

PRESS RELEASE

14 December 2009

Luther assists Evonik Steag GmbH

Essen, 14 December 2009 - The Higher Administrative Court (*Oberverwaltungsgericht*) of Münster has dismissed three claims filed against the preliminary decision made by the district government (*Bezirksregierung*) of Arnsberg for the expansion of the coal-fired power plant in Herne-Baukau. Evonik Steag GmbH - which was summoned to the proceedings as an interested party - was represented by Luther Rechtsanwaltsgesellschaft mbH.

Evonik Steag GmbH is planning to build a new, fifth unit for its power plant in Herne which will have a capacity of 760 mw. A definite decision to build the unit has not yet been made.

The claimants at the Higher Administrative Court of Münster were the North Rhine-Westphalian association (*Landesverband*) of the environmental organisation BUND and two private individuals. They filed a claim against the preliminary decision made by the district government of Arnsberg, which had determined the immission control and zoning law requirements for the new unit.

On behalf of Evonik Steag GmbH:

Luther Rechtsanwaltsgesellschaft mbH, Essen: Claudia Schoppen
(Partner)

On behalf of Evonik Steag GmbH: (Inhouse) Markus Zwinger and Dr.
Andreas Zühlsdorff

Brief Profile of Luther Rechtsanwaltsgesellschaft mbH

Luther is one of the leading German commercial law firms providing comprehensive services in all the relevant fields of legal and tax consulting. The full-service law firm employs more than 320 lawyers and tax advisors and is represented at 12 German economic centres and at important investment locations in Europe and Asia with its five international offices in Brussels, Budapest, Istanbul, Shanghai and Singapore. Our clients include medium-sized enterprises and large corporations, as well as the public sector. Luther is also part of the PMLG international group of law firms and is the German member of Taxand, a worldwide network of independent tax firms.

Luther is a law firm with an entrepreneurial approach: our innovative awareness aspires us to provide our clients with customised legal advice that addresses individual needs and delivers the greatest possible economic benefit. Our lawyers and tax advisors have a solid understanding of interdisciplinary matters and a wealth of experience in collaborating on complex tasks.

Further information is available at: www.luther-lawfirm.com

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