

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 48/2014

Date: 5 June 2014

Issuer's shortened name: KOPEX SA

Subject: **Information update – submission of defense on the claim of ING Otwarty Fundusz Emerytalny**

Legal basis: Law on Offer, Art. 56, Par.5 – information update

Contents of the report:

With reference to the current report no. 44/2014 dated 22 May 2014, the Management Board of KOPEX SA (the Issuer) informs that on 5 June 2014 it received from the Law Office representing the Issuer an information on submitting on 4 June 2014 (within the prescribed by the District Court in Katowice fourteen days) a lawsuit on the claim of ING Otwarty Fundusz Emerytalny based in Warsaw to repeal resolutions 6 and 7 of the Extraordinary General Meeting of the Company adopted on 20 February 2014.

Issuer in response to a lawsuit brought upheld its previous position of the plaintiff's unfounded claims, expressed in current report no 44/2014 dated 22 May 2014.

The Issuer's claims included in the answer to the lawsuit are based on the complaint of unfounded plaintiff's claim for repealing the above-mentioned resolutions 6 and 7 as contrary to to good practices, injurious to shareholders and prejudicial to the interests of the Company – Issuer.

The Issuer believes that taking these resolutions is not contrary to good practices, is not intended to harm shareholders and is not detrimental to the interests of the Company (the Issuer), also taking into account the fact of the presence of the majority shareholder holding more than 50% of the share capital of the Company in Kopex SA.

Legal basis: § 38. 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 pos. 133) in conjunction with Art. of art. 56 sec. 5 of the Act on Public Offering.