

COLEXON Energy AG, Hamburg

Ordinary General Meeting on 16 June 2011 at 9 a.m.
Haus der Wirtschaft, Kapstadtring 10, 22297 Hamburg

Form for issuing proxy to a person other than the voting rights representative appointed by the company

Entry ticket number: Number of shares:

made out to:
(First name, surname)

.....
(Postcode) (Town/city)

Notes for issuing proxy to a person other than the voting rights representative appointed by the company

If a proxy is issued in favour of a person other than the voting rights representative appointed by the company, and this does not fall within the field of application of § 135 of the German Stock Corporation Act [AktG] (in particular proxy granted to credit institutions and associations of shareholders), the following applies: The text form (§ 126b of the German Civil Code [BGB]) is required for the issuing and revocation of proxies and for the proof of authorisation to be submitted to the company. If the issuing or revocation of the proxy is effected by means of a declaration to the company, this can be sent in text form or also by email before the General Meeting to the following address:

COLEXON Energy AG
c/o UBJ. GmbH
COLEXON Energy AG HV 2011
Kapstadtring 10, 22297 Hamburg
Fax: +49 (40) 6378 – 5423, email: hv@ubj.de

Proxies issued to a person other than the voting rights representative appointed by the company can also be issued, during the General Meeting, by the use of the form for issuing proxy to persons other than the voting rights representative appointed by the company.

Within the field of application of § 135 AktG (i.e. in the event that proxy is issued to a credit institution or an association of shareholders or any other association, or persons or associations acting in a business capacity and equivalent to credit institutions pursuant to § 135 (8) AktG or to § 135 (10) in conjunction with § 125 (5) AktG, or the issuing of the proxy is otherwise subject to the field of application of § 135 AktG), the text form is not required by § 134 (3) sentence 3 AktG, neither do the Articles of Association contain any special regulation for this case. Consequently, the credit institutions and other persons or associations equivalent to credit institutions pursuant to § 135 AktG can provide proxy forms which only have to satisfy the statutory provisions applicable to such cases of proxy issuance, in particular the provisions in § 135 AktG. Reference is made to the special procedure envisaged in § 135 (1) sentence 5 AktG.

Provision of evidence of authorisation: If proxy is issued by declaration to the company, additional proof of proxy is not necessary. On the other hand, if proxy is issued by declaration to the person being authorised, the company can require proof of authorisation, unless § 135 AktG indicates otherwise. Proof of authorisation can be sent to the following address in advance of the General Meeting:

COLEXON Energy AG
c/o UBJ. GmbH
COLEXON Energy AG HV 2011
Kapstadtring 10, 22297 Hamburg
Fax: +49 (40) 6378 - 5423

Proof of appointment of a proxy can also be sent to the company by email to the address hv@ubj.de. However, proof of authorisation can only be clearly allocated to the application if the surname, first name and address of the shareholder or the entry ticket number are stated.

Proxy

I/We authorise Mr/Ms

.....
(First name, surname)

.....
(Postcode) (Town/city)

to represent me/us at the Ordinary General Meeting of COLEXON Energy AG on 16 June 2011, with exemption from § 181 BGB, and to exercise any voting right for me/us. The proxy is authorised to appoint a sub proxy or to transfer the authorisation to a third party.

.....
Town/city, date, signature or completion of the declaration within the meaning of § 126b BGB