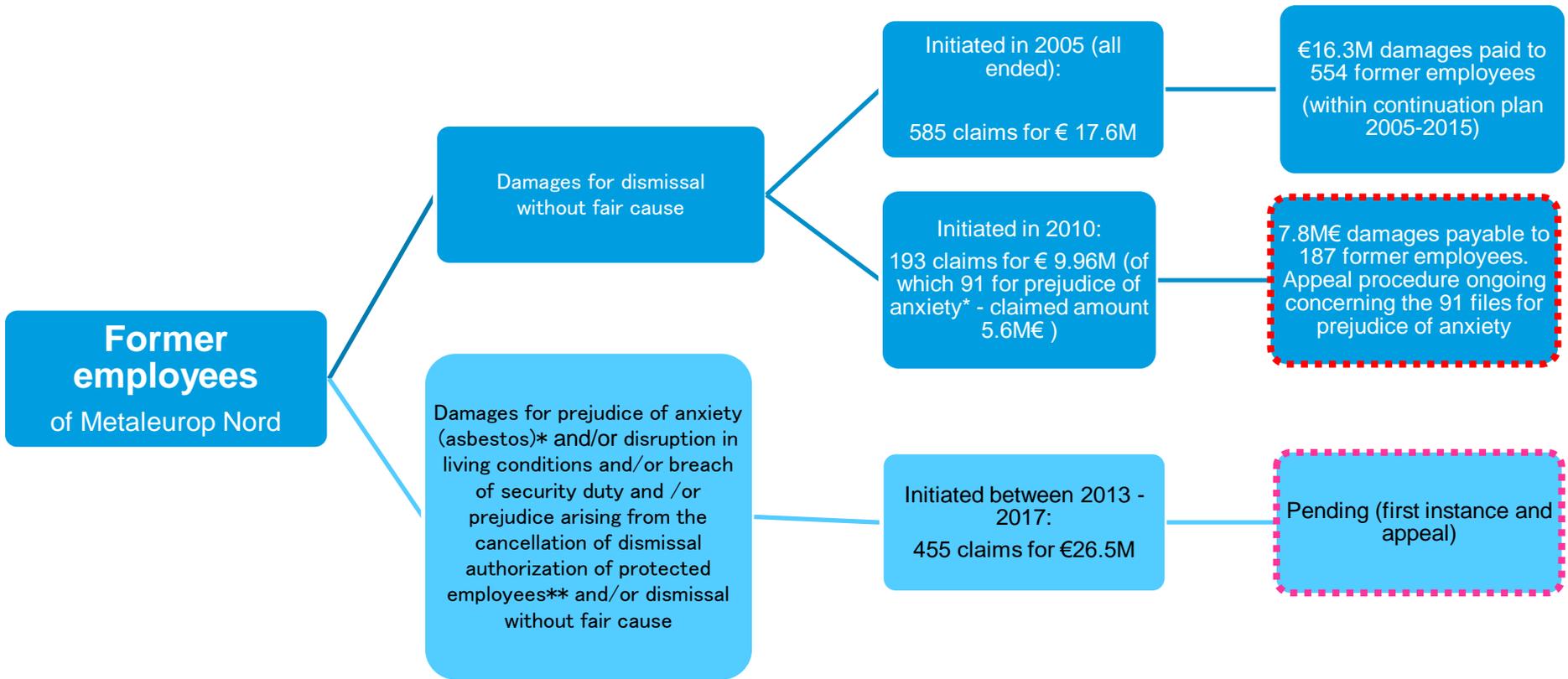


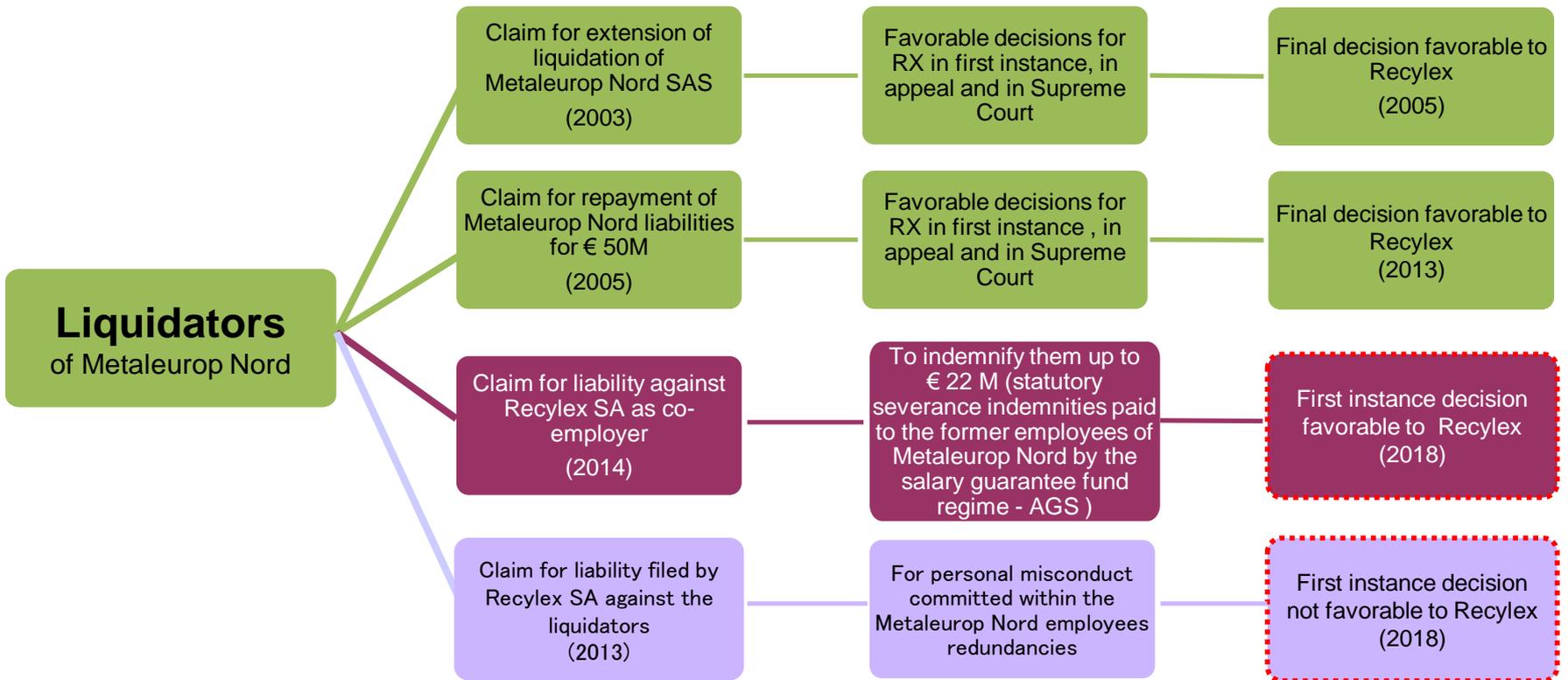


**LEGAL PROCEEDINGS SCHEDULE
CONCERNING RECYLEX S.A.**



* These claims are linked to the administrative proceedings aiming at cancelling the inclusion of the Noyelles-Godault facility of Metaleurop Nord SAS on the list of facilities eligible for the early retirement allocation for asbestos workers (see page 11)

** These claims are linked to the administrative proceedings aiming at cancelling the dismissal authorization of former protected employees (page 13)



I. LEGAL PROCEEDINGS AGAINST RECYLEX SA

- **Claims for damages for dismissal without fair cause filed by 554 former employees of Metaleurop Nord SAS (launched in 2005) – Ended**

Recylex SA, considered by the courts as co-employer, paid 100% of the damages and costs granted to 554 unprotected former employees under its continuation plan (2005–2015), i.e. approximately €16.3 million.

- **Claims for damages for dismissal without fair cause and/or prejudice of anxiety filed by 193 former employees of Metaleurop Nord SAS**
 - **January 15, 2013** : the Lens Labour Court:
 - rejected the claims of 6 former protected employees. The Douai Appeal Court confirmed these decisions on **February 21, 2014**.
 - considered that Recylex SA was the co-employer of 49 former unprotected employees of Metaleurop Nord and granted as damages for dismissal without fair cause €50,000 to 48 of them and €30,000 to one of them, as well as €300 to each of them as costs (totaling €2.4 million). Recylex lodged an appeal against these decisions.
 - **May 3 and 10, 2013** : The Lens Labour Court considered that Recylex SA was the co-employer of 2 deceased former employees and granted respectively €30,000 and around €55,000 as damages, as well as respectively €300 and €400 as costs, to his heirs. Recylex lodged an appeal against this decision thereby suspending their enforcement. The hearing for pleadings is scheduled for **May 15, 2018**.
 - **September 10, 2013** : The Lens Labour Court considered that Recylex SA was the co-employer of 136 former employees and granted damages between €15 000 and €50 000, as well as €300 as costs, to each of them (representing a global amount of €4.6 million). Recylex lodged an appeal against these decisions. The hearing for pleadings is scheduled for **May 15, 2018**.
 - **January 31, 2017**: the Douai Appeal Court condemned Recylex SA to pay to 187 former employees of Metaleurop Nord SAS a sum of €16,000 to €53,000 as damages for loss of opportunity and €400 as costs, that is a total amount around €7.8M. These decisions being enforceable, Recylex SA paid these damages but lodged an appeal before the *Cour de cassation*.
 - **May 24, 2018** : The *Cour de Cassation* has :
 - Firstly, confirmed the Douai Appeal Court decisions considering that Recylex S.A. was not the co-employer of the former employees of Metaleurop Nord S.A.S ;
 - Secondly, reversed and cancelled the decisions of the Douai Appeal Court to the extent that they had ordered Recylex S.A. to pay damages to these former employees for loss of a chance to keep a job, referring these cases to the Amiens Court of Appeal concerning this last point.
 - 91 claimants among the 187 former employees claim before the Douai Appeal Court complementary damages for prejudice of anxiety and breach of security duty for a total amount of €5.6 million (partially provisioned in the accounts). These claims for prejudice of anxiety are linked to the administrative procedure concerning the inclusion of Metaleurop Nord's Noyelles-Godault plant on the list of facilities eligible for the early retirement allocation for asbestos workers. In this respect, the administrative court of appeal decided that such inclusion must be cancelled, by its decision of 2 March 2017, which is now final (see p. 11).

- **Claims for damages for prejudice of anxiety and/or breach of security duty and/or prejudice arising from the cancellation of dismissal authorization for protected employees and/or for dismissal without fair cause filed by 455 former employees of Metaleurop Nord SAS (global amount claimed approximately €26.5M of which €4.3M are provisioned)**
 - **October 14, 2016** : The Lens Labor Court (Industry section) ordered Recylex SA to pay to 73 non-protected former non-managerial employees and 2 protected former non-managerial employees, represented by the CGT union, an amount between €3,000 and €24,000 as damages and €500 pursuant to Article 700 of the French Civil Procedure Code, that is a total amount of €1,000,500. Recylex SA lodged an appeal against these decisions, thereby suspending their enforcement. As the claims of 7 former employees were rejected by the court, 2 of them lodged an appeal against these decisions (but the Appeal Court confirmed on June 29, 2018 these reject decisions). On **June 29, 2018**, the Douai Appeal Court also decided to overturn the 75 Lens Labour court decisions by rejecting the former employees claims. The former employees lodged an appeal before the *Cour de cassation*.
 - **October 18, 2016** : the Lens Labour Court (Management section) ordered Recylex SA to pay to 22 former managerial employees represented by CGT an amount between €3,000 and €16,000 as damages and €500 pursuant to Article 700 of the French Civil Procedure Code, that is a total amount of €213,000. Recylex SA lodged an appeal against these decisions, thereby suspending their enforcement. On **June 29, 2018**, the Douai Appeal Court decided to overturn the 22 Lens Labour court decisions by rejecting the former employees claims. The former employees lodged an appeal before the *Cour de cassation*.
 - **March 30, 2018** : the Lens Labor Court decided to order Recylex S.A. to pay to 13 former employees represented by CGT an amount between €4,000 and €20,000 as damages, along with €500 under article 700 of the Civil Procedure Code, totaling €186,500. Recylex S.A. appealed against these decisions, thereby suspending their enforcement.
 - **October 4, 2019 (Industry section) and April 14, 2020 (Management section)**: next hearings (for pleadings or writing-off) before the Lens Labour Court concerning 330 claims for damages for prejudice of anxiety and/or breach of security duty and/or prejudice for loss of a chance and/or dismissal without fair cause, for a global amount of around €21 million.
 - **July 2, 2019 (for 1 former protected managerial employee), October 4, 2019 (Industry section) and April 14, 2020 (Management section)** : next hearings (for pleadings or writing-off) before the Lens Labour Court concerning claims for damages from 15 former protected employees for a global amount of around €1.7 million.

- **Claim for liability filed by the liquidators of Metaleurop Nord SAS**

- **October 17, 2014:** the liquidators of Metaleurop Nord SAS initiated a claim against Recylex SA before the Arras Commercial Court to have it condemned, as co-employer, to indemnify them for approximately €22 millions (not provisioned) corresponding to the statutory employment contract severance payments and indemnities paid to the former Metaleurop Nord employees in 2003 by the salary guarantee fund regime (AGS – French employers’ association overseeing guaranteed payment of salaries and wages).

- **April 11, 2018:** the Arras Commercial Court ruled in favor of Recylex S.A. The claim from the liquidators of Metaleurop Nord S.A.S. was considered inadmissible as being time-barred since March 21, 2013 on the one hand, and for not having been declared within the scope of the judicial recovery procedure of Recylex S.A. whilst their alleged receivable was born before its opening, on the second hand.

The liquidators lodged an appeal against this decision.

- **Claim for damages brought by SNCF RESEAU concerning the l' Estaque site**

- **April 20, 2018** : Notification of a claim from the industrial and commercial public institution SNCF Réseau lodged before the Marseille Administrative court aiming at having Recylex S.A. together with RETIA S.A.S.A.U. jointly condemned to pay the totality of the sums necessary for the “global refurbishment” of the railways public domain of the L' Estaque sector in Marseille. This claim is estimated to date by the SNCF Réseau at a global amount of €70 million and relates in particular to:
 - The restoration works of the totality of the Riaux Tunnel and the Rio Tinto Tunnel up to respectively €17.1 million and €33.4 million,
 - The demolition and rebuilding of the Vauclair Viaduct (€11.4 million), connecting these two tunnels, which is located on a land belonging to the SNCF and has not been the site of any industrial installation,
 - The renewal of the railway line and ballast in these tunnels and on this viaduct (€8.1 million).

A part of the Riaux Tunnel is located underneath a land in rehabilitation (of a surface of 15 hectares) owned by Recylex S.A. and the Rio Tinto Tunnel is located underneath a rehabilitated land (of a surface of 33 hectares) owned by the company RETIA. Recylex S.A. intends to defend itself vigorously against this claim and to protect its interests in connection with this action, which aims, according to Recylex S.A., at seeking to make the renovation costs of a dilapidated railway line paid by the last industrials having operated the l' Estaque site.

II. LEGAL PROCEEDINGS INITIATED BY RECYLEX SA

- **Claim for liability filed by Recylex SA against the liquidators of Metaleurop Nord SAS**
 - **March 19, 2013** : Recylex SA filed a claim for liability before the Béthune Regional Court against the liquidators of Metaleurop Nord SAS alleging the personal fault committed by them within the framework of making former employees of Metaleurop Nord SAS redundant, resulting in damages being awarded to these employees.
 - **September 18, 2018**: The Béthune Regional Court rejected Recylex S.A.'s liability claim lodged against the liquidators of Metaleurop Nord S.A.S. up to approximately €22 million corresponding mainly to the prejudice suffered by Recylex S.A. as a result of damages it had to pay to more than 550 former employees of Metaleurop Nord S.A.S. As a reminder, these damages were paid to them in order to compensate their loss for dismissal without real and serious cause in lack of search for reclassifications. Recylex S.A. acknowledges the finding by the Court of the personal misconduct by the liquidators of Metaleurop Nord S.A.S. for breaching their legal obligation to seek reclassifications in connection with the dismissal of the former employees of Metaleurop Nord S.A.S. in 2003. However, Recylex S.A. considers that the two legal grounds put forward by the Court to exonerate the liquidators' liability are totally unfounded and therefore lodged an appeal against this decision.

• Appeal in third party proceedings against the ruling of the Douai Administrative Appeal Court of May 13, 2013

- **May 13, 2013** : the Douai Administrative Appeal Court (“Douai AAC”):
 - overturned the ruling of the Lille Administrative Court on July 4, 2012 upholding the decision made on December 23, 2009 by the French labor ministry refusing to add the Metaleurop Nord SAS facility to the list of asbestos manufacturing, flocking and insulating plants, and
 - ordered the French ministry of labor, employment, professional training and social dialogue to add said facility to the list of those eligible for the early retirement allocation for asbestos workers for the period between January 1, 1962 to December 31, 1996.
- **August 1, 2013** : Since Recylex has never been asked to appear or represented in connection with this administrative procedure, it submitted an application to set aside a judgment adversely affecting its interests to the Douai AAC related to the latter’s May 13, 2013 ruling.
- **July 21, 2015**: the Douai AAC confirmed the inclusion of Metaleurop Nord’s Noyelles–Godault plant on the list of facilities eligible for the “ACAATA” (early retirement allocation for asbestos workers) but also decided to reduce the period of registration from January 1, 1962 to December 31, 1989 (vs. December 31, 1996 previously). Recylex lodged an appeal before the “*Conseil d’Etat*”.
- **June 27, 2016**: the “*Conseil d’Etat*” overturned the July 21, 2015 decision by the Douai AAC, pursuant to which Metaleurop Nord’s Noyelles–Godault plant was included on the list of facilities eligible for the “ACAATA” for the period from January 1, 1962 until December 31, 1989. The case was sent back to the Douai administrative court.
- **March 2, 2017**: the Douai Administrative Appeal Court ruled in Recylex SA’s favour by deciding to :
 - Declare its judgment of 13 May 2013 null and void
 - Reject the application submitted by the *Association Chœurs de fondateurs* (representing former employees of Metaleurop Nord)
 - Order the Minister of Labor & Employment, to repeal, within two months of the notification of this judgment, the Order of 5 November 2013 including the Metaleurop Nord’s Noyelles Godault plant on the list of facilities eligible for the ACAATA

This decision is final since the appeal lodged by the *Association Chœurs de fondateurs* was considered as inadmissible by the Conseil d’Etat.
- **December 19, 2017**: Ministerial order repealing the ministerial orders of November 5, 2013 and March 2, 2016.
- **February – April 2018**: a claim for annulment of this ministerial decree has been lodged by former employees of Metaleurop Nord S.A.S., as well as a new request aiming at having the Noyelles–Godault plant included on the list of facilities eligible for the “ACAATA” .

- **Application to repeal the inter-ministerial Decree of November 5, 2013**
 - **November 5, 2013** : In execution of the ruling of Douai AAC of May 13, 2013, an inter-ministerial Decree includes the Noyelles-Godault facility of Metaleurop Nord SAS on the list of facilities eligible for the early retirement allocation for asbestos workers for the period between January 1, 1962 to December 31, 1996.
 - **December 19, 2013**: Recylex lodged an application to the Lille Administrative Court to repeal the aforementioned inter-ministerial Decree of November 5, 2013.
- **Application to repeal the inter-ministerial Decree of March 2, 2016**
 - **March 2, 2016**: In execution of the ruling of Douai AAC of July 21, 2015, an inter-ministerial Decree includes the Noyelles-Godault facility of Metaleurop Nord SAS on the list of facilities eligible for the early retirement allocation for asbestos workers for the period between January 1, 1962 to December 31, 1989.
 - **April 12, 2016**: Recylex lodged an application to the Lille Administrative Court to repeal the aforementioned inter-ministerial Decree of March 2, 2016.

- **Appeal in voluntary proceedings before the Douai AAC to repeal the cancellation of dismissal authorization of former protected employees**
 - **January 2015** : the claims for damages from 16 former protected employees for prejudice arising from the cancellation of dismissal authorization being linked to the administrative procedure aimed at repealing the cancellation of their dismissal, Recylex lodged an appeal in voluntary proceedings before the Douai AAC in order to reconsider this cancellation ruled by the Lille Administrative Court on 2 October 2013. Recylex had never been asked to appear or represented in this administrative procedure.
 - **December 31, 2015** : the Douai AAC admitted the appeal in voluntary proceedings of Recylex SA but rejected the appeal lodged by the liquidators of Metaleurop Nord and the Labour Ministry against the cancellation ruled by the Lille Administrative Court of 16 former protected employees' dismissal authorization.
 - **February 24, 2016**: Recylex has lodged an appeal before the “*Conseil d’Etat*” against the decisions taken on December 31, 2015 by the Douai AAC.
 - **February 7, 2018 and April 13, 2018**: The Conseil d’Etat decided to cancel the decisions taken on December 31, 2015 by the Douai AAC and on 2 October 2013 by the Lille Administrative Court concerning 15 former protected employees , which confirms the validity of the authorization to dismiss them decided in 2003.