

The Australia-New Zealand Determinations Committee is not currently able to resolve whether a Succession Event occurred with respect to Rinker Group Limited* on or about 3 October 2007 with Cemex Corp and/or Cemex España S.A. as potential Successor(s) as it does not have access to sufficient information.

These reasons include that the Australia-New Zealand Determinations Committee does not know whether any guaranteed debt would constitute a Relevant Obligation of Rinker Group Limited (as it has not seen copies of the guarantees and so has not been able to assess whether such guarantees are Qualifying Guarantees) and does not have details of the amount of debt outstanding for Rinker Group Limited immediately prior to the potential Succession Event and the amount of such debt that may have been transferred to each of Cemex Corp. and Cemex España S.A..

However, based on information available to it, the Australia-New Zealand Determinations Committee is currently of the opinion that any such determination of a Succession Event or of any Successor(s) would not involve, as a Successor, Cemex S.A.B. de C.V. (in respect of which entity the Americas Determinations Committee has resolved that there has been a Restructuring Credit Event and for which there will be an auction).

* This entity changed its name to “Rinker Group Pty Ltd” on 16 November 2007 and to “Holcim (Australia) Holdings Pty Ltd” on 8 October 2009.