

Stichting Elco Foundation

Report of the Supervisory Board

2020-2021

INTRODUCTION

The supervisory board ("**Supervisory Board**") of Stichting Elco Foundation (the "**Foundation**") is charged with the supervision of: i) the policies of the management board (the "**Board**"); and ii) the day-to-day running of the Foundation by the Board.

The Supervisory Board consists of three supervisory directors:

1. Mrs. E.M. Kostense;
2. Mr. P.J. van Gerwen RBA, RT; and
3. Mrs. W. Tonkens-Gerkema.

Given the current composition of the Supervisory Board it has adequate legal and financial expertise and experience, in accordance with Principle VII of the Claim Code that came into force on 1 July 2011 as amended on 4 March 2019 (the "**Claim Code**").

REPORT OF THE SUPERVISORY BOARD

The Supervisory Board was established (as per clause 16.1 of the articles of association of the Foundation (the "**Articles**")) on 16 November 2016 and the vacancies were completed during 2017. On 22 December 2020, L.P. Broekveldt stepped down as supervisory board member. Emma Kostense was appointed as supervisory board member on 14 June 2021.

The Supervisory Board met several times in 2020 and 2021, on occasion followed by a joint meeting with the Board. The Supervisory Board was continually kept informed outside of these meetings as well.

The Supervisory Board supervised the policies of the Board, including the compliance of the Foundation with the principles laid down in the Claim Code and the continuing legal proceedings against Coöperatieve Rabobank U.A., UBS AG, UBS Securities Japan Co. Ltd, Lloyds Bank PLC and ICAP Europe Ltd. The supervisory Board supervised the decision to appeal the judgment of the Amsterdam District Court at the Amsterdam Court of Appeals.

The Board has fully informed the Supervisory Board on the affairs of the Foundation, including on issues relating to the governance, financing and strategy of the Foundation. The legal advisors of the Foundation provided the Supervisory Board with supplementary information in this respect.

The Supervisory Board instructed the Board to engage an auditor to audit the financial statements over the years 2019 and 2020 (in accordance with clause 24.3 of the Articles).

This Report of the Supervisory Board is a document as set out in Elaboration 8 of Principle VII of the Claim Code and will be published on the Foundation's website: www.elcofoundation.com.