

Current report No. 28/2015

Date prepared: 10.02.2015

Issuer's abbreviated name: POLIMEX-MOSTOSTAL

Subject: Decision of the Regional Court for Lublin to grant injunctive relief before the beginning of the proceedings

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

With reference to current report no. 124/2013 dated 26 September 2013, the Management Board of Polimex-Mostostal S.A. ("the Petitioner", "the Issuer") hereby informs that today it has obtained information that the Regional Court for Lublin, IX Commercial Division ("the Court") issued a decision dated 9 February 2015 to grant injunctive relief to the Issuer before the beginning of the proceedings ("the Decision").

The Petitioner indicated in the petition to grant injunctive relief that the obligor, i.e. the Lubelskie Voivodeship, requested by letter dated 26 January 2015 the payment of funds from the guarantee no. BI/GW/GG/03/10/2012 in the amount of PLN 5,889,598.72, claiming that, for example, it has a claim against the Issuer for the payment of a contractual penalty due to withdrawal from the contract for construction works by fault of the Issuer.

Pursuant to the Decision, the Court ordered that injunctive relief be granted to the Petitioner for the following non-pecuniary claims:

- a) a negative declaration of the obligor's, i.e. the Lubelskie Voivodeship's, right to demand the payment of funds from the performance bond no. BI/GW/GG/03/10/2012 issued on 1 February 2012 by Towarzystwo Ubezpieczeń i Reasekuracji „WARTA” Spółka Akcyjna in Warsaw based on the demand to pay the funds from the abovementioned performance bond dated 16 January 2015;
- b) voidance of the obligor's, i.e. the Lubelskie Voivodeship's, statement dated 04 September 2013 on the withdrawal from the contract for construction works no. 286/MI/CP/12 dated 8 February 2012 in the scope regarding the investment project "Lubelskie Conference Center" and the obligor's, i.e. the Lubelskie Voivodeship's, statement dated 25 Septemeber 2013 on the withdrawal from the abovementioned contract in the scope regarding the investment project "Construction of the Marshal Office in Lublin";
- c) a negative declaration of the obligor's, i.e. the Lubelskie Voivodeship's, claims against the obligee, i.e. Polimex – Mostostal Spółka Akcyjna in Warsaw to pay the contractual penalty stipulated in § 15 (1) (d) of the abovementioned contract indicated by the obligor in the demand dated 16 January 2015 for payment of funds from the performance bond no. BI/GW/GG/03/10/2012 issued on 15 February 1 by Towarzystwo Ubezpieczeń i Reasekuracji „WARTA” Spółka Akcyjna in Warsaw;

by forbidding the obligor, i.e. the Lubelskie Voivodeship to use the performance bond no. BI/GW/GG/03/10/2012 issued on 1 February 2012 by Towarzystwo Ubezpieczeń i Reasekuracji „WARTA” Spółka Akcyjna in Warsaw, in particular by forbidding it to draw funds from the abovementioned performance bond and to take other actions aimed at acquiring funds from the abovementioned performance bond.

At the same time, the Court set a time limit of two weeks for the Petitioner to bring an action against the obligor, i.e. the Lubelskie Voivodeship, in order to establish:

- a) a negative declaration of the obligor's, i.e. the Lubelskie Voivodeship's, right to demand the payment of funds from the performance bond no. BI/GW/GG/03/10/2012 issued on 1 February 2012 by Towarzystwo Ubezpieczeń i Reasekuracji „WARTA” Spółka Akcyjna in Warsaw based on the demand to pay the funds from the abovementioned performance bond dated 16 January 2015;
- b) voidance of the obligor's, i.e. the Lubelskie Voivodeship's, statement dated 4 September 2013 on the withdrawal from the contract for construction works no. 286/MI/CP/12 dated 8 February 2012 in the scope regarding the investment project "Lubelskie Conference Center" and the obligor's, i.e. the Lubelskie Voivodeship's, statement dated 25 Septemeber 2013 on the withdrawal from the abovementioned contract in the scope regarding the investment project "Construction of the Marshal Office in Lublin";
- c) a negative declaration of the obligor's, i.e. the Lubelskie Voivodeship's, claims against the obligee, i.e. Polimex – Mostostal Spółka Akcyjna in Warsaw to pay the contractual penalty stipulated in § 15 (1) (d) of the abovementioned contract indicated by the obligor in the demand dated 16 January 2015 for payment of funds from the performance bond no. BI/GW/GG/03/10/2012 issued on 15 February 1 by Towarzystwo Ubezpieczeń i Reasekuracji „WARTA” Spółka Akcyjna in Warsaw;

otherwise the injunctive relief will be cancelled.

Signatures of persons representing the Company:  
Joanna Białas – Disclosure Requirement Coordinator