

Volkswagen Investor Settlement Foundation Established for Investors in Volkswagen Securities Trading Outside the US

February 10, 2016



In an effort to preserve the rights of investors in Volkswagen securities worldwide, including common or preferred shares, and public or private debt, during the period from 23 April 2008 through 4 January 2016 (inclusive) (the “Relevant Period”), the Volkswagen Investor Settlement Foundation, which functions as an “opt-out” foundation based upon the Dutch Collective Settlement Act (Wet Collectieve Afwikkeling Massaschade 2005 or “WCAM”), has been established. The Amsterdam Court of Appeal has exclusive jurisdiction for the declaration of the binding effect of a settlement.

Previously, similar disputes between shareholders and corporations resolved in the Netherlands by way of a settlement negotiated by a foundation concerned shareholders based both inside and outside the Netherlands. Similarly it is believed that in this matter, considering Volkswagen’s securities were listed on the Börse Frankfurt (Frankfurt Stock Exchange), that any resolution approved by the Amsterdam Court of Appeal will cover investors who purchased Volkswagen securities other than the Volkswagen ADRs traded in the U.S. The Dutch resolution mechanisms will allow investors to get fair compensation of their losses.

BLB&G is legal counsel to the Foundation and also currently serves as Lead Counsel in a separate class action pending in the United States on behalf of investors in the Volkswagen ADRs, representing the Arkansas State Highway Retirement System (“ASHERS”) as Lead Plaintiff. Information concerning that case is available [here](#).

Institutional investors who purchased, sold or held Volkswagen securities during the Relevant Period are encouraged to join the Foundation as a Participant as soon as possible and, thereby, support the Foundation’s initiatives and purpose. Participation in the Foundation is open to all investors other than investors who purchased Volkswagen Ordinary Share American Depositary Receipts and Volkswagen Preference Share American Depositary Receipts that are traded over-the-counter in the United States (the “Volkswagen ADRs”).

The interests of the investor beneficiaries will be protected by independent members of the foundation's Board of Directors, which is chaired by Prof. mr. Huub Willems, former President of the Enterprise Chamber of the Amsterdam Court of Appeals who oversaw many important business disputes including the high-profile takeover dispute in ABN AMRO, and professor of Corporate Litigation at University of Groningen. For more information about the Board and its members, please [click here](#).

For more information about how to participate in the Foundation, please visit www.volkswageninvestorsettlement.com to learn more. Participation in the Foundation carries no financial risk or obligation.