

## **CURRENT REPORT No. 47/2011**

### **Date of Report:**

09 August 2011

### **Re:**

Statement of withdrawal from the Investment Agreement between Eurocash S.A. ("Eurocash") and Emperia Holding S.A. ("Emperia") of 21 December 2010 ("Investment Agreement").

### **Update:**

With reference to information made public by Emperia:

- on 3 January 2011 (Current Report No. 1 / 2011 of 3 January 2011)
- on 7 July 2011 (Current Report No. 41/2011 of 7 July 2011)
- on 12 July 2011 (Current Report No. 43/2011 of 12 July 2011), and
- on 16 July 2011 (Current Report No. 44/2011 of 16 July 2011)

and taking into account the fact, that until 15 July 2011, neither within the additional period set by Emperia, Eurocash has not paid Price for Shares(as defined in Current Report No. 1/2011 of 3 January 2011), the Management Board of Emperia informs that acting in accordance with the principles set out in the Investment Agreement, subsidiary company of Issuer - P1 sp. z o.o. with seat in Lublin, which took over rights and obligations which are vested or chargeable to Emperia under Investment Agreement, on 9 August 2011 announced the withdrawal of the Investment Agreement, calling Eurocash to pay liquidated damages in amount of PLN 200,000,000 (two hundred million).

The Management Board of Emperia informs that taken action have full acceptance of the Supervisory Board of Emperia. In the opinion of the Management Board and Supervisory Board of Emperia taken actions serve interests of its shareholders and has been taken out of concern for welfare of the Issuer, Tradis Distribution Group (which is a part of Emporia) and its customers.

In the opinion of the Management Board of Emperia failure to execute the transaction under Investment Agreement will not be an obstacle for Tradis Distribution Group to become leader of the Polish FMCG distribution.

### **Legal Basis:**

Article 56(1)(1) of the Act on Public Offering, Conditions Governing the Introduction of Financial Instruments to Organised Trading, and Public Companies of 29 July 2005 (consolidated text, Journal of Laws of 2009, No. 185, item 1439, as amended, "**Act on Public Offering**")