

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 21/2012 P

Date: 4 March 2012

Issuer's shortened name: KOPEX SA

Subject: **The lodging a cassation appeal on behalf of the Kopex SA in the Court of Appeal in Katowice**

Legal basis: Law on Offer, Art. 56, Par.1 Item 1 – confidential information

Contents of the report:

Referring to the current report RB131/2012 dated 8 November 2012, the Management Board of KOPEX SA (the Issuer) informs on lodging a cassation appeal on behalf of the Kopex SA in the Court of Appeal in Katowice on 1.03.2013. The appeal concerns the judgment of that court dated 8.11.2012 in action brought by FAMUR SA against Kopex SA for payment of the stipulated penalties in the amount of PLN 40,261,950.00. The Issuer informed about the judgment of the District Court in Katowice dated 26.04.2012 requiring Kopex SA to pay the penalty in the current report RB73/2012 dated 26.04.2012.

The Issuer will inform about the further course of legal proceedings on an ongoing basis.