



Herrliberg, September 3, 2010

MEDIA INFORMATION

Decision in criminal case: Previous employees sentenced to 8 and 4 years imprisonment

On May 4, 2005, EMS-CHEMIE AG, a subsidiary of EMS-CHEMIE HOLDING AG domiciled in Domat/Ems (GR), brought charges of fraud against the former head of accounting of EMS-CHEMIE AG and possible accomplices, with the public prosecutors office of the Canton Grisons. As a result, the public prosecutor investigated the case and on April 20, 2010, criminal charges were filed against the former head of accounting and a former salesman of EMS-CHEMIE AG.

Between 1995 and 2004, the two defendants defrauded EMS-CHEMIE AG of a total of around 13 million CHF through fraud, falsification of documents, money laundering and misuse of data processing equipment.

Today, September 3, 2010, the findings of the criminal court case which began on August 30, 2010, were published as follows:

The former head of accounting of EMS-CHEMIE AG and a former salesman with EMS-CHEMIE AG, were found guilty of all charges brought against them by the Regional Court Imboden (GR, Switzerland). The former head of accounting was sentenced to 8 years imprisonment, the former salesman to 4 years imprisonment. With this verdict the court exceeded the 6 years imprisonment demanded by the public prosecutor. The court also explicitly stated that there was no contributory negligence on the part of EMS-CHEMIE AG.

With this sentencing, claims for repayment brought by EMS-CHEMIE AG were also endorsed by the court. This means that assets to the value of around CHF 8 million will now be confiscated and awarded to EMS-CHEMIE AG.

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