PRESS RELEASE

Rekeep S.p.A.:

- **State Council Decision already appealed to the Italian Supreme Court (*Corte di Cassazione*) seeking its reversal, along with the suspension of the enforcement as a precautionary measure.**
- **Since the date of the publication of the State Council Decision the registration by ANAC with the relevant electronic register has not occurred and therefore the exclusion is not yet effective.**

Zola Predosa (Bologna), January 10, 2019 – **Rekeep S.p.A.** ("**Rekeep**" or "**Company**"), formerly Manutencoop Facility Management S.p.A., announces that, following its previous communications dated November 15 and December 21, 2017, the State Council (*Consiglio di Stato – i.e.*, the Italian Supreme Administrative Court) with decision no. 7271 dated December 27, 2018 (the "**State Council Decision**"), accepted the petition brought by the Italian Anti-Corruption Authority ("**ANAC**" or the "**Authority**") against the ruling of the Administrative Tribunal for the Lazio Region ("**Tar Lazio**") no. 12527 dated December 21, 2017, which overturned the ANAC decision no. 1106/2017 dated October 25, 2017, filed with the Secretary of the Authority Council on November 8, 2017, and communicated to the Company on November 10, 2017 (the "**ANAC Decision**").

As previously communicated, the ANAC Decision was issued in relation to a false statement registration proceeding commenced against the Company in November 2016 following a notice filed by the Santobono-Pausilipon Public Health Agency of Naples. In particular, it was alleged that the Company's application which included certain administrative documentation - required to participate in such public tender process launched in 2013 - omitted an affidavit stating that one of the Company's attorney in fact (*procuratore*) had no criminal records **(it is worth noting that such attorney in fact had no criminal records, thus being in full compliance with all applicable legal requirements provided by the law to be awarded with a public contract)**.

The ANAC Decision, in addition to imposing a €10,000 fine, excludes Rekeep from all public tenders for a period of six months beginning on the date of registration by ANAC of the ANAC Decision with the relevant electronic register. **Since the date of the publication of the State Council Decision such registration has not yet occurred and therefore the aforementioned exclusion is not yet effective**.

The ANAC Decision would not in any event impair Rekeep S.p.A. ability to participate in any tender procedure launched by private entities, as well as to perform services under current backlog.

The Company, together with its legal advisors, maintains that the State Council Decision – as the ANAC Decision before it – is groundless and based on erroneous legal reasoning, and that the ANAC Decision imposes a disproportionate sanction *vis-à-vis* the alleged infringement.

As a result, Rekeep has already instructed its legal advisors to take any action and/or pursue any remedy, including before the competent courts, to safeguard its rights and interests.

The State Council Decision has been appealed on yesterday's date to the Italian Supreme Court (*Corte di Cassazione*) seeking its reversal, along with the suspension of the enforcement as a precautionary measure. In particular, the State Council Decision has been appealed on the basis that the law is clear that a false declaration or false documentation in connection with a public tender is actionable, but an omission is not (pursuant to Article 38, Paragraph 1-*ter* of Legislative Decree no. 163/2006). Therefore the Company claims that the State Council exceeded its power in confirming a sanction (issued by ANAC) which is not provided by the law.

The State Council Decision has also been appealed to the State Council seeking the suspension of the enforcement as a precautionary measure pursuant to Art. 111 of the Italian Code of Administrative Procedure.

Moreover, further evidencing the disproportionality of the ANAC Decision, the Company notes that under prior and current tender regulation, the omission of the same administrative documentation would not even represent a potential violation as it would be cured simply upon presentation of the missing document following request of the tendering authority (a procedure known as the *soccorso istruttorio*).

The Company also announces that any and all actions and/or decisions taken by the Authority as a result of the State Council Decision will be promptly challenged before Tar Lazio, and that it has already instructed its legal advisors to consider bringing further legal actions before the competent European courts (*i.e.*, Court of Human Rights and Court of Justice).

The Company will promptly inform the market as soon as any developments with respect to the aforementioned proceedings become available.

For further information:

Rekeep / Press office
Chiara Filippi
Ph. +39 051 3515195 / cfilippi@rekeep.com

Rekeep / Investor Relations
Luca Buglione
Ph. +39 051 35 15 546 / investor@rekeep.com

Image Building / Media Relations
Alfredo Mele, Alessandro Zambetti
Ph. +39 02 89011300 / rekeep@imagebuilding.it

This press release includes forward-looking statements within the meaning of the securities laws of certain applicable jurisdictions. These forward-looking statements include, but are not limited to, all statements other than statements of historical facts contained in herein, including, without limitation, those regarding Rekeep's plans, objectives, goals and targets. In certain instances, you can identify forward-looking statements by terminology such as "aim," "anticipate," "believe," "continue," "could," "estimate," "expect," "forecast," "guidance," "intend," "may," "plan," "potential," "predict," "projected," "should," or "will" or the negative of such terms or other comparable terminology. By their nature, forward-looking statements involve known and unknown risks, uncertainties and other factors because they relate to events and depend on circumstances that may or may not occur in the future. We caution you that forward-looking statements are not guarantees of future performance and are based on numerous assumptions and that actual results may differ materially from (and be more negative than) those made in, or suggested by, the forward-looking statements contained in this press release.