

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 128/2012 P

Date: 22 October 2012

Issuer's shortened name: KOPEX SA

Subject: **Term of trial at higher court concerning the action brought by Famur SA against KOPEX SA**

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

Contents of the report:

Referring to the current report RB73/2012 dated 26.04.2012 and respecting the principles of transparent and reliable communication with investors the Management Board of KOPEX SA (the Issuer) informs that on 25 October 2012 was set trial date for examination by the higher court (Court of Appeal in Katowice) an appeal filed on behalf of the Issuer concerning the action brought by Famur SA based in Katowice against the Issuer for payment of liquidated damages. After the judgement of the higher court, the Issuer will publish an appropriate current report. Judgment may be issued on the day of the appeal hearing or within two weeks from the date of trial closing. The issuer informed about the case in question in the current reports RB1/2010 dated 4.01.2010, RB5/2010 dated 12.01.2010, RB70/2012 dated 25.04.2012 and RB73/2012 dated 26.04.2012.