

Current report no.: 51/2018

Prepared on: 24-09-2018

Subject: Review of the complaint of the Head of the Second Mazovian Tax Office in Warsaw on the decision dismissing objection to the list of debt claims.

Legal basis: Article 17 section 1 – MAR confidential information

Report contents:

With reference to the current report no. 65/2017 of 17 August 2017, the Management Board of ACTION S.A. under restructuring (hereinafter the “Company”, “Issuer”) notifies that today, that is on 24 September 2018, it received information that on 14 September 2018 the District Court for the capital city of Warsaw in Warsaw, X Commercial Division for bankruptcy and restructuring matters, issued a decision concerning the complaint of the State Treasury – the Head of the Second Mazovian Tax Office in Warsaw on the decision of the Judge-commissioner concerning the objection to the list of debt claims.

In accordance with the decision, the District Court partially granted the complaint of the State Treasury – the Head of the Second Mazovian Tax Office in Warsaw in such a manner that in the list of debt claims it additionally accepted the appellant’s claim of PLN 29,115,245. This claim resulted from the final tax decision (regarding which there are currently court-administrative proceedings pending, filed by the Company), which meant, according to the District Court, that its content was binding for the Judge-commissioner while reviewing the objection.

By means of the above decision the District Court also set aside the challenged decision of the Judge-commissioner in the scope in which it ruled on dismissing the objection of the State Treasury and in this scope the court remitted the case for reconsideration (the complaint in this part regarded the amount of PLN 1,210 the amount to which the appellant requested that his debt claim be reduced).