

FINANCIAL SUPERVISORY COMMISSION

Current report No 173 / 2009

Date : 06.11.2009

Issuer's shortened name : KOPEX S.A.

Subject:

KOPEX attitude towards the FAMUR S.A. report Nr 44/2009 dated 5 November 2009

Legal basis :

Law on Offer , Art. 56, Cl.1.1 – Law on offer – confidential information

Contents of the report:

1. With reference to the current report Nr 44/2009 dated 5 November 2009 published by Fabryka Maszyn Famur S.A. , the Board of KOPEX informs that on November the 5th 2009, KOPEX S.A. received the demand for payment submitted by :
 - 1) FAMUR S.A. and amounting to 12.750.000 USD
 - 2) FAZOS S.A. and containing the demand for compensation amounting to 74.107.107,76 PLN

2. The Board of KOPEX S.A. and the lawyer's office providing advise to KOPEX S.A. declare that this claim is completely unfounded and lacks of any factual and legal grounds.