

FINANCIAL SUPERVISORY COMMISSION

Current Report No 175/2009

Date: 10.11.2009

Issuer's shortened name: KOPEX SA

Subject: Memorandum of understanding to a domestic agreement of the Issuer subsidiary.

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

Report contents:

Management Board of KOPEX SA with registered seat in Katowice (the Issuer) informs that today The Issuer has been aware of receiving on 10 November 2009 by KOPEX – Przedsiębiorstwo Budowy Szybów S.A. in Bytom (the Issuer subsidiary), signed memorandum of understanding dated 2 October 2009 to the agreement concluded with Katowicki Holding Węglowy S.A. KWK Murcki. By the terms of the memorandum of understanding in question, target length of the heading F-820 has been changed (shortened), value of the agreement in question has been reduced by 50.000 PLN to 4.262.500,00 PLN and term of the agreement has been settled for 15 Decemeber 2009. The Issuer informed about the agreement in question in the current report RB 76/2009 dated 7.04.2009.