

27 March, 2025

Stichting Essure Claims

Report of the management board for the period

1 January - 31 December 2024

INTRODUCTION

Stichting Essure Claims (the “**Foundation**”) acts on behalf of all women who had the device Essure implanted in their ovaries in the Netherlands (“**Aggrieved Parties**”). The management board (the “**Board**”) of the Foundation is in charge of the Foundation’s policy and the day-to-day running of the Foundation.

As per 1 January 2024 the Board consists of three directors:

1. Mrs. Antoinette Colligon (chair),
2. Mr. Jules Schagen van Leeuwen,
3. Mr. Guido Rooijackers.

REPORT OF THE BOARD

Activities

On 28 May 2024 a combined meeting took place between the Board and the supervisory board of the Foundation (“**Supervisory Board**”).

The Board held various consultations with its attorney, Mr. M.N. van Dam at Lemstra Van der Korst.

On 24 January 2024 the Foundation filed its defence against the statement from Bayer of 1 November 2023 with the Court. On 17 April 2024 Bayer filed its statement of reply. On 10 July 2024 the Foundation filed its rejoinder. The statements filed covered the preliminary defences of Bayer in response to the Foundation's writ of summons dated 3 April 2023.

On 24 January 2024 and on 26 July 2024 the Foundation issued newsletters to the Aggrieved Parties with an update on the proceedings.

An information meeting for the Aggrieved Parties was held in Jaarbeurs Utrecht on 29 June 2024. More than 400 participants joined the meeting. The Chairperson of the Foundation, Antoinette Collignon, led the meeting and welcomed speakers Martijn van Dam (the Foundation's attorney), Daniëlle van Gastel (PhD fellow and resident gynaecology at UMC Maastricht) and Lucretia Hoff (administrator of the Facebook group 'Essure Problemen Nederland' and contact person on behalf of the Aggrieved Parties). Martijn van Dam explained the progress of the proceedings, and Bayer's defenses. Daniëlle van Gastel presented the results of the study on the impact of having Essure removed on the symptoms experienced by many women and on quality of life.

On 8 October 2024 an oral hearing took place before the District Court of Midden-Nederland that dealt with the preliminary defences raised by Bayer. The hearing was attended by more than 50 of the Aggrieved Parties in person and more than 400 of the Aggrieved Parties via livestream.

Financial Statements 2024

The Foundation's day-to-day costs mainly comprise the Board and Supervisory Board members' remuneration and legal fees. Each of the Board and Supervisory Board members invoice the Foundation in accordance with the respective engagement agreement between the Foundation and the individual Board and Supervisory Board members. In 2024 costs were also incurred for organizing an in-person information meeting for the Aggrieved Parties in Jaarbeurs Utrecht.

Claim Code Compliance

The Foundation endorses the Claim Code that came into force on July 1, 2011 as amended on March 4, 2019. The Foundation complies with the Claim Code. This is further elaborated on in the Claim Code compliance, which the Foundation publishes on its website on an annual basis.

Outlook

On 8 January 2025 the District Court of Midden-Nederland delivered its verdict. The court ruled that:

- the Court has jurisdiction also for Bayer AG
- Dutch Law applies
- the WAMCA is applicable
- the Foundation meets the admissibility requirements of Section 3:305a par.1 - 3 DCC and other requirements based on article 1018c par 5 DCPR.
- the claim of the Health Insurers is admissible.
- the Foundation is appointed as exclusive representative of 'All women who have had Essure implanted in the Netherlands'

In the course of 2025, the proceedings will continue onto the merits.

Amsterdam, 27 March 2025