

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 34/2010

Date: 23 March 2010

Issuer's shortened name: KOPEX S.A.

Subject: **Agreement of consortium of Kopex Group subsidiaries**

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

Contents of the report:

Management Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 23 March 2010 by Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. with a registered seat in Zabrze (the Issuer's subsidiary) an agreement signed with Kompania Węglowa S.A. with a registered seat in Katowice.

The parties of the agreement dated 3 February 2010 are: Consortium of the following firms: Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. (Consortium Proxy), Zabrzeńskie Zakłady Mechaniczne (Consortium Participant; the Issuer's subsidiary), Kopex S.A. (Consortium Participant) - as the Lessor and Kompania Węglowa S.A. KWK Rydułtowy-Anna – as the Lessee.

The subject of the agreement is a lease of a longwall shearer with an hydraulic feed system. Full warranty maintenance services is guarantee in the whole lease term for KW S.A. KWK Rydułtowy-Anna,

Value of the agreement: PLN 3.061.800,00 + 22%VAT

Term of the agreement: 486 days

Stipulated penalties:

Each party is obligated to pay a stipulated penalty amounting to 10% of the gross agreement value in case of backing out of the agreement due to the reasons caused by that party. Apart that the parties may claim on general legal basis up to the value of the losses borne in fact but not higher than the value of the agreement. Detailed conditions of the agreement stick to the conditions commonly applied in the agreements of this kind.

A criterion of recognizing an agreement as a significant one is its transgression of a 10% bound of the Issuer's equity capital (the Issuer's equity capital, according to the interim report for fourth quarter 2009, amounts to PLN 1.319.861) and fulfillment of the criteria set forth in Par.2, Cl.1.44 and Par.2 Cl.2 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information (...). In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 144.680 thou, including this one. The Issuer informed about the last agreement signed with this customer in the current report RB 33/2010 dated 16.03.2010. The highest value agreement from among all the agreements signed in the past 12 months is the agreement the Issuer

informed about in the current report RB 90/2009 dated 11.05.2009 that also contains information relating to the highest value agreement set forth in Par 9 Cl. 1-7 of Regulation by the Minister of Finance dated 19 February 2009 on current and periodic information (...).

Legal basis: Par.5 Cl.1.3 in connection with Par.2 Cl.2 and Par.9 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information conveyed by issuer of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country (*Dz.U. z 2009, Nr 33 poz.259*).