



RECENT DEVELOPMENTS IN THE PARMALAT INSOLVENCY

21 June 2005

There have been a number of recent developments in the extraordinary administration of the Parmalat Group companies:

- the amendment of the restructuring plan ("**Plan**") proposed by the commissioner ("**Commissioner**") which included details of the proposal for the composition with creditors ("**Concordato**");
- the transferability of the bonds and sole shareholder issues
- the vote on the Concordato and the listing process
- further litigation

1. BACKGROUND

Insolvent Companies

1.1 The Concordato proposed by the Commissioner involves only the following companies currently in extraordinary administration (the "**Companies**"):

Parmalat S.p.A.	Parmalat Capital Netherlands BV
Parmalat Finanziaria S.p.A.	Parmalat Finance Corporation BV
Eurolat S.p.A.	Parmalat Netherlands BV
Lactis S.p.A.	Olex S.A.
Geslat s.r.l.	Parmalat Soparfi S.A.
Parmengineering s.r.l.	Panna Elena CPC s.r.l.
Contal s.r.l.	Newco s.r.l.
Daries Holding International BV	Centro Latte Centallo s.r.l.

1.2 Other companies in the Parmalat Group which are also subject to extraordinary administration but have no strategic value or do not fit into the Plan have been earmarked for disposal as part of existing or future divestment programs.

Essential steps of the proposed Concordato

1.3 The proposal for the Concordato contains the following essential steps:

- (a) the establishment, solely for the benefit of creditors, of the Parmalat Creditors' Foundation whose purpose is to facilitate the Concordato. The Foundation was established on 21 July 2004 and was recognized by the Parma Court on 26 July 2004;
- (b) the acquisition by the Foundation of a new or existing dormant company. On 26 July 2004 the Foundation acquired the entire issued share capital of a new company, Parmalat S.p.A., to act as Assumptor under the Concordato ("**New Parmalat**").

Outstanding steps:

- (c) New Parmalat will execute the Concordato and assume all obligations arising thereunder;
- (d) following approval of the Concordato by unsecured creditors and by the Court, all of the Companies will transfer to New Parmalat all their assets (including equity investments in Companies other than those subject to the extraordinary administration procedure), all of their liabilities (as reduced by the claim reduction applicable to that company, calculated on the basis of that company's net debt and assets) and all related claw back, liability and indemnification actions applicable to these Companies;
- (e) New Parmalat will settle in full in cash all preferential creditors' claims and all those creditors' claims which have been accepted on a pre-deduction basis (such as expenses of the Commissioner and of the extraordinary administration procedure);
- (f) New Parmalat will settle all unsecured creditors' claims on a partial basis through a debt equity swap, which will be different in respect of each Company included in the Concordato and will be calculated by applying the recovery ratio for that Company based on the relevant Company's assets/liabilities ratio ("**Recovery Ratio**"), by the allocation of fully paid shares in New Parmalat, coupled with warrants to subscribe for up to 650 shares at par value, exercisable between 2005 and 2015.

The final list of creditors

- 1.4 On 16 December 2004 on the basis of the provisional list prepared by the Commissioner, the Delegated Judges issued the final list. On that date the Tribunal of Parma issued a decree ordering the Commissioner to notify all the creditors that the list of claims admitted, rejected or admitted subject to condition related to all Companies had been filed ("**Final List**"). The deadline to challenge the Final List has now expired.

The debt/equity swap for unsecured creditors

- 1.5 Unsecured creditors (such as suppliers or bondholders) will receive that number of shares in New Parmalat which derives from the application of the relevant Recovery Ratio, combined where appropriate with the Recovery Ratio applicable for any Company which guaranteed such debt, to the nominal value of the debt, together with an equal number of warrants, subject to an overall maximum of 650 warrants for each holding. Two examples based on currently published recovery ratios may assist in clarifying these principles:

(a) **Example 1: Holder of Euros 1,000 Bonds issued by Parmalat Finance Corporation BV and guaranteed by Parmalat S.p.A.**

The bondholder will receive 4.6% (Recovery Ratio of Parmalat Finance Corporation BV) plus 7.3% (Recovery Ratio of Parmalat S.p.A.) i.e. 11.9% of Euros 1,000, namely 119 shares with 119 warrants.

(b) **Example 2: Holder of Euros 100,000 Bonds issued by Parmalat Capital Netherlands BV and guaranteed by Parmalat Finanziaria S.p.A.**

The bondholder will receive 0% (Recovery Ratio of Parmalat Capital Netherlands BV) plus 11.3% (Recovery Ratio of Parmalat Finanziaria S.p.A.) i.e. 11.3% of Euros 100,000, namely 11,300 shares with 650 warrants.

2. **AMENDMENT TO THE PLAN**

2.1 The Plan which was approved by Minister of Productive Activity and the Minister of Agricultural policy and forest on 23 July 2004 was amended on 1 March 2005 in order, mainly, to amend the recovery ratios.

New recovery ratios

2.2 These are the new recovery ratios :

Company	new recovery ratios	previous recovery ratios
Parmalat Finanziaria SpA	5.7%	11.3%
Parmalat SpA	6.9%	7.3%
Centro Latte Centallo Srl	64.8%	100.0%
Contal Srl	7.1%	17.2%
Eurolat SpA	100.0%	100.0%
Parmengineering Srl	4.9%	76.1%
Geslat Srl	28.2%	19.9%
Lactis SpA	100.0%	100.0%
Newco Srl	14.0%	100.0%
Panna Elena CPC Srl	75.7%	100.0%
Olex SA	2.3%	100.0%
Parmalat Soparfi Sa	21.0%	26.9%
Dairies Holding International Bv	39.2%	100.0%
Parmalat Capital Netherlands Bv	5.3%	0.0%
Parmalat Finance Corporation Bv	5.0%	4.6%
Parmalat Netherlands Bv	6.4%	2.3%

2.3 The recovery ratios have been amended in order to reflect:

- (a) the admitted claims under the Final List;
- (b) challenges proposed against the Final List by creditors whose claims which have been rejected or conditionally admitted;
- (c) other significant events that have occurred since July 2004 and that have produced important changes to the previous valuations of the assets and liabilities of each Parmalat company included in the Plan. In particular:

- (i) the settlement agreement with Nextra ¹ and the proceeds arising;
- (ii) the costs which have been incurred in the extraordinary administration procedure;
- (iii) the approach of the Delegated Judges in the Final List which rejected the proposal of the Commissioner to postpone payments of intercompany loans pursuant to a law which became effective during the Parmalat procedure but which was not in force at the time these intercompany loans were entered into.

Capital increase

- 2.4 On 1 March 2005 as a result of the above amendment the extraordinary shareholders' meeting of New Parmalat resolved to increase the corporate capital as follows:
- (a) from Euro 120,000.00 to Euro 1,541,195.00 to effect the debt/equity swap for unsecured creditors;
 - (b) an additional Euro 388,892,818.00 of which (i) Euro 238,892,818.00 is for the debt/equity swap in respect of challenged claims and (ii) Euro 150,000,000.00 for late claims;
 - (c) additional Euro 80,000.00 to satisfy exercise of the warrants (as described above).

3. BONDS: THEIR TRANSFERABILITY AND THE SOLE SHAREHOLDER CLAIM

- 3.1 We have come across issues concerning the transferability of bonds and possible additional claims grounded on the "sole shareholder" argument.

Transferability of bonds

- 3.2 Before the entry into force of Law No. 166 of 5 July 2004 bearer bonds were admitted as claims in the Parmalat insolvency proceedings if the respective owner (or the intermediary delegated by the owner) filed the relevant petition with the Court of Parma together with a certificate of the relevant financial intermediary, bank or clearing system certifying that the bearer bonds were held by such institution and blocked (i.e. not transferable).
- 3.3 On 11 August 2004 a Parmalat press release, making reference to Law No. 166, gave notice that all the bonds issued by it were to be regarded as admitted among the overall liabilities in the Parmalat insolvency proceedings irrespective of whether individual petitions to the Parma Court had been filed as described above. Accordingly, financial intermediaries, banks and clearing systems could reverse any blocking procedure then in place, and the bonds should now be freely transferable and may circulate until the implementation of the Concordato, when (upon presentation to the company) they will be converted into shares in New Parmalat.

"Sole shareholder": art. 2362 and the additional claims

¹ Nextra (the Banca Intesa management company) has reached a settlement of potential litigation regarding a controversial bond issue in September 2003. As part of the settlement, Nextra denied any misconduct and protested its ignorance of the Parmalat insolvency but agreed to a cash payment of Euro 160 million to Parmalat procedure. The settlement was cleared by the supervisory committee on 13 October 2004 and should shortly be approved also by the competent Ministry.

- 3.4 A list of admitted bonds (as published on the Parmalat website) can be found at **Attachment A**.
- 3.5 Article 2362 of the Italian Civil Code, as in force prior to 1, January, 2004, provided that in the event of insolvency of its wholly owned subsidiary, a sole shareholder was liable without limit for the obligations (either in tort or in contract) undertaken by the subsidiary.
- 3.6 The Parma Court has recently taken a favourable approach with respect to certain creditors' claims in respect of bond issues, admitting also the "secondary" claim against the sole shareholder of the Companies based on this unlimited liability "sole shareholder" provision.
- 3.7 This clarification may be material for any claimants which have sole shareholder claims vis-à-vis companies belonging to the Companies, whose obligations arose when the capital of such company was owned by a sole shareholder. It is in fact possible to file a late claim in the administration on the basis of article 2362.
- 3.8 We have prepared a table describing, in relation to each bond issue, whether the provision of article 2362 of the Italian Civil Code applies. (**Attachment B**).
- 3.9 The Prospectus (as defined below under para 4.2) confirms that the liabilities contemplated by article 2362 are admitted only on individual basis (and not "en bloc") if requirements of point 3.5 are met.

4. **THE CONCORDATO AND THE LISTING PROCESS**

- 4.1 The decree of Parma Tribunal approving the Final List noted that Consob (the Italian exchange authority) deems the Concordato to be an investment solicitation which needs to be incorporated in a prospectus to be approved by Consob.
- 4.2 On 26 May 2005 Consob, (the Italian stock exchange authority) has approved the Informative prospectus (the "**Prospectus**") submitted by Parmalat ². The Commissioner is expecting such approval to be made before the end of June to proceed shortly thereafter with the vote of Concordato and the listing which is expected in September 2005.
- 4.3 Subsequently, by a decree issued on 16 June 2005, the Delegated Judges have determined how creditors admitted to vote may exercise their voting rights. Such decree provides that votes can be expressed in the period between **28 June 2005** and **26 August 2005**. As to the way in which voting rights can be exercised please see in www.parmalat.net, then click on the folder "extraordinary administration", then on the folder "restructuring plan", then on the folder "official prospectus" and finally on "voting procedures"..

Possible outcomes of the Concordato

- 4.4 The Concordato will be regarded as approved if it receives the favorable vote of that number of creditors representing the majority of the admitted claims, including claims subject to a condition. Creditors will be entitled to vote through the banks were they purchased the bonds (as far as bondholders are concerned), by post or through the

² The Prospectus contains some restrictions for creditors who are: (i) in possession of "US person" status according to the meaning given to such term pursuant to Regulation S of the US Securities Act of 1933 as amended; or (ii) resident or domiciled in the United States of America; or (iii) resident of Canada; or (iv) resident of Japan; (v) resident of Bahamas.

Chamber of Commerce of Parma. It should be noted that creditors not voting are deemed to have approved the Concordato.

- 4.5 If the relevant majority approval is reached, the Parma Court will issue a judgment approving the Concordato. If creditors do not approve the Concordato the Commissioner may submit to the Minister of the Productive Activities a plan for the transfer of the several businesses of the Companies. If this plan is approved, the management of these businesses cannot continue for longer than two years from the above approval. If the plan is not approved the procedure will be converted into straight forward insolvency (winding up) of the Companies.

Distribution of shares and cash to creditors

- 4.6 Once the Concordato is approved, the unsecured creditors whose claims have been admitted may request their shares arising from the debt/equity swap. Secured creditors will be paid in full within 180 days from the judgment approving the Concordato if it is approved by unsecured creditors.
- 4.7 The creditors' right to apply for and obtain the allocation of the New Parmalat's shares and warrants to which they are entitled expires after the elapse of a five year term, such term respectively running:
- (a) for eligible creditors, as from the date on which the capital increase implemented by the New Parmalat is registered with the Companies' Register;
 - (b) for creditors who have challenged the sum of liabilities:
 - (i) as from the date on which the decision confirming the challenged claim becomes final; or
 - (ii) as from the date of any settlement entered into between the parties under which the existence and the amount of the contested claim is recognised and determined;
 - (c) for creditors with conditional claims, as from the date on which the relevant conditions are fulfilled;
 - (d) for late filing creditors:
 - (i) as from the date on which the decision confirming their claim becomes final; or
 - (ii) as from the date of any settlement entered into between the parties under which the existence and the amount of the contested claim is recognised and determined.
- 4.8 As also confirmed by the Prospectus, creditors whose claims were not included in the liabilities of one of the Companies involved in the Concordato and which were not taken into consideration for the purpose of determining the liabilities of such Companies, despite the fact that these creditors, qualifying as such by virtue of rights and/or titles pre-dating the admission of the Companies to extraordinary administration, continue to be entitled to assert their claims against the relevant Company/ies until such claims will expire under the statute of limitations.

5. LITIGATION

- 5.1 It is worth noting not only the status of the current litigation but also implications of the significant litigation resulting from Parmalat procedure.

Updating on pending litigation

- 5.2 First of all it has to be noted that until the judgment, if any, approving the Concordato is issued, the Commissioner may initiate further claw back actions. Indeed the Plan indicated that about 500 potential claims were under scrutiny by the Commissioner and still the Prospectus mentioned that other possible actions for damage are under scrutiny. The targets of these possible actions are investment banks and institutional lenders.
- 5.3 The Prospectus mentions 71 claw back actions already started. In particular, on 9 March 2005, the Commissioner gave notice that he had commenced new actions against factoring companies and banks, in order to claw back payments made by the Companies during the 12 months prior to the date of insolvency declaration.
- 5.4 On 16 December 2004, the Commissioner gave notice that he had commenced 45 claw back actions against banks in order to obtain the revocation of payments made by the Companies during the year preceding their insolvency.
- 5.5 Two claw back actions were started on 6 and 9 August 2004 before the Court of Parma against, respectively, UBS (the amount claimed is about Euro 290 million plus interest) and Deutsche Bank (the amount claimed is around Euro 17 million). A third claw back action was commenced on 19 August 2004 in the same Court against Credit Suisse First Boston for an amount of Euro 248 million. An additional claw back action has been started against Morgan Stanley Limited and Morgan Stanley Bank claiming the repayment of Euro 135.7 million. In all the claw back cases the Commissioner specified that damages will be sought in separate proceedings.
- 5.6 On 29 July 2004 the Commissioner filed the first of these actions against Citigroup before the Superior Court of New Jersey, Bergen County, claiming fraud. The Prospectus mentioned that on 17 March 2005 Citigroup and its controlled entities filed their counter-briefs requesting damages in an amount in excess of USD 500 million as well as punitive damages.
- 5.7 The Prospectus does not provide any material update in respect of two other actions for damages filed on 18 August 2004 against Grant Thornton and Deloitte & Touche in the Circuit Court of Cook County, Illinois and on 7 October 2004 against Bank of America in the District Court of North Carolina, Asheville Division. Under both the actions, the Commissioner requested relief in the each amount of USD\$ 10 billion.

Governance

- 5.8 More broadly, the Plan implies that New Parmalat will reap the benefit of proceeds arising from the actions brought by the Commissioner as it will substitute the affected Companies in the relevant proceedings. In other words Parmalat creditors will indirectly benefit from these proceeds in terms of an increase in value of their shares in New Parmalat or by means of dividends paid on such shares.
- 5.9 Indeed the New Parmalat byelaws provide for the mandatory payment by the company of dividends for the next 15 years equal to not less than 50% of earnings, if any, which may include proceeds by way of damages awarded and claw back orders.

- 5.10 Furthermore the byelaws had to deal with the fact that in the Final List the major creditors are those whose claims are challenged by the Commissioner. Bank of America and Citibank, each of which the Commissioner has sued for US\$ 10 billion (see above) (and whose claims had first been rejected by the Commissioner because of the invalidity of the relevant transactions) will become the largest of Parmalat's shareholders, the first one with about 2.17% through Wells Fargo Bank, and the second one with 2.15% through Buconero Ltd.. The largest shareholder outright will be Capitalia with about 5.75%. Foreign banks will control about 9.7% of New Parmalat and Italian banks around 17.4%.
- 5.11 As a result the future major New Parmalat shareholders may have an interest in settling these cases on terms and conditions which may reflect their own interest and those of New Parmalat. As also recalled by the Prospectus, the Byelaws address this issue providing a special Board of Directors quorum of at least 8/11 of members, to approve any settlement of claims which were initiated by the Commissioner prior to the judgment approving the Concordato. Furthermore, settlement of claims is exclusively a power of the Board of Directors and cannot be delegated to one or more directors.

Claw back actions

- 5.12 A detailed list of requirements for claw back actions applicable to the Parmalat procedure is described in the attached chart (**Attachment C**).
- 5.13 The rationale behind such requirements may be summarised as follows:
- (a) "abnormal" transactions can be clawed back if they occurred within the period of two years from the date in which the insolvency was declared unless the creditor proves that he had no knowledge of the insolvency;
 - (b) "normal" transactions can only be clawed back if they occurred within the period of one year from the declaration of insolvency if the Commissioner proves that the creditor had knowledge of the insolvency.
- 5.14 Article 2 of Law Decree 14, March 2005 n. 35 (**Law Decree 35/2005**) amended the set of rules concerning claw back actions in the Italian bankruptcy law (please see the accompanying note) mainly shortening the "look back" period, in which transactions could be clawed back, and providing for some exemptions. Had the Law Decree applied to the Parmalat procedure, many claw back actions could not have been proposed or would have been proposed for different lower amounts. However, such amendments do not affect the Parmalat procedure since, according to the Law Decree, they apply only to the procedures opened after the entering into force of the Law Decree 35/2005, after 17, March 2005.

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ATTACHMENTA

ELENCO PRESTITI OBBLIGAZIONARI AMMESSI		
PROCEDURA	CRON.	NOME
Parmalat spa garante	23215	XS0083921881
Parmalat spa garante	23202	XS0085752748
Parmalat spa garante	23216	XS0089553365
Parmalat spa garante	23211	XS0095639620
Parmalat spa garante	23198	XS0098549164
Parmalat spa garante	23212	XS0098549677
Parmalat spa garante	23213	XS0100135770
Parmalat spa garante	23204	XS0102619961
Parmalat spa garante	23201	XS0106583577
Parmalat spa garante	23206	XS0118659688
Parmalat spa garante	23203	XS0123321068
Parmalat spa garante	23196	XS0124248922
Parmalat spa garante	23210	XS0132599175
Parmalat spa garante	23199	XS0135579349
Parmalat spa garante	23205	XS0140751941
Parmalat spa garante	23200	XS0156987058
Parmalat spa garante	23197	XS0158370121
Parmalat spa garante	23209	XS0170717184
Parmalat spa garante	23217	XS0171287872
Parmalat spa garante	23207	XS0171288177
Parmalat spa garante	23214	XS0176831013
Parmalat spa garante		XS0110650586
Parmalat Finanziaria	20188	GB0054047484
Parmalat Finanziaria	20187	IT0001157202
Parmalat Finanziaria	20186	IT0000960044
Parmalat Finanziaria garante	20162	XS 0084903847
Parmalat Finanziaria garante	20161	XS 0124248922
Parmalat Netherlands BV	20014	XS0124248922
Parmalat Finance Corp. BV	20064	XS0083921881
Parmalat Finance Corp. BV	20065	XS0085752748
Parmalat Finance Corp. BV	20066	XS0095639620
Parmalat Finance Corp. BV	20067	XS0098549164
Parmalat Finance Corp. BV	20068	XS0098549677
Parmalat Finance Corp. BV	20069	XS0100135770
Parmalat Finance Corp. BV	20070	XS0106583577
Parmalat Finance Corp. BV	20071	XS0118659688
Parmalat Finance Corp. BV	20072	XS0123321068
Parmalat Finance Corp. BV	20073	XS0132599175
Parmalat Finance Corp. BV	20074	XS0135579349
Parmalat Finance Corp. BV	20075	XS0140751941
Parmalat Finance Corp. BV	20076	XS0156987058
Parmalat Finance Corp. BV	20077	XS0170717184
Parmalat Finance Corp. BV	23218	XS0171287872
Parmalat Finance Corp. BV	23219	XS0171288177
Parmalat Finance Corp. BV	20080	XS0176831013
Parmalat Finance Corp. BV		XS0102619961
Parmalat Finance Corp. BV		XS0110650586
Parmalat Capital Neth. BV	20005	XS0084903847
Soparfi	20004	XS0146388656
Soparfi	20005	XS0158370121

ATTACHMENT B

<u>LIST OF BONDS ISSUED BY PARMALAT FINANZIARIA SPA</u>			
1) <u>ISSUE NO. IT0000960044 DATED 02 JANUARY 1997</u>			
2) <u>ISSUE NO. IT0001157202 DATED 01 OCTOBER 1997</u>			
3) <u>ISSUE NO. GB0054047484 DATED 16 FEBRUARY 1998</u>			
		Insolvency Date	Revised R/R
Issuer	Parmalat Finanziaria Spa	30/12/2003	5,7%
Shareholder	None	Not applicable	Not applicable
Guarantor	None	Not applicable	Not applicable
Sole Shareholder	None	Not applicable	Not applicable

<u>LIST OF BONDS ISSUED BY PARMALAT CAPITAL NETHERLAND B.V.</u>			
4) <u>ISSUE NO. XS0084903847 DATED 19 MARCH 1998</u>			
		Insolvency Date	Revised R/R
Issuer	Parmalat Capital Netherlands BV	30/01/2004	5,3%
Sole Shareholder	Parmalat Finanziaria Spa	30/12/2003	5,7%
Guarantor	Parmalat Finanziaria Spa	30/12/2003	5,7%
Sole Shareholder	None	Not applicable	Not applicable

<u>LIST OF BONDS ISSUED BY PARMALAT NETHERLAND B.V.</u>			
5) <u>ISSUE NO. XS0124248922 DATED 28 FEBRUARY 2001</u>			
		Insolvency Date	Revised R/R
Issuer	Parmalat Netherlands BV	30/01/2004	6,4%
Issuer Sole Shareholder	Parmalat Spa	30/12/2003	6,9%
Guarantor I	Parmalat Spa	30/12/2003	6,9%
Guarantor I Sole Shareholder	Parmalat Finanziaria Spa	30/12/2003	5,7%
Guarantor II	Parmalat Finanziaria Spa	30/12/2003	5,7%
Guarantor II Sole Shareholder	None	Not applicable	Not applicable

<u>LIST OF BONDS ISSUED BY PARMALAT SOPARFI SA</u>			
6) <u>ISSUE NO. XS0146388656 DATED 23 MAY 2002</u>			
7) <u>ISSUE NO. XS0158370121 DATED 12 DECEMBER 2002</u>			
		Insolvency Date	Revised R/R
Issuer	Parmalat Soparfi SA	30/01/2004	21,0%
Sole Shareholder	None	Not applicable	Not applicable
Guarantor	Parmalat Spa	30/12/2003	6,9%
Sole Shareholder	Parmalat Finanziaria Spa	30/12/2003	5,7%

<u>LIST OF BONDS ISSUED BY PARMALAT CAPITAL FINANCE LTD*</u>			
8) <u>ISSUE NO. XS0089553365 DATED 23 JULY 1998</u>			
		Insolvency Date	Revised R/R
Issuer	Parmalat Capital Finance Ltd	Not applicable	Not applicable
Sole Shareholder	None		
Guarantor	Parmalat Spa	30/12/2003	6,9%
Sole Shareholder	Parmalat Finanziaria Spa	30/12/2003	5,7%
* Parmalat Capital Finance Ltd does fall into the perimeter of Companies			

<u>LIST OF BONDS ISSUED BY PARMALAT FINANCE CORPORATION BV</u>			
9) <u>ISSUE NO. XS0083921881 DATED 18 FEBRUARY 1998¹</u>			
10) <u>ISSUE NO. XS0085752748 DATED 16 APRIL 1998¹</u>			
11) <u>ISSUE NO. XS0095639620 DATED 30 MARCH 1999¹</u>			
12) <u>ISSUE NO. XS0098549164 DATED 23 JUNE 1999¹</u>			
13) <u>ISSUE NO. XS0098549677 DATED 23 JUNE 1999¹</u>			
14) <u>ISSUE NO. XS0100135770 DATED 03 AUGUST 1999</u>			
15) <u>ISSUE NO. XS0102619961 DATED 05 OCTOBER 1999</u>			
16) <u>ISSUE NO. XS0106583577 DATED 07 FEBRUARY 2000²</u>			
17) <u>ISSUE NO. XS0118659688 DATED 23 OCTOBER 2000²</u>			
18) <u>ISSUE NO. XS0123321068 DATED 06 FEBRUARY 2001²</u>			
19) <u>ISSUE NO. XS0132599175 DATED 25 JULY 2001²</u>			
20) <u>ISSUE NO. XS0135579349 DATED 20 SEPTEMBER 2001 INCREASED ON 04 FEBRUARY 2002²</u>			
21) <u>ISSUE NO. XS0140751941 DATED 18 JANUARY 2002²</u>			
22) <u>ISSUE NO. XS0156987058 DATED 13 DECEMBER 2002²</u>			
23) <u>ISSUE NO. XS0171288177 DATED 3 JULY 2003²</u>			
24) <u>ISSUE NO. XS0171287872 DATED 3 JULY 2003²</u>			
25) <u>ISSUE NO. XS0170717184 DATED 10 JULY 2003²</u>			
26) <u>ISSUE NO. XS0176831013 DATED 29 SEPTEMBER 2003²</u>			
27) <u>ISSUE NO. XS0110650586 (DATE NOT AVAILABLE)</u>			
<p>¹ Some claims have been already admitted in the Final List on the basis of the fact that, at the time of the issue, Parmalat Finance was sole shareholder of Parmalat Spa, for the purposes of article 2362 of the Italian Civil Code</p> <p>² Bonds issued when Parmalat Finanziaria Spa was shareholder of Parmalat Spa together with another entity, therefore article 2362 of the Italian Civil Code does seem to apply.</p>			
		Insolvency Date	Revised R/R
Issuer	Parmalat Finance Corp. BV	30/01/2004	5,0%
Sole Shareholder	Parmalat Spa	30/12/2003	6,9%
Sole Shareholder Parmalat Spa	Parmalat Finanziaria Spa	30/12/2003	5,7%
Guarantor	Parmalat Spa	30/12/2003	6,9%
Sole Shareholder	Parmalat Finanziaria Spa	30/12/2003	5,7%

ATTACHMENT C

Parmalat insolvency

Transactions subject to claw back actions under Italian law which will be transferred to "Assumptor" provided that they are commenced by the "Commissioner"

Period of time within which transactions subject to claw back action have taken place	Transactions	Comment/Burden of proof
2 years before opening of the insolvency procedure (occurred on 24 December 2003)	Gratuitous transactions	Automatic - no defense available to the defendant
	Payments due on the date of insolvency declaration or thereafter if such payment is made 2 years before the opening of the procedure	Automatic - no defense available to the defendant
	Transaction not at fair value	Clawed back unless creditor can show he had no knowledge of insolvent state
	Payment of a debt (due and enforceable) not made with normal means	
	Security for a debt not due	
1 year before opening of the insolvency procedure	Security for a debt due	Clawed back unless creditor can show he had no knowledge of insolvent state
	Payment of a debt due and enforceable	Clawed back if the trustee can show that the creditor had knowledge of insolvent state
	Transaction for a value	
	Security for debt originating at the same time as security	