

Press release

**Acquisition of DEPFA BANK plc: Announcement of a
Declaratory Proceeding**

Munich, 24 September 2007: In connection with the intended acquisition of DEPFA BANK plc, a German shareholder has informed Hypo Real Estate Holding AG that he has commenced declaratory proceedings against Hypo Real Estate Holding AG challenging the compliance of the transaction with German law.

The Munich court will only rule upon this suit after completion of the transaction. Hypo Real Estate Holding AG believes that the announced proceedings have no merits and intends to complete the transaction on schedule. The announced proceedings will not trigger a statutory block of the commercial register to prevent the registration of the intended capital increase.

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