

Attachment A of the No. 34001 / 6607 of the Index

Art. 1 – Established a Foundation called:

“October 8, 2001 Foundation to Never Forget”

Art. 2 – The Foundation has its headquarters in Milan, Via Silvio Pellico, number 8.

Art. 3 – The foundation is apolitical, independent, and non-profit. The Foundation’s mission is to create initiatives to promote concrete and valid actions to improve airport and airline safety.

The principal activities of the Foundation consists of:

- Organizing meetings about safety of air transport, seeking to encourage communication between agencies involved in air transport, as well as promoting the obligations of ensuring the users of these services in a balanced way, and with time for certain and immediate distribution.
- To promote study groups with industry experts and institutions to attain a higher level of professional and moral ethics among the employees of the agencies involved in air transport.
- To gather warning signs of danger so they may be studied and examined
- To propose following conclusions from appropriate round tables and to propose the necessary safety measures according to the researched scenarios, analyzing and adopting the best available technology in the market
- To promote studies of risk factors
- To finance research programs and initiatives from an appropriate commission in the field of air safety
- To carry out studies and analyses of current norms and their applications
- To carry out studies and analyses of norms outside of Italy
- To promote and divulge publications and studies of air safety
- To collaborate with other foundations and associations involved in air safety

The list above however should not be considered complete.

Article 5) The property of the Foundation consists of the furniture described in the the act of the Constitution of the Foundation. Such property can be increased with **OBLAZIONE??**, donations, legal and distributed according to the desire for the potential of the institution. (THIS SENTENCE NOT WRITTEN WELL)

Article 6) The Foundation provides for acquiring the scope with the income from its property, and with the oblazione, donations legal and distributed that the subjects are destined expressedly for this purpose. A Board will govern the Foundation and will oversee the the investment of the money set aside that or that **perverrà** to the Foundation, in the manner that is timelier and profitable (**NEED TO REDO THIS SENTENCE ALSO**)

Article 7) The Foundation is governed by a Board of directors, formed from 11 members which will be elected every year by the results of the vote of the annual assembly of the members of the Constituent Committee that so will provide for the nomination of its members. The Board of directors itself elects the President and the Vice President, as well as a secretary and a treasurer. In case of suspension from the office, for whatever motive, of such directors, the Director(s) will be replaced with determination of the remaining members of the board of directors.

The regularity of the administration and of the bookkeeping of the Foundation is monitored from three auditors. One of the auditors should be chosen from the people from the Registry of the

Accounts Auditors, they last for three years and are confirmed; they can also individually complete inspections, they can edit the connection on the final account before the examination of the board **(NEEDS TO BE REWRITTEN)**.

In case of suspension from the office during the period of three years, there will be a substitute provided by the formal procedure established for the appointment. The substituting auditor will finish out the three years of the original term of the auditor that is substituted. Each position does not have a salary.

Article 8) For the Board of directors it is up to ordinary and extraordinary administration of the property of the Foundation and for the management of the ordinary and extraordinary entries **(BAD SENTENCE)**. The Board should approve by March 31 of every year the preventive account of the current year in course and by June 30 the final account of the previous year, and must submit then for approval of the Auditor Board.

Article 9) The President has the legal authority to represent the Foundation in judgment. In addition to the President, the Board of directors convenes and presides over matters to discuss in respective meetings; sign off on meeting reports that explain the matters discussed; watches over the progress of the Foundation; oversees the observance of the statutes and promotes the reform; provides for the execution of the decisions of the Board and in cases of urgency, provides immediate reporting to the Board of Directors.

Article 10) The Board of Directors meets in ordinary session four times per year and has extraordinary meetings anytime the President deems it necessary or when a written request is made by two of its members. The members of the Board of Directors do not receive remuneration for their activities, except for the reimbursement of the eventual expenditures for their official duties. A call to meeting comes from the President through a written invitation issued at least eight days before the meeting, with specifics of the matters to discuss. The meetings of the Board of Directors are valid if the majority of the members are present. Decisions are made with absolute majority, in a vote. In cases of a tie vote, the President is the final deciding authority.

Article 11) The discussions of the decisions by the Board of Directors should be transcribed in chronological order on an appropriate register and should be signed by the President and by the Secretary.

Article 12) The financial year of the Foundation starts on January 1 and ends on December 31 of each year.

Article 13) In case of impossibility of carrying out the duties of the Foundation, the assets will be transmitted to other authorities to pursue the same purpose of the Foundation. For any motive, to the liquidation of the Foundation, the board of directors names three liquidators, who can be chosen between the members of the same Board **(BAD SENTENCE)**.

Article 14) For all that is not expressed here, the dispositions of the law will be in the Foundation **(BAD SENTENCE)**.

f.to Ornella Pizzocri
f.to Paola Tosatto
f.to Monica Zara notaio

MODIFICATION FOR THE RECOGNITION OF THE FOUNDATION

Italy

May 26, 2004 - in Milan, Via Pietro Mascagni, 30. Before me, Ms. Monica Zara, resident notary in Milan and registered in the Notarial College of Milan and in front of:

Ms. Ornella Pizzocri, born in Milan, August 10, 1968, resident of Zelo Buon Persico, Largo Don Orione, 1, employed, and

Paolo Tosatto, born in Milan, January 6, 1977, resident of Casalmaiocco, Via Carducci, 8, employed

both witnessed under the requirements of law in the presence of

Mr. Paolo Pettinaroli, born on August 23, 1944, resident of Romagnano Sesia, Turin Street, 8, consultant, of whose personal identification information is confirmed, and who declares to act as a representative of the:

October 8th Foundation to Never Forget

with base in Milan, Via Silvio Pellico, 8, delegated with the establishment of the Foundation on December 16, 2003, n. 33550/6409, recorded in the Agency of Entries of Milan, on December 24, 2003, to the n. 13151 Series 1, states first that the City of Milan on March 23 2004, expressed the importance of the aforementioned action, and the President of this very Foundation, has the power to change the statutes of its recognition of the Foundation (**PLEASE CHECK THIS SENTENCE**); that introduction of Mr. Paolo Pettinaroli, in his capacity, and for the purpose of obtaining the legal recognition of the Foundation, declares the statute of the Foundation can be changed as follows, elimination of article 6) of the constituent action of the part that underscored the property attribution to the condition of the legal recognition of the same Foundation, changing of the constituent action 6) Mr. Paolo Pettinaroli, in his capacity shown above, reserves the right to finish all the necessary practices for follow the recognition of the same Foundation for article 12 of the civil code, and therefore reserving itself too of to bring the fit present and to all the statutes those suppressions, changes and added that be at such requests to the competent authority.

- it modifies the third headsection of Article 3 of the statute that is here completely restored.
- Article 3) The Foundation is apolitical, independent and nonprofit. The purpose of the foundation is to undertake every initiatives to promote all valid and concrete actions for the safety of the air transportation and the enhancement of flight safety. The main activities consist of:
 - Organizing meetings on safety of the air transport wanting in order to promote communication between the managing authorities of the air transport, as well as promoting the obligation of to ensure the users in fair manner and with certain times of supply and immediate;
 - To promote study groups with industry experts and institutions to attain a higher level of professional and moral ethics among the employees of the agencies involved in air transport.
 - To gather warning signs of danger so they may be studied and examined

- To propose following conclusions from appropriate round tables and to propose the necessary safety measures according to the researched scenarios, analyzing and adopting the best available technology in the market
- To promote studies of risk factors
- To finance research programs and initiatives from an appropriate commission in the field of air safety
- To carry out studies and analyses of current norms and their applications
- To carry out studies and analyses of norms outside of Italy
- To promote and divulge publications and studies of air safety
- To collaborate with other foundations and associations involved in air safety

The list above however should not be considered complete.

- Organize meetings on the safety of air transport wanting to improve communication between the authorities preferred elimination in the first heading of Article 6 of the statute, the words "keep in mind that 10% (ten percent) of this will be destined to increase the capital of the Foundation" changing the same article as follows "Article 6) - The Foundation provides to the acquiring of its donations, for these ends."
- Mr. Paolo Pettinaroli delivers to me the updated text of the statute of thets request under Report "A".
- The expenditures are under the responsibility of the Foundation.
- I have read the statutes.
- The report above is two pages and I sign below:

Paolo Pettinaroli
Ornella Pizzocri
Paola Tosatto
Monica Zara

MODIFICA AI FINI DEL RICONOSCIMENTO DI FONDAZIONE

Repubblica Italiana

Il giorno 26 - ventisei - maggio 2004 - duemilaquattro - in Milano Via Pietro Mascagni n. 30.

Davanti a me dottoressa MONICA ZARA notaio residente in Milano ed iscritta presso il Collegio Notarile di Milano ed alla presenza dei signori

ORNELLA PIZZOCRI nata a Milano il 10 agosto 1968 residente a Zelo Buon Persico Largo Don Orione n. 1, impiegata e

PAOLA TOSATTO nata a Milano il 6 gennaio 1977 residente a Casalmaiocco Via Carducci n. 8, impiegata

entrambe testimoni aventi i requisiti di legge è presente il signor PAOLO PETTINAROLI nato a Gattinara il 23 agosto 1944 residente a Romagnano Sesia Corso Torino n. 8, consulente, della cui identità personale sono certa, che dichiara di agire nella sua qualità di delegato della:

"FONDAZIONE 8 OTTOBRE 2001 PER NON DIMENTICARE"

con sede in Milano Via Silvio Pellico n. 8, delegato a quanto infra con l'atto di costituzione di fondazione del giorno 16 dicembre 2003 n. 33550/6409 di repertorio a mio rogito, registrato all'Agenzia delle Entrate di Milano 4 in data 24 dicembre 2003 al n. 13151 Serie 1,

premette

che la Prefettura di Milano con nota del 23 marzo 2004 ha formulato dei rilievi sul sopraddetto atto, e che lo stesso comparente, quale Presidente della Fondazione stessa, ha la facoltà, attribuitagli in sede di atto costitutivo, di modificare lo stesso e lo statuto ai fini del suo riconoscimento della Fondazione;

ciò premesso

il signor Paolo Pettinaroli, nella sua citata qualità, e al fine di ottenere il riconoscimento giuridico della Fondazione, dichiara che l'atto costitutivo e lo statuto della Fondazione vengono modificati come segue:

- eliminazione nell'articolo 6) dell'atto costitutivo della parte che sottoponeva l'attribuzione patrimoniale alla condizione del legale riconoscimento della Fondazione stessa, modificando pertanto come segue lo stesso articolo dell'atto costitutivo:

"6) Il signor Paolo Pettinaroli, nella sua qualità come sopra, si riserva la facoltà di compiere tutte le pratiche necessarie per addivenire al riconoscimento della Fondazione stessa ai sensi dell'articolo 12 del codice civile, ai fini del conseguimento della personalità giuridica, e quindi riservandosi pure di apportare al presente atto e allo statuto tutte quelle soppressioni, modificazioni ed aggiunte che fossero a tal fine richieste sulle competenti autorità.";

- modifica del terzo capoverso dell'articolo 3 dello statuto che viene qui integralmente riportato:

art. 3) La Fondazione è apolitica, indipendente e non ha scopo di lucro.

E' scopo della fondazione intraprendere ogni iniziativa atta a promuovere tutte le azioni valide e concrete per la sicurezza del trasporto aereo ed il miglioramento della sicurezza del volo.

Le attività principali consistono in:

- organizzare convegni sulla sicurezza del trasporto aereo cercando di favorire la comunicazione tra gli enti preposti alla gestione del trasporto aereo, nonché promuovendo l'obbligo di assicurare gli utenti in maniera congrua e con tempi di erogazione certi ed immediati;
- promuovere tavoli di studio con gli esperti del settore ed istituzioni di borse di studio al fine di un sempre più alto livello etico professionale e morale degli addetti alla sicurezza del trasporto aereo;
- raccogliere segnalazioni di pericolo dagli enti preposti per farne oggetto di studio;
- proporre a seguito di conclusione di appositi convegni o tavole di studio l'applicazione delle misure di sicurezza necessarie a secondo delle situazioni ricercando, analizzando e promuovendo l'adozione delle migliori tecnologie disponibili sul mercato;
- promuovere studi su situazioni/fattori di rischio;
- finanziare programmi di ricerca ed iniziative valutate da una apposita commissione nel campo della sicurezza dei trasporti;
- effettuare studi ed analisi delle normative vigenti e della loro applicazione;
- effettuare studi ed analisi delle normative utilizzate all'estero;
- promuovere e divulgare pubblicazioni e studi sulla sicurezza del trasporto aereo;
- collaborare con altre fondazioni/associazioni che operano nel settore della sicurezza del trasporto aereo;

L'elenco deve comunque intendersi esemplificativo e non esaustivo.

- eliminazione nel primo capoverso dell'articolo 6 dello statuto delle parole "tenuto presente che il 10% (dieci per cento) delle stesse saranno destinate ad aumentare il capitale della Fondazione medesima" modificando l'articolo stesso come segue:

"art. 6) - La Fondazione provvede al conseguimento dei suoi scopi con le rendite del suo patrimonio e con le oblazioni, donazioni, legati ed erogazioni che il soggetto elargente destini espressamente a questo fine."

Fermo il resto.

Il signor Paolo Pettinaroli mi consegna il testo aggiornato dello statuto che a sua richiesta allego a questo atto "A".

Le spese dell'atto sono a carico della Fondazione.

Di questo atto e dell'allegato statuto ho dato lettura alla parte.

Consta di un foglio scritto per due pagine e fin qui della terza da me e da persona di mia fiducia.

f.to Paolo Pettinaroli

f.to Ornella Pizzocri

f.to Paola Tosatto

f.to Monica Zara notaio