

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 5/ 2010

Date: 12 January 2010

Issuer's shortened name: KOPEX S.A.

Subject: Actions at law brought against KOPEX S.A. and TAGOR S.A. by FAZOS S.A. and against KOPEX S.A. by FAMUR S.A.

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

Contents of the report:

Referring to the current reports No 1/2010 dated 04 January 2010 and No 4/2010 dated 08 January 2010, the Management Board of KOPEX S.A. (the Issuer) informs that on 11 January 2010 the Regional Court based in Katowice delivered copies of two actions at law as follows:

- 1) action at law brought by Fabryka Zmechanizowanych Obudów Ścianowych Fazos S.A. based in Tarnowskie Góry against the companies KOPEX S.A. based in Katowice and TAGOR S.A. based in Tarnowskie Góry (the Issuer subsidiary). Subject of this action at law is the demand for compensating the amount of PLN 22,206,708.
- 2) action at law brought by Fabryka Maszyn Famur S.A. based in Tarnowskie Góry (plaintiff) against KOPEX S.A. (defendant), based in Katowice. Subject of this action at law is the demand of compensating the amount of PLN 40,261,950.

The actions at law in question were conveyed to the Lawyer's Office representing the Issuer and the company TAGOR S.A. to analyze justification of the claims brought by the plaintiffs and to prepare response to the court. Total sum of the amounts demanded for compensating is PLN 114,344,258 (say: one hundred fourteen million three hundred forty four thousand and two hundred fifty eight zlotys).

The Issuer and its subsidiary were pleaded of non- implementation of the cooperation contracts of 11 January 2008 and of 05 June 2008 as well as incurrance of loss by FAZOS S.A. resulting from non- implementation of a contract signed with a Chinese customer.

The Issuer maintains its previous position included in the current reports No 173/2009 dated 06 November 2009 and No 01/2010 and declares again that actions at law in question are unfounded. More detailed comment on the actions at law brought will be included in the Issuer's separate current report to be made on the day of submitting response to the actions at law in question (within 14 days of their receipt).

