

CARTEL DAMAGE CLAIMS

- CDC -



Press Release

CDC and Calunius Capital announce strategic investments by the Calunius Fund

Brussels and London 4 October 2012 – The CDC Cartel Damage Claims group of companies (“CDC”) and Calunius Capital LLP are pleased to announce a series of strategic investments in CDC by the Calunius Litigation Risk Fund LP (“the Calunius Fund”), a market leader in the funding of complex commercial litigation and arbitration.

CDC is a pioneer in the business of the recovery of damages caused by unlawful cartels who have been found guilty by the European Commission or national competition authorities of manipulating prices and markets in breach of Competition Law. CDC is currently pursuing five antitrust damage actions before courts in Germany, the Netherlands and Finland with total damages exceeding EUR 500 million. The actions concern the European hydrogen peroxide cartel, the European sodium chlorate cartel, the European paraffin wax cartel and the German cement cartel.

The investments will secure long term funding for these cases and for the expansion of CDC’s activities.

CDC’s aim is to overcome the various obstacles that victims of hard core antitrust violations still face across Europe in receiving fair compensation on a timely basis for the serious damage inflicted on them by cartel participants. The investments will secure access to justice for businesses of all sizes.

Ulrich Classen, founder and director of CDC comments: *“European businesses still forego justified compensation claims in the billions of Euros annually. The strategic collaboration between CDC and the Calunius Fund is fully in line with and supports the established public policy objective of private enforcement of antitrust claims. The cooperation with the Calunius Fund confirms that investors increasingly perceive antitrust damage claims as valuable assets. Besides the damage in form of price overcharges and loss of profit, interest at a commercial rate can be claimed from the start of the infringement and plays a key role in giving full reparation to victims.*

Till Schreiber, legal counsel with CDC explains: *“Companies which have potentially been harmed by anticompetitive practices should at least evaluate the possibility of obtaining compensation. There is arguably even a statutory duty to do so. CDC is happy to provide support and assistance in this respect.”*

Christian Stuerwald of Calunius Capital LLP, the exclusive investment advisor to the investor said; *“The European Commission has actively encouraged the victims of cartels in Europe to seek compensation for their losses by taking action in their local Courts. However, the Commission seems to have misunderstood the availability of private law remedies and cartelists are still able to hide behind procedural obstacles which prevent individual victims from getting timely relief. CDC’s highly sophisticated case management skills and its organised and thorough approach to litigation appears to us to be addressing the need for private redress for cartel fraud, solving the problem of getting stated public policy*

objectives to work on the ground and represents to our investors a very interesting investment opportunity.”

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On CDC Cartel Damage Claims

CDC is specialised in the analysis, quantification and enforcement of damage claims resulting from competition law infringements. CDC analyses the effects of anticompetitive behaviour on the basis of market-wide transaction data. In the above mentioned court cases CDC enforces damage claims in its own name and on its own account against cartel members Europe-wide. In addition, in numerous cases CDC acts as “back office” consultant to companies and their lawyers, where companies seek independent and comprehensive solutions with cartel members, namely in cases of on-going business relationships.

CDC’s approach results in synergies in the complex analysis of the cartel-related damage as well as in the enforcement of the corresponding claims in and out-of-court and enables affected victims of cartels to effectively outsource the litigation process.

For further information, please refer to our website www.carteldamageclaims.com.

On Calunius

Calunius Capital acts as the exclusive investment advisor to the Calunius Fund and has been authorised and regulated by the Financial Services Authority as an Investment Adviser since June 2007.

The Calunius Fund was launched in December 2010 with £40 million of capital to invest in litigation and arbitration cases and funds large-scale commercial litigation and arbitration claims in both domestic and international contexts under a wide range of applicable laws.

Other cases in the public domain funded by the Calunius Fund include Oxus Gold v Uzbekistan, Rusoro Mining v Venezuela and the Elvis Presley Estate’s action against RCA Records (now Sony Music).

For further information, please refer to our website www.calunius.com