

Mobico Group PLC – response to recent MSCI ‘controversy’

Mobico Group PLC (the ‘Group’) notes the inclusion by MSCI of an ‘ESG controversy’ in relation to *“lawsuits alleging health-related risks linked to exposure to per- and polyfluoroalkyl substances and aqueous firefighting foam”* in the MSCI’s most recent ESG Controversy report regarding the Group.

The wording of this ‘controversy’ contains several factual inaccuracies and wording that is potentially misleading and based on the actual facts as set out below, the Group considers that the assessment applied to this by MSCI as ‘severe’ to be egregious.

The Group has already requested, and remains in dialogue with the MSCI regarding this matter, with the aim of rectifying their controversy wording and the severity rating they have ascribed.

The Group can confirm that it is correct that one of our wholly owned subsidiaries in the US, National Express Limited Liability Corporation (‘NELLC’) is a defendant in a ‘PFAS’ (toxic chemicals) class action from NELLC’s operation of an airport in New York in the early 2000s.

However, it is important to note that NELLC are a very minor party in these proceedings, and in any case are indemnified by the New York Port Authority who was the owner of the airport at the time. The cases relate to firefighting equipment that may have contained some of these chemicals as referred to in the MSCI report. <https://trellis.law/doc/86772445/exhibit-s-e-notice-of-claim-with-proof-of-service-and-united-states-postal-service-confirmation> contains more information.

NELLC operated the airport from 2000 - 2007 and this action only came to light long after this. As far as the Group is aware no-one employed by NELLC was responsible for the procurement, maintenance or operation of any of the firefighting equipment at the airport. The Group anticipates that any legal exposure (if any) would be of a highly immaterial value and as a result strongly disagree with MSCI ascribing a ‘severe’ assessment to this controversy.

The MSCI report also contains several inaccuracies as set out below.

Firstly, MSCI have incorrectly referred to Mobico Group as a *“chemicals manufacturing company”*.

MSCI also made the following comment: *“As of January 2024, Mobico continued to face lawsuits related to PFAS exposure from AFFF products. JPML reported approximately 6,715 cases currently pending before the court.”*

Mobico Group would like to make clear that NELLC is named as a defendant in a very small number (lower than five) of individual cases, and not the multiple thousands that we believe is implied by MSCI’s wording.