



**WACKER
NEUSON**

Notes on Section 124a of the German Stock Corporation Act (AktG):

There will be no resolution regarding item 1 on the agenda. On March 25, 2010, the Supervisory Board approved the Annual Financial Statements and the Consolidated Financial Statements prepared by the Executive Board according to Sections 172, 173 AktG and thus officially established the Annual Financial Statements. Hence a resolution to duly approve the Annual Financial Statements at the AGM according to Section 173 AktG is not required under the terms of the law. Furthermore, the Annual and Consolidated Financial Statements, along with the Consolidated Management Report, the Report by the Supervisory Board and the report by the Executive Board with the explanatory comments relating to takeover declarations required by law, must be made available to the AGM without the AGM having to pass any further resolutions in this regard under the terms of the AktG.