

**Approved
Articles of Incorporation**

of

VERBIO Vereinigte BioEnergie AG

I. General Provisions

Article 1

Company Name, Registered Office and Financial Year

1. The registered name of the Company is:

VERBIO Vereinigte BioEnergie AG.
2. The Company's registered office is in Zörbig.
3. The financial year begins on July 1 of one year and ends on June 30 of the following year. The financial year shall be adjusted for the first time on 1 July 2012. Accordingly, the financial year ending on 1 January, 2012 shall end on 30 June 2012 and shall thus be a short financial year.

Article 2

Purpose of the Company

1. The purpose of the Company is the manufacture and sale of fuels and finishing products made from organic raw materials, energy production using renewable energy sources, the conception and establishment of facilities for the production of biogenic fuels and for generating energy from renewable energy sources, and the trade of biogenic and fossil fuels, organic raw materials and finishing products.
2. The Company is entitled to enter into all transactions and implement all measures which directly or indirectly promote the achievement of the Company's purpose.
3. The Company is also entitled to perform its business operations through domestic or foreign subsidiaries, associated companies and joint ventures. The Company is permitted to purchase or sell undertakings, consolidate the latter under a system of uniform management and conclude affiliation agreements with them as described in Sections 291 and 292 of the German Stock Companies Act (AktG), or restrict itself to the management of its participation. It may outsource or assign all or part of its operations to affiliated companies.

Article 3

Announcements

1. Announcements by the Company shall be published solely in the electronic version of the German Federal Gazette (elektronischer Bundesanzeiger), unless another form of publication is expressly specified by law.
2. In accordance with the legal provisions, the Company may also transmit information to holders of admitted securities electronically.
3. The provision of Section 27a para. 1 of the German Securities Trading Act (WpHG), covering notification requirements for holders of significant interests, does not apply to the Company.

II. Share Capital and Shares

Article 4 Amount and Composition of Share Capital

1. The Company's share capital amounts to EUR 63,517,206.00 (in words: sixty-three million, five hundred and seventeen thousand and two hundred and six euros).
2. The share capital is divided into 63,517,206 (sixty-three million, five hundred and seventeen thousand and two hundred and six) no-par value shares.
3. The shares are made out to the bearer.
4. The Management Board is authorised to increase the Company's share capital until February 3, 2027 by issuing new no-par value bearer shares in exchange for contributions in cash or contributions in kind on one or more occasions by an amount totalling up to EUR 31,258,242.00 (authorised capital 2022).

The Management Board is empowered, subject to the approval of the Supervisory Board, to exclude existing shareholders' subscription rights for shares issued in exchange for contributions in kind of up to an amount of EUR 12,636,726.00 thousand, which represents 20 percent of the share capital at the date of the resolution. This also includes the use of the authorised capital to fulfil purchase obligations or purchase rights for the Company's shares based on agreements made or to be made with members of the Company's Management Board under Management Board remuneration agreements. This type of share issue is dependent on a prior election being made by the Supervisory Board to exercise its option under the current remuneration rules that the share-based remuneration shall not be settled in cash but shall be fulfilled by the issue of shares or by a new form of share-based remuneration.

Shareholders shall have a right to subscribe for shares issued in a share issue made in exchange for cash contributions; new shares can also be transferred to financial institutions or companies as defined in accordance with Section 186 para. 5 sentence 1 of the German Stock Companies Act (AktG) together with an obligation to offer them to shareholders for subscription. However, the Management Board is authorised, subject to the consent of the Supervisory Board, to exclude shareholders' subscription rights if the issue price is not significantly below the stock market price of shares in the Company of the same class. However, this authorisation is only valid provided that the shares issued with the exclusion of subscription rights in accordance with Section 186 para. 3 sentence 4 AktG do not exceed 10 percent of the share capital, either at the time at which this authorisation takes effect or at the time at which it is exercised. This limitation shall include shares that are sold or issued or are to be issued during the term of this authorisation until the time of their utilisation, on the basis of other authorisations in direct or analogous application of Section 186 para. 3 sentence 4 AktG under exclusion of subscription rights.

The Management Board is also authorised, subject to the approval of the Supervisory Board, to exclude the subscription rights of the shareholders in order to issue new shares up to a proportional amount of EUR 500,000.00 to employees of VERBIO Vereinigte BioEnergie AG or of companies affiliated to VERBIO Vereinigte BioEnergie AG as defined in Section 15 AktG.

The Management Board is empowered, subject to the approval of the Supervisory Board, to exclude existing shareholders' rights for fractional share amounts.

In addition, subject to the approval of the Supervisory Board, the Management Board may make further specifications concerning share rights and conditions for the issuance of shares.

The Supervisory Board is authorised to revise the wording of Article 4 of the articles of association consistent with the utilisation of the authorised capital, and, in the event that the authorised capital 2022 is not or is not completely utilised by February 3, 2027, to amend the authorisation after its expiry.

Article 5 Certification of Shares

1. The Company is entitled to issue certificates regarding individual shares (individual certificates) or multiple shares (global certificates). The form of the share certificates is determined by the Management Board with the consent of the Supervisory Board. Dividend warrants and renewal certificates shall not be issued.
2. The shareholders' right to demand the issue of certificates vesting their shares is excluded unless the issue of certificates is required in accordance with the rules and regulations of a stock exchange, on which the shares are listed.

III. The Management Board

Article 6 Composition and Rules of Procedure

1. The Management Board shall consist of a minimum of two persons. It is the responsibility of the Supervisory Board to determine the number of Management Board members. The appointment of deputy Management Board members is permissible.
2. The Supervisory Board appoints the regular and deputy members of the Management Board; it may nominate a member of the Management Board as Chairman and other Management Board members as Deputy Chairmen.
3. If the Supervisory Board does not issue rules of procedure for the Management Board then the Management Board may, by unanimous resolution, decide on its own rules of procedure, which require the approval of the Supervisory Board.

Article 7 Representation of the Company

1. The Management Board represents the Company in and out of court. The Company is represented by two Management Board members or jointly by one Management Board member and an authorised signatory; however, the Supervisory Board may stipulate that individual Management Board members are authorised to represent the Company

alone. Deputy Management Board members shall have equal rank with regular members in respect of powers of representation.

2. The Supervisory Board may permit individual or all Management Board members to undertake legal transactions in the name of the Company with itself as representative of a third party.
3. The Supervisory Board may exempt all, or individual Management Board members, and authorised signatories who are authorised to represent the Company jointly with a member of the Management Board, from the prohibition of Section 181 of the German Civil Code (BGB).

Article 8 Business Management

The Supervisory Board must stipulate, by way of resolution or within the rules of procedure for the Management Board, that certain types of business activities of the Management Board within the Company may only be carried out with the consent of the Supervisory Board.

IV. The Supervisory Board

Article 9 Composition and Term of Office, Substitute Members

1. The Supervisory Board consists of three members elected by the shareholders' meeting. Unless stipulated otherwise by the shareholders' meeting, Supervisory Board members are elected for a period ending at the close of the shareholders' meeting which decides on the discharge of members for the fourth financial year following the commencement of the term of office. The financial year in which the term of office begins shall not be included in the calculation. Members may be re-elected.
2. When appointing regular Supervisory Board members, substitute members may be elected as replacements of Supervisory Board members who have left office prematurely in an order of precedence to be determined at the time of the election. One person may be appointed substitute member for several Supervisory Board members.
3. If a Supervisory Board member is elected to replace a departing member, then his term of office shall run for the remaining term of office of the departing member. If a substitute member takes the place of the departing member, then his term of office shall end at the close of the next shareholders' meeting, at which a new election for the departing member's position shall be held, but at the latest at the end of the departing member's term of office.
4. If a new election is held before the departing Supervisory Board member's term of office has expired, then the membership of the substitute member who was appointed as a substitute for several Supervisory Board members and who was moved up into the Supervisory Board to substitute the departing member shall be reinstated.

5. When electing Supervisory Board members and any substitute members, the chairman of the shareholders' meeting is entitled to put a list of suggested candidates submitted by the Supervisory Board or by shareholders to the vote. Where substitute members are elected by list they replace such members of the Supervisory Board who retire from office early in the order of their appointment, provided that the vote did not contain provisions to the contrary.
6. The members and substitute members of the Supervisory Board may resign from office, even without cause. Resignation is carried out through a written declaration directed to the Management Board and by notifying the chairman of the Supervisory Board giving a notice period of four weeks, unless the chairman of the Supervisory Board or his deputy and a further Supervisory Board member agree to a resignation without notice.

Article 10 Chairman and Deputy

1. Following a shareholders' meeting at which all Supervisory Board members to be elected by a shareholders' meeting were newly elected, a meeting of the Supervisory Board shall be held for which no special invitation is required. During this meeting the Supervisory Board shall elect from its members a chairman and a deputy for the elected term of office stipulated in Article 9 para. 1. The deputy has the rights and obligations of chairman when the latter is prevented from performing the chairman's duties.
2. If the chairman or deputy resigns before the expiry of their term of office, the Supervisory Board must immediately hold an election for the remainder of the departing member's term of office.

Article 11 Convening

1. Supervisory Board meetings are convened in writing by the chairman, or his deputy if he is unavailable, giving a minimum of 14 days' notice. When determining this notice period, the day on which the convention is sent and the day of the meeting are not included in the calculation. In urgent cases, the chairman may reduce the notice period and convene the meeting orally, by telephone, by fax or by email.
2. The individual items of the agenda are to be circulated and any motions for resolution submitted in good time before the meeting. If an agenda was not announced in accordance with the requirements thereto, resolutions pertaining to the agenda may only be adopted if no Supervisory Board member objects. In such cases, absent Supervisory Board members shall be given the opportunity to object to the adoption of the resolution or to submit their vote in writing retroactively within a reasonable deadline to be set by the chairman. In such cases the resolution is only effective if the absent Supervisory Board members do not object to it or have approved it within said period.

Article 12

Passing Resolutions

1. The chairman, or his deputy if he is unavailable, chairs meetings and determines the order in which the items of the agenda shall be dealt with as well as the manner and order of voting.
2. The Supervisory Board's resolutions are generally adopted during meetings. By order of the chairman of the Supervisory Board, resolutions may also be adopted outside meetings in writing, by telephone, by fax or by email if no member objects to this procedure within an adequate period of time determined by the chairman. Members of the Supervisory Board who are connected by telephone or video conference shall be deemed to be present. Such resolutions are documented by the chairman in writing and are conveyed to all members. For resolutions adopted outside of meetings, the provisions of Article 12 paras (3), (4) and (6) shall apply accordingly.
3. Absent members of the Supervisory Board may participate in the passing of resolutions by submitting written votes through other Supervisory Board members. Furthermore, absent members of the Supervisory Board may cast their votes during the meeting or subsequent to the meeting within a reasonable time period to be determined by the chairman of the meeting orally, by telephone, by fax, by email or by way of other conventional means of telecommunication, in particular via video conference, unless a member of the Supervisory Board objects.
4. Supervisory Board resolutions are adopted by a simple majority unless otherwise prescribed by law or in the Articles of Incorporation. The same shall also apply to elections. In this process, abstentions from voting shall not be regarded as voting. In the event of a tie, the chairman has the casting vote.
5. Minutes are to be recorded of meetings and resolutions of the Supervisory Board, signed by the chairman, and a copy is to be provided to all Supervisory Board members without delay.
6. The chairman is authorised on behalf of the Supervisory Board to issue the declarations of intent necessary for the implementation of Supervisory Board resolutions and to accept declarations of intent directed to the Supervisory Board.

Article 13

Rules of Procedure, Amendments to the Articles of Incorporation

1. The Supervisory Board shall issue rules of procedure for itself within the framework of applicable mandatory legal provisions and the Articles of Incorporation.
2. The Supervisory Board is authorised to make amendments to the Articles of Incorporation relating solely to wording.

Article 14 Remuneration

1. After the end of the financial year every member of the Supervisory Board shall receive fixed remuneration amounting to €45,000.00 per annum. The chairman receives twice this sum, his deputy one and a half times this sum. Members who join or leave the Supervisory Board during the year are paid pro rata temporis only for the period of their membership.
2. The Company shall reimburse each Supervisory Board member's cash outlay. In addition, value-added tax shall be refunded if the Supervisory Board member is entitled to invoice the Company separately for value-added tax and exercises this right.
3. The Company may take out liability insurance for the benefit of members of the Supervisory Board to cover all risks resulting from the performance of their duties (D&O liability insurance), with a premium at typical market rates for a reasonable amount.

V. The Shareholders' Meeting

Article 15 Location and Convening

1. The shareholders' meeting shall be held at the Company's registered office, at the registered office of a German stock exchange or in a German city with more than 100,000 inhabitants. It is called by the Management Board or, as legally required, by the Supervisory Board.
2. The shareholders' meeting, at which the discharge of the Management and Supervisory Boards from liability, the appropriation of profit and – where necessary – the adoption of the annual financial statements are formally approved (ordinary shareholders' meeting), is to be held within the first eight months of each financial year. Extraordinary shareholders' meetings may be convened as often as appears necessary for the best interests of the Company.
3. The convening of the meeting must be announced through publication in the electronic Federal Gazette at least 30 days before the end of the day on which shareholders must register and provide evidence of their entitlement to participate in the shareholders' meeting and exercise their voting right. The day of convening shall not be included in the calculation. The shareholders' entitlement under Section 128 para. 1 section 1 of the German Stock Companies Act (AktG) to notification in accordance with Section 125 para. 1 of the German Stock Companies Act (AktG) shall be limited to electronic means of communication. Banks are entitled to notification in paper format.

Article 16 Conditions regarding Attendance and Exercise of Voting Rights

1. To participate in the shareholders' meeting, cast their vote and submit motions, shareholders must register with the Company before the shareholders' meeting and provide evidence of their entitlement to participate in the shareholders' meeting and exercise

their voting right. This registration and evidence must reach the Company at the address designated in the invitation at least six days before the shareholders' meeting.

2. To provide evidence of entitlement in accordance with paragraph 1 a specific statement showing evidence confirming ownership of the shareholding issued in text form in the German or English language in accordance with Section 67c Paragraph 3 AktG is sufficient. The evidence must refer to the begin of the twenty-first day prior to the annual general meeting.
3. For shares which are not held in a deposit facility administered at a bank on the relevant date stipulated in paragraph 2, the certificate stipulated in paragraph 2 may be issued by the Company, a notary, a central depository of securities or a bank within the European Union.
4. The Management Board is entitled to provide that shareholders can also participate without being present, at their own location and without the use of a proxy representative and exercise all or some of their rights using forms of electronic communication (online participation). In doing so, the Management Board is empowered to determine the terms of participation governing the scope and process of participation and exercise of rights in accordance with sentence 1. The terms are to be made known with the notification of the annual general meeting.
5. The Management Board is entitled to provide that shareholders may also cast their votes without participating in the general meeting, in writing or by using forms of electronic communication (postal votes). The Management Board is empowered to determine the terms of the process used to cast postal votes.
6. The deadlines pursuant to the provisions of Articles 15 and 16 of the Articles of Incorporation shall be calculated backward from the date of the shareholders' meeting, excluding that date. Postponement from a Sunday, Saturday or public holiday to a preceding or succeeding working day is not permitted. Sections 187 to 193 of the German Civil Code (BGB) shall not apply accordingly.

Article 17

Chairman of the Shareholders' Meeting; Participation of Management and Supervisory Board Members; Audio-Visual Transmission

1. The shareholders' meeting is chaired by the chairman of the Supervisory Board, or his deputy if he is not available. If none of the members of the Supervisory Board serves as chairman then the chair shall be elected by the shareholders' meeting.
2. The chairman chairs the shareholders' meeting and determines the order in which the items of the agenda shall be dealt with, as well as the manner and further details of the voting procedure. The voting result is determined by counting the assenting and dissenting votes. The manner in which the outcome is determined, which may also be calculated by deducting the dissenting votes and abstentions from the number of shareholders present at the vote, shall likewise be stipulated by the chairman.
3. The chairman may specify the order of speeches and is also authorised to set appropriate time limitations for shareholders' questions and statements. He is also explicitly entitled to define, at the beginning of the meeting or while it is proceeding, a reasonable

time limit for the entire shareholders' meeting, for individual items on the agenda or for individual questions and statements.

4. The members of the Management and Supervisory Boards shall participate in the shareholders' meeting in person. Supervisory Board members who are prevented from attending on important grounds may also participate by means of audio and video transmission.
5. Subject to prior announcement in the invitation to the shareholders' meeting, the meeting chairman may stipulate that the shareholders' meeting be transmitted audio-visually in whole or in part.

Article 18 **Passing Resolutions**

1. Unless otherwise stipulated by mandatory provisions of the law, resolutions of the shareholders' meeting shall be made with a simple majority of the votes cast or, in cases in which the law prescribes a majority of shares in addition to a majority of votes, with a simple majority of the share capital represented in the vote.
2. Each share shall grant one vote at the shareholders' meeting.
3. Shareholders are entitled to be represented at the shareholders' meeting by proxy. The form prescribed by law shall apply for the granting of proxy, its revocation and proof of the proxy to the Company. The Company shall offer at least one electronic communication medium for transmission of the document. The details will be announced in the invitation to the shareholders' meeting.

VI. Accounting and Appropriation of Profit

Article 19 **Annual Financial Statements and Management Report**

1. In the first three months of the financial year the Management Board shall draw up the annual financial statements (balance sheet, profit-and-loss account and notes) and the management report for the previous financial year and submit them to the Supervisory Board. Together with the annual financial statements, the Management Board shall submit the proposal it intends to present before the shareholders' meeting concerning the appropriation of any profit.
2. The Supervisory Board must have the annual financial statements and management report examined by an auditor, and following receipt of the auditor's audit report must examine the annual financial statements, the management report and profit appropriation proposal and provide the shareholders' meeting with a written report on the findings of the examination. It must supply the Management Board with the report within one month following receipt of the Management Board's submitted documents. If the Supervisory Board approves the annual financial statements the latter shall be deemed adopted, unless the Management Board and the Supervisory Board resolve to leave the adoption of the annual financial statements to the shareholders' meeting.

3. Following receipt of the Supervisory Board report on the findings of its examination, the Management Board shall immediately call an ordinary shareholders' meeting which shall be held within the first eight months of the financial year. Submissions to the shareholders' meeting shall be available for viewing by the shareholders at the Company's premises from the time of convening onwards, unless they are available for the same period on the Company's website.
4. Insofar as the Company is legally required to prepare consolidated financial statements, the Management Board must, within the first four months of the financial year, prepare consolidated financial statements and a consolidated management report for the preceding financial year. These documents, or a set of exempting consolidated financial statements and a consolidated management report prepared in accordance with Sections 291, 292a of the German Commercial Code (HGB), must be submitted to the Supervisory Board without delay.

Article 20

Reserves and Appropriation of Profit

1. On adoption of the annual financial statements by the Management Board and the Supervisory Board, amounts of up to half the net earnings for the year may be appropriated to other revenue reserves. In this regard, amounts to be appropriated to the statutory reserves and any loss carried forward shall first be deducted from the net earnings for the year.
2. The shareholders' meeting decides on the appropriation of balance sheet profit. The appropriation must be based on the approved annual financial statements.
3. In the case of a capital increase, the profit entitlement of the new shares may be determined based on terms which vary from Section 60 para. 2 of the German Stock Companies Act (AktG).

VII. Contributions in Kind

Article 21

Contributions in Kind

The Company's share capital was generated from contributions in kind, with the effect that the Company founders named below each contributed by assignment to the Company, in the form of the limited partnership interests, GmbH (limited liability company) business interests and shares described in more detail below in accordance with a separate transfer agreement effective from 24.00 hours on December 31, 2005, and each founder received shares for this as follows:

- a) Mr. Claus Sauter contributed
 - aa) (i) a limited partnership interest of €330,000.00 in MUW Mitteldeutsche Umesterungswerke GmbH & Co. KG, included on the commercial register of the Stendal district court under HRA 12113; (ii) a business interest with a par value of €9,900.00 in MUW Mitteldeutsche Umesterungswerke Verwaltungs GmbH, included on the commercial register of

the Stendal district court under HRB 15913, of which 50% has been paid up; (iii) a limited partnership interest of €120,000.00 in MBE Mitteldeutsche BioEnergie GmbH & Co. KG, included on the commercial register of the Stendal district court under HRA 12318; (iv) a business interest with a par value of €3,600.00 in MBE Mitteldeutsche BioEnergie Verwaltung GmbH, included on the commercial register of the Stendal district court under HRB 16629, of which 50% has been paid up, to the Company and received in return shares representing a total amount of €21,000.00 of the share capital.

as well as

bb) 39 registered shares each with a par value of CHF 1,000.00 in SBE Swiss BioEnergy AG, included on the commercial register of the Swiss canton of St. Gallen under the Company number CH-320.3.052.703-0, and his legal status as trust maker with respect to Mr. Peter Muri, born on November 6, 1958, resident at Kapellstraße 17, 9543 St. Margarethen (Switzerland), in relation to a further registered share with a par value of CHF 1,000.00 in SBE Swiss BioEnergy AG, included on the commercial register of the Swiss canton of St. Gallen under the Company number CH-320.3.052.703-0 to the Company and receiving in return shares representing a total amount of €9,000.00 of the share capital.

b) Mr. Bernd Sauter contributed

aa) (i) a limited partnership interest of €330,000.00 in MUW Mitteldeutsche Umesterungswerke GmbH & Co. KG, included on the commercial register of the Stendal district court under HRA 12113; (ii) a business interest with a par value of €9,900.00 in MUW Mitteldeutsche Umesterungswerke Verwaltungs GmbH, included on the commercial register of the Stendal district court under HRB 15913, of which 50% has been paid up; (iii) a limited partnership interest of €120,000.00 in MBE Mitteldeutsche BioEnergie GmbH & Co. KG, included on the commercial register of the Stendal district court under HRA 12318; (iv) a business interest with a par value of €3,600.00 in MBE Mitteldeutsche BioEnergie Verwaltung GmbH, included on the commercial register of the Stendal district court under HRB 16629, of which 50% has been paid up, to the Company and received in return shares representing a total amount of €14,000.00 of the share capital, as well as

bb) 40 registered shares each with a par value of CHF 1,000.00 in SBE Swiss BioEnergy AG, included on the commercial register of the Swiss canton of St. Gallen under the company number CH-320.3.052.703-0 to the Company and receiving in return shares representing a total amount of €6,000.00 of the share capital.

c) Ms. Daniela Sauter contributed

aa) (i) a limited partnership interest of €380,000.00 in NUW Nordbrandenburger Umesterungswerke GmbH & Co. KG, included on the commercial register of the Frankfurt (Oder) district court under HRA 1923 FF;

- (ii) a business interest with a par value of €19,000.00 in NUW Nordbrandenburger Umesterungswerke Verwaltung GmbH, included on the commercial register of the Frankfurt (Oder) district court under HRB 10029 FF of which 50% has been paid up; (iii) a limited partnership interest of €380,000.00 in MBE Mitteldeutsche BioEnergie GmbH & Co. KG, included on the commercial register of the Stendal district court under HRA 12318; (iv) a business interest with a par value of €11,400.00 in MBE Mitteldeutsche BioEnergie Verwaltung GmbH, included on the commercial register of the Stendal district court under HRB 16629, of which 50% has been paid up; (v) a limited partnership interest of €500,000.00 in NBE Nordbrandenburger BioEnergie GmbH & Co. KG, included on the commercial register of the Frankfurt (Oder) district court under HRA 1815 FF; (vi) a business interest with a par value of €15,000.00 in NBE Nordbrandenburger BioEnergie Verwaltung GmbH, included on the commercial register of the Frankfurt (Oder) district court under HRB 9754 FF, of which 50% has been paid up, to the Company and received in return shares representing a total amount of €7,000.00 of the share capital, as well as contributing
- bb) 20 registered shares each with a par value of CHF 1,000.00 in SBE Swiss BioEnergy AG, included on the commercial register of the Swiss canton of St. Gallen under the company number CH-320.3.052.703-0 to the Company and receiving in return shares representing a total amount of €3,000.00 of the share capital.
- d) Ms. Marion Sauter contributed (i) a limited partnership interest of €380,000.00 in MBE Mitteldeutsche BioEnergie GmbH & Co. KG, included on the commercial register of the Stendal district court under HRA 12318; (ii) a business interest with a par value of €19,000.00 in MBE Mitteldeutsche BioEnergie Verwaltung GmbH, included on the commercial register of the Stendal district court under HRB 16629, of which 50% has been paid up; (iii) a limited partnership interest of €500,000.00 in NBE Nordbrandenburger BioEnergie GmbH & Co. KG, included on the commercial register of the Frankfurt (Oder) district court under HRA 1815 FF; and (iv) a business interest with a par value of €15,000.00 in NBE Nordbrandenburger BioEnergie Verwaltung GmbH, included on the commercial register of the Frankfurt (Oder) district court under HRB 9754 FF, of which 50% has been paid up, to the Company and received in return shares representing a total amount of €10,000.00 of the share capital.
- e) Pollert Familien GmbH & Co. KG contributed (i) a limited partnership interest of €33,333.33 in MUW Mitteldeutsche Umesterungswerke GmbH & Co. KG, included on the commercial register of the Stendal district court under HRA 12113; (ii) a business interest with a par value of €1,000.00 in MUW Mitteldeutsche Umesterungswerke Verwaltungs GmbH, included on the commercial register of the Stendal district court under HRB 15913, of which 50% has been paid up; (iii) a limited partnership interest of €12,000.00 in NUW Nordbrandenburger Umesterungswerke GmbH & Co. KG, included on the commercial register of the Frankfurt (Oder) district court under HRA 1923 FF; and (iv) a business interest with a par value of €600.00 in NUW Nordbrandenburger Umesterungswerke Verwaltung GmbH, included on the commercial register of the Frankfurt (Oder) district court under HRB 10029 FF, of which 50% has been paid up, to the Company and received in return shares representing a total amount of €3,000.00 of the share capital.

- f) Pollert Holding GmbH & Co. KG contributed (i) a limited partnership interest of €306,666.67 in MUW Mitteldeutsche Umesterungswerke GmbH & Co. KG, included on the commercial register of the Stendal district court under HRA 12113; (ii) a business interest with a par value of €9,200.00 in MUW Mitteldeutsche Umesterungswerke Verwaltungs GmbH, included on the commercial register of the Stendal district court under HRB 15913, of which 50% has been paid up; (iii) a limited partnership interest of €108,000.00 in NUW Nordbrandenburger Umesterungswerke GmbH & Co. KG, included on the commercial register of the Frankfurt (Oder) district court under HRA 1923 FF; and (iv) a business interest with a par value of €5,400.00 in NUW Nordbrandenburger Umesterungswerke Verwaltung GmbH, included on the commercial register of the Frankfurt (Oder) district court under HRB 10029 FF, of which 50% has been paid up, to the Company and received in return shares representing a total amount of €27,000.00 of the share capital.

The contribution of the aforementioned not yet fully paid-up business interests in the GmbHs referred to (namely MUW Mitteldeutsche Umesterungswerke Verwaltungs GmbH, NUW Nordbrandenburger Umesterungswerke Verwaltung GmbH, MBE Mitteldeutsche BioEnergie Verwaltung GmbH and NBE Nordbrandenburger BioEnergie Verwaltung GmbH) shall be undertaken in such a way that the Company, as a further consideration alongside the issuing of new shares, assumes responsibility for paying up the remaining portion of these business interests on request.

VIII. Final Provisions

Article 22 Formation Costs

The Company shall bear the formation costs (notary and registration fees, costs of publication, legal and tax consultancy costs, and the costs for audits by an expert auditor appointed by the courts), estimated at €250,000.00. These shall be paid by the Company from the capital reserves, without recourse to the Company's share capital.

Supplementary note in accordance with Section 44a para. 2 of the German Notarisation Act (Beurkundungsgesetz – BeurkG)

to the official certification of the Articles of Incorporation
in accordance with Section 181 para. 1 sent. 2 AktG dated March 22, 2021

The official certification dated March 22, 2021 issued by myself includes an obvious inaccuracy, which is to be found in the certified text of the articles concerning approved capital in Article 4 no. 4 para. 1.

This should be as follows:

“..... The Management Board is authorised, subject to the consent of the Supervisory Board, to increase the Company's share capital until 30 January 2025 by issuing new no-par value bearer shares in exchange for contributions in cash or contributions in kind on one or more occasions by an amount totalling up to EUR 31,316,368.00 (authorised capital).”

This is hereby corrected in accordance with Section 44a para. 2 BeurkG.

Leipzig, February 4, 2022

Christoph Wich

[STAMPED AND SIGNED BY:
Christoph Wich, Notary in Leipzig]