

FINANCIAL SUPERVISORY COMMISSION

Current Report No 194/2009

Date: 9.12.2009

Issuer's shortened name: KOPEX SA

Subject: Executory agreement of the Issuer's subsidiary.

Legal basis: Law on Offer; Art. 56, Par. 5 – actualization information

Report contents:

Management Board of KOPEX SA with a registered seat in Katowice (the Issuer) in accordance with current report RB 176/2009 dated 13.11.2009 regarding to an agreement for elaboration of technical design in a civil, mining, electrical and mechanical branches for modernization of shaft hoisting installation in a Western compartment of „Piotr“ shaft in KHW S.A. KWK Mysłowice – Wesola informs that today has been aware of signing on 8 December 2009 an execution agreement under consortium of the following firms: KOPEX – Przedsiębiorstwo Budowy Szybów S.A. with a registered seat in Bytom (the Issuer subsidiary)– the Participant and Przedsiębiorstwo „PRINŻBUD-5“ Sp. z o.o. with a registered seat in Świętochłowice – the Leader. The agreement sets the value of participation of the Participant amounting to 55.475.850 PLN net (67.680.537,00 PLN gross).