

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 44/2014

Date: 22 May 2014

Issuer's shortened name: KOPEX SA

Subject: Information about bringing an action to set aside the resolutions of the General Meeting.

Legal basis: Law on Offer, Art. 56, Par.1 Item 2 – current and cyclic information

Contents of the report:

The Board of Kopex SA with its seat in Katowice (the Issuer) announces that today it received information on contribution by the shareholder, ING Open Pension Fund, based in Warsaw lawsuit against the Issuer to repeal resolutions 6 and 7 of the Extraordinary General Meeting of the Company adopted on 20 February 2014.

Plaintiff ING Open Pension Fund in this lawsuit seeks annulment - pursuant to art. 422 of the Code of Commercial Companies - the abovementioned resolutions of the Extraordinary General Meeting of the Company dated 20.02.2014, as a breach of decorum and prejudicial to the interest of the Company, and aimed at harming a shareholder.

The Issuer informed about taking these resolutions and their content in the current report RB17/2014 dated 20.02.2014.

About the fact objections are made with respect to these resolutions the Issuer informed in the current report RB21/2014 dated 20.02.2014.

The Issuer informed in the current report RB26/2014 dated 28.02.2014 about the entry in the register of entrepreneurs of the National Court Register, amending § 50 of the Statute of the Company covered by Resolution No. 6 of the Extraordinary General Meeting dated 20.02.2014.

The Issuer informed in the current reports : RB36/2014 dated 02.04.2014 with correction RB36/2014/K dated 10.04.2014 and RB40/2014 dated 23.04.2014 about opposing Galantine Sp. z o.o. with its registered office in Warsaw, an action for annulment or revocation i.e. the abovementioned resolutions of the Extraordinary General Meeting of Shareholders. The Issuer informed in the current report RB42/2014 dated 07.05.2014 about reply by the Issuer to the statement of claim.

According to the Issuer bringing an action by ING Open Pension Fund is unjustified and arguments do not support the occurrence of claims contained therein.

Due to the need for court proceedings in the case, the Issuer will keep you updated on its progress in subsequent current reports.

Legal basis for publishing: Cl.38 Par.1 Item 10 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information transmitted by issuers of shares and conditions of recognizing as equivalent the information required by legal regulations of a country that is not a member country (*Dz.U. z 2009, Nr 33 poz.259 with updates*).