

## **ATTACHMENT TO FORM 8937**

### **14. Describe the organizational action and, if applicable, the date of the action or the date against which shareholders' ownership is measured for the action.**

The reportable organizational action is the merger of Kona Acquisition Company, Inc. ("Merger Sub") with and into Cymer, Inc. ("Cymer") on May 30, 2013 (the "First Step Merger") immediately followed by the merger of Cymer with and into Kona Technologies, LLC ("Merger Sub 2"), with Merger Sub 2 surviving (the "Second Step Merger" and, together with the First Step Merger, the "Merger"). The Merger qualifies as a tax-free reorganization within the meaning of Section 368(a) of the Internal Revenue Code of 1986 (the "Code").

As a result of the Merger, for U.S. federal income tax purposes, each share of Cymer common stock was exchanged for 1.1502 ASML ordinary shares and \$20.00 in cash. To the extent that the exchange would have resulted in the issuance of a fractional share to a Cymer shareholder, a cash payment equal to the fair market value of the fractional share was paid in lieu of issuing a fractional ASML ordinary share.

See the proxy statement/prospectus, dated October 16, 2012 (available at [www.SEC.org](http://www.SEC.org)) for a detailed description of the Merger and certain of the U.S. federal income tax consequences thereof.

### **15. Describe the quantitative effect of the organizational action on the basis of the security in the hands of a U.S. shareholder as an adjustment per share or as a percentage of old basis.**

For each block of Cymer common stock (*i.e.*, shares acquired at the same time and price), a Cymer shareholder's aggregate tax basis in the ASML ordinary shares received is determined by taking the Cymer shareholder's aggregate tax basis in the Cymer common stock surrendered in the exchange, subtracting the amount of cash received (excluding any cash received in lieu of any fractional ASML ordinary share) and adding the amount of gain, if any, recognized in the Merger (including gain treated as dividend income, but excluding any gain resulting from the deemed receipt and redemption of fractional shares).

In general, each Cymer shareholder will recognize taxable gain equal to the lesser of (1) the amount of cash received in the exchange and (2) the amount, if any, by which the sum of the cash received plus the fair market value of the ASML ordinary shares received in the exchange exceeds the Cymer shareholder's tax basis in the Cymer shares surrendered in the exchange.

For purposes of calculating the taxable gain, if any, the amount of cash received in the exchange does not include cash received in lieu of a fractional ASML ordinary share.

Gain or loss must be calculated separately for each block of Cymer common stock surrendered in the exchange.

**16. Describe the calculation of the change in basis and the data that supports the calculation, such as the market values of securities and the valuation dates.**

The calculation of the basis adjustment is described above in Part II, Box 15. ASML intends to take the position that the fair market value of the ASML ordinary shares exchanged in the Merger was \$83.74, which is the average of the high and low trading prices of the ASML ordinary shares on May 30, 2013. You should consult your tax advisor to determine the proper fair market value of ASML ordinary shares for purposes of determining the amount of gain, if any, recognized in the Merger.

ASML used a per share price of \$80.42 to cash out any fractional ASML ordinary shares deemed received in the Merger. This per share price was calculated by taking the average of the last reported sales prices of ASML ordinary shares, calculated to two decimal places, as reported on NASDAQ, on each of the five trading days ending on the third trading day immediately preceding the Closing Date (*i.e.*, May 30, 2013).

**17. List the applicable Internal Revenue Code section(s) upon which the tax treatment is based.**

The tax treatment is based on Sections 302, 354, 356, 358, 367, 368, 1001, and 1221.

**18. Can any resulting loss be recognized?**

No loss may be recognized, except with respect to cash received in lieu of a fractional ASML ordinary share, in which case a U.S. holder generally may recognize a loss.

**19. Provide any other information necessary to implement the adjustment, such as the reportable tax year.**

The Merger occurred on May 30, 2013. For a Cymer shareholder whose taxable year is the calendar year, the generally reportable tax year is calendar year 2013.