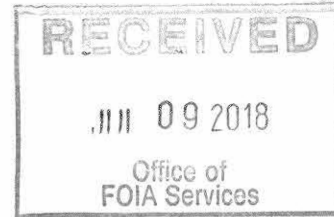


foiapa

From: Request@ip-10-170-21-29.ec2.internal
Sent: Monday, July 09, 2018 1:56 PM
To: foiapa
Subject: Request for Document from Weber, Gabriele

Dr. Gabriele Weber
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



Request:
COMP_NAME: Bayer Aktiengesellschaft
DOC_DATE: EX-2-1 Agreement Bayer Monsanto
TYPE: Other (fully describe)
COMMENTS: Dear FOIA officer,

Fee Waiver Requested

this is a request under the Freedom of Information Act as amended.

I am requesting the entire Agreement and Plan of Merger by and among Bayer Aktiengesellschaft, KWA Investment Co. and Monsanto Company, dated as of September 14, 2016.

I just downloaded the Agreement from your homepage, but on page 62 (chapter Financing 6.12), g and k are still „reserved“. I would like to have access to this information.

I am requesting also information about pending law suits against Monsanto at the moment of fusion for supposed violation of Environmental Matters/laws.

I am a journalist and published a documentary about Monsanto in Argentina in spanish and German, the links you can find on my homepage www.gabyweber.com, the link of the German version is here: <https://youtu.be/naK94oQO7T4>

And I am asking these informations as a journalist and because I think that as a possible investor one should know the risks that it means buying Bayer-stocks in the future.

I am willing, if necessary, to pay fees. Please be so kind to connect me by email.

Thank you very much.

Dr. Gabriele Weber

FEE_AUTHORIZED: Willing to Pay \$61

✓ FEE_WAIVER_REQUESTED: Yes

FEE_WAIVER_COMMENT: I think this information is important for our food safety

EXPEDITED_SERVICE_REQUESTED: NO



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2465

Office of FOIA Services

July 27, 2018

Dr. Gabriele Weber
[REDACTED]

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. 18-02416-FOIA

Dear Dr. Weber:

This letter is in response to your request, dated and received in this office on July 9, 2018, for a copy of the entire Agreement and Plan of Merger by and among Bayer Aktiengesellschaft, KWA Investment Co. and Monsanto Company, dated as of September 14, 2016.

By email dated July 18, 2018, you confirmed you are also seeking pending lawsuits/investigations from 2016 to the present concerning Monsanto Company.

Based on the information you provided in your letter, we conducted a thorough search of the SEC's various systems of records, but did not locate or identify any information responsive to your request.

If you still have reason to believe that the SEC maintains the type of information you seek, please provide us with additional information, which could prompt another search. Otherwise, we conclude that no responsive information exists and we consider this request to be closed.

You have the right to appeal the adequacy of our search or finding of no responsive information to the SEC's General Counsel under 5 U.S.C. § 552(a)(6), 17 CFR § 200.80(d)(5)(iv). The appeal must be received within ninety (90) calendar days of the date of this adverse decision. Your appeal must be in writing, clearly marked "Freedom of Information Act Appeal," and should identify the requested records. The appeal may include facts and authorities you consider appropriate.

Dr. Gabriele Weber
July 27, 2018
Page 2

18-02416-FOIA

You may file your appeal by completing the online Appeal form located at https://www.sec.gov/forms/request_appeal, or mail your appeal to the Office of FOIA Services of the Securities and Exchange Commission located at Station Place, 100 F Street NE, Mail Stop 2465, Washington, D.C. 20549, or deliver it to Room 1120 at that address. Also, send a copy to the SEC Office of the General Counsel, Mail Stop 9612, or deliver it to Room 1120 at the Station Place address.

If you have any questions, please contact me at burrowsi@sec.gov or (202) 551-5105. You may also contact me at foiapa@sec.gov or (202) 551-7900. You also have the right to seek assistance from Ray J. McInerney at (202) 551-7900 as a FOIA Public Liaison for this office, or contact the Office of Government Information Services (OGIS) for dispute resolution services. OGIS can be reached at 1-877-684-6448 or Archives.gov or via e-mail at ogis@nara.gov.

Sincerely,



Indria Burrows
FOIA Research Specialist