

CURRENT REPORT No. 33/2014

Date of Report:

02 April 2014

Re:

Action for annulment of the judgment of the Court of Arbitration at the Polish Chamber of Commerce on legal proceedings Emperia Holding S.A. in Lublin against Ernst & Young Audit Sp. z o.o. in Warsaw.

Update:

The Management Board of Emperia Holding S.A. (Issuer) hereby informs that on 2 April 2014 it filed with the Regional Court, Twentieth Commercial Division, in Warsaw a petition for partial reversal of the award of the Arbitration Court at the Polish Chamber of Commerce in Warsaw of 11 December 2013, file ref. SA 111/12, (outlined in Current Report 1/2014).

In the Issuer's opinion, the Arbitration Court rendered its award contrary to the fundamental principles of the Polish law, including the principle of full compensation and absolute liability for damage. In the Issuer's view, when determining the case part of the evidence was omitted, the principle of equal treatment of the parties was violated, and the requirements regarding the composition of the arbitration court were not observed.

The value of the object of dispute under the reversal petition referred to above is PLN 430,258,619.

Legal Basis:

Article 56(1)(2) of the Act on Public Offering, Conditions Governing the Introduction of Financial Instruments to Organised Trading, and Public Companies of 29 July 2005 in conjunction with § 5(1)(8) the Regulation of the Minister of Finance of 19 February 2009 on current and periodical disclosures by issuers of securities and conditions for recognizing as equivalent disclosures required under regulations of a non-member state.