

## **Current Report No. 43/2021 of 30 September 2021**

### **Subject:**

Information on bringing an action for declaring invalidity or revoking resolution of the Ordinary General Meeting of Shareholders of Elektrociepłownia "Będzin" S.A.

### **Legal basis:**

Art. 56 sec. 1 pt. 2 of the Act on Public Offering – current and interim information.

### **Report content:**

Acting pursuant to Art. 19 sec. 1 point 10 of the Regulation of the Minister of Finance of 29 March 2018 on current and interim information delivered by issuers of securities and the conditions for recognising as equivalent the information required by the laws of a non-member state, the Management Board of Elektrociepłownia "Będzin" S.A. [the Company] announces that on 29 September 2021, the Company received a lawsuit filed by the Company's shareholder Bank Gospodarstwa Krajowego for declaring invalid or alternatively revoking the resolution of the Ordinary General Meeting of Shareholders of Elektrociepłownia „Będzin” S.A. of 30 June 2021.

I. The complainant petitioned for declaring invalidity, pursuant to Art. 425 sec. 1 of the Code of Commercial Companies, of Resolution No. 9 on adopting a concept for further functioning of Elektrociepłownia "Będzin" S.A. Group of Companies.

II. In the event that the request described in point I of the petition is not taken into consideration, the complainant petitioned for revoking, pursuant to Art. 422 sec. 1 of the Code of Commercial Companies, of Resolution No. 9 on adopting a concept for further functioning of Elektrociepłownia "Będzin" S.A. Group of Companies.

Moreover, the complainant requested, inter alia, that security be established by prohibiting any actions in accordance with or on the basis of the contested resolution until the matter is finally resolved.

The text of the Resolutions was made public by the Company in current report No. 21/2021.

The Company instructed the Company's attorneys to prepare a response to the lawsuit.

### **Signature:**

Kamil Kamiński          Management Board Member