

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 40/2014

Date: 23 April 2014

Issuer's shortened name: KOPEX SA

Subject: Information update – Proceedings were serve for annulment or revocation of the resolutions of the General assembly.

Legal basis: Law on Offer, Art. 56, Par.5 – Act on Public Offering - updated information

Contents of the report:

The Management Board of KOPEX SA with its registered seat in Katowice (the Issuer) informs that yesterday the District Court in Katowice attorney notified the Issuer copy of a claim dated 21.03.2014 filed by Galantine Sp. z o.o. based in Warsaw against the Issuer for the annulment or revocation of resolutions against the Issuer for the annulment or revocation of resolution nr : 2, 5, 6, 7 and 9 extraordinary General Meeting of Shareholders adopted on 20.02.2014 and report dated 14.03.2014. The Issuer informed about the mentioned action in the current report RB36/2014 dated 02.04.2014 supplemented on 10.04.2014.

Plaintiff Galantine Sp. z o.o. in this lawsuit seeks a declaration that - pursuant to art. 425 § 1 in conjunction. of art. 422 § 2 point. 2 of the Code of Commercial Companies - the abovementioned resolutions of the Extraordinary

General Meeting of 20 February 2014 and 14 March 2014 year, due to its conflict of law provisions. In the event the claim is not recognized in this regard the plaintiff seeks the annulment - pursuant to art. 422 § 1 in conjunction with Art. 422 § 2 point. 2 of the Code of Commercial Companies - Resolutions 5, 6, 7 and 9 of the Extraordinary General Meeting of Shareholders. They are contrary to morality and aimed at harming the plaintiff shareholders, as well as detrimental to the interests of the Company.

The action in this case, in terms of appeal against the resolution of the Extraordinary General Meeting of 9 Meeting of the Company on the amendment to § 11a of the Articles of Association of the Company (capital) was secured by order of the District Court in Katowice on 26 March 2014. The Issuer informed about the mentioned action in the current report RB36/2014 dated 02.04.2014 supplemented on 10.04.2014.

The Issuer informed about the content challenged in the present proceedings resolutions in the current reports RB17/2014 dated 20.04.2014 and RB30/2014 dated 14.03.2014r. The Issuer informed about the fact objections are made with respect to these resolutions in the current reports RB21/2014 dated 20.02.2014 and RB32/2014 dated 14.03.2014. The entry in the register of entrepreneurs of the National Court Register of § 19 and § 50 of the Statute of the Company covered by Resolutions No. 5 and 6 of the Extraordinary General Meeting of the Company dated 20.02.2014, the Issuer informed in the current report RB35/2014 dated 28.03.2014.

The Issuer believes that the action is brought unfounded claims in terms of both primary and alternate, and raised its arguments do not give rise to the occurrence of the claims contained therein.

According to the information passed by the Issuer of the current report Famur SA No 1/2014 dated 3.01.2014, to which the Issuer referred to in the current report

RB4/2014 dated 3.01.2014 and the information received from the shareholders of the change in the Issuer's shares more than 5% of the reason is an associated company of Famur SA.

Due to the need for court proceedings in the case, the Issuer will give the details associated with it after the procedure.

Legal basis for publishing: CI.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 ze zmianami*).