

Current report no. 6/2015

Date prepared: 13.01.2015

Issuer's abbreviated name:

POLIMEX-MOSTOSTAL

Subject: Dismissal of a bankruptcy petition

Legal basis: Art. 56 sec. 1 item 1 of the Act on Public Offering – confidential information

With reference to current report no. 175 dated 4 November 2014 and current report no. 214/2014 dated 13 December 2014, the Management Board of Polimex-Mostostal S.A. with its registered office in Warsaw ("the Company", "the Debtor") hereby informs that today, at the hearing regarding the bankruptcy petition filed by Elektron-Inwestycje Sp. z o.o. with its registered office in Świętochłowice ("the Petitioner"), the District Court for the Capital City Warsaw, X Commercial Division for Bankruptcy and Reorganization, dismissed the bankruptcy petition and adjudged the Petitioner with compensation of the litigation costs in favour of the Company.

The Company filed for dismissal of the liquidation bankruptcy petition on grounds of the Petitioner having no right to bring an action before the court due to questionableness of the claim covered by the petition and the voidance of the agreement on assignment of receivables attached to the petition. Additionally, the Company requested to establish, pursuant to art. 34 of Law on Bankruptcy and Reorganization, that the liquidation bankruptcy petition was filed in bad faith.

The District Court for the capital city of Warsaw, X Commercial Division for Bankruptcy and Reorganization, confirmed the Company's standpoint that the liquidation bankruptcy petition was filed in bad faith and obliged the Petitioner to publish in nationwide distributed press a declaration in the form of a news release with the following wording: "Elektron-Inwestycje Sp. z o.o. with its registered office in Świętochłowice declares and admits that, acting in bad faith, it filed with the District Court for the capital city of Warsaw a liquidation bankruptcy petition of Polimex-Mostostal S.A. without any grounds to do so."

In a verbal justification for the decision dated 13 January 2015, the District Court for the capital city of Warsaw, X Commercial Division for Bankruptcy and Reorganization, stated that the Petitioner had no right to bring an action before the court due to questionableness of the claim filed by the Petitioner in the liquidation bankruptcy petition and the voidance of the agreement on assignment of receivables covered by the liquidation bankruptcy petition. The bankruptcy court emphasised that it does not have jurisdiction over the legitimacy and amount of claims, and that unquestionability regarding the creditor's right to bring an action before the court is necessary in bankruptcy proceedings, which was not the case.

The decision is not binding.

Signatures of persons representing the Company:

Ewa Ciborowska - Director of Management Board Service and Legal Advise