family firms, must feel like a fish out of water in the billion-plus world of funds like KKR.
SEGGEWISS: Yes, we don't want to play in the giga-world of the buyouts. And we have our good reasons for that.

You seek salvation in the private-equity niche of German small and medium-sized business?
SEGGEWISS: Our fund managers come as a rule from those flagships of our sector. But by contrast with them we are not condemned, by pressure to invest, to make big deals at any price.

What consequences does that pressure have?

Herbert Seggewiß, managing director of Buchanan Capital Partners

SEGGEWISS: The companies they are invested in are very quickly sold on again. The holding period for many of them is only one or two years. That's the only way the funds can reach their high yields.

… of 20 to 25 percent?
SEGGEWISS: … and more. The fatal thing about that increasingly common way of doing things, the so-called quick flips, is that the firms are bled dry financially. These private-equity fund managers, for instance, very quickly bring the liquidity in the firms back into their own hands, say by distributing dividends. They don't just, by now, get their own invested capital back, but also take from the capital reserves. The consequence is that the firms no longer have any resources for investments in physical assets. In the long run that endangers the firms' viability.

What yield does Buchanan offer on average?
SEGGEWISS: We can very well secure a yield of over 18 percent with our investments.

Buchanan boasts of keeping its holdings in its portfolio for up to eight years. How, without a high turnover rate and with little indebtedness, can a yield that's respectable by comparison with the hardliners in the private-equity industry be got from an investment?
SEGGEWISS: By raising a firm's greater value-creating potential. But for that one needs more time. Investing in new technologies or opening up new markets simply takes longer. But in return the results are lasting, by contrast with the quick flips.

You not only keep your holdings in your fund for a long time, but also deliberately take only minority positions. How do you exert pressure to raise yields?
SEGGEWISS: To begin with, we're not among those who squeeze costs through dismissals.

A private-equity firm that gives employees an employment guarantee when it comes in, then?
SEGGEWISS: Not with certainty. But we don't get the yields from dismissals. Nor do we obtain the considerable yields we get from our holdings through mere

>>

>> INTERVIEW

financial engineering, by operating the financial control knobs like indebtedness level. Along with the financial resources, we provide the firms with our expertise.

Were you a businessman?
SEGGEWISS: No. But I come from a business family.

What do you do with the management you find in place?
SEGGEWISS: As a rule we don't change it, since we don't work operationally. We work through the Supervisory Board, the advisory board or the partners' board.

And you really secure the necessary influence to put through changes that way?
SEGGEWISS: Certainly. We don't engage in hostile takeovers. If we get involved in a firm, our ideas for a package of operational measures have been agreed with management beforehand. So we're all pulling on the same rope.

So Buchanan is a cooperative locust?
SEGGEWISS: Our industry is never going to get rid of that image. All right then, if you say so.

Mr Seggewiß, estimates of the business prospects for private equity in the German small-business market are highly divergent. What market development do you expect?
SEGGEWISS: The prospects are excellent. The loan-capital share continues to be much too high, and the banks are still very restrictive about providing credit. And the succession problem acts as a catalyst.

Apax investment chief Adrian Beecroft is not presuming at all that the small-business market will open up to private equity in the next few years – despite the much-discussed succession problem.
SEGGEWISS: To be successful as a private-equity firm in the German small-business sector, as a provider you have to change the transaction pattern on which private-equity deals happen. It's true there's an aversion to private equity in German small and medium-sized business. The blame is on private-equity fund companies that attract notice for Wild West stunts like the quick flips. I am instead convinced that growth in transactions by small-business compatible private-equity firms in the next ten years will be extremely high.

What marks those firms out?
SEGGEWISS: Greater discipline. They content themselves with minority holdings, accept limited involvement in business decisions and a longer holding period for their positions. This sort of partnership relation between private-equity firm and small company is then also documented in an appropriate contract. I am convinced that the hitch about such deals is over, especially since there is also a shift in values under way among business people. Small businessmen, for all their awareness of tradition, no longer absolutely insist on passing on the baton to the next generation. That is, they are retreating from the condition of keeping 100 percent of the capital in their own hands and taking all decisions. They are instead concentrating increasingly on keeping the fortune in the family. The oft-cited image of the selflessly acting businessman, intimately tied to Germany as a location, fits steadily fewer of them. Instead, the profit orientation has increased very strongly.

Which is why auctions are increasingly being used as an instrument in small-business transactions?
SEGGEWISS: Yes. This form of competition among bidders for a transaction means the business people can drive the price for a holding in their firm upwards. And that's very much to the liking of the new generation of profit maximizers.

YOUR FEEDBACK

Have you any questions, criticisms or suggestions? We look forward to hearing from you:
verlag@icgg.biz

Do you wish to subscribe to the Newsletter? Please send a mail to :
verlag@icgg.biz

DSW calls for a list of requirements on Supervisory Board members

Private investors' association DSW (Deutsche Schutzvereinigung für Wertpapierbesitz) is calling for two additions to the Corporate Governance Code. Where a Supervisory Board member has not been given discharge in the previous five years, prominent posts like the chair, deputy chairmanship or membership of a committee should be barred for him, says DSW managing director **Ulrich Hocker**. Nor should he be eligible for re-election. After all, non-discharge amounted to wellnigh a no-confidence vote from shareholders. A provision to this effect should be included in the Code as a recommendation. This solution had the advantage of being rapidly implementable. "Alternatively, a statutory solution would also be conceivable," says Hocker. Additionally, the DSW is demanding a list of requirements on Supervisory Board members. This provision too should be tied down tightly as a recommendation in the Code. It was hard to see why the financial expert chairing the Audit Committee had to have special knowledge and experience in the application of accounting principles and internal control procedures, while anyone could become Supervisory Board chair, argues the association.

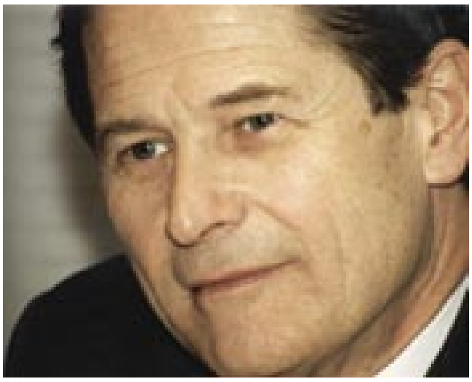
Accounting police extend checks

The German Financial Reporting Enforcement Panel (DPR) will in future also demand from firms a statement of so-called unbooked audit differences. These differences are minor inaccuracies that the auditor has noted but not included in the annual or situation report. Additionally, firms are to declare in a statement that these audit differences are immaterial. The DPR justifies the expansion of checks on the ground that it can thereby increase the efficiency and effectiveness of its work. Only a month ago the panel announced that next year it would be checking more intensively the disclosure of individualized executive remuneration and the existence of any exemption from disclosure by a majority of shareholders.

OPINION

Transparency ought not to end at the 75 percent threshold

At any rate since the Deutsche Börse case, it is easy to follow why boards of listed companies in Germany want to know early when the shareholder structure changes. Whereas in the days of the old Germany Inc. major changes in holdings were mostly dealt with by way of an understanding on a consensual, corporatist basis among DAX executives, for some years there has been an increasingly marked presence of financial investors participating to a fairly large extent in German firms. Since such holdings need not, in the current legal position, be notified until they are over 5 percent, investors can build up positions as far as this threshold without the company's board being informed. Professional investor relations cannot always avert a nasty surprise here. And managements were correspondingly nervous when they heard of the activities of financial investors, especially in the run-up to an AGM.

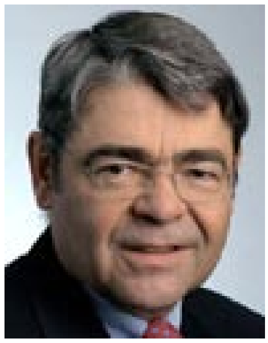


Philippe Bodson, President of the European Investor Protection Group (EGIP)

The German government has now responded, presenting a bill providing for a lowering of the first notification threshold from 5 to 3 percent, so as to hamper unnoticed "creeping up" on issuers. This is happening in connection with transposition of the EU Transparency Directive, due to enter into force on 20 January 2007. It obliges investors to disclose their holdings in companies at closer intervals: to date disclosure was required at 5, 10, 25, 50 and 75 percent; now additional thresholds of 15, 20 and 30 percent are being introduced in Germany. Additionally, the EU further allows an even lower one. The government now wishes to make use of this. What should we think?

>>

Criticisms of the balance-sheet oath



Criticisms are being made of German government plans to introduce the sworn balance-sheet in connection with the EU Transparency Directive. It would mean in practice letting a comparable provision to the one in the Sarbanes-Oxley Act into German law, fears **Rüdiger von Rosen**. As managing director of the Deutsches Aktieninstitut (DAI), he points out that inclusion of the sworn balance-sheet in the EU action plan for company law and corporate governance, with associated penalties, did not go through after emphatic warnings from business. Nonetheless, the government explicitly wants to tighten up penal law in the capital-market sector. There have after all long been penalties in Germany for falsification or concealment in balance-sheets. Von Rosen's summing-up is: "Once again we are trying to be more royal than the king, thus worsening our competitive position." Capital-market oriented firms would according to the government draft transposing the EU Transparency directive have to give assurances that the picture given in the financial reports corresponds with the actual circumstances. Should board members refuse to give such an assurance or make a false one, imprisonment for up to 3 years or a fine could be imposed

>> OPINION

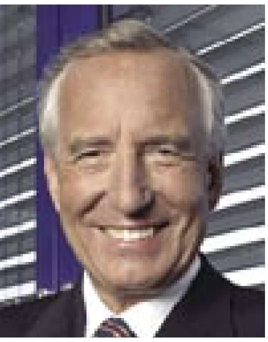
The first irritating point is the notion of "creeping up". It takes up the extremely problematic "locust" theme, an expression of exaggerated scepticism towards financial investors, and something that harms Germany internationally as a financial location much more than Berlin seems to be aware of. All the same, this sort of lowering of the threshold figure may very well make sense in a number of cases, and is in principle supported by the European Investor Protection Group (EGIP). In investor-friendly Britain investors even have to declare every additional percentage point bought as soon as they have reached the three-percent threshold.

The German Finance Ministry ought not, however, to stop halfway here: transparency should apply at all levels of holdings. Accordingly, a definitive bill ought similarly to guarantee disclosure of further changes in holdings above the 75-percent threshold too. Notification should also be required on reaching 80, 85, 90 and 95 percent in Germany. In Belgium this is already the practice; there, changes in holdings must be disclosed in 5-percent stages. Germany should follow this model and thus decisively increase shareholder rights. For instance, investors would have to be informed early of an impending squeeze-out, and could take appropriate positions. This improvement of investor protection and corporate governance is in the long-term interest of all issuers and would help to strengthen Germany as a financial location.

The point is at bottom equal treatment for the interests of board and investors. Investors with significant minority holdings still too often find that they are passed over when it comes to strategic decisions – e.g. takeovers, delisting or group integration – or that the major shareholder "creeps up." The most recent examples here are SAPSI, Adecco-DIS and AMB. Board and Supervisory Board should instead quickly take up offers of constructively critical dialogue from the owners of their companies, even if they "only" have single-digit percentage holdings. The extra expenditure for firms from the disclosure thresholds above 75 percent ought to be fairly limited, and should be considered from the viewpoint that the gain in transparency for Germany as a location is greater than the associated costs.

Board and Supervisory Board changes in DAX30, MDAX and TECDAX30

Bernhard Düttmann



Stefan Pfander

Stefan Schmittmann

Financial services provider **AWD** has added the Personnel sector to its board as from 1 September, headed by **Ulf Mainzer**. To date the body had three members (Chair, Finance, Strategy). Mainzer had since 2001 headed the Personnel, Law and Quality Management sectors in the administration of plastics firm Rehau.

On 1 October Dr. **Bernhard Düttmann** becomes CFO of cosmetics company **Beiersdorf**. Since 1 April 2001 he has been CFO of tesa AG, additionally heading Consumer Business at tesa since 1 May 2005. Düttmann has worked since 1989 at Beiersdorf, in the Controlling, Marketing and Sales sectors of tesa. On 30 September the current CFO Rolf-Dieter Schwalb moves to become Chief Financial Officer (CFO) and member of the Managing Board of Directors at Dutch special chemicals group DSM. On the Beiersdorf Supervisory Board **Stefan Pfander** has replaced Dr. Bruno E. Sälzer. Pfander is the former Vice President and Chairman Europe of Wrigley Jr. Company, Chicago, and has Supervisory Board posts at Tchibo Holding, GfK AG and GfK e.V., as well as Barry Callebaut AG, Zürich. Tchibo Holding is the major shareholder in Beiersdorf, with a block of over 50 percent.

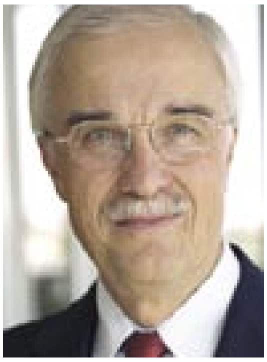
Replacing Günter Adam, **Hans Prüfer** (Central Works Council chair of E.ON Avacon AG) has been appointed to the employee side on the Supervisory Board of utility **E.ON**.

HVB Director and member of the Management Committee of Italian parent company UniCredit, Johann Berger, left the Bank on 31 August. Dr. **Stefan Schmittmann** succeeds him at HVB as director for corporate customer business, including commercial real estate. The UniCredit Group is transferring group-wide commercial-property finance business to the Corporates Division as a global product factory. Berger sees his "integration task" as completed, according to his statement. Schmittmann has since 1986 held top posts in corporate customer business and risk management and been an alternate board member since 2006. From 2004 to 2005 he was Management Board Spokesman of the Vereins- und Westbank.

Since 31 August **Dieter Schäfer** is no longer director of plant builder and robot specialist **IWKA**. Schäfer headed the Packaging division, which will now be handled by CEO Wolfgang-Dieterich Hein in addition to his other duties. Financial investor and major shareholder Guy Wyser-Pratte has long been calling for the packaging division to be sold.

In & Out in August

Friedrich Berschauer



Hubertus Erlen

Eugen Bucher is no longer sales director of financial services provider **MLP**, since 8 August. His contract ran until May 2007. Bucher's functions have been taken on provisionally by CEO Uwe Schroeder-Wildberg. MLP cut its results forecast for 2006 by 30 million to 90 million euros on the same date. MLP gives the reason as below-expectations sales of retirement products. There were shortcomings in sales management, said Schroeder-Wildberg in explaining Bucher's dismissal.

The works council chair of SAG Netz- und Energietechnik GmbH, Wilfried Donischist, left the **RWE** Supervisory Board on 8 August. On its employee side he has been replaced by **Dagmar Schmeer** (works council chair of VSE AG).

Ernst Schäfer gave up his post as representative of the employee side on the Supervisory Board of steel company **Salzgitter** on 20 June. By court decision, **Hasan Cakir** has since 17 July been the new member.

On the Supervisory Board of pharma company **Schering**, taken over by competitor Bayer, the following are to be elected at the extraordinary general meeting: Professor Dr. **Friedrich Berschauer** (CEO, Bayer CropScience), Dr. **Hubertus Erlen** (CEO, Schering), Dr. **Roland Hartwig** (chief staff lawyer, Bayer), **Klaus Kühn** (Bayer director), **Achim Noack** (managing director, Bayer Technology Services GmbH) and **Werner Wenning** (CEO, Bayer), who is to chair the body. Dr. Karl-Hermann Baumann (Supervisory Board member, E.ON and Linde) and Dr. Reiner Hagemann (Supervisory Board member, E.ON Energie) remain Schering Supervisory Board members. Dr. Giuseppe Vita, Dr. Mathias Döpfner, Professor John A. Dormandy, Professor Dr. Dieter Hinzen, Dr. h. c. Martin Kohlhaussen and Detlef Olufs are resigning. The composition of the employee side remains unchanged. The new Schering executive board will be Bayer HealthCare CEO **Arthur Higgins**, who also takes the chair, the two Bayer HealthCare directors **Werner Baumann** and Dr. **Gunnar Riemann**, and existing Schering directors Dr. Ulrich Köslin and Professor Marc Rubin. The following are no longer on the new Schering board: Dr. Hubertus Erlen, Dr. Karin Dorrepal, Professor Rainer Metternich and Dr. Jörg Spiekerkötter.

In & Out in August

Hans-Martin Schwarm

A. Stefan Kirsten

Solon CEO **Alexander Voigt** has since 24 August been a Supervisory Board member at the solar-module maker. Also new on the Supervisory Board is tax adviser Olaf Roessink. The existing Supervisory Board members Immo Ströher and Reiner Lemoine have left on personal grounds. The new CEO is current CFO **Thomas Krupke**, who heads the firm along with technology director Dr. Lars Podlowski.

At pharmaceuticals manufacturer **Stada**, on 4 August Dr. **Hans-Martin Schwarm** succeeded Production, Procurement and Logistics director Hans Stols. Stada attributes Stols's departure to personal grounds. Schwarm was hitherto Vice President for Quality Assurance and Management at Stada. Schwarm has been appointed director for three years.

ThyssenKrupp CFO Dr. **A. Stefan Kirsten** is leaving the steel group, probably on 30 November; his executive contract runs till July 2007. Kirsten justifies the move by the changed prospects in the ThyssenKrupp group. His duties are being taken by Deputy CEO Dr. Ulrich Middelmann; he is already in charge of Controlling and Mergers & Acquisitions. Gary Elliott, 62, is leaving the ThyssenKrupp board on 30 September; his contract ran till July 2007. On 1 October he will already be taking over from Dr. Siegfried Buschmann, 69, the duties of Chairman of the ThyssenKrupp holding company USA, with representative functions for NAFTA. Elliott's sector, elevators, is being taken on by director Edwin Eichler. ThyssenKrupp will thus reduce its board to eight members as from 1 December.

Close links of top Supervisory Board members

Former Bayer CEO and now Bayer Supervisory Board chair Manfred Schneider sits on seven Supervisory Boards of DAX companies, thus holding the most Supervisory Board memberships. The three people with most Supervisory Board posts (Schneider, Gerhard Cromme and Ulrich Hartmann) are, according to a study by private investors' association DSW (Deutsche Schutzvereinigung für Wertpapierbesitz) represented on 14 DAX Supervisory Boards. Together, the top 10 Supervisory Board members sit on 22 DAX Supervisory Boards. Additionally, in 8 companies at least three of the top 10 continually meet. This brings out how dovetailed these Supervisory Board members are, finds the DSW. They assess the concentration on a few people in this role in the DAX as positive, since supervision is increasingly going to professional Supervisory Board members. It was also welcome that none of the top 10 Supervisory Board members is active on a DAX executive board. But the DSW again criticizes the fact that they moved directly from board to Supervisory Board chairs.

The DSW has also developed a ranking with a points system. A Supervisory Board chair counts 10 points, and each Supervisory Board post is rated by 4 indexes, membership and chairmanship of the most important committees at 8 points, and each Supervisory Board appointment and each committee membership counting 6. Except for the tenth rank, the DSW ranking changes nothing from a simple count of the number of appointments. At place 10 the DSW points system puts Karl-Hermann Baumann instead of Renate Köcher (managing director of the Allensbach Institute). The ex Siemens CFO is a Supervisory Board member at E.ON, Linde and Schering, and chairs their audit committees. Köcher is an ordinary Supervisory Board member. Schneider is on eleven decisive committees, chairing four of them.

The 10 Supervisory Board members with most Supervisory Board appointments in DAX companies	
Manfred Schneider Ex CEO Bayer	Bayer (Chair) Linde (Chair) Allianz, DaimlerChrysler, Metro, RWE, TUI
Gerhard Cromme Ex CEO ThyssenKrupp	ThyssenKrupp (Chair) Allianz, E.ON, Lufthansa, Siemens
Ulrich Hartmann Ex CEO E.ON	E.ON (Chair) Deutsche Bank, Henkel, Lufthansa, Munich Re
Martin Kohlhaussen Ex board spokesman Commerzbank	Commerzbank (Chair) Bayer, Schering, ThyssenKrupp
Jürgen Weber Ex CEO Lufthansa	Lufthansa (Chair) Bayer, Deutsche Bank, Deutsche Post
Henning Schulte-Noelle Ex CEO Allianz	Allianz (Chair) E.ON, Siemens, ThyssenKrupp
Heinrich von Pierer Ex CEO Siemens	Siemens (Chair) Deutsche Bank, Munich Re, ThyssenKrupp, VW
Hubertus von Grünberg Ex CEO Continental	Continental (Chair) Deutsche Post, Deutsche Telekom, MAN
Jürgen Strube Ex CEO BASF	BASF (Chair) BMW, Commerzbank, Linde
Renate Köcher Managing director Allensbach-Institut	Allianz, BASF, Infineon, MAN
Source: DSW, position as of June 2006	

DAX executives become more international

Since the year 2000 the number of executives in DAX companies with foreign passports has almost doubled. In July, according to a study by management consultancy Simon-Kucher & Partners, 48 (around 24 percent) of the 199 DAX executives were not from Germany. 6 years ago, of the then 226 top managers 13 came from abroad. Since the start of 2004, 42 percent of vacant executive posts have seen international appointments. In three quarters of the 30 DAX groups there is by now at least one foreign board member. The exceptions are Altana, Bayer, BMW, Deutsche Telekom, E.ON, Hypo Real Estate and Infineon. At Fresenius Medical Care, this year 86 percent (2000 figure: around 75) of executive posts are occupied by foreign managers, at Adidas 75 (57) percent and at Deutsche Bank 60 (22) percent. According to the consultancy firm's calculations, moreover, between 2000 and 2005 the number of DAX executives fell from 226 to 186, to rise again by the middle of this year to 199. In the last twelve months 19 executives were replaced, and since early 2004 53. The fluctuation rate is some 10 percent.

Higher SOX expenditure

76 percent of European firms affected by the provisions of the Sarbanes-Oxley Act (SOX) underestimated the costs of bringing in the directives. This is the finding of a survey of 21 listed companies that have implemented SOX auditing procedures. The survey was done by management consultancy company Detecon International and auditing firm Rölfs WP Partner AG. Just over a third of the companies estimate the cost of introducing SOX at over 20 million dollars. Of this expenditure amount, they estimate at least a quarter as annually recurring costs. All firms surveyed assume audit costs will rise. Consultancy expenditure and the extra audit fees account on average for 42 percent of the total cost of introducing SOX. Two thirds of the companies think that SOX could have positive effects on corporate governance. An improved internal audit system is expected by 81 percent, and almost 60 percent see a possibility of using SOX to optimize their own business processes. However, 57 percent assess the cost-benefit outcome of SOX negatively. 47 percent expect no effects on investor confidence. Only a 24 percent minority additionally expect that future fraud scandals, the initial occasion for the Sarbanes Oxley-Act, can be avoided by the new documentation and auditing obligations.

Rising AGM attendance in DAX companies

AGM attendance among DAX companies is up 4.45 percent this year by comparison with 2005, to 49.43 percent. In the period from 2000 to 2005 the proportion of votes present had, according to calculations by small-investor association SdK (Schutzgemeinschaft der Kapitalanleger), fallen from 52.04 to 44.98 percent. SdK attributes the slight rise in attendance to the efforts of companies to induce institutional investors to take part in the general meeting. At MDAX firms, by contrast, attendance fell by comparison with the previous year by 1.12 percentage points, whereas at TECDAX companies it rose by 2 percent.

Higher balance-sheet and attestation speeds

German firms are publishing their business figures faster. According to a survey of over 500 companies worldwide by consultancy network BPM International, there are currently 65 days between balance-sheet date and publication of the figures. Three years ago it was 69 days. The time between balance-sheet date and attestation has fallen by 5 days to 62. American firms need the least time for balance-sheet attestation, at 56 days, followed by the British (60 days). Publication of the figures in America even comes on average 28 days after balance-sheet date, although the figures have mostly not been attested by the auditors. Among German companies, SAP, IDS Scheer and BB Biotech published their business figures fastest (25 and 26 days after balance-sheet date).

CAPITAL NEWS

Capital measures in August

Deutsche Bank (ISIN DE0005140008): In the second quarter the bank bought 12.3 million of its own shares for some €1.12 billion. In the first three months of 2006 it had bought back 12.1 million shares for €1.1 billion. Under the new share buyback programme running since June, the finance house can buy up to 51.9 million shares (10 percent of the registered capital) by 31 October 2007.

Deutsche Börse (ISIN DE0005810055): The stock-exchange operator is increasing the capital-management programme running up to May 2007 by €200 million, to €1.7 billion. The distribution will come from higher dividends and share buybacks. In the second quarter Deutsche Börse AG bought back 592,354 shares for €60 million, and in July and August a total of 678,482 of its own shares for €72.8 million.

Deutsche Telekom (ISIN DE0005557508): The telecommunications group will be buying back some 1.4 percent (62.7 million shares) of the registered capital by 30 September, withdrawing the securities. The number of shares roughly corresponds, according to Telekom, to the number of shares newly issued on Telekom in connection with the merger with T-Online.

Fielmann (ISIN DE0005772206): The optical chain has done a share split in a ratio of 1 to 2. The Fielmann registered capital continues to be €54.6 million, but is now divided into 42 million unit bearer shares.

Hanover Re (ISIN DE0008402215): The reinsurer has issued a natural-disaster bond for 150 million dollars. Hanover Re has thus covered itself against storm risks in Europe. The bond runs till 2009.

Praktiker (ISIN DE000A0F6MD5): The DIY chain is issuing convertible bonds with a total nominal amount of €150 million. The convertible bonds, containing rights to acquire probably 4.7 million shares, have a period of 5 years. Shareholders have no pre-emptive right. The coupon will likely be between 2.25 and 2.75 percent, and the conversion bonus between 35 and 40 percent. Praktiker will use the proceeds of the issue to partly finance the purchase of Max Bahr.

Siemens (ISIN DE0007236101): The electronics group has upped its bond package by 1 billion dollars, to 5 billion. the package includes four fixed-interest bonds, two of them with a volume of 750 million dollars each: one variable-interest bond (period 3 years) and the other with a fixed interest rate and a period of 5.5 years. The other two tranches each have a volume of 1.75 billion dollars, with a period of 10 and 20 years respectively and fixed interest. Siemens has set up the loan package to finance purchases in medical technology (US firm Diagnostic Products and Bayer's diagnostics division) for a good 6 billion euros.

Techem (ISIN DE0005471601): By 1 December this year the energy services provider will be buying back 1.23 million (some 5 percent of the registered capital) of its own shares. Techem will withdraw the shares or use them for a purchase.

ThyssenKrupp (ISIN DE0007500001): The steel group has bought 5 percent (25.7 million) of its own shares, thus completing its share buyback programme.

United Internet (ISIN DE0005089031): The Internet service provider had by 11 August bought back 8 million of its own shares, and will shortly be buying a further 5 million shares (some 2 percent of the registered capital). United Internet wants to use the shares for employee participation programmes and acquisitions.

Directors´ Dealings
in August

Company	Person	Function	Buy / Sell	Total value in Euro	Number of shares	Datum
BMW	S. Quandt GmbH	AR	S	129.802.640	3.261.373	02.08.2006
	S. Klatten	AR	S	93.262.424	2.343.277	02.08.2006
Commerzbank	K.-P. Müller	VR-Chair	B	78.900	3.000	09.08.2006
	N. Teller	VR	B	52.420	2.000	09.08.2006
	E. Strutz	VR	B	52.340	2.000	09.08.2006
	M. Blessing	VR	B	104.000	4.000	09.08.2006
	A. Kassow	VR	B	52.480	2.000	09.08.2006
Continental	W. Kozyra	VR	S	320.040	4.000	21.08.2006
	M. Wennemer	VR-Chair	S	1.182.900	15.000	04.08.2006
	H.-J. Nikolin	VR	S	656.676	8.420	04.08.2006
DaimlerChrysler	E. Ridenour	VR	B	2.408.000	70.000	7.8./3.8.2006
	E. Ridenour	VR	S	2.586.540	66.000	03.08.2006
	S. Unger	M	S	1.019.500	25.000	16.08.2006
	S. Unger	M	B	860.000	25.000	16.08.2006
Deutsche Bank	A. Jain	M	S	8.196.354	93.459	18.08.2006
	C. Jochum	M	S	134.350	1.521	18.08.2006
Deutsche Börse	K. Viermetz	AR-Chair	B	496.900	5.000	07.08.2006
Deutsche Post	F. v. Alten-Bockum	AR	S	37.760	2.000	02.08.2006
Douglas	Dr.A.Oetker Finanzbe.		S	250.000	250.000 (O)	04.08.2006
FMC	R. Runte	VR	S	4.099.909	42.148	04.08.2006
	M. Wahstrom	VR	S	1.721.575	18.185	08.08.2006
	M. Wahstrom	VR	B	753.556	18.185	08.08.2006
	R. Runte	VR	B	2.118.283	42.148	04.08.2006
Fraport	P. Rossbrey	AR	A	127.680	3.800 (O)	14.08.2006
	A. Helfer*		A	84.000	2.500 (O)	14.08.2006
	W. Bender	VR-Chair	A	115.540	2.000 (O)	09.08.2006
GEA	J. Oleas	VR-Chair	B	125.400	10.000	18.08.2006
Henkel	J.Krautter	VR	S	345.366	3.600	17.8./7.8.2006
Infineon	W. Ziebart	VR-Chair	B	167.800	20.000	14.08.2006
Kontron	H. Nevin	AR	B	175.000	25.000	07.08.2006
	U. Gehrmann	VR	B	174.900	55.000	07.08.2006
	H. Niederhauser	VR-Chair	S	7.099.600	830.000	07.08.2006
Morphosys	M. Sproll	VR	S	162.584	3.741	17.08.2006

>> Directors´ Dealings

Company	Person	Function	Buy / Sell	Total value in Euro	Number of shares	Datum
MTU	R. Winkler Blade Manag. K. Steffens	VR AR	S S S	3.071.473 1.744.283 629.050	111.991 64.771 23.000	4.8./3.8.2006 10.08.2006 28.07.2006
Pfleiderer	H. Overdiek	VR-Chair	B	101.480	5.900	09.08.2006
Qiagen	R. Sackers	VR	A	682.746	47.086	20.-24.7.2006
	D. Riesner	AR-Chair	S	906.400	80.000 (O)	18.08.2006
QSC	M. Metyas M. Metyas M. Metyas	VR VR VR	A S B	38.500 962.580 420.000	27.500 244.500 300.000	27.07.2006 19.7.-21.7.2006 25.7./24.7.2006
Rofin-Sinar	P. Wirth	VR-Chair	B	123.000	3.000	24.08.2006
RWE**	H. Roels J. Zilius P. Bonekamp A. Fitting K. Sturany	VR-Chair VR VR VR VR	B B B B B	61.555 44.069 159.494 192.986 41.389	873 625 2.262 2.737 587	29.03.2006 29.03.2006 29.03.2006 29.03.2006 29.03.2006
Salzgitter	W. Eging	VR	S	42.049	660	10.08.2006
Solon	MITHRIL GmbH		B	918.900	30.000	27.07.2006
Stada	C. Schumann	VR	S	155.482	2.200	11.08.2006
Vivacon	M. Herbrand	VR	B	34.880	2.000	03.08.2006
Wacker Chemie	F.J. Kortüm	AR	S	340.136	2.000	2.8./1.8.2006

A: Exercised Options; AR: Supervisory Board Member; M: Manager; (O): Option; VR: Executive Director
*Husband of a supervisory board member **Published in July

BUSINESS DIARY
September/early October

DAX30

Schering (ISIN DE0007172009)
13. 09. Extraordinary AGM

Other AGM dates www.vip-cg.com

YOUR FEEDBACK

Have you any questions, criticisms or suggestions?
We look forward to hearing from you:
verlag@icgg.biz

Do you wish to subscribe to the Newsletter?
Please send a mail to :
verlag@icgg.biz

INSIGHT Shareholder ID:
August 2006

INSIGHT, in collaboration with AfU, the specialist in shareholder data and analyses, brings transparency to the shareholder structure of DAX, MDAX and TECDAX securities. For the 110 most-capitalized companies in the three most important stock-market indexes on the German capital market, each month the shareholding notifications statutorily required in Germany on crossing disclosure thresholds, up or down, are evaluated. At the same time, indications on holdings from over 16,000 public and special funds at home and abroad are followed.

Shares held by capital investment companies:

Shares				Changes*			
DAX	1.	Hypo Real Estate	26,55 %	DAX	1.	Continental	+ 0,87
	2.	Continental	26,39 %		2.	Deutsche Börse	+ 0,74
	3.	TUI	23,14 %		3.	Münchener Rück	+ 0,69
	28.	FMC	9,09 %		28.	Deutsche Lufthansa	- 0,78
	29.	Metro	8,93 %		29.	Schering	- 0,80
	30.	Volkswagen	7,38 %		30.	Commerzbank	- 1,73
MDAX	1.	Techem	48,07 %	MDAX	1.	Vossloh	+ 6,79
	2.	Wincor Nixdorf	40,37 %		2.	Techem	+ 4,12
	3.	Bilfinger Berger	37,68 %		3.	MTU	+ 3,36
	48.	Beiersdorf	0,94 %		48.	Krones	- 0,96
	49.	Praktiker	0,00 %		49.	AWD	- 1,44
	50.	Wacker Chemie	0,00 %		50.	AMB	- 2,01
TECDAX	1.	Drägerwerk	38,54 %	TECDAX	1.	Qiagen	+ 3,63
	2.	Pfeiffer Vacuum	32,40 %		2.	Kontron	+ 2,31
	3.	Kontron	30,71 %		3.	Solon	+ 1,86
	28.	ErSol Solar	0,07 %		28.	Conergy	- 0,20
	29.	ComBots	0,00 %		29.	Freenet	- 0,33
	30.	Q-Cells	0,00 %		30.	AT&S	- 0,38

* Changes from previous month, percent

Column (1) gives the company name. Column (2) shows how high a proportion of own shares each company holds. Columns (3) and (4) list the notifiable shareholders and their most recently declared holdings. Column (5) gives information on how heavily the capital investment companies making disclosures (i.e. the public and special funds) were involved altogether in each security according to their latest disclosures. Column (6) shows the percentage (of the holding) by which the holding of the capital investment company making the disclosure has increased or decreased. Columns (7) and (8) indicate the capital investment company most involved in the given security and its share.

INSIGHT Shareholder ID: DAX

INSIGHT Shareholder ID: DAX Holdings in per cent							
Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
Adidas	0	Management Barclays	5,00 St 4,97 St	22,03	0,02	Pioneer Lux.	2,68
Allianz	0,17 St	Münchener Rück Deutsche Bank	4,90 St 2,40 St	21,52	0,08	DWS	1,58
Altana	3,20 St	Susanne Klatten	50,10 St	9,15	0,17	Deka	0,89
BASF	0,05 St	Allianz	2,70 St	22,48	-0,15	DWS	1,65
Bayer	0	Capital Group Capital Research a. Manag. Allianz	5,04 St 5,03 St 4,76 St	19,76	-0,16	DIT	1,65
BMW	0	Quandt Family	46,60 St	11,87	0,24	DIT	1,40
Commerzbank	0,08 St	Assicuracioni Generali Münchener Rück BSCH Mediobanca	8,60 St 4,99 St 0,60 St 0,50 St	16,40	-1,73	MEAG	2,16
Continental	0	AXA Capital Group Merrill Lynch Barclays	10,05 St 5,10 St 4,89 St 4,50 St	26,39	0,87	Harbor Fund	2,59
DaimlerChrysler	0	Kuwait Deutsche Bank Emirat Dubai	7,20 St 4,40 St 2,20 St	15,04	0,34	Deka	1,27
Deutsche Bank	2,10 St			18,95	-0,02	Deka	1,72
Deutsche Börse	**6,72 (1,79)St**	TCI Lone Pine Capital Atticus Capital Group FMR Deutsche Bank Commerzbank	10,06 St 5,09 St 5,01 St 4,91 St 4,84 St 1,00 St 1,00 St	17,53	0,74	Fidelity	1,62
Deutsche Lufthansa	0	AXA Allianz **NEW Dresdner Bank** **NEW Bayerische Landesbank**	10,56 St 4,44 St **4,30 St** **4,30 St**	19,07	-0,78	Deka	2,90

INSIGHT Shareholder ID: DAX Holdings in per cent

Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
Deutsche Post	0	KfW	35,50 St	14,72	-0,16	DWS	2,12
Deutsche Telekom	0,05 St	KfW Bundesanstalt Post/Telekom Blackstone	17,50 St 15,20 St 4,50 St	11,77	0,10	Deka	0,92
E.ON	4,75 St	Freistaat Bayern Allianz	4,86 St 3,60 St	20,67	-0,05	DIT	1,17
FMC	0	Fresenius	36,77 St	9,09	0,35	DIT	1,14
Henkel	3,82 St	Henkel Family Jahr Vermögensverw. Familie Schwarzkopf	51,48 St 6,11 St 3,89 St	13,93	0,32	Deka	1,31
Hypo Real Estate	0	Capital Group Barclays Bank Capital Research a. Manag. Egerton Capital Morgan Stanley & Co. Brandes	**10,10 (10,00) St**	26,56	0,35	Fidelity	3,06
Infineon	0	Brandes Dodge & Cox Capital Group	5,13 St 5,07 St 4,95 St	10,53	-0,18	Indexchange	0,80
Linde	0	Deutsche Bank Commerzbank **Allianz Deutschland** Capital Group	9,80 St 9,78 St **9,10 (9,00) St** 5,18 St	14,62	0,36	Fidelity Lux.	2,28
MAN	0	AXA Deutsche Bank Allianz	10,09 St 4,99 St 0,82 St	18,83	0,61	**NEW Alliance-Bernstein**	1,38
Metro	0	Franz Haniel & Cie.	55,62 St	8,93	0,12	Fidelity Lux.	1,18
Münchener Rück	0,68 St	Allianz UniCredito	9,80 St 4,89 St	16,69	0,69	Deka	1,34
RWE	0	Städte und Gemeinden RW Energie-Beteiligungsges. Münchener Rück Allianz Belegschaft	21,00 St 10,00 St 4,60 St 4,00 St 2,00 St	15,23	0,00	DIT	1,14

INSIGHT Shareholder ID: DAX Holdings in per cent							
Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
SAP	2,64 St	Dietmar Hopp u. D.Hopp Stiftung Hasso Plattner & Co. Beteil. Klaus Tschira Stiftung Tschira Beteiligungs-GmbH H.Plattner Förderstiftung Golfplatz St. Leon-Rot GmbH	9,96 St 9,41 St 5,60 St 5,00 St 1,50 St 1,30 St	14,94	0,14	DWS	1,51
Schering	1,86 St	Bayer Brandes	92,43 St 5,00 St	11,71	-0,80	Union	0,64
Siemens	0	Siemens Vermögensverw. Vorstand und Aufsichtsrat	5,50 St 0,12 St	18,49	0,08	**NEW Franklin Templeton**	1,28
ThyssenKrupp	**NEW 5,00 St**	Alfried Krupp von Bohlen und Halbach-Stiftung	23,58 St	13,13	-0,41	Cominvest	1,32
TUI	0	Riu Family **NEW AXA** Inversiones Cotizadas del Medi-terráno	5,10 St **5,07 St** 5,00 St	23,14	-0,20	DWS	3,18
Volkswagen	0	**Porsche** Land Niedersachsen Brandes Capital Group	**21,20 (18,53) St** 18,10 St 8,58 St 3,50 St	7,38	-0,28	Deka	1,11

(): previous month *Share in each case in relation to index-relevant share type ** Change from previous month, percent
St: ordinary shares Vz: preference shares
The AfU company information agency lists over 18,000 funds and investment companies making disclosures.
The position shown is taken from recently published annual and quarterly reports.

INSIGHT Shareholder ID:
MDAX

INSIGHT Shareholder ID: MDAX Holdings in per cent

Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
Aareal Bank	0	Schweiz. Rentenanstalt Bayerische Beamten-Lebensvers. Versorgungsanstalt Bund/Länder Bankhaus Lampe **Fidelity International** Deutscher Ring Beteilig. Hermes Capital Group Capital Research a. Manag. Allianz Condor Lebensversicherung	8,94 St 8,94 St 6,68 St 6,06 St **5,41 (4,97) St** 5,25 St 5,01 St 4,94 St 4,28 St 2,74 St 1,36 St	17,67	1,04	American Funds	2,08
AMB	0	**Assicuracioni Generali**	**76,73 (85,05) St**	2,81	-2,01	**NEW DIT**	0,42
AWD	0	Maschmeyer Family BT Pension Scheme DWS Fidelity International	30,00 St 5,01 St 4,99 St 4,68 St	27,95	-1,44	DWS	3,92
HVB	0	UniCredito	93,90 St	5,42	-0,49	American Funds	1,52
Beiersdorf	9,99 St	Tchibo Holding HGV Hamburger Ges. Allianz	50,46 St 10,00 St 7,85 St	0,94	0,04	**NEW Cominvest**	0,12
Bilfinger Berger	0	FMR **NEW Schroders** Allianz	5,18 St **5,09 St** 0,05 St	37,68	1,83	Wanger	3,60
Celesio	0	Franz Haniel & Cie.	52,90 St	6,19	0,17	UBS Lux.	0,65
Depfa Bank	0	Capital Group Alliance Capital Management	12,07 St 3,20 St	20,09	0,30	Cominvest	2,48
Deutsche Euroshop	0	Otto Family Alexander Otto Aufsichtsrat	19,00 St 12,27 St 0,12 St	7,39	1,21	Cominvest	2,01
Deutsche Postbank	0	Deutsche Post	66,77 St	10,06	0,12	Fidelity	1,00

INSIGHT Shareholder ID: MDAX Holdings in per cent

Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
Douglas	0	Kreke Family Dr. August Oetker Beteiligung Hejana Beteiligungen Württembergische Leben Orbis	29,60 St 12,21 St 5,40 St 4,97 St 4,86 St	22,33	1,22	Union	3,65
EADS	0	SOGEADE DaimlerChrysler SEPI **NEW Vneshtorgbank** Treasury Shares	29,75 St 22,32 St 5,44 St **4 St** 0,45 St	3,70	0,30	Fidelity Lux.	0,59
Fielmann	0	Günther Fielmann Fielmann Familienstiftung Fielmann Inter-Optik Marc Fielmann	43,17 St 15,07 St 11,41 St 7,73 St	5,34	-0,23	Threadneedle	0,72
Fraport	0,13 St	Land Hessen Stadtwerke Frankfurt Deutsche Lufthansa Bund Julius Bär Capital Group	31,70 St 20,30 St 9,10 St 6,60 St 5,10 St 5,08 St	9,61	1,99	**NEW First Eagle Funds**	2,89
Fresenius	0	Else Kröner-Fresenius Stiftung Allianz Deutschland BB Medtech BB Medtech	61,20 St 9,73 St 0,56 St 0,77 Vz	26,49	0,44	DIT	2,18
GEA	3,30 St	Allianz Kuwait Investment Office Capital Group Otto Happel	10,08 St 7,86 St 4,99 St 0,57 St	12,11	0,94	Cominvest	2,27
Hannover Rück	0	Talanx	50,20 St	12,02	-0,67	DWS	1,45
HeidelbergCement	0,04 St	Spohn Cement Schwenk Beteiligungen VEM Vermögensverwaltung AXA	77,95 St 7,50 St 5,14 St 0,42 St	1,99	1,00	**NEW Alliance-Bernstein**	1,07
Heidelberger Druck	**NEW 1,67 St**	RWE Allianz FMR Münchener Rück Fidelity International Brandes BNP	15,10 St 12,20 St 5,10 St 4,99 St 4,90 St 4,30 St 0,60 St	27,70	0,34	Fidelity	6,54
Hochtief	9,14 St	Custodia Holding Schroder RWE	25,08 St 5,00 St 4,99 St	18,36	0,26	Fidelity	2,63
Hugo Boss	0	Valentino Fashion Group Valentino Fashion Group	78,76 St 22,00 Vz	27,91	0,03	DWS	5,05

INSIGHT Shareholder ID: MDAX Holdings in per cent

Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
IKB	0	KfW Stiftung zur Förderung gwerbl. Wirtschaft Sal. Oppenheim Natexis Banques Populaires	38,00 St 12,00 St 3,00 St 2,50 St	6,93	0,25	Gerling Inv.	1,00
IVG	0	Sal. Oppenheim HSH Nordbank WGZ	20,10 St 5,09 St 3,32 St	14,41	1,53	INKA	3,07
IWKA	0	**Wyser-Pratte Management** Schroders OppenheimerFunds LBBW Hermes **FMR** Threadneedle K Capital Partners	**8,00 (7,00) St** 7,20 St 5,18 St 5,11 St 4,98 St **4,93 (5,61) St** 4,90 St 4,02 St	30,84	2,60	Schroder Lux.	7,33
K+S	3,00 St	BASF Prudential **NEW Deutsche Bank** FMR	10,00 St 5,20 St **5,01 St** 4,88 St	23,30	0,12	DWS	3,22
KarstadtQuelle	5,42 St	Schickedanz, Dedi, Herl Allianz	58,23 St 7,56 St	6,78	-0,44	Fidelity	1,91
Krones	0	Kronseder Family	53,60 St	12,46	-0,96	Cominvest	1,61
Lanxess	0	Greenlight-Gruppe	5,02 St	5,40	0,45	Excelsior Funds	1,65
Leoni	0	**OUT Groga**	**3,00 St**	15,73	1,83	JP Morgan Fleming	1,97
Merck	0	Capital Group Barclays Bank **Fidelity International** Arnhold and Bleichroeder AXA	10,77 St 5,60 St **5,08 (2,77) St** 4,96 St 4,86 St	24,03	-0,29	**NEW Fidelity**	2,19
MLP	**NEW 5,02 St**	Manfred Lautenschläger Bernhard Termühlen Bankgesellschaft Berlin	29,00 St 13,69 St 5,03 St	11,55	0,10	Cominvest	1,93
MTU	0	FMR Schroder **Deutsche Bank** Fidelity International Blade	5,32 St 5,02 St **4,74 (5,12) St** 4,62 St 4,27 St	11,57	3,36	Fidelity	4,83

INSIGHT Shareholder ID: MDAX Holdings in per cent

Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
Norddeutsche Affinerie	0	**L. Possehl** Allianz	**10,00 (9,01) St** 2,45 St	12,75	-0,59	Cominvest	2,12
Pfleiderer	2,19 St	Patrick Aurel Pfleiderer FMR **Fidelity International** Capital Guardian Henderson	10,58 St 5,17 St **4,97 (5,02) St** 4,92 St 2,23 St	25,42	0,25	Fidelity	4,94
Praktiker	0	T. Rowe Price Newton Investment **NEW Fidelity** Eric M. Mindich Brandes **NEW Metro**	5,24 St 5,07 St **4,97 St** 2,39 St 1,01 St **0,13 St**	0,00	0,00		0,00
Premiere	0	Jakob Georg Kofler Permira Classic Fund Management **NEW NWQ Investment Manag.** **FMR** Capital Group Bayerische Landesbank HVB Hans Seger Michael Börnicke Bawag	13,87 St 5,90 St 5,09 St **5,01 St** **4,98 (5,01) St** 4,40 St 1,10 St 1,10 St 0,50 St 0,50 St 0,40 St	10,58	0,60	Fidelity	2,62
ProSiebenSat1.	0	P7S1 Holding Friede Springer P7S1 Holding Friede Springer	88,00 St 12,00 St 13,00 Vz 12,00 Vz	14,05	0,12	Artisan	6,54
Puma	5,30 St	Mayfair Vermögensverw. **FMR** Morgan Stanley & Co.	25,27 St **4,85 (5,03) St** 3,28 St	16,39	-0,31	Fidelity Lux.	1,64
Rheinmetall	0	Atlantic Investment Finanzgruppe Perry CSFB	5,12 St 3,19 St 2,95 St	1,22	-0,87	**NEW Schroder**	0,50
Rhön-Klinikum	0	Münch Family Alectra, Schweden Allianz Deutschland Nordea Investment Bank of America	16,00 St 10,12 St 6,70 St 5,67 St 4,46 St	28,16	3,31	Nordea Lux.	3,79
Salzgitter	10,00 St	Hannoversche Beteilg.	25,20 St	11,20	-0,18	DJE Lux.	0,97

INSIGHT Shareholder ID: MDAX Holdings in per cent

Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
Schwarz Pharma	0	Schwarz Vermögensverw. Schroders	60,91 St 4,59 St	12,18	1,05	Schroder Lux.	4,44
SGL Carbon	0	FMR BT Pension Scheme **Fidelity International** Jana Partners Eureka K Capital Partners	5,26 St 5,11 St **4,91** **(5,07) St** 4,89 St 4,20 St 3,87 St	22,70	2,65	Fidelity	6,29
Stada	0,22 St	DWS	4,97 St	21,15	-0,31	DWS	4,01
Südzucker	0	Süddeutsch.Zuckerverw. ZSG, Niederlande	55,00 St 10,00 St	9,74	-0,37	Fidelity Lux.	2,02
Techem	0	FMR Jupiter International **NEW Allianz** Management Martin Ott Ursula Felten	10,46 St 9,86 St **5,24 St** 0,20 St 0,01 St 0,01 St	48,07	4,12	Fidelity	10,14
Vivacon	0	Marc Leffin Timo Herbrand **NEW DWS** Lansdowne Schroders Cominvest Erwin Walter Graebner	8,27 St 8,22 St **5,14 St** 4,97 St 4,95 St 4,79 St 2,90 St	28,60	-0,90	Schroder Lux.	4,18
Vossloh	0	Vossloh Family Arnhold and Bleichroeder Schroder Guy Wyser-Pratte	30,00 St 5,01 St 4,94 St 3,00 St	22,25	6,79	First Eagle Funds	6,33
Wacker Chemie	4,74 St	Dr.A.Wacker Gesellschaft Blue Elephant	55,64 St 10,86 St	0,00	0,00		0,00
Wincor Nixdorf	0	FMR Fidelity International **NEW AKO Master Fund** Threadneedle Schroders Lazard	5,46 St 5,09 St **5,07 St** 5,04 St 4,46 St 3,99 St	40,37	0,39	Schroder Lux.	6,21

(): previous month
*Share in each case in relation to index-relevant share type
** Change from previous month, percent
St: ordinary shares Vz: preference shares
The AfU company information agency lists over 18,000 funds and investment companies making disclosures.
The position shown is taken from recently published annual and quarterly reports.
.

INSIGHT Shareholder ID: TECDAX30

INSIGHT Shareholder ID: TECDAX Holdings in per cent							
Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
Aixtron	0	J.P.Morgan Services Camma Commerzbank Vorstand und Aufsichtsrat	24,91 St 11,17 St 3,83 St 0,02 St	9,61	0,74	Cominvest	3,35
AT&S	0,60 St	Dörflinger Privatstiftung Androsch Privatstiftung und Dörflinger Privatstiftung Hannes Androsch H.S. Privatstiftung Harald Sommerer Georg Riedl Natascha Sommerer Clemens Sommerer Maximilian Sommerer	21,52 St 21,51 St 1,72 St 0,30 St 0,14 St 0,07 St 0,02 St 0,01 St 0,01 St	11,23	-0,38	Schroder Lux.	4,26
BB Biotech	**5,20 (1,75) St**			5,34	-0,02	Union Inst.	0,65
Bechtle	0	Karin Schick-Krief BWK Unternehmensbet. Ralf Klenk Gerhard Schick Gerhard Marz Jürgen Schäfer Otto Beilharz Uli Drautz Ralf Feeser Klaus Winkler	32,00 St 18,50 St 1,66 St 0,94 St 0,03 St 0,02 St 0,02 St 0,01 St 0,00 St 0,00 St	4,69	-0,12	**NEW DFA Investment**	0,53
ComBots	5,69 St	Cintec GmbH Felix Greve Matthias Hornberger	56,25 St 1,20 St 0,05 St	0,00	0,00		0,00
Conergy	0,81 St	Hans-Martin Rüter Dieter Ammer Grazia Equity Gradient Capital DWS	16,40 St 12,70 St 12,10 St 5,15 St 4,90 St	3,47	-0,20	DIT	0,97

INSIGHT Shareholder ID: TECDAX Holdings in per cent

Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
Drägerwerk	0	Dräger Family Nordea Investment BB Medtech	100,00 St 10,26 Vz 3,15 Vz	38,54	0,76	Bellevue	16,14
Epcos	0	Matsushita Electric Europe Dodge & Cox AXA **Odey Asset Management**	12,50 St 5,29 St 5,04 St **4,33 (5,09) St**	23,51	0,65	Dodge & Cox	4,24
ErSol Solar	0	Ventizz Capital Equitrust Nordwest Kapitalbet. Management	51,20 St 3,72 St 2,46 St 1,60 St	0,07	0,00	Bayern-Invest	0,04
Evotec	0	Roland Oetker TVM Life Science Ventures 3i Group Karsten Henco Ewin Moses Jörn Aldag Timm-Heinrich Jessen Heinz Riesenhuber Mary C. Tanner Dirk Ehlers Peer M. Schatz	13,00 St 9,71 St 4,07 St 3,49 St 0,82 St 0,47 St 0,36 St 0,21 St 0,07 St 0,01 St 0,01 St	3,57	0,02	DFA Investment	0,89
Freenet	0	Mobilcom Teles Fidelity International	50,40 St 5,26 St 4,93 St	10,18	-0,33	**NEW Union Lux.**	1,88
GPC Biotech	0	Dietmar Hopp Altana Roland Oetker Deutsche Bank **Allianz** Sebastian Meier-Ewert Elmar Maier Peter Preuss Jürgen Drews Mirko Scherer Metin Colpan	10,13 St 7,15 St 5,20 St 4,87 St **4,06 (5,56) St** 0,85 St 0,64 St 0,26 St 0,10 St 0,08 St 0,05 St	18,53	1,15	DIT	3,96
IDS Scheer	0	August-Wilhelm Scheer Alexander Pocsay Schroders	41,00 St 7,10 St 6,05	24,22	0,67	Schroder Lux.	4,03
Jenoptik	0	Freistaat Thüringen Jenoptik Pension Trust Gabriele Wahl-Multerer Brandes	14,80 St 8,52 St 5,83 St 5,00 St	19,86	1,17	MEAG	7,27

INSIGHT Shareholder ID: TECDAX Holdings in per cent

Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
Kontron	0	Fidelity International Deutsche Bank Hannes Niederhauser Ulrich Gehrmann Thomas Sparrvik Helmut Krings Hugh Nevin	10,16 St 5,29 St 4,00 St 0,41 St 0,06 St 0,05 St 0,02 St	30,71	2,31	Fidelity Lux.	9,98
MediGene	0	TVM Life Science Ventures Vorstand und Aufsichsrat Deutsche Effecten- und Wechsel-Beteiligung	4,98 St 4,80 St 4,38 St	7,14	0,11	Union Lux.	2,14
Mobilcom	0	Texas Pacific Group TPG-Axon Hermes **Henderson** France Télécom	19,10 St 9,60 St 5,30 St **4,88 (6,00) St** 1,00 St	19,04	-0,10	FPM	2,44
Morphosys	0,49 St	Novartis Pharma Cambridge Antibody Techn. Schering Vorstand und Aufsichsrat	8,00 St 6,00 St 4,70 St 3,00 St	7,84	0,87	Universal-Inv.	1,35

INSIGHT Shareholder ID: TECDAX Holdings in per cent

Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
Nordex	0	CMP Fonds Goldman Sachs Equity **NEW NDX Investment Trust** **NEW Deutsche Bank** UniCredito Nordvest HSH Nordbank Morgan Stanley & Co.	26,65 St 17,44 St **17,44 St** **6,40 St** 4,31 St 4,12 St 3,79 St 3,65 St	2,92	0,00	Jupiter	2,15
Pfeiffer Vacuum	1,14 St	Arnhold and Bleichroeder Artisan Partners Harris Associates	10,40 St 10,05 St 4,96 St	32,40	0,48	First Eagle Funds	8,53
Q-Cells	0	Good Energies Investment **FMR** **Ströher Finanzholding** Reiner Lemoine Milner Solarbeteiligung Flore Fütterer Solarbet. Ada Eysell Solarbet. Feist Solarbeteiligung TVVG Solarbet. CS Group Energy Valley Pluto Solarbet. DKB Wagniskapital IBG-Beteiligungsges. Apax Fonds sonstige Altaktionäre	25,96 St **9,95 (10,08) St** **5,07 (4,72) St** 4,45 St 3,70 St 3,14 St 2,81 St 2,80 St 2,50 St 2,46 St 1,96 St 1,20 St 0,90 St 0,65 St 0,48 St 0,29 St	0,00	0,00		0,00
Qiagen	0	FMR Metin Colpan Detlev H. Riesner Peer M. Schatz	13,06 St 4,30 St 1,40 St 1,00 St	24,22	3,63	Fidelity	6,53
QSC	0	**Baker Capital** **Gerd Eickers** **Bernd Schlobohm** **NEW Herbert Brenke** **NEW Ashley Leeds**	**26,46 (29,23) St** **10,91 (12,04) St** **10,88 (12,01) St** **0,15 St** **0,01 St**	2,95	0,12	UBS	0,46
Rofin-Sinar	0			1,92	-0,13	DFA Investment	0,77

INSIGHT Shareholder ID: TECDAX Holdings in per cent

Companies	Own-shares	Notifiable shareholders	Share	Investment companies (KAGs) making disclosures*			
				Total	Change **	Biggest KAG	Share
Singulus		**NEW Sky Investment Council** DWS J.P.Morgan Securites VVG Roland Lacher William Slee	**5,11 St** 4,86 St 4,71 St 0,12 St 0,08 St	21,12	0,91	Fidelity Lux.	3,19
Software	0	Software AG Stiftung Deka J.P.Morgan Chase	30,10 St 5,07 St 4,98 St	24,03	0,30	Classic Fund	5,69
SolarWorld	0	Asbeck Family FMR DWS Solar Holding Bet.	27,60 St 9,18 St 4,95 St 4,60 St	4,69	0,08	Fidelity	1,36
Solon	0	Immo Ströher DWS FPM Funds Jefferies Group DIT FMR Alexander Voigt Reiner Lemoine Lars Podlowski Tobias Wahl	35,65 St 5,39 St 4,98 St 4,94 St 4,92 St 4,82 St 1,07 St 0,75 St 0,39 St 0,22 St	16,22	1,86	FPM	4,85
Tele Atlas	0	IAM Oak Associates New Enterprise Associates Robert Bosch GmbH Meritech Telesoft	18,00 St 10,00 St 9,00 St 7,00 St 3,00 St 3,00 St	11,22	1,36	Fidelity	3,06
United Internet	1,15 St	Ralph Dommermuth ComBots **Fidelity International** DWS Michael Scheeren Norbert Lang	35,22 St 9,28 St **6,43 (4,08) St** 4,65 St 0,56 St 0,35 St	6,79	0,53	Fidelity Lux.	1,55

(): previous month
*Share in each case in relation to index-relevant share type
** Change from previous month, percent
St: ordinary shares Vz: preference shares
The AfU company information agency lists over 18,000 funds and investment companies making disclosures.
The position shown is taken from recently published annual and quarterly reports.
.

INSIGHT Shareholder ID: Premiere

INSIGHT Shareholder ID: Premiere

Notifiable Shareholders		In %
Jakob Georg Kofler	11.373.400	13,87
Permira	4.838.000	5,90
Classic Fund Management	4.173.800	5,09
NWQ Investment Management	4.108.200	5,01
FMR	4.083.600	4,98
Capital Group	3.608.000	4,40
Bayerische Landesbank	902.000	1,10
HVB	902.000	1,10
Hans Seger	410.000	0,50
Michael Börnicke	410.000	0,50
Bawag	328.000	0,40
Free Float	**46.863.000**	**57,15**
Investment companies (KAG) making disclosures	9.039.449	11,02
Including the following TOP KAGs		
FMR	2.096.200	2,56
MEAG	647.000	0,79
Lazard Asset Management	483.536	0,59
Universal Investment	442.343	0,54
MFS Investment Management	422.020	0,51
Vitruvius	399.060	0,49
HSBC Global Investment Funds	351.165	0,43
Classic Fund Management	347.200	0,42
SüdKA	300.000	0,37
Baden-Württembergische Investment	291.000	0,35
Other KAGs making disclosures	**3.259.925**	**3,97**

→ **For further information please send an e-mail to: n.paulsen@afu.de**

Index of Persons

PUBLISHERS IMPRINT– INSIGHT CORPORATE GOVERNANCE GERMANY

Publisher:
Hans-Martin Buhlmann, Club of Florence
e-mail: Editor@icgg.biz
Chief Editors:
Dr. Hans-Peter Canibol, e-mail: canibol@icgg.biz
Rita Syre, e-mail: syre@icgg.biz
Translations:
Iain L. Fraser, e-mail: iainlfraser@gmail.com

Publishing House:
Corporate Governance News GmbH
Am Niddatal 3
D-60488 Frankfurt
Telephone + +49 69 40568170
e-mail: verlag@icgg.biz
Web-Site: www.icgg.biz

Index of Companies