

Press release, June 4, 2008

# Disciplinary Committee at OMX Nordic Exchange Stockholm issues a warning to OMX AB

**OMX AB, listed on OMX Nordic Exchange Stockholm up to May 2, 2008, has contravened the rules by failing to disclose information that is liable to affect the valuation of the company's listed securities in the correct manner. The Exchange's Disciplinary Committee has decided that the company will be given a warning.**

According to the listing agreement, information that is liable to affect the valuation of the company's listed securities to a not insignificant degree must – other than in special cases – be disclosed through publication. Publication is to be done in a manner that ensures that the information is made available to the public rapidly and in a non-discriminatory manner. The information shall simultaneously be disclosed to the Exchange and be made available on the company's website as soon as possible.

On January 11, 2008, OMX disclosed that an agreement had been reached with the Bombay Stock Exchange governing the delivery of technology. The value of the order was not reported in the press release. On January 12, 2008 Dagens Industri published an article that included two quotes from OMX's then CEO, Magnus Böcker, according to which he stated: "The order value is confidential but it does involve several hundred million kronor" and "One of our largest deals ever."

The committee concludes that the information provided on the deal with the Bombay Stock Exchange was to a certain extent new for the market and was liable to affect the value of OMX share to a not insignificant degree. Consequently, the information should have been published in line with the listing agreement's rules.

The provision of information in the interview did not comply with the rules of the listing agreement. However, as noted by OMX, the interview took place during a period when the public offer by Borse Dubai to OMX's shareholders was ongoing and, for this reason, the current case could hardly be viewed as presenting a risk that the share price would actually be affected. Against this background, the breach is viewed as minor, and thus the sanction extends to a warning.

The following persons participated in the Committee's decision: Johan Munck, Hans Mertzig, Carl-Johan Högbom, Ragnar Boman and Jack Junel.

## **For further information:**

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EFFICIENT SECURITIES TRANSACTIONS

**About the Disciplinary Committee** | The role of OMX Nordic Exchange in Stockholm's Disciplinary Committee is to consider suspicions regarding whether Exchange Members, brokers or listed companies have breached the rules and regulations applying on the Exchange. If the Exchange suspects that a member, broker or listed company has acted in breach of the Exchange's rules and regulations, the matter is reported to the Disciplinary Committee. The Exchange investigates the suspicions and pursues the matter and the Disciplinary Committee issues a ruling regarding possible sanctions. The sanctions possible for listed companies are a warning, a fine or delisting. The fines that may be imposed range from one to 15 annual fees. The sanctions possible for Exchange Members are a warning, a fine or debarment, while brokers may be warned or have their brokerage license rescinded. The Disciplinary Committee's Chairman and Deputy Chairman must be lawyers with experience of serving as judges. At least two of the other members of the Committee must have in-depth insight into the workings of the securities market.

Members: Supreme Court Justice Johan Munck (Chairman), Supreme Court Justice Marianne Lundius (Deputy Chairman), Madeleine Leijonhufvud (professor), Stefan Erneholm (company director) and Hans Mertzig (company director). Deputy Members: Hans Edenhammar (MBA), Claes Beyer (lawyer), Jack Junel (company director), Ragnar Boman (MBA) and Carl Johan Högbom (MBA).