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CA Immobilien Anlagen AG: Statement on the pronouncement of the first-instance criminal judgement in the BUWOG litigation

Vienna (pta020/04.12.2020/14:00) -,

In light of the judgements pronounced today by the Regional Court for Criminal Matters Vienna (Landesgericht für Strafsachen Wien) in the BUWOG case, CA Immobilien Anlagen AG (hereinafter "CA Immo") issues the following statement

The first-instance (but not yet final) convictions of the defendants, ex-Federal Finance Minister Grasser et al., now at hand, confirm that unlawful and biased actions had been taken in connection with the BUWOG privatisation process conducted in 2004.

CA Immo, as rival bidder was, from its point of view, unfairly outbid in this privatisation process and, in spring 2020, therefore claimed damages from the Republic of Austria and the Province of Carinthia in two actions for damages of EUR 1 m and around EUR 1.9 bn. The pronounced criminal convictions announced today may serve to support the unlawfulness and partiality of the privatisation process claimed by CA Immo in the damages proceedings. The criminal court has referred CA Immo to the civil courts to pursue its damages claims of EUR 1.9 bn against the defendants there.

Nonetheless, an in-depth assessment of the concrete effects of the criminal proceedings on the pending damages proceedings is only possible after a written judgement has been issued and subsequently after all possible appeal proceedings have been concluded with a final criminal judgement. A criminal judgement has no binding effect on the civil claims for damages asserted against the Republic of Austria and the Province of Carinthia.

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