

Confirmation of 12g3-2b Compliance

Submitted By

Stefanie Drees

Date Submitted

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Issuer Name

Fresenius SE & Co. KGaA

Symbol

FSNUY

The Company currently maintains a listing for its securities on a non-US exchange

Yes

The Company meets the definition of a "Foreign Private Issuer" as that term is used in Securities Exchange Act Rule 12g3-2(b)

Yes

The Company has published in English the information required to be made publicly available to Exchange Act Rule 12g3-2(b) in the following locations:

1. The Company website or an electronic information delivery system generally available to the public in its primary trading market; and
2. OTC Disclosure & News Service or Integrated Newswire, the information information required to be made publicly available to Exchange Act Rule 12g3-2(b)

Yes