

**Court of Bergamo**

To the attention of:

Mr. Emilio Zanetti  
C/O UBI-BANCA Scpa  
Piazza Vittorio Veneto, 8  
Bergamo

Sezione VG – Via Borfuro, 11

Communication of the office of the court's clerk

Type of proceedings: voluntary

General roll number: 3064/2009

Judge: SINISCALCHI EZIO

Date of next hearing:      Time:

Parties in the proceedings.

Primary plaintiff: Unione di Banche Italiane SpA

Attorney:

**SUBJECT: DISSOLUTION OF RESERVE**

Text of communication notice

SEE ATTACHMENT

BERGAMO, 11/02/2010

JUDICIAL OFFICER

Caterina Burini

THE COURT OF BERGAMO  
The Chief Judge

Proceedings of the general registry 3064/09, Legal Volume

Following a reading of the appeal put forth by UBI Banca Scpa, in accordance with Article 2417, paragraph two, of the Italian Civil Code and the convocation decree of the Chief Judge of this Court, dated 4.12.2009;

Having noted that UBI Banca requested this Court to proceed with the appointment of a common representative of the owners of bonds relative to the loan, “UBI 2009/2013, convertible with a right of reimbursement into shares for a maximum amount of Euro 639,145,872.00”, thereby also determining the relative compensation given that the bondholders’ meetings which were explicitly convened to deliberate on this appointment did not have participants in attendance;

Following a hearing with the affected party and, in particular, in the hearing of 20.1.2010, the Chairman, Vice Chairman and Chief Executive Officer of UBI Banca Scpa, delegated by the Management Board – following the meeting of 24.11.2009 – to present the Court with any useful information for assessing the requested appointment on the basis of common guidelines shared by the entire Board which was explicitly represented in detail;

Having noted the tasks of the common representative, as specified within Article 2418 of the Italian Civil Code and specified in further detail by the Management Board in the abovementioned meeting of 24.11.2009 and reported to the Court by the delegated parties;

Having ascertained that the preferences for an individual “with proven experience in the banking sector and, in general, within the economic-financial environment”, as represented by the Management Board of the plaintiff institution, are consistent with the function and role of a common representative;

Given that Mr. Umberto Ambrosoli, an attorney in Milan within the specific sector of criminal-commercial law, and publicist, is considered to certainly possess these prerequisites;

Having ascertained that the plaintiff company explicitly requests that the compensation be set to Euro 10,000.00 for each year of the three-year period of reference, 2009-2010-2011;

Given that this specific request can be approved - even if Article 2417, paragraph three, of the Italian Civil Code, states that the compensation must be determined by the meeting of bondholders – it is possible that such a meeting could be difficult to convene and, in any case, it can approve any new resolutions if it convenes;

and thereby appoints

the attorney at law, Mr. Umberto Ambrosoli, with an office in Milan in Via Fontana no. 4 – tel. 02 5992101 – the common representative of the owners of bonds of the loan “UBI 2009/2013, convertible with a right of reimbursement into shares” for the years 2009-2010-2011.

The compensation is determined to be Euro 10,000.00 for each year of execution of the office. Bergamo, as decided in the judges’ room on 20.1.2010

The Chairman  
Ezio Siniscalchi

9 February 2010  
Mr. Lorenzo Lancia