

March 2, 2023

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### **Regarding Judgment (Appeal Hearing) on Case for Violation of the Antimonopoly Act**

As announced in “Regarding Judgment (First Hearing) on Case for Violation of the Antimonopoly Act” dated March 1, 2021 and “Regarding Filing an Appeal on Case for Violation of the Antimonopoly Act” dated March 9, 2021, Kajima Corporation (the “Company”) was unable to agree with the first hearing judgment regarding the case under public prosecution for violation of the Antimonopoly Act over a construction project for the Chuo Shinkansen led by Central Japan Railway Company (the “Owner”), and filed an appeal to the Tokyo High Court. However, on March 2, 2023, the Company received a judgment to dismiss the appeal from the Tokyo High Court.

In the construction project at issue in this case, as it was an unprecedented and extremely challenging project, the Owner had requested only certain contractors other than the Company to perform technical studies, etc. about five years prior to the beginning of the tender procedures by designated contractors (the “Tender”) until just before the beginning of the Tender, and only those contractors had been provided with information in advance by the Owner. Then those limited contractors had spent time and money to discuss construction plans in detail, develop machinery, technology and construction methods, and secure human resources. Under such circumstances, tenderers who were designated by the Owner unilaterally while not included in those limited contractors, had a very limited time for studies between designation and submission of quotation, and also were not given sufficient materials and information. Therefore, it was impossible for them to prepare an appropriate construction plan and quotation to conduct the construction project safely and properly.

Given these circumstances, the Company had consistently argued that the Company is not guilty as there is no room for a violation of the Antimonopoly Act in this case because of non-existence of the “competition” (competition as defined in Article 2, Paragraph 4 of the Antimonopoly Act) where the Owner of this private construction project itself made the Tender without competition, even if the Owner had followed the designated tender procedure as a formality.

However, the first hearing at the Tokyo District Court sentenced the Company to pay a penalty of JPY 250,000,000, and returned a guilty verdict, with a suspended sentence against the indicted official of the Company. The Company appealed to the appeal hearing for the unreasonableness of the

fact finding and verdict of the original trial, and has continued to plead not guilty. The Company finds it very disappointing that its assertion was not affirmed in the appeal hearing, and will consider its future course of action after closely examining the details of the judgment with its defense counsel.

It is very regrettable for the Company that the incident has caused the great concern to our stockholders, customers, and all stakeholders, and the Company sincerely appreciates the continued support and understanding.

Since this issue has only minor impact on financial performance, no change is to be made to the forecast of consolidated financial results for the fiscal year ending March 31, 2023 announced on February 14, 2023.

Disclaimer: This document is an English translation of the announcement titled “Regarding Judgment (Appeal Hearing) on Case for Violation of the Antimonopoly Act” which is filed with Stock Exchanges in Japan on March 2, 2023. The Company provides this translation for your reference and convenience only without any warranty as to its accuracy. In case of any discrepancy between the translation and the Japanese original, the latter shall prevail.