

## **Information for holders of American Depositary Receipts regarding the Annual General Meeting**

- ISIN: US 3580291066 // CUSIP: 879 529 -**
- ISIN: US 3580292056 // CUSIP: 903 780 -**

As far as the ADRs represent preference shares, ADR holders will have no voting right at the Annual General Meeting.

As far as the ADRs represent common stock, the following rules apply:

ADR holders will generally submit voting instructions to The Bank of New York Mellon, who, in its capacity as Depositary Bank, will then exercise the voting rights according to the instructions provided by the ADR holders. Guidelines as to the exercise of voting rights by means of "Proxy Voting" can be found in the materials of the Annual General Meeting, which will be sent to the ADR holders. Voting instructions must be received by The Bank of New York Mellon by April 27, 2009 (prior to 5pm New York Time) at the latest.

Should, on an exceptional basis, an ADR holder wish to exercise the voting right in person at the Annual General Meeting, The Bank of New York Mellon will try on a best efforts basis to provide ADR holders with this possibility. However, due to the considerable amount of time required, an exercise of voting rights in person may not be guaranteed in all instances.

The custodian banks should also be advised of the separate publication in the Wertpapier-Mitteilungen.

Hof an der Saale, March 2009

Fresenius Medical Care AG & Co. KGaA  
The General Partner  
Fresenius Medical Care Management AG  
The Management Board