

# ETAG

## Progress Report from the Steering Committee

15<sup>th</sup> May 2007

### The position today

- The Foundation Shareholders' travel rights have been preserved *for the time being*, albeit by shareholders retaining sufficient qualifying shares in Eurotunnel PLC; if the Offer is successful and the Reorganisation takes place as planned, these qualifying shares will represent a minority interest in a partially-owned subsidiary of Groupe Eurotunnel SA.
- Consequently it is planned that ETAG will continue to monitor our members' interest to ensure that what we have achieved is not overridden by the Eurotunnel or GET SA management, and will endeavour to maintain our contractual rights *for the foreseeable future*.
- Our membership is now well past the thousand; every day brings more.

### Fighting Fund

- The response exceeded our expectations, reflecting the strength of feeling among our members. Contributions to date are well into six figures.
- The second instalment, initially indicated as a repeat of the first, is hopefully unlikely to be needed.
- The prospect of insurance cover taking our Fighting Fund well into seven figures considerably boosted our clout, and everyone should be grateful for those who offered up their policies. These will be held in reserve, and be brought into play as and when required.
- If members have legal expenses cover for contractual disputes on their household insurance policies, would they please [click here](#) for the details we require if they have not already provided them; the more insurance protected members we have, the greater our resources.

### The 'Regulatory Authorities'

- As you know, our approaches resulted in important amendments to the 'Securities Note' which forms part of the Prospectus for the Offer, and culminated in the letter of 5<sup>th</sup> May sent to all Foundation Shareholders on the English register and the extension of the Offer deadline to 21<sup>st</sup> May.
- This extension of time is to allow those Foundation Shareholders, who had been misled by Eurotunnel's false and deceptive information, to withdraw their acceptances.
- We are still in discussion with the regulatory authorities with a view to further securing our members' interests; although we are still constrained from giving details, these will be made available we hope very shortly.

### The Legal Case

- ETAG's lawyers, S J Berwin, have been in continuing discussions with Eurotunnel's, Freshfields.
- The strength of our support, and ability to secure serious legal representation has helped immeasurably in reaching our present position.
- We have today received correspondence from Freshfields reinforcing the content of the Chairman's letter of 5<sup>th</sup> May to all English registered Foundation Shareholders and confirming that there is no **current** intention to terminate our travel rights. This is crucial evidence should the company be difficult in the future, and our legal strategy is being considered in the light of these letters.
- We have also approached the Paris Commercial Court representatives and the AMF (the French equivalent of The Takeover Panel) seeking proper implementation of the Safeguard Plan, which clearly states that the preferential travel schemes should continue for those who tender their shares to the Offer.

### Booking Shuttles

- Bookings on our preferential terms will continue to be taken in the usual way.
- However, reservations are not being taken beyond 30<sup>th</sup> November, as has been the case in former years. On 1<sup>st</sup> November the company checks eligibility, and withdraws the rights from those who no longer qualify.
- Freshfield's letter confirms that provided you continue to hold your qualifying shares on 1<sup>st</sup> November you will then be able to book ahead in the normal manner.