

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 12/2016

Date: 3 February 2016

Issuer's shortened name: KOPEX SA

Subject: The Court of Appeal passed the judgment concerning ascertainment of invalidity of the General Meeting resolutions.

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

Contents of the report:

The Management Board of KOPEX SA (The Issuer) announces to the public that on 3 February 2016, the Court of Appeal in Katowice issued the judgment in a case brought by Galantine Sp. z o.o. against KOPEX SA concerning the claim for declaration of invalidity the Extraordinary General Meeting's resolutions adopted on 20 February 2014 and 14 March 2014. The Court of Appeal, on 3 February 2016 dismissed an appeal of Galantine Sp. z o.o. against judgment on part of a claim of District Court in Katowice dated 11 March 2015 concerning dismissal the action to declare the invalidity of resolutions. The judgment is legally valid, however the plaintiff may lodge a cassation appeal against the judgment. The judgment in question concerns the judgment on part of a claim, i.e. dismissal the action to declare the invalidity of resolutions. In the range of revocation the above mentioned resolutions the case will be the subject of further recognition by the District Court in Katowice.

The Issuer informed about the case in question in the current reports: No. 42/2014 dated 7 May 2014, No. 48/2014 dated 5 June 2014, No. 56/2014 dated 10 July 2014, No. 69/2014 dated 17 December 2014, No. 10/2015 dated 11 March 2015 and No. 15/2015 dated 8 May 2015.

Legal basis § 38 para. 1 Section 10 of the Ordinance of the Minister of Finance of 19 February 2009 on current and periodic information published by issuers of securities and conditions for recognizing as equivalent information required by the laws of a non-member state (Journal of Laws of 2014, item. 133)