

(Translation)

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June 12, 2024

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(Update on Previously Disclosed Matter)

Notice Regarding Filing of Final Appeal and Petition for Acceptance of Final Appeal in Lawsuit  
Against Consolidated Subsidiary

This is to give notice that in connection with the appeal ruling disclosed in the “Notice Concerning Judgment of Litigation against Consolidated Subsidiary” dated May 17, 2024, Gifu City has filed a final appeal and petition for acceptance of the final appeal with the Supreme Court of Japan against EBARA Corporation’s consolidated subsidiary, Ebara Environmental Plant Co., Ltd. (EEP)

1. Overview of the litigation

On October 23, 2015, a fire broke out at the bulky waste treatment facility in Gifu City East Clean Center (Akutami, Gifu City, Gifu Prefecture, Japan), during facility repair work by our consolidated subsidiary, EEP.

EEP was contracted to operate and manage waste incineration facilities adjacent to the bulky waste treatment facility.

EEP had been in talks with Gifu City about how to deal with the damages caused by this incident, however, Gifu City filed a lawsuit on January 31, 2019, in the Gifu District Court, seeking EEP for damages to the amount of JPY4.362 billion and delay damages.

Subsequently, Gifu City filed a petition for a change in the amount of damages to JPY4.692 billion and delay damages.

On May 31, 2023, the Gifu District Court rendered a judgment ordering EEP to pay JPY748,445,265 and delay damages at the rate of 5% per annum from October 23, 2015, until paid.

On June 12, 2023, Gifu City and EEP appealed against this judgment to the Nagoya High Court, where the case was heard.

The judgment handed down on May 17, 2024, is as follows:

- (1) The court amends the judgment of the first trial and orders EEP to pay JPY605.8 million to Gifu City and delay damages of 5 percent per annum from October 23, 2015, to the date of payment;
- (2) EEP separately filed claim against Gifu City for the provisional bulky waste garbage disposal fee, which was reviewed in conjunction with (1) and the court amends the judgment of the first trial and orders Gifu City to pay JPY122.25 million and delay damages of 6 percent per annum from May 19, 2018, to the date of payment to EEP;

(3) Gifu City shall bear four-fifths of the legal costs and EEP shall bear one-fifth of the legal costs.

2. EEP's Response to the Appeal Judgment and Gifu City's Filing of Final Appeal and Petition for Acceptance of Final Appeal

After closely examining the judgment, EEP has decided to accept the judgment of the High Court, and not to file a final appeal or a petition for acceptance of final appeal.

However, EEP received notice that Gifu City has filed a final appeal and petition for acceptance of final appeal.

3. Court and Date of Filing of Final Appeal and Petition for Acceptance of Final Appeal

(1) Court: Supreme Court of Japan

(2) Date of filing of final appeal and petition for acceptance of final appeal: May 29, 2024

(3) Date of service of notice of appeal and petition for acceptance of final appeal: June 11, 2024

4. Content of Final Appeal and Petition for Acceptance of Final Appeal

(1) That an appeal and petition for acceptance of the appeal are accepted

(2) That the previous judgment is reversed, and a further trial is held

5. Outlook

EEP will address this matter through the appropriate legal channels.

At this time, we have determined that this matter will have minimal effect on our operational results. We will keep a close watch on developments and promptly report any significant updates.