

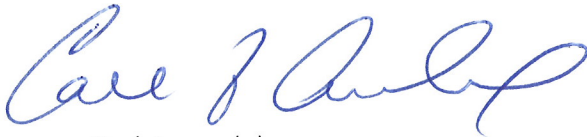
# Responsibility Statement from the Legal Representatives

To the best of our knowledge, and in accordance with the applicable accounting principles, the financial statements give a true and fair view of the assets, liabilities, financial position and profit or loss of the company, and the management report includes a fair review of the development and performance of the business and the position of the company, together with a description of the principal opportunities and risks associated with the expected development of the company.

New York, February 25, 2009

## DZ BANK Capital Funding Trust II

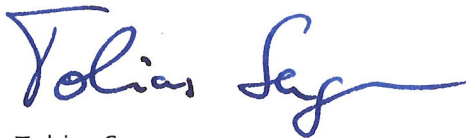
### Trustees



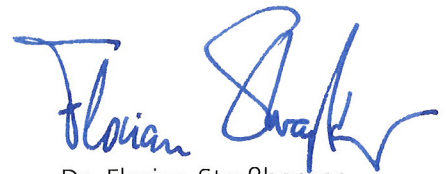
Carl Amendola



Norah McCann



Tobias Sagan



Dr. Florian Straßberger