



Issuer Services DEPOSITARY RECEIPTS

October 20, 2009

Corporate Action

ATTENTION: International Research, Sales, Trading and Operations Staff

Cash Distribution Resulting From the Sale of Rights

Name:	Bilfinger Berger AG
Country:	Germany
Symbol:	BFLBY
CUSIP Number:	090032103
Exchange:	OTC
Ratio:	5 ADRs : 1 ORD

Bilfinger Berger AG announced a distribution of rights to its ordinary shareholders. The rights were allocated as follows: One (1) right was issued for every one (1) ordinary share held as of the foreign record date of October 6, 2009.

Because the Bilfinger Berger AG rights were not registered under the United States Securities Act of 1933, we were not permitted to pass the rights on to the holders of American Depositary Receipts ("ADRs"). Therefore, The Bank of New York Mellon has sold these rights in the local market and the proceeds received from the sale will be distributed to the ADR holders of Bilfinger Berger AG.

The following dates have been established for this corporate action:

Books closed period: October 7, 2009 – October 29, 2009 (Both days inclusive for all ordinary shares deposits)

Foreign Record Date: October 6, 2009

ADR Record Date: October 29, 2009

ADR Payable Date: November 9, 2009

The final cash distribution rate is as follows:

Gross Rate per ADS:	\$1.223671
Depositary Fee deducted per ADS:	<u>\$0.050000</u>
Net Rate per ADS:	\$1.173671

To learn more about ADRs and issuer programs, please call our marketing desks:

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