

CURRENT REPORT FILED WITH THE POLISH FINANCIAL SUPERVISION AUTHORITY IN WARSAW

DATE: August 31 2022

Subject: [Court decision to approve settlement agreement between Company and JSW KOKS S.A. of Zabrze becomes final \(Current Report No. 70/2022\)](#)

Text of the report:

The Management Board of RAFAKO S.A. of Racibórz (the “**Company**”), further to: (i) Current Report No. 19/2022 of March 31st 2022 announcing that the Company and JSW KOKS S.A. of Zabrze signed a settlement agreement (the “**Settlement Agreement**” and “**JSW KOKS**”) concerning Contract No. NR/18/U/2019 of June 12th 2019 (the “**Contract**”) and a related annex to the Contract (signed in the performance of the Settlement Agreement) (the “**Annex**”) (the “**Settlement Agreement**” and the “**Annex**” collectively referred to as the “**Settlement Documents**”), (ii) Current Report No. 20/2022 of April 5th 2022 announcing that the Company’s Supervisory Board passed a resolution to approve the execution and performance of the Settlement Agreement and the Annex and the assumption by the Company of the obligations under the Settlement Agreement and the Annex, (iii) Current Report No. 39/2022 of June 15th 2022 announcing that the Supervisory Board of JSW KOKS and the Extraordinary General Meeting of JSW KOKS passed resolutions granting corporate approvals necessary for the execution and entry into force of the Settlement Agreement and the Annex, (iv) Current Report No. 50/2022 of July 5th 2022 announcing that the Company submitted documents evidencing the creation of security, which was a condition for entry into force of the Settlement Agreement and the Annex, and (v) Current Report No. 58/2022 of August 2nd 2022 announcing that the Company was notified that on July 29th 2022 the Circuit Court in Gliwice, 10th Commercial Division, entered a decision to approve the Settlement Agreement (the “**Decision**”), hereby announces that on August 31st 2022 the Company received a notice from JSW KOKS that the latter had not taken any action to appeal the Decision within the statutorily prescribed time limit for taking such appeal, which, in view of the fact that the Company had taken no such action within that time limit either, means that the Decision has become final and thus the Settlement Documents (i.e. the Settlement Agreement and, consequently, the Annex) have entered into force and effect.

The Company further points out that the Company and JSW KOKS, having each analysed the underlying procedural law, agree that the Decision became final on August 26th 2022.

Legal basis:
Article 17(1) of the Market Abuse Regulation – inside information.

Radosław Domagalski-Łabędzki, President of the Management Board
Maciej Stańczuk, Vice President of the Management Board