

(Translation from the Polish language)

**FINANCIAL SUPERVISORY COMMISSION**

**Current report No 47/2016 P**

Date: 29 June 2016

Issuer's shortened name: KOPEX SA

Subject: **Information on judgement of the Court of first instance on the claim of FAMUR SA**

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

**Contents of the report:**

The Management Board of KOPEX SA (the Issuer) informs that on 29 June 2016 the District Court in Katowice, seised the case No. XIII GC 393/09/IW filed by the company FAMUR SA based in Katowice (formerly Fabryka Zamechanizowanych Obudów Ścianowych FAZOS SA) against the Issuer and Fabryka Maszyn i Urządzeń TAGOR SA based in Tarnowskie Góry concerning the payment of PLN 33,705,361.31 (originally, before the partial withdrawal of the claim by the plaintiff, the value of the claim amounted to PLN 51,875.600) of damages for the adverse settlement of currency forward, has delivered a ruling by which:

- 1) dismissed the claim against the Issuer concerning the amount of PLN 33,705,361.31,
- 2) waived the proceedings concerning the amount of PLN 18,170,238.69,
- 3) ordered the plaintiff to pay the Issuer the amount of PLN 7,217 in favour of costs incurred for legal representation,
- 4) ordered the plaintiff to pay Fabryka Maszyn i Urządzeń TAGOR SA the amount of PLN 7,217 in favour of costs incurred for legal representation,
- 5) ordered the plaintiff to pay the Issuer the amount of PLN 7,377.60 in favour of costs incurred for the expert's report,
- 6) ordered the plaintiff to pay the State Treasury – the District Court in Katowice - the amount of PLN 21,961.78 in favour of costs chargeable to the plaintiff, incurred by the Court, which has not been covered during the proceedings.

The other party may bring an appeal to the Court of Appeal in Katowice, within 14 days of receipt of judgement copy together with its reasons in writing.

The Issuer informed about the carried out proceedings in the current reports: RB1/2010 dated 4.01.2010, RB4/2010 dated 8.01.2010, RB5/2010 dated 12.01.2010, RB1/2013 dated 10.01.2013, RB3/2013 dated 15.01.2013, RB51/2013 dated 24.06.2013, RB54/2013 dated 25.06.2013 and recently in the current report RB11/2015 dated 2.04.2015.

Legal basis: Art. 56, Par.1 Item 1 of the Act of 29 July 2005 on public offering and the conditions for introducing financial instruments to the organized trading system and on public companies