

(Translation from the Polish language)

**FINANCIAL SUPERVISORY COMMISSION**

**Current report No 78/2013**

Date: 22 November 2013

Issuer's shortened name: KOPEX SA

Subject: **Information concerning the matter of appeal filed by the company FAZOS SA in Tarnowskie Góry against the Issuer and Fabryka Maszyn i Urządzeń TAGOR S.A.**

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

**Contents of the report:**

The Management Board of KOPEX SA with its registered seat in Katowice (the Issuer) referring to the information provided in the current report No. 29/2013 dated 29.03.2013 shall notify that today in the Court of Appeal in Katowice there was a hearing held on the appeals filed by Fazos SA against the Issuer and Fabryka Maszyn i Urządzeń TAGOR S.A. for the payment of PLN 22.206.707,76 lost profits (signature V ACa 486/13).

On 29.03.2013, the Court announced the verdict in this case, by which fully dismissed the action and ordered the plaintiff to reimbursement the costs of legal representation to the Issuer and Fabryka Maszyn i Urządzeń TAGOR S.A.

According to today's decision of the Court of Appeal the case is still pending. The court adjourned the case with the term of office, in order to get acquainted before the judgment result of the closed session of the Supreme Court in case no file V CSK 149/13, of which meeting the Issuer informed in the current report No. 77/2013 dated 22.11.2013.

The Issuer will inform about the further course of judicial proceedings.