



## **Bayer Supervisory Board takes action to address the glyphosate litigation and welcomes the appointment of Ken Feinberg as mediator**

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**Leverkusen, Germany, June 26, 2019** – The Supervisory Board of Bayer AG met for a full day session on Wednesday to discuss the company’s current situation and took a number of decisions to address the current challenges facing Bayer, including those articulated by stockholders at the recent Annual Stockholders’ Meeting and in the ongoing dialogue with investors. The Supervisory Board elaborated on the further action related to the litigation strategy for upcoming cases and resolved on specific measures designed to address the course of the company’s ongoing glyphosate litigation and mediation activities. The Supervisory Board recognizes the negative effect the litigation uncertainty has had on the stock price and stakeholder perception, and is determined to help the company decisively but prudently advance the matter. To this end, a newly established Supervisory Board committee will intensively monitor these topics, consult with the Board of Management and make recommendations on the litigation strategy. It will be equally composed of shareholder and employee representatives and made up of eight Supervisory Board members, several of whom have gathered extensive experience with complex litigations.

In addition, U.S. lawyer John H. Beisner has been retained to advise the Supervisory Board on matters related to the glyphosate litigations, including trial tactics and mediation, on an ongoing basis. His appointment is intended to add fresh and independent perspectives to the advice given to the Board of Management. Beisner will attend the meetings of the new committee. He will also regularly report to the Supervisory Board in his advisory capacity. A recognized expert in product liability litigation, Beisner heads up the Mass Tort, Insurance and Consumer Litigation department of the prominent law firm Skadden in Washington, D.C. Beisner has served in key leadership roles in several high-profile product liability cases, including successful defenses and settlements on behalf of large

multinational companies. “We are convinced that with his expertise, John H. Beisner will provide very valuable and concrete advice on the ongoing litigation as well as the mediation,” said Werner Wenning, Chairman of the Supervisory Board.

The Supervisory Board also dealt with the court-ordered mediation process in connection with the glyphosate litigation. In parallel to the continued litigation of further cases, Bayer looks forward to constructively engaging in the mediation process. Both the Board of Management and Supervisory Board welcome the appointment of Ken Feinberg as mediator. “Ken Feinberg has an excellent reputation and an outstanding track record as mediator in some of the most complex settlements in recent years. Working with him will ensure a professional and thoughtful approach in the upcoming discussions,” Wenning said.

The company is also making good progress with its plan to further strengthen Supervisory Board expertise in particular with regards to food and agriculture. “We are in discussions with excellent and high-profile candidates,” Wenning said, while also stressing that the Supervisory Board is currently well positioned to address the challenges facing Bayer thanks to the comprehensive expertise of its members.

Furthermore, the Supervisory Board welcomed the recently communicated measures aimed at further strengthening the company’s transparency and sustainability efforts. “Bayer holds particular responsibility as the world’s leading life sciences company – and we welcome the steps management is taking in setting new standards. We are convinced that these measures and our decisions taken today will contribute toward restoring the confidence of our owners and stakeholders in Bayer’s great contributions to solving some of the biggest challenges of society,” said Wenning.

## **About Bayer**

Bayer is a global enterprise with core competencies in the life science fields of health care and nutrition. Its products and services are designed to benefit people by supporting efforts to overcome the major challenges presented by a growing and aging global population. At the same time, the Group aims to increase its earning power and create value through innovation and growth. Bayer is committed to the principles of sustainable development, and the Bayer brand stands for trust, reliability and quality throughout the

world. In fiscal 2018, the Group employed around 117,000 people and had sales of 39.6 billion euros. Capital expenditures amounted to 2.6 billion euros, R&D expenses to 5.2 billion euros. For more information, go to [www.bayer.com](http://www.bayer.com).

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