

## Settlement Agreement with MEMC

September 5, 2012

Evonik Industries and its customer MEMC Electronic Materials have agreed to settle and resolve disputes related to two long-term take-or-pay supply agreements for the supply of trichlorosilane (TCS) to MEMC's Merano, Italy polysilicon facility. Pursuant to the settlement agreements, MEMC will pay Evonik a total of 70 million Euro in full settlement of all obligations under the terminated supply agreements.

As part of the settlement agreements, MEMC will acquire the Evonik TCS production plant, which is located on MEMC's Merano site.

"We had very fruitful discussions and came to the best solution for Merano as a production site of the silicon industry," states Michael Gatterman, Head of the Business Line Advanced Silanes and hence responsible for the TCS business. "We are sure to make a valuable contribution for the resume of the polysilicon production through this agreement with our customer."

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## Vergleichsvereinbarung mit MEMC

Evonik Industries und MEMC Electronic Materials haben sich auf einen Vergleich zur Auflösung zweier langfristiger Lieferverträge geeinigt. Die Verträge regelten auf der Grundlage festgelegter Mindestmengen die Belieferung des Meraner MEMC Werkes mit Trichlorsilan (TCS) von Evonik. MEMC stellt in Meran daraus polykristallines Silizium zur Verwendung in der Halbleiter- und Photovoltaikindustrie her. Evonik erhält aus der Vergleichsvereinbarung 70 Millionen Euro und verzichtet auf alle Rechte, die sich aus den betroffenen Lieferverträgen ergeben. Im Zuge dieses Vergleichs wird MEMC die Anlage zur Herstellung von TCS von Evonik übernehmen.

„Wir hatten sehr vertrauensvolle Gespräche und haben gemeinsam die beste Lösung für Meran als Produktionsstandort der Siliziumchemie gefunden“, erklärt Michael Gattermann, Leiter des Geschäftsgebiets Advanced Silanes und verantwortlich für das TCS-Geschäft von Evonik. „Wir sind sicher, durch diese Vereinbarung mit unserem Kunden einen wertvollen Beitrag zur Wiederaufnahme der PCS Produktion zu leisten.“

## Accordo di composizione amichevole con MEMC

Evonik Industries e il suo cliente MEMC Electronic Materials hanno raggiunto un'intesa per definire e risolvere la vertenza riguardante i due contratti di lungo periodo secondo la formula "take or pay" per la fornitura di triclorosilano ( TCS) dell'impianto di policristallo dello stabilimento MEMC di Merano, Italia. Secondo quanto previsto dall'accordo MEMC pagherà 70 Milioni di Euro a Evonik a saldo delle obbligazioni derivanti dalla chiusura dei contratti di fornitura. Nell'ambito delle soluzioni individuate dalle parti, MEMC acquisterà lo stabilimento di produzione TCS di Evonik situato presso lo stabilimento MEMC di Merano.

"Abbiamo avuto delle discussioni molto fruttuose e siamo giunti a individuare la migliore soluzione possibile per Merano come sito produttivo dell'industria del silicio," dichiara Michael Gatterman, Capo della Linea di attività "Advanced Silanes", ovvero "silani a tecnologia avanzata" e di conseguenza responsabile della produzione di TCS. "Grazie alla soluzione individuata con il nostro cliente siamo certi di poter dare un contributo rilevante alla ripresa della produzione di polisilicio."

### Company information

Evonik, the creative industrial group from Germany, is one of the world leaders in specialty chemicals. Its activities focus on the key megatrends health, nutrition, resource efficiency and globalization. Profitable growth and a sustained increase in the value of the company form the heart of Evonik's corporate strategy. Evonik benefits specifically from its innovative prowess and integrated technology platforms.

Evonik is active in over 100 countries around the world. In fiscal 2011 more than 33,000 employees generated sales of around €14.5 billion and an operating profit (adjusted EBITDA) of about €2.8 billion.

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