

## **CURRENT REPORT No. 61/2011**

### **Date of Report:**

12 September 2011

### **Re:**

The arbitration proceedings between Emperia Holding S.A. and P1 Sp. z o. o. and Eurocash S.A.

### **Update:**

On 12 September 2011 the Management Board reviewed the notice of arbitration delivered to Emperia Holding S.A. and P1 Sp. z o.o.( subsidiary of Emperia Holding S.A.) In the notice, Eurocash S.A. requests the arbitration court to hold:

(a) that the legal relationship arising under the Investment Agreement concluded between Emperia Holding S.A. and Eurocash S.A. still exists; and

(b) that the price for the interests being acquired by Eurocash S.A. in the distribution subsidiaries controlled by Emperia Holding S.A. is equal to the Base Value, i.e. PLN 925,975,000, adjusted in accordance with Article 7.9 of the Investment Agreement.

In the Company's opinion the claims of Eurocash S.A. are without grounds in the light of Emperia Holding S.A.'s and P1 sp. z o.o.'s rescission of the Investment Agreement on 9 August 2011

### **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) of 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.