

SIXTH REPORT (PURSUANT TO ARTICLE 73a OF THE BANKRUPTCY ACT) REGARDING THE FINDINGS OF THE BANKRUPTCY TRUSTEES DURING THE SIXTH REPORTING PERIOD IN THE BANKRUPTCY OF ROYAL IMTECH N.V.

District Court : Rotterdam

Delegated judge : W.J. Roos-van Toor

Insolvency number : Royal Imtech N.V. F.10/15/577

Bankruptcy trustees : P.J. Peters J.G. Princen
AKD N.V. Ploum Lodder Princen
Wilhelminakade 1 Blaak 28
NL-3072 AP Rotterdam NL-3011TA Rotterdam

Date of appointment of the proposed
bankruptcy trustees : 5 August 2015

Date on which moratorium
was granted : 11 August 2015

Date of the bankruptcy order : 13 August 2015

Activities of the company : Royal Imtech N.V. is the principal holding
company of the Imtech group, being a European
technical service provider in the field of electrical
engineering, ICT and machine construction.
Imtech has a strong position in the following

sectors: construction and industry, 'green'
technology and sustainability, infrastructure and
telecommunication, transport and navigation.

Turnover (2014) : EUR 3,922,300,000.

Average number of staff : 64 (Royal Imtech N.V.)

Reporting period : 1 January 2017 to 15 June 2017

Previous reports: : 1st report dated 14 September 2015

2nd report dated 9 December 2015

3rd report dated 9 March 2016

4th report dated 1 July 2016

5th report dated 19 December 2016

Hours spent during reporting period : PLP: 1,762.2 (1 December 2016 to 31 May 2017)

AKD: 1,401 (1 December 2016 to 31 May 2017)

Hours spent in total : PLP: 10,272.5 (13 August 2015 to 31 May 2017)

AKD: 6,483.4 (13 August 2015 to 31 May 2017)

Appendices : 0

Rotterdam, 19 June 2017

Changes with respect to the previous reports are shown in italics.

PRELIMINARY REMARKS

This is the sixth report in the bankruptcy of Royal Imtech N.V. (hereinafter: ‘Royal Imtech’).

This report is based on information the bankruptcy trustees have received from the company and third parties. The bankruptcy trustees stress that the information in this report is the subject of further investigation. At a later stage it may turn out that this information must be adjusted. Therefore, no statements can yet be made about the completeness and accuracy of the details included in this report.

In line with the ruling of the Supreme Court dated 21 January 2005 (JOR 2005/104), it is pointed out that this report does not intend to account for the status of the liquidation assets or to provide complete insight. Individual creditors cannot derive any rights from this report.

This report and the subsequent reports will be published in Dutch and – albeit with some delay – in English. The Dutch version prevails.

The bankruptcy reports can be found on www.rechtspraak.nl as well as on the websites: akd.nl and ploum.nl.

The bankruptcy trustees furthermore had a separate website developed for the bankruptcies of the Imtech companies; www.faillissementimtech.nl. On this website the bankruptcy trustees will publish all reports as well as further notices in the bankruptcies of the Imtech companies.

Sixth report:

This section summarises the developments in the reporting period 16 December 2016 to 15 June 2017.

The work of the bankruptcy trustees of Royal Imtech during this period can be briefly divided into 5 main activities:

- 1. Continuation of the investigation into the causes;*
- 2. Maintaining contact with the bankruptcy trustee of Imtech Deutschland GmbH & Co. KG;*
- 3. Consultation with/Proceedings against KPMG concerning the surrender of audit files and additional documents;*
- 4. Meeting with creditors' committee;*
- 5. Investigation into fraudulent acts.*

Re 1.

The bankruptcy trustees continued the investigation into the causes. The first two draft investigation reports were submitted to the Executive Board and the Supervisory Board for their comments. The size of the records of Royal Imtech and its participations as well as the increasing number of subjects to be investigated mean that the various investigations are expected to take up all of 2018.

Re 2.

The German bankruptcy trustee has provided the bankruptcy trustees with limited information in response to their questions.

Re 3.

During the past period, the bankruptcy trustees submitted several requests to KPMG, auditor of Royal Imtech N.V., for surrender of the relevant audit files within the context of their investigation into the causes. So far, these requests have been complied with to a limited extent. The bankruptcy trustees requested KPMG to provide the AFM fining decision in which the AFM held that KPMG performed insufficient audit activities for

providing an approving audit opinion concerning the 2011 financial year. KPMG refused to do so. The bankruptcy trustees have since summoned KPMG in preliminary relief proceedings on the basis of Section 843a Code of Civil Procedure (Rv) to receive this information as yet. This matter is described further under point 7.3.

Re 4.

Meetings with the creditors' committee were held on 10 March 2017 and 14 June 2017. There was also a meeting at which a member of the creditors' committee was shown the stored physical and digital Imtech administration. The creditors' committee was requested to issue advice several times during the past reporting period, inter alia in connection with the dissolution of Imtech Nordic Group B.V. for the purpose of lodging an objection to the liquidator's report and concerning the preliminary relief proceedings on the basis of Section 843a Rv against KPMG. The creditors' committee issued positive advice each time. Further consultation with the creditors' committee is expected to take place in the upcoming reporting period on a quarterly basis. The bankruptcy trustees shall actively inform the creditors' committee about any decisions that they will take. See also point 8.8.

Re 5.

The bankruptcy trustees lodged an objection against the liquidation of Imtech Nordic Group B.V. during the past period. The bankruptcy trustees previously set aside extrajudicially the transfer of the Nordic division of Royal Imtech N.V. via Imtech Group B.V. to Imtech Nordic Group B.V. on the basis of actio pauliana. The report submitted by Imtech Nordic Group B.V. within the context of the liquidation does not take account of the return of the shares in the Nordic division to Royal Imtech N.V. that has been claimed by the bankruptcy trustees. See also point 7.6.

1. Assessment

1.1 Management board and organisation Executive Board

- : van de Aast, Gerard Johan Alexius (Chairman of the Executive Board) as of 1 January 2013
- : Turkesteen, Johan (CFO) as of 28 June 2013
- : van Gelder, Paul Christiaan (member of the Executive Board) as of 16 September 2013

Supervisory Board

- : Karsten-van Andel, Ruth Dorothea as of 18 August 2011
- : Cremers, Frans Jozef Gerlach Maria as of 2 August 2013
- : van der Veer, Ben as of 22 May 2014
- : Beeton, Jeremy John as of 22 May 2014
- : van Lier Lels, Marike Elisabeth as of 22 May 2014
- : Wolff, Christine as of 12 May 2015

Royal Imtech is the principal holding company of the Imtech group. Imtech is a European technical service provider in the field of electrical engineering, automation and machine construction. Imtech is especially active in the fields of electrical engineering, machine construction and automation. In this field it offers overall solutions for technical problems, ranging from design, advice and engineering to realisation, management and maintenance. With approximately 22,000 employees in 14 countries and in seven divisions, Imtech had realised an annual turnover of approximately 4 billion euros in 2014.

The Royal Imtech shares are listed on Euronext Amsterdam.

Administrators had acquired information from Imtech and its advisors only with great effort during the undisclosed administration phase. During the moratorium, administrators hoped to gain more grip on the process. This was unsuccessful. Imtech and De Brauw barely provided information (at their own initiative), the Lenders and their advisors PWC knew much more about the course of affairs at the Imtech divisions than the bankruptcy trustees and demanded all the attention with the immediate conversion into cash of their rights of pledge on shares in the divisions. Simultaneously, the bank accounts of Imtech operating companies remained blocked by the banks and in the days afterwards, the Lenders set off positive bank balances with their claims in the cash pools, as a consequence of which all bank accounts of Dutch operating companies and operating companies abroad were set to zero.

Partially as a consequence of this, the administrators received approximately 1,000 emails each day during the conduct of negotiations regarding the sales transactions prepared by Lenders.

Third report:

It proved difficult to obtain information from (the former and current directors of) Imtech and its advisors after the bankruptcy date as well. The bankruptcy trustees repeatedly asked external advisors and financiers of Imtech for information which was not (readily) apparent from Imtech's own records. This information was not provided, not provided in full, or only provided after a great deal of insistence. For instance, the bankruptcy trustees are still awaiting a full overview of the bank and other guarantees issued by each bank as of the bankruptcy date and (any) transfer of these to the buyers, information on the way in which the banks settled the seven cash pools, some of the data secured by third parties for the purposes of

investigations carried out earlier still need to be provided and the bankruptcy trustees have other information requests still outstanding as well.

Fourth report:

The bankruptcy trustees have had to deploy a great deal of effort over the past reporting period as well to obtain the information they have requested from third parties. After some of this information was provided, the bankruptcy trustees were faced with unsorted and uncategorised data. The bankruptcy trustees attempted to persuade the aforementioned parties to nonetheless provide full transparency concerning the data secured at the time, since it would cost a great deal of time and money to render this sea of data comprising many terabytes searchable.

Fifth report:

The bankruptcy trustees still had to undertake work at the beginning of the reporting period in order to access a large part of the data provided by third parties. Additionally, the trustees have several outstanding requests for information from various parties, including the German bankruptcy trustee and the auditor.

Sixth report:

The bankruptcy trustees still have several requests for information outstanding with auditor KPMG. See in this connection point 7.3. During the past reporting period too, the bankruptcy trustees consulted several interested parties in order to obtain additional information for the purpose of the investigation into the causes.

Listing

In consultation with Euronext, the decision was taken to delist the shares of Royal Imtech N.V. from the Amsterdam Stock Exchange no later than 31 December 2016.

At the request of Euronext, the bankruptcy trustees shall cooperate with this procedure. All relevant information shall be provided by Euronext via the channels available for this purpose.

1.2 Profit and loss

Turnover (2012)	:	EUR 5,354,900,000
Turnover (2013)	:	EUR 4,944,900,000
Turnover (2014)	:	EUR 3,922,300,000
Turnover (as of 30 June 2015)	:	EUR 1,791,700,000
Net result (2012)	:	- EUR 247,200,000
Net result (2013)	:	- EUR 701,200,000
Net result (2014)	:	- EUR 560,600,000
Net result (30 June 2015)	:	- EUR 171,400,000

1.3 Shareholders' equity and Balance sheet total

Shareholder's equity (2012)	:	EUR 514,800,000
Shareholder's equity (2013)	:	EUR 304,600,000
Shareholder's equity (2014)	:	EUR 275,600,000
Shareholder's equity (30 June 2015)	:	EUR 171,400,000

Second report

On 27 October 2014 the articles of association of Royal Imtech N.V. were amended following a resolution from the General Meeting of Shareholders of 7 October 2014. This resolution changed the authorised capital. Since 27 October 2014, the company's authorised capital has amounted to EUR 1,215,000,000. It is divided into 182,000,000 ordinary shares each with a value of EUR 5; 1,000,000

cumulative preference shares each with a value of EUR 5; and 60,000,000 cumulative financing preference shares each with a value of EUR 5, further divided into 25 series numbered from FP1 to FP25, each containing 2,400,000 cumulative financing preference shares. Every ordinary share consists of 500 sub-shares. The nominal value of an ordinary share divided by the number of sub-shares which make up one ordinary share represents the nominal value of one sub-share. The meeting rights and voting rights are attached to an ordinary share.

With this notarial deed, the ordinary shares held by a shareholder immediately prior to execution of the deed, each with nominal value of EUR 0.01, have been merged into ordinary shares with a nominal value of EUR 5. This also applies for the cumulative financing preference shares of each series. At the moment the notarial deed was executed, the issued capital of Royal Imtech N.V. totalled EUR 605,498,747.47.

Balance sheet total (2012)	:	EUR 3,938,400,000
Balance sheet total (2013)	:	EUR 3,318,100,000
Balance sheet total (2014)	:	EUR 2,477,600,000
Balance sheet total (30 June 2015):		EUR 2,468,200,000

Internal figures of Royal Imtech as of 30 June 2015

These internal figures as of 30 June 2015 are mentioned here to put the various share and other transactions into perspective. The bankruptcy trustees did not receive these figures during the undisclosed administration and moratorium. Whether these figures represent the situation as from the date of bankruptcy is doubtful. Due to the daily creaming off of bank balances in the 9 cash pools between 1 July and the date of moratorium of payment and afterwards, the intercompany relationships are not yet clear and in particular the intercompany receivables can barely be valued at this time.

The shares in the subsidiaries were valued via Imtech Group B.V., the intercompany receivables were provided and valued from Imtech Capital B.V. Jointly this amounts to EUR 700 million and both companies also went bankrupt on 13 August 2015.

Third report:

The figures as of the bankruptcy date still need to be updated, in particular because of and for the settlement of cash pools and intercompany receivables.

Sixth report:

The chronological approach to the investigation into the causes in which connection the bankruptcy trustees are still working in particular on the years 2011 and 2012 means that it is expected that it will take another 18 months before the cash pools and the intercompany receivables as on the bankruptcy data can be established.

FINANCIAL OVERVIEW ROYAL IMTECH N.V. (COMPANY)

- Overview of company balance sheet of Royal Imtech N.V. on 30 June 2015.
- The amounts are derived from the financial accounts.
- For accounting policies, please see the 2014 financial statements of Royal Imtech N.V.
- The amounts included in the overview are the book values as demonstrated by the financial accounts and are still on a going concern basis.
- The amounts do not say anything about the current value after bankruptcy.
- No audit was carried out with regard to the figures 30 June 2015.

<i>(x € 1,000)</i>	Explanation	30 June 2015
Intangible fixed assets	1	340
Tangible fixed assets	2	949
Participating interests in group companies	3	588,604
Other participations/investments	4	1,395
Receivables group companies (> 1 year)	5	12,524
Other loans	6	28,084
Deferred taxation		467
Debtors		162
Receivables group companies (< 1 year)		1,474
Other receivables/prepayments and accrued income		10,440
Liquid assets		16,399
Total assets		660,838
Shareholders' equity		171,505
Provisions		13,544
Loans group companies (> 1 year)		591
Credit institutions		451,499
Other short-term debts		23,699
Total liabilities		660,838

Notes on asset items

1) Intangible fixed assets

Mainly concerns software purchases subject to periodic depreciation.

	<i>(x € 1,000)</i>
Software	950
	<hr/> <hr/>

2) Tangible fixed assets

Concerns investments in fixtures and fittings and refurbishment costs of the Gouda headquarters.

The investments are subject to periodic depreciation.

	<i>(x € 1,000)</i>
Fixtures and fittings	331
Refurbishment costs	9
	<hr/> <hr/>
	340

3) Participating interests in group

companies

Concerns participating interests in group companies which are valued at net asset value.

	<i>(x € 1,000)</i>
Imtech Group B.V.	341,599
Imtech Capital B.V.	359,121
T & I - Ireland Ltd	500
Imtech SEA Ltd.	332
Imtech Traffic & Infra B.V. - balance	

WPS Holding B.V.	7
Imtech SSC B.V.	-3,005
Imtech Arbodienst B.V.	522
Imtech Nederland B.V. - staff	2
Kiekens B.V.	-1,927
Imtech España MMI S.A.	-10,016
Imtech Netherlands B.V.	29,453
Imtech Deutschland B.V.	91
Imtech I B.V.	15,743
Imtech Holding GmbH	-182,236
IMD Centrale	65,000
Imtech Polska Sp.z.o.	2,370
Imtech Russland OAO	-19,682
S.C. Imtech Arconi S.A.	-3,146
Imtech Hungary	3,108
Imtech Infra Data B.V.	-3,776
(new - former ICT) Imtech Telecom B.V.	-4,509
(new - former ICT) Fritz & Macziol (Schweiz) AG	-994
(Closed) Information Technology & Trust AG	1
Imtech Marine B.V.	47
Imtech Marine Morocco SARL	-1
	588,604

4) Other participating

interests

Concerns other participations/investments

	<i>(x € 1,000)</i>
Dutch Technology Fund I	163
Icos Cleantech Early Stage II	864
Broekpolder Mij	1
Stadsherstel Rotterdam	1
De Twaalf Provinciën	1
	<hr/> 1,030 <hr/> <hr/>

5) Long-term receivables group companies

	<i>(x € 1,000)</i>
Imtech Nederland B.V.	994
Kiekens B.V.	11,530
	<hr/> 12,524 <hr/> <hr/>

6) Long-term receivables

	<i>(x € 1,000)</i>
Loan ICOS Capital III	84
Vendor loan Elstersee re DRH	3,000
LT rec 3rd parties (ESCROW)	25,000
	<hr/> 28,084 <hr/> <hr/>

1.4 Pending legal proceedings :

Second report

It emerged to the bankruptcy trustees that as of the bankruptcy date, Royal Imtech was involved in one pending court case in Germany before the Hanover Landgericht. This court case has been suspended by operation of law because of the bankruptcy of Royal Imtech. The bankruptcy trustees are in consultation with the German lawyer who was conducting the litigation in this case prior to the bankruptcy.

It also emerged to the bankruptcy trustees that in relation to criminal proceedings against former directors of subsidiaries in Germany and Poland, Royal Imtech had engaged lawyers in these locations to monitor these court cases. For the interpretation of these proceedings as well as the potential consequences they could have for (the liquidation assets of) Royal Imtech, the bankruptcy trustees have asked the aforementioned lawyers to continue their work.

Royal Imtech N.V. received various (conditional) claims from VINCI Energies SA ('Vinci') under a purchase agreement concluded with VINCI in October 2014. These claims are being contested or contested in part by Royal Imtech N.V. (for the time being). Correspondence is currently taking place between the parties in relation to the matter. Vinci has not (as yet) started any legal proceedings against Royal Imtech.

Third report:

During the past period, additional claims were received from Vinci in connection with the Vinci claims. No legal proceedings have been started (as yet).

It has also emerged that legal proceedings are pending brought by (among others) Imtech Telecom B.V. (100% subsidiary of the company in liquidation) concerning a tax claim. A bank guarantee was issued to the company in liquidation in relation to these proceedings. The case has been awaiting a decision from the Appeal Court of Den Bosch for some time.

Fourth report:

Vinci has since started a (pro forma) arbitration procedure at the Netherlands Arbitration Institute (NAI). The bankruptcy trustees believe that Vinci's case should be declared inadmissible on grounds of Article 26 of the Bankruptcy Act. An initial meeting has since taken place in order to possibly settle matters amicably.

As far as the proceedings in relation to Imtech Telecom B.V. are concerned, the Appeal Court of Den Bosch handed down a final judgement on 28 April 2016. The proceedings involved tax claims for which Bruscom (at the time the seller of the shares of Imtech Telecom B.V. to Royal Imtech N.V.) was reportedly liable under the SPA concluded at the time. These proceedings were financed by the selling party, which issued a renewed bank guarantee for its potential liability during the past reporting period. It is now investigating the possibility of appealing in cassation. The bankruptcy trustees are partly for this reason still deliberating on calling in the bank guarantee.

Fifth report:

In the last reporting period, there were exploratory talks between the lawyers of Vinci and the bankruptcy trustees on the above claims. In addition, the bankruptcy trustees were approached by Vinci in the last reporting period with regard to claims by the Austrian tax authorities about one of the participating interests sold by Royal Imtech to Vinci. Vinci has requested the bankruptcy trustees to supply information about the settlement of the overhead costs. The bankruptcy trustees provided all possible cooperation in this matter. Vinci completed its arbitration request with the Netherlands Arbitration Institute on 3 November. As a result of further discussions between the bankruptcy trustees and Vinci, these proceedings have been delayed until 1 February 2017.

Sixth report:

Vinci

In the past reporting period, Vinci and its lawyers provided a further explanation of the claims alleged by Vinci. Another meeting took place subsequently between the bankruptcy trustees and Vinci during which the claims were discussed and an amicable settlement was investigated further. So far, this has not resulted in a settlement. The bankruptcy trustees and Vinci are still discussing this matter. However, Vinci did not grant a further postponement in the proceedings initiated by it before the Netherlands Arbitration Institute (NAI). The bankruptcy trustees submitted their brief response to the NAI in the past reporting period. Reference is made to the third and fourth report for their position. The proceedings are currently at the stage of the appointment of arbiters.

[Koppenol will provide further information concerning the tax claim, which information has not yet been received]

Bruscom

Bruscom has informed the bankruptcy trustees that it has submitted an appeal to the Supreme Court against the ruling of the Court of Appeal of Den Bosch dated 28 April 2016. Bruscom still contests in this connection the tax claims and thus its liability on the basis of the SPA. The original bank guarantee has expired and has been extended at the request of the bankruptcy trustees. The bankruptcy trustees consulted with the tax authorities and with Bruscom's lawyer. The bankruptcy trustees then decided in May 2017 to invoke the bank guarantee that was issued on the instructions of Bruscom for the benefit of Royal Imtech. The amount of the bank guarantee was placed in a clients' account in connection with the ongoing debate with Bruscom.

The bankruptcy trustees are investigating the possibility of recovering further losses from Bruscom.

1.5 Insurance :

Third report:

On the bankruptcy date, Royal Imtech N.V. was a policy holder on a number of (master) insurance policies. The bankruptcy trustees received from the insurance broker, AON Risk Solutions in Rotterdam, a statement listing the insurance agreements concluded.

The investigation started by the bankruptcy trustees mainly focused on the insurance policies below.

Liability insurance

AON brokered an insurance agreement between Royal Imtech N.V. and HDI-Gerling Industrie Versicherung AG (Master Liability Insurance). The bankruptcy trustees do not yet have a picture of any supplementary (local) policies belonging to this insurance programme. Prior to the bankruptcy date, the premium for this insurance had already been paid by Royal Imtech up to 31 December 2015.

At the moment, there are 59 claims against Imtech companies in the Netherlands and abroad under this insurance or predecessors to it, a few of which have been settled. 23 claims relate to injury or death claims, which are settled directly between the injured parties and the insurers. In the coming period, the bankruptcy trustees will continue their investigation into pending claims as well as into the question of which party or parties can lay claim to the insurance proceeds under this insurance.

Fire insurance

Royal Imtech N.V. concluded a Master Property insurance with HDI-Gerling Industrie Versicherung AG, brokered by AON. The premium for this insurance has been paid up to 31 December 2015. There are no longer any pending issues under the fire insurance.

Construction All Risks insurance

Royal Imtech N.V. is the policy holder on a Master CAR insurance brokered by AON. Until 2015 the (principal) risk bearer was AXA; HDI has been the risk bearer since 2015. The premium has been paid up to 31 December 2015. The bankruptcy trustees are consulting with AON on the handling of current claims. Various issues still outstanding on the

bankruptcy date have since been settled. This concerned claims already paid out; claims from third parties that were withdrawn or settled or possible third-party claims that have since become prescribed. There are still 58 claims at issue at the moment. Most of these claims can continue to be handled after further information is received; some matters will be kept as memorandum items in connection with possible future claims. After receipt of the required information, the bankruptcy trustees will be able to further investigate which party or parties can lay claim to the insurance proceeds under this insurance.

Sixth report:

Royal Imtech has taken out inter alia a CAR policy for its subsidiaries as policyholder. The subsidiaries can submit claims under this policy as insured parties. However, they only have a claim against the insurer if Royal Imtech has approved this in writing. The insurers approved the claims of Dynniq Nederland B.V. (formerly: Imtech Traffic & Infra B.V.) for an amount of approximately EUR 900,000. Dynniq has a dispute with the bankruptcy trustees concerning the amount to be paid by it to the bankruptcy trustees in their capacity as estate administrators for work done, which amounts to 10% of the amount to be paid. Dynniq requested the delegated judge at the start of January 2017 to order the bankruptcy trustees on the basis of Section 69 Bankruptcy Act to agree to compensation of only the direct costs related to granting approval. A meeting between the delegated judge and Dynniq took place at the end of May 2017. Dynniq's request was declared inadmissible. The deadlock continues.

Directors' and officers' liability insurance

Royal Imtech N.V. took out directors' and officers' liability insurance which ran from 1 January 2013 to 31 December 2013, and directors' and officers' liability insurance which ran from 1 January 2014 to 31 December 2014. The latter insurance was renewed with a new term from 1 January 2015 to 31 December 2015. Prior to the bankruptcy date, the premium had already been paid by Royal Imtech up to 31 December 2015.

As stated earlier, the bankruptcy trustees did not buy any run-off cover.

Fraud insurance

Royal Imtech N.V. took out fraud insurance with Chubb Insurance Company of Europe SE, brokered by AON, the insurance period for which ran from 1 January 2013 to 1 January 2014. Fraud insurance was also taken out with AIG Europe Ltd, with a term from 1 January 2015 to 1 January 2016.

The bankruptcy trustees are investigating the scope of cover under the insurance in the context of irregularities which emerged in Germany and Poland (the Adventure World Warsaw project).

On behalf of all the Insurers, Chubb and the underlying insurers fully denied the claims under the fraud policy in November and December 2015. The bankruptcy trustees have not resigned themselves to this and will, together with the German bankruptcy trustee, once again claim damage compensation from the Insurers in 2016.

Sixth report

Director Betz and former director Schiele were sentenced in Germany in February 2017 to terms of imprisonment of more than three years for performing and receiving what are known as Bobach payments as referred to in the Report to Shareholders dated 18 June 2013. In the coming period, the bankruptcy trustees will be consulting with the German bankruptcy trustee and the Insurers in order to have the Bobach claim submitted under the fraud policy paid.

Art insurance

The bankruptcy trustees have insured the stored art collection against fire via AON.

Fifth report:

During the past period the bankruptcy trustees consulted with the intermediary about the above-mentioned insurance. The bankruptcy trustees examined the fraud insurance and

directors' and officers' liability insurance, the events that are covered under these insurance policies and the possible losses suffered by Royal Imtech. The bankruptcy trustees have also become aware of a so-called POSI insurance, concluded in connection with the 2014 share issue and the accompanying prospectus. Insurers have adopted the position during this reporting period that they were deceived when entering into this POSI insurance in 2014 as well as when concluding the D&O insurance policy because no mention was made of the existence of Liquidity Letters for Imtech Germany. The (lawyers for the) directors, supervisory directors and bankruptcy trustees have now filed their objections to this view with the insurers. The onus of proof regarding deception rests on the insurers, and they have not, in the opinion of the bankruptcy trustees, satisfied this burden. This insurance was concluded in connection with the issue of new shares by Royal Imtech in 2013 and 2014. After sale of the art collection by the bankruptcy trustees, the art insurance was terminated.

1.6 Lease :

Royal Imtech N.V. leased its head office at Kampenringweg 45a in Gouda, the Netherlands. The rent at the start of the lease in 2004 totalled € 120,804.54 per quarter. This lease was cancelled on 25 August 2015; the property was handed over empty and broom clean on 18 November 2015. There do not appear to be any other leases in which Royal Imtech N.V. was the tenant.

1.7 Cause of bankruptcy : Under investigation

Second report

During the past reporting period, the bankruptcy trustees started the investigation into the causes of the bankruptcy of Royal Imtech and the Imtech group.

Third report

The investigations are expected to continue for some time.

Fourth report

The bankruptcy trustees are currently first investigating the period 2010 to February 2013. The bankruptcy trustees hope to have the draft investigation report for this period ready in autumn 2016.

Fifth report:

In investigating the factual situation concerning the period 2010 to February 2013, the bankruptcy trustees were confronted with a large and complicated set of facts which they had to distil from many different information sources. For this reason, the above-expressed wishes of the bankruptcy trustees to conclude the investigation during this period in autumn 2016 could not be fulfilled. Various persons have now been interviewed by the bankruptcy trustees one or more times. The bankruptcy trustees expect the investigation about this period to be completed in the upcoming reporting period.

Sixth report:

During the past reporting period, the bankruptcy trustees proceeded with their investigation of the factual situation in 2011-2012 and had to expand this investigation. It was therefore impossible to realise the stated wish to complete the investigation of the period 2010-2013. The investigation has led to many further questions and subjects to be investigated. Several persons were heard during the past reporting period and meetings were held with several interested parties. The bankruptcy trustees expect that the investigation of the period up to 2013 will take up the rest of 2017.

2. Personnel

- 2.1 Number of staff at the time of the bankruptcy : 64, entire group
approximately 22,000
- 2.2 Number of staff in the year preceding the bankruptcy : idem
- 2.3 Date of notice of dismissal: 14 August 2015
Activities :

Second report

In connection with the realisation of the bankruptcy, the bankruptcy trustees asked the employees to continue their work during the notice period, to the extent beneficial for the liquidation assets. The bankruptcy trustees allowed employees who had already been offered an employment contract at another party during the notice period to be released from their obligations towards Royal Imtech earlier. The claims from employees under their employment contracts have been taken over by the UWV under the wage guarantee scheme. The bankruptcy trustees have learned that the UWV has already (largely) paid the claims from employees which arose after the date of bankruptcy.

In addition, a number of employees filed claims which, according to correspondence produced by these employees, will not be compensated by the UWV. The bankruptcy trustees have placed these claims on the list of provisionally acknowledged preferential creditors. Given the volume of work involved in assessing the substance of these claims, this work will not be started on until there is a prospect of being able to pay the preferential creditors.

3. Assets

Immovable properties

- 3.1 Description : Royal Imtech N.V. does not own/hold the rights to any immovable properties (or other property subject to registration), according to land registry investigation.
- 3.2 Sales proceeds : N/A

- 3.3 Amount of the mortgage : N/A
- 3.4 Percentage or amount paid to the bankruptcy trustees in their capacity as estate administrators for work done : N/A
- Activities : N/A

Operating assets

- 3.5 Description : Fixtures and fittings of the office building (head office) at Kampenringweg in Gouda.
- 3.6 Sales proceeds : € 92,435 (property found on the premises) and € 365 (property not found on the premises).
These are the preliminary sales proceeds after conclusion of the (online) auctions; the bankruptcy trustees are still awaiting definitive settlement and payment. Third report: total proceeds, after deduction of auction costs, is € 91,174 for property found on the premises and € 354 for property not found on the premises. Of these amounts, a sum of € 82,645 has been received in the liquidation account to date.
- 3.7 Percentage or amount paid to the bankruptcy trustees in their capacity as estate administrators for work done :
EUR 7,000,000, in relation to the sale of the various operating companies.
- 3.8 Right of seizure by the tax authorities of property found on the premises :
Third report: The tax authorities have since submitted various claims, so the bankruptcy trustees claim, on the tax authorities' behalf, the right of seizure of property found on the

premises and reserve the proceeds from the property found on the premises.

Activities : Correspondence with Troostwijk concerning the handling of the auctions.

Inventories/work in progress

3.9 Description : None.

3.10 Sales proceeds : Not applicable.

3.11 Percentage or amount paid to the bankruptcy trustees in their capacity as estate administrators for work done : Not applicable.

Activities : investigation into inventories/work in progress.
This item has been completed.

Other assets

3.12 Description :

An art collection was found which the bankruptcy trustees, based on statements of the Executive Board, assume to belong to Royal Imtech. Based on a board decision during the period of undisclosed administration, the works of art were secured by the proposed bankruptcy trustees. The value of the art collection is as yet unknown; the insured value is EUR 1,700,000.

Third report

Various parties have been contacted for the possible sale of the art works (some by physical auction and some by online auction). The actual sale is expected to be able to take place in May/June 2016. A valuation by an expert will be ready soon.

Fourth report

The first works of art, the ones deemed most valuable according to the valuation, were auctioned via Christie's in May and June 2016. A settlement will be drawn up as soon as the auction house has received payment (no later than 35 days after the auction). The majority of the collection, some 1,600 works of art, will be auctioned by Venduehuis The Hague. The physical auction of approximately 800 works took place on 29 June 2016. Another approximately 800 works of art can be sold via internet auction at Venduehuis The Hague over the course of ten days. The bankruptcy trustees do not expect the proceeds from the sale of the art collection to exceed the insured value.

The Security Agent has claimed a pledge on the works of art on behalf of the lenders. The bankruptcy trustee of Imtech Building Services B.V., C.F.W.A. Hamm, LL.M., in his capacity as such, takes the position that some of the works of art reportedly belong to the assets of Imtech Building Services B.V. The Tax and Customs Administration recently asserted, with substantiation, that the works of art qualify as property found on the premises. The proceeds from the works of art will be deposited in an escrow account between the liquidation assets and the Security Agent. During the coming period, the bankruptcy trustees will consider the various claims from Mr Hamm, in his capacity as bankruptcy trustee for Imtech Building Services B.V., the Tax and Customs Administration and lenders.

Fifth report:

The various auctions of Imtech's art collection have generated income of EUR 595,496.51. Because of the alleged pledge of lenders, these proceeds have been placed by the estate in an escrow account between bankruptcy trustees and lenders. Permission for this has been granted by the delegated judge. Three works remain unsold. One of the works was again offered at auction by Christie's in December 2016. The other two works are being auctioned by Venduehuis in

December 2016. Receipt of the auction proceeds from these three works is expected in the upcoming reporting period. These proceeds will also be placed in the escrow account.

The bankruptcy trustees are disputing the position adopted by the Tax and Customs Administration that the artworks should be qualified as property found on the premises. The Royal Imtech bankruptcy trustees are also disputing the view of C.F.W.A. Hamm, who argues that all or part of the art collection belongs to the assets of Imtech Building Services.

Sixth report:

Following the two auctions in December 2016 via Christie's and via Venduehuis there remained only one work of art that has not yet been sold. This work of art was auctioned again by Christie's in London on 14 June 2017. Settlement of this auction will take place in the next reporting period.

There have been no developments during the past reporting period concerning the claims of Mr Hamm in his capacity as such, the Security Agent and the tax authorities.

Software licences

The bankruptcy trustees have ascertained that Royal Imtech's liquidation assets include a great many licences for the use of company software. The bankruptcy trustees have assessed which of these licences could and had to be transferred in the context of the sale of divisions of Imtech. This assessment required a great deal of attention from the bankruptcy trustees because of the large number of different licences and the usually complicated licence structures. To this end, the bankruptcy trustees negotiated with both the buyers/sold divisions and the

licensors. The process of transferring the licenses to the sold Imtech divisions is now in the final phase for most of the software.

The bankruptcy trustees are also cooperating with the transfer to German Imtech companies of licences for which these German companies had already paid Royal Imtech in the past. For their cooperation with this transfer, the bankruptcy trustees have stipulated that they be paid approximately EUR 30,000 (to be definitively determined upon conclusion of the transfer).

With reference to the various licence agreements, the bankruptcy trustees have also taken stock of which licences can be sold to third parties. This is an extremely complex process. The value and possible sale of the particular licences is currently being investigated by a number of licence brokers. The bankruptcy trustees expect to be able to liquidate the remaining licences in the upcoming reporting period, to the extent this proves to be possible.

Royal Imtech also holds the rights to the domain names imtech.nl and imtech.com; these two websites are being kept online for the time being because of the quantity of useful information they contain. In the long term, it will be looked into whether there is any interest on the market for taking over these domain names.

Third report:

The bankruptcy trustees have now virtually completed the transfer to the sold Imtech divisions of the licences and maintenance contracts for the company software for most of the software. This was a complicated administrative process that took more time than expected. Now that it is definitively clear how many and what type of licences are not being transferred to the sold divisions and what licences are still necessary for the purposes of the liquidation assets, the

investigation into the possible sale to third parties of the remaining licences can be further concluded. The bankruptcy trustees have now engaged a specialist party for this and expect that the remaining licences will be able to be liquidated before 1 May 2016 (to the extent possible given the number and type of licences).

The domain names to which Royal Imtech holds the rights were further taken stock of during the past period. Royal Imtech emerged to hold the rights to a large number of domain names. In first instance, the bankruptcy trustees investigated whether the current buyers of Royal Imtech divisions had any interest in taking over these domain names. A few buyers expressed their interest in taking over a few specific domain names. There was no interest in most of the domain names of Royal Imtech, however. There is little chance that these domain names can be sold to third parties, since most of the domain names consist of or contain the word 'imtech'. The bankruptcy trustees have ceased the actions aimed at the possible transfer of the domain names for the time being, pending the discussion with the (alleged) pledgee of the domain names. The websites behind the imtech.com and imtech.nl domains are now offline.

Fourth report:

With the help of the expert engaged for this purpose by the bankruptcy trustees, an agreement was entered into on 20 May 2016 in which a great many licences to company software were sold to a third party. A total of approximately 6,500 licences are being sold in three batches under this agreement. The first batch is the largest, for a total of EUR 1,000,000 (excl. VAT). The commission for the expert engaged still has to be deducted from this. Before the second and third batches of these licences can be sold, a further investigation will have to be carried out by and on behalf of the bankruptcy trustees. It emerged that the second batch of the licences, representing a sales value of EUR 150,000 (excl. VAT), could no longer be

transferred because these licences belonged to participating interests that had already been sold. A portion of these, representing EUR 50,000 (excl. VAT), may still be able to be sold.

The Lenders state that they have established a pledge on the licences. The bankruptcy trustees contest this. The purchase price received less the selling costs has been deposited under an escrow agent.

Fifth report:

Sale of the final software licenses to which Royal Imtech was/is entitled occurred during this period for a sale price of EUR 60,000 excluding VAT and were delivered with the consent of Microsoft. The total revenue from software licences amounted to EUR 1,060,000 excluding VAT (sales to foreign parties), of which the commission paid to the software broker was EUR 245,109.70 including VAT. The net proceeds of EUR 823,360.30 were paid into an escrow account because the Lenders claim to hold a pledge on the software licenses, a claim that is disputed by the bankruptcy trustees. The estate is in view of the escrow agreement still entitled to proceeds from the above process of EUR 70,000 plus VAT plus two fees paid to the licensing agency of EUR 4,235 including VAT for the sale of batch 4 and EUR 1306.80 including VAT for advice, which amounts have not yet been received from the Escrow Agent.

Sixth report:

During the past reporting period, the bankruptcy trustees have been involved in finalising the administrative settlement of the transfer of the licences to the divisions that were sold. The bankruptcy trustees' obligation to cooperate in this transfer follows from the sale of the various divisions (the relevant divisions paid the use and maintenance fees for the relevant licences and these licences had to be

allocated to the businesses of the divisions that were sold). The sale to the divisions that were sold was completed at the moment of reporting and the administrative settlement of the transfer of the licences is all but complete.

Intellectual property

Fifth report:

Royal Imtech N.V. holds the rights to the tradename “VONK”. This tradename has been sold by the bankruptcy trustees to Industry International B.V. for EUR 1,000 (excl. VAT). Before proceeding with the sale, they requested advice from the creditors’ committee on 11 November 2016. On 17 November 2016, this committee consented to the sale of the rights to the tradename “VONK” held by Royal Imtech N.V., as proposed by the bankruptcy trustees. Approval for the private sale was obtained from the delegated judge on 25 November 2016. The money has since been received in the liquidation account of Royal Imtech N.V.

Participating interests

For the participating interests of Royal Imtech, see chapter VIII of this report.

ICOS funds

Second report:

Royal Imtech N.V. holds an interest of 32.8% in ICOS fund number 1, the so-called Dutch technology fund I. Imtech's contribution was EUR 2,149,879 for an interest of 32.68% in the fund. The value of the share in the fund was estimated by the fund manager at EUR 1,150,000 on 30 June 2015. Imtech has a payment obligation for the fund of EUR 44,975 in January 2016. The fund has a term until September 2016.

Royal Imtech N.V. also participates in the ICOS Fund 2, called the ICOS Cleantech

early stage fund II. The contribution was EUR 2,200,000, which resulted in an interest of 24.22%. The current obligation amounts to EUR 302,764. The value of the share in this fund was estimated by the fund manager at EUR 2,325,000 on 30 June 2015. The fund has a term until September 2020. In the interest of retaining and hopefully seeing an increase in the value of the interest in fund 2, the bankruptcy trustees asked the delegated judges for permission to deposit an amount of EUR 302,764 for the period until September 2020. In concrete terms the payment obligation in 2015 amounts to EUR 124,052.

The fund managers of both funds have indicated that it will probably still be at least two years from the end date of the fund before the full payment will have been received because the funds must sell the share interests prior to this. The valuation of these funds is therefore accompanied by the necessary uncertainties.

In addition to the participation in this fund, Imtech N.V. has, together with Corbion and BAM, made a sum available to Dutch Rainmaker. Imtech's share in this is EUR 215,000. The grounds for this provision of funds are being further investigated.

A definitive decision on whether to further invest a total of approximately EUR 350,000 in order to secure and maximise the investments already made throughout the entire term has not yet been taken. The funds have a long term and pay-out is not expected before 2018.

Royal Imtech also committed in 2015 to participate in ICOS fund III for a total of EUR 3,000,000. No payment had yet taken place.

The bankruptcy trustees assume that the interests in the ICOS funds are free and unencumbered. No party has reported itself and asserted and demonstrated that

any right of security is established on these shares.

During the third reporting period, the shares in the ICOS funds were sold and transferred to Airclean IBS Coöperatief U.A. The purchase price less the notarial costs owed for the share transfers was subsequently credited to the liquidation account on 31 December 2015. The net proceeds for the liquidation assets were € 992,093.51.

Fifth report:

The investigation into Dutch Rainmaker and the provision of money has still not been completed.

Sixth report:

It became clear that the money had not been provided by Royal Imtech to Dutch Rainmaker, but by the partnership of Royal Imtech with Corbion and BAM. Royal Imtech's share therein was EUR 215,000. This share was also sold in the third reporting period. This determination settles this subject.

Other participating interests:

Royal Imtech N.V. is also (sole) shareholder in a great many other (inactive) companies. During the past period the bankruptcy trustees have started taking stock of all the participating interests and will attempt to liquidate these participating interests or nominate them for bankruptcy in the coming reporting period.

Third report:

concerning the sales of Nordic Group, Marine Group, T&I Group, the UK/Ireland division, Imtech Spain, Imtech Benelux, Imtech Belgium Holding N.V., Imtech

Toegangstechniek B.V., Imtech Industry International B.V. and Ventilex B.V., Imtech Building Services B.V., Imtech Industrial Services B.V., Paul Wagner & Fils S.A. and Imtech Poland, see the first and second public reports in the bankruptcy of Royal Imtech N.V. Furthermore, for the separate reports in the bankruptcies of Imtech Nederland B.V., Imtech Benelux Group B.V., Imtech Industrial Services B.V. and Imtech Building Services B.V., see the separate reports in the particular bankruptcies; the reports from these can be found, among other places, at www.faillissementimtech.nl. For information on the bankruptcy of Imtech UK Limited, see the website of the English administrators:

<http://www.pwc.co.uk/services/business-recovery/administrations/imtech.html>

Imtech Spain

Sixth report:

At the time of the sale, the proceeds from the sale of the Spanish division of EUR 6,000,000 were deposited in an escrow account because both the Security Agent (due to a right of pledge created in respect of the shares in the period of undisclosed administration) and the assets of Royal Imtech claim the proceeds. The Security Agent removed the pledge upon the delivery of the shares by the bankruptcy trustees subject to the condition that if the bankruptcy trustees had not initiated proceedings against the Security Agent by 11 March 2017 at the latest the amount in escrow would be released to the Security Agent following deduction of the transaction costs. The proceeds were transferred to the Security Agent following the aforementioned term at the Security Agent's express request because the bankruptcy trustees have not (yet) been able to initiate proceedings as a result of the ongoing investigations into the causes and have not yet been able to start on 2015 and the Security Agent has contested the extrajudicial annulment of the pledge by the bankruptcy trustees. The transaction costs of the liquidation assets of

EUR 254,459.74 were transferred into the liquidation account prior to the above. Incidentally, failing to initiate proceedings against the Security Agent within the aforementioned term does not mean according to the escrow agreement that the bankruptcy trustees forfeited any rights.

Imtech Hungary

According to the information known to the bankruptcy trustees, Imtech Hungary has a majority interest in Imtech Slovakia (Imtech Slovakia s.r.o.).

The bankruptcy trustees have had Mazars prepare a valuation of Imtech Hungary. An important component of the valuation involves the legal status of a number of claims against Imtech Hungary. The bankruptcy trustees have sought advice on this from a local law firm.

Third report:

This value will now serve as the starting point for a possible sale. Talks have been held with potential buyers during the past period. Pending the valuation and in particular the section concerning the aforementioned claims, the bankruptcy trustees have not yet been in a position to conclude a transaction. It will be looked into in the coming period whether the bankruptcy trustees can reach a transaction with interested parties.

Fourth report:

The bankruptcy trustees have managed to sell the shares in Imtech Hungary during the past reporting period with the permission of the delegated judges. This sale yielded a sum of EUR 650,000 for the liquidation assets, which sum may yet be increased by maximum EUR 248,750, depending on whether or not a number of uncertainties in the company will manifest (all or in part). The transfer of the

shares of Imtech Hungary has since taken place. The bankruptcy trustees do not expect to have to perform any additional activities for this sale during the upcoming reporting period.

Imtech Romania

The bankruptcy trustees have engaged a local lawyer in the context of a possible sale process. There have been no interested parties as yet.

Fourth report:

The bankruptcy trustees have had an investigation carried out in Romania into possible buyers for Imtech Technology S.A. The bankruptcy trustees find themselves faced with a company that has major intercompany debts to Imtech Capital and Imtech Germany. The company's shareholders' equity consists mainly of an accounts receivable item, the collection of which is extremely uncertain, particularly if it is decided to liquidate the company or apply for its bankruptcy.

Under these circumstances, only the local management has made an offer for the company. The bankruptcy trustees have researched the offer and negotiated with the local management. These negotiations are being complicated by the fact that a possible agreement depends on the cancellation of various (allegedly pledged) intercompany receivables, in which (the bankruptcy trustee of) Imtech Germany also plays a role.

The bankruptcy trustees hope to be able to conclude the sale of Imtech Technology S.A. in the upcoming reporting period.

Fifth report:

The bankruptcy trustees sold Imtech Romania to the former directors on 1 August 2016. The delegated judge granted approval for this transaction on 2 June 2016. The income generated by it was EUR 20,000. This amount has since been received from the purchaser by the bankruptcy trustees. As far as the bankruptcy trustees know, no financiers are enforcing any pledge on the proceeds from this sale. An arrangement has been reached with the bankruptcy trustee for Imtech Germany to allow this sale.

Imtech SSC

Third report

A decision will soon be taken on how SSC should be liquidated. To be on the safe side, dismissal permits for the personnel have been applied for and obtained from the UWV; these can be used until 11 March 2016 at the latest to terminate the employment contracts with the personnel.

Fourth report:

Ultimately it emerged that there was nothing left to do but apply for the bankruptcy of Imtech SSC B.V. The bankruptcy was declared on 11 March 2016. Please refer to the separate report for that bankruptcy.

Imtech I B.V.

These companies are not expected to yield any proceeds. As far as the bankruptcy trustees are aware, these companies have neither any business operations nor any positive shareholders' equity.

Imtech II B.V.

These companies are not expected to yield any proceeds. As far as the bankruptcy trustees are aware, these companies have neither any business operations nor any

positive shareholders' equity.

Fifth report:

This company does not hold any assets. It only has one creditor. Since there is no plurality of creditors, bankruptcy may not be declared for this company. The bankruptcy trustees have decided to dissolve this company under Article 2:19(4) of the Dutch Civil Code by means of a turbo-liquidation.

Sixth report:

This company has not yet been dissolved.

Imtech III B.V.

Liquidation balance sheets dated June 2015 are available for this company. These indicate that Imtech III only has liabilities: Share capital of EUR 45K and an interest-free debt to a group company totalling EUR 45K. No assets are to be expected. The company is not in liquidation. This company will most likely be liquidated in the manner described in Article 2:19 (4) of the Dutch Civil Code.

Fifth report:

This company does not hold any assets. It only has one creditor. Since there is no plurality of creditors, bankruptcy may not be declared for this company. The bankruptcy trustees have decided to dissolve this company under Article 2:19(4) of the Dutch Civil Code. The shareholders' resolution for this purpose has now been adopted. Further settlement shall be reported on in the upcoming reporting period.

Sixth report:

This company has not yet been dissolved.

Imtech Arbodienst B.V.

This company has been in a state of bankruptcy since 1 March 2016. P.J. Peters has been appointed as bankruptcy trustee. Please refer to the separate report for that bankruptcy.

Imtech International B.V.

The company does not possess any assets. The company only has debts to group companies. The bankruptcy trustees expect they will be able to dissolve this company.

Fifth report:

This company does not hold any assets. It only has one creditor. Since there is no plurality of creditors, bankruptcy may not be declared for this company. The bankruptcy trustees have decided to dissolve this company under Article 2:19(4) of the Dutch Civil Code by means of a turbo-liquidation.

Sixth report:

This company has not yet been dissolved.

Imtech Netherlands B.V.

This company had ceased to be active even before the date on which Royal Imtech went bankrupt. It has intercompany receivables of approximately EUR 30 million (which were pledged as of 7 August 2015). The extent to which these receivables can be collected has been investigated; most of them cannot be collected because of the bankruptcies of the debtors. It appears that a few receivables of EUR 10 million, EUR 243K and EUR 1.433 million respectively can indeed be collected to some extent. This will be further investigated in the upcoming reporting period.

Sixth report:

The bankruptcy trustees are investigating whether collection of the receivables on the balance sheet of Imtech Netherlands B.V. is possible or as the case may be feasible.

Imtech Austria Anlagentechnik GmbH

The bankruptcy of this company was declared in Austria on 28 August 2015. The Austrian bankruptcy trustee has been contacted in connection with the setoff of the cash pools, in which this company was also involved.

ROM ANLAGENBAU SRL i.L.

This company was already in liquidation and fell under Imtech Hungary. Upon the sale of Imtech Hungary, this company was transferred to the buyer.

Kiekens B.V.

Based on the most recent financial documents (as of June 2015), the company has EUR 1,800 in liquid assets. The Kiekens bank account was closed by the bank on 3 September 2015, however, at Imtech's request; any balance will have been set off with or credited to an account of another Imtech company. The bankruptcy trustees do not expect any proceeds; the company will presumably be dissolved via (turbo) liquidation.

Fifth report:

This company does not hold any assets. It only has one creditor. Since there is no plurality of creditors, bankruptcy may not be declared for this company. The bankruptcy trustees have decided to dissolve this company under Article 2:19(4) of the Dutch Civil Code by means of a turbo-liquidation.

Sixth report:

This company has not yet been dissolved.

Imtech Telecom B.V.

This company cannot be liquidated at the moment because of appeal proceedings in which this company is indirectly involved. A judgement was handed down in the aforementioned proceedings recently, namely on 28 April 2016. After the period for taking an appeal to the Supreme Court has expired, the bankruptcy trustees intend to proceed with the liquidation of this company. As far as the bankruptcy trustees are aware, it does not have any business operations.

Fifth report:

On 28 April 2016, judgement was declared in the proceedings to which Imtech Telecom is a party. The other party in these proceedings has indicated it will bring an appeal against the ruling of the court. Therefore the winding-up of this company shall only take place after the appeal has been settled.

Imtech Management Services B.V.

This company is currently in liquidation; further investigation will be conducted into this.

Fifth report:

Further investigation has revealed that this company has already been dissolved.

Imtech Technical Support B.V.

This company is currently in liquidation; further investigation will be conducted into this.

Fifth report:

Further investigation has revealed that this company has already been dissolved.

Imtech SEA Limited

This company is currently in liquidation; further investigation will be conducted into this.

Fifth report:

This company is currently in liquidation. Further investigation has revealed that Royal Imtech may receive benefits as a shareholder of this company. During the upcoming reporting period the bankruptcy trustees will take additional measures to obtain these possible benefits for the estate.

Sixth report:

The bankruptcy trustees are in contact with the trust office that previously performed activities for Imtech SEA Limited. This has not yet yielded any results, i.e. payment to the assets. The bankruptcy trustees are considering further steps.

Imtech Infra Data B.V.

The company has no assets or other income. The company only has debts to a group company and it is therefore expected that the company can be liquidated in the short term.

Fifth report:

This company does not hold any assets. There are multiple creditors and therefore a plurality of creditors. Because the company does not have any assets, it is not in the interest of the joint creditors to wind up this company. The bankruptcy trustees have decided to dissolve this company under Article 2:19(4) of the Dutch

Civil Code by means of a turbo-liquidation.

Sixth report:

This company has not yet been dissolved.

Fritz & Macziol (Schweiz) AG

The company is already in liquidation. The bankruptcy trustees have not (yet) had contact with the liquidator/bankruptcy trustee in Switzerland.

Imtech Marine South East Asia Limited

This company is currently in liquidation; further investigation will be conducted into this.

Sixth report:

The investigation continues.

Imtech Deutschland B.V.

The former management of Royal Imtech itself filed a petition for bankruptcy for this company on 12 August 2015. This petition was rejected by the Hamburg District Court on 6 November 2015 on account of 'mangels Masse', which means that there are not enough assets to cover the costs of winding up the company. The bankruptcy trustees are currently investigating the possibilities of nonetheless liquidating this company.

Fifth report:

Research into this company has led to the conclusion that, in the opinion of the bankruptcy trustees, Imtech Deutschland B.V. is eligible to be declared bankrupt under Dutch law, after the German court rejected a request for bankruptcy in the

summer of 2015. Under German law, Imtech Deutschland B.V. is jointly and severally liable for the debts of Imtech Deutschland GmbH & Co. KG and may obtain possible benefits. For this reason, the bankruptcy trustees intend to request bankruptcy for this company in the Netherlands.

Sixth report:

On 13 January 2017, the Imtech SSC B.V. bankruptcy trustee applied for the bankruptcy of Imtech Deutschland B.V. on the basis of several invoices that were left unpaid. The directors of Imtech Deutschland B.V. conducted a defence at the bankruptcy hearing by arguing, stated succinctly, that Imtech Deutschland B.V. was allegedly already liquidated in Germany.

Imtech Deutschland B.V. was declared bankrupt by the District Court of The Hague on 21 February 2017 at the request of Imtech SSC B.V. while appointing Princen and Peters as bankruptcy trustees and while appointing W.J Roos-van Toor as delegated judge. The bankruptcy was transferred to the Rotterdam District Court by the District Court of The Hague. The bankruptcy trustees requested Mr Betz, as former director, to come to Rotterdam for a meeting or interview but Mr Betz ultimately refused to do so. The bankruptcy trustee did interview later director Mr Colman. Mr Colman was also a director of Royal Imtech N.V. from the end of 2013. As regards further information concerning this bankruptcy, reference is made to the independent liquidation report of Imtech Deutschland B.V. as well as the liquidation report of Imtech SSC B.V.

SevZap Project AG

Still to be investigated

Sixth report:

The investigation continues.

Imtech Holding GmbH

The bankruptcy trustees have asked the German bankruptcy trustee for more information.

Fifth report:

The bankruptcy trustees have obtained further information from the German bankruptcy trustee about the state of Imtech Holding GmbH. This private company with limited liability incorporated under German law was declared provisionally bankrupt by the German court in Hamburg on 17 August 2016. At this moment, this company is of no further importance for the settlement of the bankruptcy of Royal Imtech.

Sale of data of Royal Imtech N.V.

The bankruptcy trustees took stock in September 2015 of which data Royal Imtech N.V. has in hard copy and digitally (on network disk and in software applications) which could potentially be interesting for sale to (the new owners of) Imtech divisions that have been sold. Based on this assessment, at the end of September agreements on the transfer of data were concluded with Imtech T&I Group B.V. and Imtech Marine Group B.V. To the extent these data were contained in the software applications, agreements were also made in the context of the aforementioned TSAs concerning SSC's cooperation with the transfer of these data. For the rest, the agreements were laid down separately. In October and November 2015, from the large volume of data available, the data specifically sold to Imtech Marine Group B.V. and Imtech T&I Group B.V. were collected and selected. All of the data sold to Imtech Marine Group B.V. have now been delivered (with the help of SSC). Some of the data sold to Imtech T&I Group B.V. have been delivered. For these transfers, the liquidation assets received a sum of EUR 127,050.00 including VAT from Imtech Marine Group and a sum of EUR

187,550.00 including VAT from Imtech Traffic & Infra. These in-house developed and non-capitalised data had not, in the opinion of the bankruptcy trustees, been pledged by Royal Imtech N.V.

Fourth report:

During the reporting period, the bankruptcy trustees sold the administration and corporate files of Imtech Nordic Group B.V. to Assemblin AB for a sum of € 3,000.

Fifth report:

No further data was sold by Imtech divisions and companies during the recently concluded reporting period.

Other assets/claims

Escrow account for Vinci transaction

On 29 October 2014, Royal Imtech N.V. as seller and Vinci Energies SA as buyer and ABN AMRO Bank N.V. as escrow agent concluded an escrow agreement into which account a sum of EUR 26,000,000 of the purchase price paid by Vinci in the context of taking over the shares in Imtech ICT was deposited. A sum of EUR 1,000,000 of this was deposited in connection with possible tax claims. A sum of EUR 15,000,000 is blocked until 29 April 2016 and the remaining sum of EUR 10,000,000 is blocked until 29 April 2020 for possible guarantee claims from Vinci, which are supposed to be chargeable to the purchase price paid.

A claim is occasionally received from Vinci under the guarantee stipulations; a lawyer engaged by the bankruptcy trustees is handling this case.

Third report:

Both Vinci and Royal Imtech N.V. have a conditional claim for payment of the balance remaining in escrow. According to the Lenders, Royal Imtech N.V.'s conditional claim for payment was pledged to them. The bankruptcy trustees are still investigating the legal validity of this pledging.

The bankruptcy trustees are considering the possibility of settling these issues amicably with Vinci; an exploratory talk will be scheduled for this with Vinci.

Fourth report:

Vinci has brought pro forma arbitration proceedings; in the meantime the parties are exploring whether an amicable settlement can be reached as yet concerning the funds of approximately EUR 26,000,000 which are in escrow.

Fifth report:

The bankruptcy trustees were directed by the lawyers of Vinci on 17 July 2016 to a possible tax claim relating to a former Austrian participation. Additionally, the bankruptcy trustees were asked by Vinci to collaborate in conducting a defence against this claim. In the recent reporting period, Vinci also brought proceedings before the Netherlands Arbitration Institute. These proceedings were suspended to 1 December 2016 in order to obtain a brief response from the bankruptcy trustees. As a result of further discussions between the bankruptcy trustees and Vinci, these proceedings have been delayed until 1 February 2017.

Sixth report:

See point 1.4 for the progress of these proceedings.

Claims against advisors

Royal Imtech N.V. paid an advance for services to be performed by Alvarez &

Marsal. The advance invoiced on 22 July 2015 totalled EUR 900,000 plus VAT. According to Alvarez & Marsal, work totalling EUR 238,189.71 has been performed and a sum of EUR 850,810.29 including VAT can be refunded to the liquidation assets. Alvarez & Marsal are only willing to refund this sum in exchange for full and final discharge, but the bankruptcy trustees cannot give any pronouncement on that as yet and have asked for the refund without waiving any rights. The sum of EUR 850,810.29 has not yet been received from Alvarez & Marsal. In a letter dated 30 November 2015, Alvarez & Marsal reiterated that it would not refund the remaining advance without formal discharge.

The bankruptcy trustees demanded that German law firm Hengeler Mueller refund what remained of an advance paid to it. A sum of EUR 124,714.90 was received from Hengeler Mueller.

Third report:

Alvarez & Marsal has not refunded the advance to date, but did give written notice on 4 March 2016 that it would refund the remainder now without additional conditions. It also emerged during the past reporting period that an advance payment was still unused at PwC. This sum, in the amount of € 381,400.47, was received from PwC and has since been credited to the liquidation account.

Fourth report:

In accordance with its written announcement on 4 March 2016, Alvarez & Marsal refunded the sum of EUR 850,810.29 to the liquidation account. The amount was credited to the liquidation account on 9 March 2016.

Fifth report:

The bankruptcy trustees requested De Brauw Blackstone Westbroek for a time

sheet itemising the hours between November 2012 and August 2015. This time sheet has still not been submitted to the bankruptcy trustees.

Sixth report:

De Brauw Blackstone Westbroek

De Brauw Blackstone Westbroek has not provided the time sheets despite repeated requests. It notified the bankruptcy trustees that they do not have specified invoices for this period nor do they have a time sheet for the activities that were performed. This method of invoicing had been agreed with Imtech, according to De Brauw. The bankruptcy trustees are considering their options for obtaining as yet insight into the activities performed by De Brauw Blackstone Westbroek.

Pension contract

The liquidation assets received a non-recurring payment of EUR 602,547.74 during the last reporting period in connection with the termination of a pension contract with Delta Lloyd. The amount was credited to the liquidation account.

- 3.13 Sales proceeds : as yet unknown
Activities: : investigation of art collection, securing, appraising, assessing sales channels; sale of participating interests; work in relation to software licences.

4. Debtors

- 4.1 Amount of debtors : Under investigation, especially intercompany receivables
4.2 Proceeds : Under investigation

- 4.3 Percentage or amount paid to the bankruptcy trustees in their capacity as estate administrators for work done : Under investigation
- Activities : investigation debtors

Second report

During the upcoming reporting period, the bankruptcy trustees will perform activities to chart out the size of these intercompany receivables.

Beyond this, Royal Imtech N.V. and Elstersee 24. V V GmbH (currently named R&H Holding GmbH) entered into an agreement on 22 December 2011 in the context of the sale by Royal Imtech N.V. to R&H Holding GmbH of all shares in Deutsche van Rietschoten & Houwens GmbH. Part of the purchase price - specifically a sum of € 6,000,000 - was converted into a loan provided to R&H Holding GmbH by Royal Imtech N.V. (Vendor loan agreement). Based on this agreement, the full amount, plus interest, must be repaid within six years. The first three tranches were already received by Royal Imtech N.V. (prior to the bankruptcy date). The fourth tranche is to be received at the end of 2015. The bankruptcy trustee has been in contact with the debtor concerning further repayment of this loan.

Third report:

The fourth tranche, in the amount of EUR 1,097,500, was received from R&H Holding GmbH in the liquidation account on 30 December 2015.

Fifth report:

An interest payment on the liquidation account of EUR 65,000 was received by the bankruptcy trustees on 28 June 2016.

Sixth report

The fifth tranche, in the amount of EUR 1,065,000, was received from R&H Holding GmbH in the liquidation account on 27 December 2016.

5. Bank/Security

5.1 Bank claim(s) :

As of the bankruptcy date, various types of financing had been extended to Imtech. Royal Imtech is jointly and severally liable for this. This financing is primarily based on the MTS of 17 June 2014. In this context, the following financiers were involved as lenders ('RCF Lenders'):

- a. Rabobank
- b. ING Bank N.V.
- c. ABN AMRO Bank N.V.
- d. Commerzbank
- e. KBC Bank N.V.
- f. Nordea Bank AB
- g. The Royal Bank of Scotland plc
- h. BNP Paribas Fortis S.A./N.V.
- i. Bayerische Landesbank
- j. Barclays Bank PLC
- k. NIBC Bank N.V.
- l. Field Point Acquisitions/SVP
- m. Monarch

According to the statement, on the date of the bankruptcy the debt to the RCF Lenders amounted to approximately EUR 340 million. On the date of the bankruptcy, an amount of approximately EUR 350 million was still due to various

‘Noteholders’. In addition, on the date of bankruptcy, the Imtech group had outstanding bank guarantees in the amount of approximately EUR 540 million.

Furthermore, various bilateral financing has been provided to subsidiaries of Royal Imtech. It is unclear whether Royal Imtech is jointly liable for this and if so, to what extent.

The financing will be further investigated during the coming reporting period.

Second report

During this reporting period, various financiers reported claims under bank and corporate guarantees. The size and content of these guarantees are the subject of investigation.

The bankruptcy trustees are conducting further investigation into the financing by the RCF lenders.

Third report:

The bankruptcy trustees asked the Lenders a number of questions concerning the legal validity posited for the securities obtained. These questions have not yet been answered.

Fourth report:

The bankruptcy trustees have received the information required, which is currently being examined by the bankruptcy trustees.

Fifth report:

The investigation into the established and partially exercised collateral continues; the bankruptcy trustees do not expect the investigation to be completed in the upcoming reporting period.

Sixth report:

The investigation continues.

5.2 Lease contracts : vehicles

Second report

The bankruptcy trustees ascertained after the bankruptcy date that there are a great many leased motor vehicles. These lease contracts have since been terminated, whereby the vehicles have been returned to the lease companies.

5.3 Description of security :

According to the documentation provided by Imtech and the Lenders, Royal Imtech and the Imtech Group have the following security:

- 1) In a deed of pledge dated 17 June 2014, Royal Imtech, Imtech Group and Imtech Benelux Group granted the Lenders a pledge on the shares in the capital of: Imtech Group, Imtech Capital B.V., Imtech Nederland B.V., Imtech Marine Group B.V., Imtech ICT Group B.V., Imtech T&I Group B.V., Imtech Nordic Group B.V., Imtech UK Group B.V. and Imtech Benelux Group B.V.
- 2) In a deed of pledge dated 17 June 2014, Royal Imtech, Imtech Group, Imtech Capital, Imtech Nederland, Imtech Marine Group, Imtech ICT Group, Imtech T&I Group, Imtech Nordic Group, Imtech UK Group and Imtech Benelux Group granted the Lenders a pledge on the intercompany receivables within Imtech.

- 3) In a deed of pledge dated 17 June 2014, Imtech Capital and Imtech I granted the Lenders a pledge on the shares in the capital of the Belgian company PBM N.V., and in a deed of pledge from the same date PBM N.V. pledged its intercompany receivables within Imtech to the Lenders.
- 4) In a deed of pledge dated 17 June 2014, Royal Imtech granted the Lenders a pledge on the shares in the capital of Imtech UK Limited.
- 5) In deeds of pledge ('partnership interest pledges') dated 17 June and 19 November 2014, Imtech Holding GmbH in one deed and Imtech Holding GmbH and Imtech Deutschland B.V. in the other, respectively, pledged the shares in Imtech Deutschland GmbH & Co KG to the Lenders.
- 6) In a deed of pledge dated 17 June 2014, Imtech Holding GmbH pledged to the Lenders its intercompany receivables within Imtech, which took place once again by means of a 'Confirmation agreement' dated 19 November 2014.
- 7) In a deed of pledge dated 18 June 2014, Royal Imtech granted the Lenders a pledge on the shares in the capital of Imtech Holding GmbH.
- 8) In a deed of pledge dated 18 September 2014, Royal Imtech, Imtech Nederland, Imtech Marine Group, Imtech ICT Group, Imtech T&I Group and Imtech Benelux Group granted the Lenders a pledge on the shares in the capital of Imtech SSC B.V., Imtech Building Services, Imtech Toegangstechniek, Imtech Industrial Services, Imtech Industry International, Ventilex, Imtech Traffic & Infra, WPS Holding, Imtech Marine Netherlands, Imtech Marine Content@Sea, Radio Holland Connect, and Van Berge Henegouwen Installaties.
- 9) In a deed of pledge dated 18 September 2014, Imtech Building Services, Imtech Toegangstechniek, Imtech Industrial Services, Imtech Industry International, Ventilex, Imtech Traffic & Infra, WPS Holding, Imtech Marine Netherlands, Imtech Marine Content@Sea, Radio Holland Connect, Imtech

SSC, and Van Berge Henegouwen Installaties pledged their intercompany receivables within Imtech to the Lenders.

- 10) In a deed of pledge dated 25 September 2014, Royal Imtech and Imtech Nordic AB granted the Lenders a pledge on the shares in the capital of Imtech Nordic AB, Imtech Elteknik AB and Imtech VS-Teknik AB, and in a deed of pledge dated 26 September 2014, Imtech Nordic Group B.V. pledged its shares in Imtech Nordic AB to the Lenders.
- 11) In a deed of pledge dated 25 September 2014, Imtech Nordic AB, Imtech Elteknik AB and Imtech VS-Teknik AB granted the Lenders a pledge on their intercompany receivables within Imtech.
- 12) In a deed of pledge ('junior share pledge') dated 19 November 2014, Royal Imtech once again pledged its shares in Imtech Holding GmbH to the Lenders.
- 13) In a deed of pledge dated 1 August 2015, Royal Imtech granted a pledge on the shares in the capital of: Imtech Netherlands B.V, Imtech B.V., Imtech Arbodienst B.V., Imtech International B.V., Imtech I B.V., Imtech II B.V. and Imtech III B.V.
- 14) In a deed of pledge dated 1 August 2015, registered on 4 August 2015, Royal Imtech, Imtech Group, Imtech Capital, Imtech Nederland, Imtech Marine Group, Imtech ICT Group, Imtech T&I Group, Imtech Nordic Group, Imtech UK Group and Imtech Benelux Group granted the Lenders a pledge on bank balances, movable property, claims and intellectual property rights.
- 15) In a deed of pledge dated 5 August 2015, Royal Imtech established a right of pledge on the shares in the capital of Imtech España MMI SA, Imtech España Management I SL, Imtech España Management II SL, Imtech España Management III SL and Imtech España Management IV SL.

In addition to Royal Imtech and the Imtech Group, various group companies also established a right of pledge in favour of Deutsche Bank Luxembourg S.A. (as Security Agent).

The bankruptcy trustees are investigating the legal validity of the various pledges. In view of the complexity of the security and the many changes in the security positions in the years prior to bankruptcy, this investigation is expected to take some time.

5.4 Position as a secured creditor:

As stated above under the heading ‘Sales process’, various pledged divisions were sold via exercise of the right of pledge on the shares, by way of a deviating manner of sale by the financiers (as pledgees) within the meaning of Article 3:251 (2) of the Dutch Civil Code, whereby the bankruptcy trustees agreed to those sales on the pledgors’ behalf.

5.5 Percentage or amounts paid to the bankruptcy trustees in their capacity as estate administrators for work done :

For their cooperation with the execution sale of the pledged shares, the bankruptcy trustees of Royal Imtech stipulated a sum to be paid to the bankruptcy trustees in their capacity as estate administrators for work done of EUR 7 million, as well as a short-term preferential loan to the bankrupt estate of EUR 3 million.

Second report

Both amounts have since been received in the liquidation account of Royal Imtech.

5.6 Retention of title : Under investigation. *None*.

5.7 Rights of recovery : Under investigation. *None*.

- 5.8 Rights of retention : Under investigation. *None*.
 Activities : Investigation into financing and security.

Second report:

The points 5.6 to 5.8 were settled in the reporting period just elapsed.

6. Restart/continuation

Continuation

- 6.1 Operation/security : N/A
 6.2 Financial reporting : N/A
 Activities : N/A

Restart

- 6.3 Description : There have been various restarts by way of sales of shares. See Chapter VI above for a detailed list. Royal Imtech N.V. itself only performed holding activities, so there can be no restart within this bankruptcy itself.
- 6.4 Recognition : See Chapter VII above for a detailed list.
- 6.5 Proceeds : See Chapter VII above for a detailed list.
- 6.6 Percentage or amount paid to the bankruptcy trustees in their capacity as estate administrators for work done : See Chapter VII above for a detailed list.
- Activities : Making an inventory and selling the remaining company and other divisions and entities.

7. Lawfulness

7.1 Accounting obligation :

Second report:

Under investigation. On the instructions of the bankruptcy trustees, Grant Thornton Forensic & Investigation Services B.V. has secured the accounting of the companies in liquidation, as well as other physical and digital data. It involves an especially large volume of data, which was originally located at different locations of these bankrupt companies as well as of subsidiaries. More than 50 cabinets mainly containing full binders were secured; together this comprises more than 300 metres of physical records. Several removal vans were required to load the documents, which were then stored. Furthermore, at Royal Imtech N.V. alone, more than 3 million computer files are involved; some 23 TB in emails with attachments (some of which are also from subsidiaries) and some 700 GB in other data, most of which has been rendered searchable for the bankruptcy trustees.

Fourth report:

During the past period, the bankruptcy trustees have become aware of the records that had already been secured by third parties, on the (indirect) instructions of Royal Imtech, in connection with various investigations into the course of affairs prior to the bankruptcy. The bankruptcy trustees are in talks with these parties on the provision of this information to the bankruptcy trustees. Some of the aforementioned digital data have already been provided; however, these data are so poorly organised and of such a volume (several terabytes) that additional information is needed before these data can be examined by the bankruptcy trustees.

The bankruptcy trustees also ascertained that Royal Imtech had a large archive (1,500 moving boxes), but that this archive had been administered poorly to

extremely poorly. It is not a simple task for the bankruptcy trustees to access this archive.

Fifth report:

During the most recent period, the bankruptcy trustees made some of the digital records available, which had already been secured earlier on the instructions of Royal Imtech, in connection with various investigations into the course of affairs prior to the bankruptcy. The bankruptcy trustees have furthermore received additional records from the employees of Royal Imtech. The costs for securing, making accessible and updating digital data currently amount to over EUR one million.

Sixth report:

As stated under point 7.3, the bankruptcy trustees requested auditor KPMG to surrender the audit files concerning Royal Imtech, Imtech Capital B.V., PBM N.V. and Imtech Germany and Imtech Poland for the years 2011-2014. This requested was complied with in part.

Royal Imtech's digital administration is still being kept (partially) accessible to the bankruptcy trustees in connection with ongoing investigations. The bankruptcy trustees do not expect that they will maintain this level of access for the entire bankruptcy period in view of the related costs.

7.2 Filing of financial statements:

Second report:

2012: adopted 2 August 2013, filed 5 August 2013.

2013: adopted 22 May 2014, filed 23 May 2014.

2014: adopted 12 May 2015, filed on the same day.

The course of affairs concerning the preparation, adoption and approval of the financial statements is still the subject of further investigation.

7.3 Unqualified Audit Opinion :

Second report:

The 2012 financial statements were provided with an audit opinion dated 18 June 2013 from KPMG Accountants N.V., on going-concern basis, with explanatory section which addresses the continuity (relevant comment 4 in the annual report, briefly summarised, the dependency of Royal Imtech N.V. on the success of the 500-million-euro rights issue in mid-2013).

The 2013 financial statements were provided with an audit opinion dated 17 March 2014 from KPMG Accountants N.V., on going-concern basis, once again with explanatory section which addresses the continuity (relevant comment 2 in the annual report, briefly summarised the dependency of Royal Imtech N.V. on the success of and continued compliance with the conditions of the Medium Term Solution).

The 2014 financial statements were provided with an audit opinion dated 17 March 2015 from KPMG Accountants N.V., on going-concern basis, without material uncertainties.

Fifth report:

The bankruptcy trustees are examining the financial statements in accordance with audit reports issued by KPMG on the financial statements prior to bankruptcy.

Sixth report:

The bankruptcy trustees are investigating the KPMG audit and audit opinions further.

The bankruptcy trustees investigated whether (one of) the AFM incident investigations pertaining to KPMG concern(s) the Imtech file. It has been established that incident investigation I in the public, but anonymised version of the AFM fining decision concerns KPMG's audit of Imtech.

During this investigation, the bankruptcy trustees became aware of the fining decision rendered by the Dutch Authority for the Financial Markets (AFM) dated 16 March 2016. In this decision, the AFM imposed a fine of EUR 1,245,000 on auditor KPMG for deficiencies in the audit within the context of the adoption of the Imtech financial statements for 2011. KPMG did not lodge an objection/appeal against this fine.

Very relevant parts of this AFM decision was blacked out by the AFM at the request of KPMG itself and the relevant case has been anonymised. However, the bankruptcy trustees have been able to establish on the basis of the words that were not blacked out that it has to concern the KPMG audit of the Imtech financial statements for 2011. KPMG has refused to confirm this to the bankruptcy trustees. KPMG has also refused to provide the bankruptcy trustees with a fully readable version of the AFM fining decision.

The AFM held:

“As responsible auditor, the external auditor thus evaluated insufficiently whether sufficient and suitable audit information was obtained from the audit activities by the auditors of the business units (COS 600.42, COS 600.43 and COS 600.44).

The external auditor thus failed to obtain sufficient and suitable audit information for bringing the audit risk back to an acceptably low level. It was therefore unable to draw reasonable conclusions from the audit information that was obtained on which it was able to base its opinion. It therefore acted contrary to the matters prescribed by COS 200.17. This means that the external auditor did not obtain a reasonable degree of certainty that the financial overviews as a whole do not include material misstatements that are the result of fraud or errors, on the basis of which it is able to determine that the financial overviews were drawn up in all essential respect in accordance with the rules pertaining to financial reporting (COS 200.11). Nevertheless, the external auditor issued an unqualified audit opinion concerning the financial statements. This means that the external auditor brought an unqualified audit opinion into society without such being preceded by the required audit activities.

The external auditor therefore acted in contravention of COS 200.17, COS 500.6 and COS 600.44 when conducting the statutory audit of [I] for 2011, in which connection it also failed to comply with the provisions of COS 240.32c, COS 600.24, COS 600.42 and COS 600.43. The defects that were identified also entail that the external auditor acted in contravention of the fundamental principles of expertise and due care, as well as professional conduct, as laid down in Section A-100.4 VGC and further elaborated in Sections A-130 and A-150 VGC.”

In response to the bankruptcy trustees’ request for surrender of the entire readable version of the decision, the AFM indicated that it is not authorised by law to provide such a decision to third parties nor is it allowed to provide any explanation in respect thereof.

The AFM rendered an opinion in the fining decision concerning the violation of the fundamental principles of expertise and due care as well as professional conduct, which may assist the bankruptcy trustees in (possible) disciplinary proceedings to

be initiated against KPMG for the 2011 financial year before the Accountancy Division. The full readable fining decision will also help the bankruptcy trustees in the investigation into the audits performed by KPMG for later years.

In view of the findings set out above, the bankruptcy trustees requested KPMG to provide a non-anonymised version of this AFM fining decision. KPMG repeatedly refused to comply with this request.

In addition, the bankruptcy trustees requested KPMG to provide copies of all internal reports and notifications that concern the audit of Royal Imtech for 2011-2014 in view of the conclusions above and the investigation into the audit activities for the period 2011 - 2014. The bankruptcy trustee also requested copies of the audit files concerning Imtech Germany and Imtech Poland. KPMG also refused to provide these documents.

The bankruptcy trustees therefore initiated preliminary relief proceedings against KPMG with the approval of the delegated judge and with positive advice from the creditors' committee, in which proceedings surrender of the aforementioned documents is claimed pursuant to Section 843a Rv. The bankruptcy trustees initiated these preliminary relief proceedings in connection with the 2:403 statements on behalf of all Imtech companies in respect of which they are the bankruptcy trustees. The hearing of these preliminary relief proceedings on the basis of Section 843a Rv will take place before the Court in Preliminary Relief Proceedings of the Amsterdam District Court at 09:30 hours on 21 June 2017.

The bankruptcy trustees recall that Royal Imtech N.V. withdrew the financial statements for 2011 in the spring of 2013 with the approval of KPMG and published revised figures for 2011 by the middle of 2013.

- 7.4 Payment obligation in respect of shares : Under investigation. The most recent (rights) issue took place in October 2014.
- 7.5 Mismanagement : Under investigation

Second report:

The bankruptcy trustees have started a causal investigation into the actions of directors and supervisory directors in the period 2010 - 2015. This is not expected to be reported on in more detail until the investigation report from the bankruptcy trustees has finished.

Third report:

No changes to the above for the time being; the investigations mentioned are still ongoing.

Sixth report:

The aforementioned investigations continue.

- 7.6 Fraudulent conduct in respect of creditors : Under investigation

Second report

The bankruptcy trustees have started an investigation into the furnishing of security to the Lenders in the years 2013 - 2015.

The bankruptcy trustees are not expected to issue a more detailed report on this until the full investigation into the establishment of security is concluded and has been discussed with the Lenders.

Fifth report:

This investigation is also still ongoing.

Sixth report:

On 2 and 26 September 2014 respectively, the Nordic division was transferred from Royal Imtech via Imtech Group to the Nordic Group in two steps. That transfer concerned a contribution for no consideration. What is more, that contribution took place within one year before the bankruptcy of Royal Imtech. The bankruptcy trustees annulled that contribution on the basis of actio pauliana. It has become clear to the bankruptcy trustees that Imtech Nordic Group was dissolved on 22 November 2016 and that the liquidator filed a report in respect thereof on 24 November 2016. The announcement of the aforementioned filing took place on 28 November 2016. However, the report does not take account of the return of the shares in the Nordic division to Royal Imtech. A statutory period of 2 months applies as from the moment of the aforementioned announcement for creditors should they wish to oppose the report that was filed. The bankruptcy trustees therefore opposed the report by means of a notice of opposition dated 27 January 2017. The related hearing is to take place on 31 October 2017.

Activities : investigation into lawfulness

8. Creditors

8.1 Costs of the liquidation : Since the date of the moratorium, the bankruptcy trustees have engaged various

advisors, for example in the context of the (digital) storage and analysis of the administration, as well as a communications firm, M&A advisors, etc. These costs are paid directly from the liquidation assets, being costs related to realisation of the bankruptcy.

- 8.2 Claims against the bankrupt company : Third report: Three claims have been submitted against the bankrupt company to date, in the amount of EUR 2,018,906.83. The claims from the UWV on grounds of sections 61-68 of the Unemployment Insurance Act (WW) represent by far the lion's share of that amount. Fifth report: EUR 2,115,334.33 due to an additional UWV claim. Sixth report: *EUR not changed when compared with the 5th report*
- 8.3 Claims from the tax authorities : To date, the Tax and Customs Administration has submitted preferential claims in the amount of EUR 817,704.00. Fourth report: EUR 14,960,145.00 Fifth report: EUR 14,142,441.00. Sixth report: *EUR 14,960,145.00.*
- 8.4 Claims from the UWV : The UWV has, to date, not submitted any claims (as yet). The bankruptcy trustees expect that the

UWV has yet to file substantial claims in this bankruptcy.

Third report:

The UWV has since submitted various claims, including the claim against the bankrupt company in relation to the wage guarantee scheme.

Fourth report: EUR 644,938.26

Fifth Report: EUR 644,938.26 in preferential claims filed by the UWV and EUR 2,115,334.33 in estate claims.

Sixth report: *EUR not changed when compared with the 5th report*

8.5 Other preferential creditors :

To date, 12 employees have reported with some 20 preferential claims on account of or related to their employment at the Company in Liquidation, totalling EUR 522,842.72. As far as the bankruptcy trustees are aware, these claims have not been taken over by the UWV. These claims have been provisionally acknowledged and will be examined in further detail by the bankruptcy trustees. Further examination will take place at the moment a payment is to be made to preferential creditors.

Third report:

During the reporting period that has elapsed, more former and current employees and former and current directors have reported with claims based on, among other things, bonuses and pension compensation.

Total in preferential claims submitted EUR 1,336,833.74.

Fourth report:

Total in preferential claims submitted: EUR 702,133.72.

Fifth report:

Total in preferential claims submitted: EUR 702,133.72.

Sixth report:

Total in preferential claims submitted EUR 702,133.72.

8.6 Number of unsecured creditors : 133 (Third report)

The sold Imtech Marine division has submitted claims to Imtech Capital B.V. and the company in liquidation for a series of companies, which claims total approximately EUR 51 million, in connection with the settlement of the cash pools. These claims still have to be further investigated in the context of the settlement of the cash pools.

Fourth report: 136

Fifth report: 144

Sixth report: 151

8.7 Amount of unsecured creditors : EUR 88,186,646.52 (Third report)

Which includes EUR 51 million claimed via the Imtech Marine division, still to be investigated, see point 8.6.

Fourth report: EUR 88,186,646.52 +
EUR 3,165,824.26 contested unsecured claim.

The Lenders also submitted a claim in the
amount of EUR 340,000,000.

Fifth report: EUR 111,503,551.03 +
EUR 3,165,824.26 contested unsecured claim.

The Lenders also submitted a claim in the
amount of EUR 359,581,526.92.

Sixth report: *EUR 132,428,343.29 +
EUR 3,165,824.26 contested unsecured claim.*

*The Lenders also submitted a claim in the amount
of EUR 359,581,526.92.*

8.8 Expected manner of settlement: not yet known

Second report

On behalf of RCF Lenders, the Rabobank has asked the court to appoint a creditors' committee. The bankruptcy trustees argued against this because a great many requests for information are expected from the Lenders and the Lenders would have a conflict of interest in discussing a great many topics in a creditors' committee. The session before the court took place on 1 December 2015. The decision is expected after the close of the market on 18 December 2015.

Third report:

In an interim decision dated 18 December 2015 (ECLI:NL:RBROT:2015:9476), the Rotterdam District Court considered it allowable that a creditors' committee be appointed in the bankruptcy of Royal Imtech N.V. The bankruptcy trustees then expressed their views concerning the desired composition of a creditors'

committee on 8 January 2016, after which the RCF Lenders did the same on 29 January 2016. A final decision is expected in the upcoming reporting period.

In the other five bankruptcies in which the RCF Lenders requested the appointment of a creditors' committee, reference is made to the reporting from those bankruptcies.

Fourth report:

In a final decision dated 17 March 2016 (ECLI:NL:RBROT:2016:2013), a creditors' committee was appointed in the bankruptcy of Royal Imtech N.V. The members are Volker Wessels, the Tax and Customs Administration, and Prudential Insurance Company of America (PICA).

The bankruptcy trustees have investigated whether it would be worthwhile to file an appeal in cassation against the aforementioned final decision. The bankruptcy trustees have already sought advice on this from a cassation lawyer. The aforementioned final decision is provisionally enforceable, however, and the creditors' committee is therefore already in force at this time. The bankruptcy trustees have already sought advice and had contact with the members of the creditors' committee.

Activities : making a list of creditors, correspondence following on the decision of 17 March 2016 with various people involved, informing members of the creditors' committee.

Fifth report:

In response to the advice requested from a cassation lawyer, the bankruptcy

trustees decided not to file an appeal against the final judgment regarding the creditors' committee of 17 March 2016. The period for cassation has subsequently expired.

The first meeting with the creditors' committee was held on 6 October 2016. This meeting examined committee procedure and provided information about the anticipated winding-up. A second meeting with the creditors' committee was held on 13 December 2016. See Appendix 1 to the fifth report.

Sixth report:

During the past reporting period another two meetings were held between the bankruptcy trustees and the members of the creditors' committee. The third meeting took place on 10 March 2017 and the fourth meeting took place on 14 June 2017. The bankruptcy trustees provided the creditors' committee with a further explanation concerning the settlement of the bankruptcy of Royal Imtech and concerning the progress of the various regularity audits. Several questions from the creditors' committee were answered as well within this context.

The creditors' committee was also requested by the bankruptcy trustees to issue advice several times during the past reporting period, inter alia in connection with the dissolution of Imtech Nordic Group B.V. for the purpose of lodging an objection to the liquidator's report and concerning the preliminary relief proceedings on the basis of Section 843a Rv against KPMG.

9. Other

9.1 Period for winding up: unknown

9.2 Permissions from delegated judges: In these bankruptcies, permission was obtained for the following acts by the bankruptcy trustees:

Termination of lease: as of the bankruptcy date

Dismissal of employees: as of the bankruptcy date

Sale of assets (including shares in subsidiaries): various dates

Appointment of experts/art experts for valuations: various dates

Appointment of financial and other experts to support the bankruptcy

trustees in the investigation into the causes: various dates

9.3 Plan of approach :

- sale and/or liquidation of and/or bankruptcy petitions for other Imtech entities;
- investigation into the group's physical and digital data;
- investigation into the (financial) accounts;
- investigation into cash sweeps by banks in *seven* cash pools;
- investigation into the causes of the bankruptcies;
- investigation into assets;
- investigation into possibly fraudulent and unlawful transactions, withdrawals, group transactions and possible directors' and officers' liability or third-party liability;
- investigation into financing and security;
- investigation into fraud in Poland and Germany that is already known and the settlement of insurance matters in that respect;
- investigation into the settlement of numerous claim files with insurers;
- making a list of creditors;
- valuation and sale of the art collection;
- expiration of bank guarantees and expiration of Parent Company Guarantees;
- sale or transfer of software licences;
- collection of loan to R&H Holding GmbH;

- sale of shares in Imtech Hungary and Romania;
- settlement of earn-out scheme for sale of Imtech Polska shares.

Second report:

Plan of approach for the upcoming reporting period is identical to the list above.

Sixth report:

The updated list is as follows:

- *sale and/or liquidation of and/or bankruptcy petitions for other Imtech entities;*
- *investigation into the group's physical and digital data;*
- *investigation into the (financial) accounts;*
- *investigation into cash sweeps by banks in seven cash pools;*
- *investigation into the causes of the bankruptcies;*
- *investigation into assets;*
- *investigation into possibly fraudulent and unlawful transactions, withdrawals, group transactions and possible directors' and officers' liability or third-party liability;*
- *investigation into financing and security;*
- *investigation into fraud in Poland and Germany that is already known and the settlement of insurance matters in that respect;*
- *investigation into the settlement of numerous claim files with insurers;*
- *making a list of creditors;*
- *expiration of bank guarantees and expiration of Parent Company Guarantees;*
- *settlement of earn-out scheme for sale of Imtech Poland shares;*
- *preliminary relief proceedings KPMG.*

9.4 Delisting of the shares of Royal Imtech N.V.

Trading in shares of Royal Imtech N.V. will terminate on Euronext in Amsterdam on 30 December 2016. The Royal Imtech N.V. share will be delisted on 2 January 2017. AFM and Euronext have been appropriately notified and the bankruptcy trustees issued a press release on 19 December 2016. From the point of view of good estate administration, the costs of listing the share are no longer justifiable after 2016. The possible legal position of individual shareholders is frozen as of the bankruptcy date.

9.5 Setting of bankruptcy trustee salaries and audit of the liquidation account

On 24 October 2016, the District Court of The Hague, after receiving the advice from the Rotterdam delegated judges and hearing bankruptcy trustees, ratified the salaries for bankruptcy trustees for the period 13 August 2015 until 31 August 2016. This involves the following amounts:

Total salary for bankruptcy trustees and their staff:	EUR 3,035,840.96	excl. VAT
of which for AKD:	EUR 1,254,772.56	excl. VAT
and for PLP:	EUR 1,781,068.40	excl. VAT
Total fixed disbursements:	EUR 121,229.90	excl. VAT
of which for AKD:	EUR 59,987.17	excl. VAT
And for PLP:	EUR 71,242.73	excl. VAT

Rotterdam District Court has also already audited the changes in the liquidation account over the period from 13 August 2015 until 30 October 2016. This audit is usually performed by the court on conclusion of the bankruptcy, but given the many changes to the liquidation account this examination is already being performed annually. This shall also occur in the bankruptcies of Imtech Nederland

B.V. and Imtech Building Services B.V. The bankruptcy trustees intend to submit the VAT return for the first one and a half years at the beginning of 2017 due to an expected VAT refund.

Sixth report:

The bankruptcy trustees have not yet submitted the income tax return for the first eighteen months.

9.6 Submission of next report : the next report will be submitted and published three months from now.

Rotterdam, 19 June 2017

P.J. Peters and J.G. Princen, bankruptcy trustees