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### **Arbitral tribunal decides on details of Siemens' exit from Areva NP**

On May 19, 2011, an arbitral tribunal of the International Chamber of Commerce (ICC) ruled on the modalities of Siemens' exit from the nuclear power joint venture Areva NP. According to the tribunal's ruling, Siemens had not fully met its contractual obligations toward its former joint venture partner Areva S.A. Consequently Siemens will have to pay Areva €648 million plus interest. In mid-March 2011, Areva paid the full purchase price based on a valuation report submitted a short time earlier, in which an independent expert had appraised Siemens' share in the Areva NP joint venture at a market value of €1.62 billion. Likewise in March 2011, Siemens transferred its stake in the joint venture to Areva. In connection with the sale, Siemens realized a profit of €1.52 billion before taxes in the second quarter of fiscal 2011. The payment now due to Areva will be recognized in Siemens' income statement for the third quarter of fiscal 2011.

The tribunal limited the term of the non-compete clause in the partnership agreement of the former joint venture to four years. Accordingly, the restriction on competition will run until September 25, 2013. The validity of the restriction on competition and its term are currently also being investigated by the European Commission.

Proceedings had been ongoing since April 2009. Siemens had terminated its joint venture with Areva S.A. in early 2009 and completed the exit in March 2011.

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