

**CURRENT REPORT FILED WITH THE POLISH FINANCIAL
SUPERVISION AUTHORITY IN WARSAW**

DATE: February 28th 2023

VERIFIED
ENVIRONMENTAL
MANAGEMENT
REG. NO. PL.2.24.001.5

Subject: [Failure to agree on the final terms of settlement agreement negotiated as part of mediation process with TAURON Wytwarzanie S.A. – continuation of negotiations and mediation to agree on the final terms \[RB 16/2023\].](#)

Text of the report:

Further to Current Report No. 9/2023 of February 7th 2023 announcing that in the course of the mediation process before the Arbitration Court at the Office of the General Counsel to the Republic of Poland (the “**Arbitration Court**”), an agreement was reached on February 7th 2023 (the “**Agreement**”) between RAFAKO S.A. of Racibórz (the “**Company**”), Mostostal Warszawa S.A. of Warsaw (“**Mostostal**”; and the Company and Mostostal jointly the “**Contractor**”), E003B7 Sp. z o.o. of Racibórz, a wholly-owned subsidiary of the Company (the “**Subsidiary**”), and TAURON Wytwarzanie S.A. of Jaworzno (“**TAURON Wytwarzanie**”) and further to the commitment made by the Contractor and Tauron Wytwarzanie in the Agreement to conduct negotiations and mediation in order to agree on the final terms of the settlement agreement by February 28th 2023, as announced by the Company in Current Report No. 9/2023 of February 7th 2023, the Management Board of the Company hereby announces that:

1. the final terms of the settlement agreement between the Contractor, the Subsidiary and TAURON Wytwarzanie were not agreed upon by February 28th 2023;
2. the Contractor, the Subsidiary and TAURON Wytwarzanie are continuing negotiations and mediation before the Arbitration Court to agree on the final terms of the settlement agreement.

Legal basis:

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

Radosław Domagalski-Łabędzki – President of the Management Board

Dawid Jaworski – Vice President of the Management Board