

EUROCASH

Current report No. 45/2011

Date: 2 September 2011

Subject: The decision of the Circuit Court in Lublin regarding securing the claims related to the Investment Agreement between Emperia Holding S.A. and Eurocash S.A.

Report body

The Management Board of Eurocash S.A. with its registered office in Komorniki (“**Eurocash**”) announces that on 2 September 2011, it received the decision of the Circuit Court in Lublin, IX Commercial Division regarding securing the claim of Eurocash pursued in the future arbitration proceedings for the determination of the existence of a legal relationship arising out of the investment agreement concluded by Eurocash S.A. and Emperia Holding S.A. on 21 December 2010 and that the price for the shares defined in Article 7.8 of the investment agreement dated 21 December 2010 concluded by Eurocash S.A. and Emperia Holding S.A. is equal to the Base Value adjusted in accordance with Article 7.9 of the Agreement, until the end of one month from the date of the legally binding completion of the proceedings regarding the recognition of the ruling which will be made in the future arbitration proceedings filed by Eurocash against both liable parties, by:

- (a) prohibiting **P1 Sp. z o.o.** (hereinafter referred to as P1) from selling the shares and stocks held by P1 in the following companies:
 - (i) Tradis Spółka z o.o. with its registered office in Lublin;
 - (ii) Detal Koncept Spółka z o.o. with its registered office in Lublin;
 - (iii) Lewiatan Zachód Spółka z o.o. with its registered office in Stargard Szczeciński;
 - (iv) Lewiatan Północ Spółka z o.o. with its registered office in Gdańsk;
 - (v) Drogerie Koliber Spółka z o.o. with its registered office in Gliwice;
 - (vi) Euro Sklep S.A. with its registered office in Bielsko-Biała; and
 - (vii) Partnerski Serwis Detaliczny S.A. with its registered office in Warsaw,and these stocks and shares are hereinafter jointly referred to as “**Shares**”, and the stocks indicated above are hereinafter jointly referred to as “**Stocks**”);
- (b) prohibiting P1 from encumbering the Stocks and Shares with any material rights or obligations;
- (c) prohibiting Emperia and P1 from collecting the following held by a notary in deposit:

- (i) the registered share documents of Euro Sklep S.A. with its registered office in Bielsko-Biała;
- (ii) the ordinary registered shares of Partnerski Serwis Detaliczny S.A. with its registered office in Warsaw

deposited in accordance with the provisions of the investment agreement concluded by Eurocash S.A. and Emperia Holding S.A. on 21 December 2010.

In accordance with the abovementioned decision, the court provided a 14 day period to Eurocash for filing a petition commencing arbitration proceedings in regard to the abovementioned claim, subject to the loss of the security.

Legal basis:

Section 57.3 in relation to Section 56.1.1 of the Act dated 29 July 2005 on public offerings and the conditions for introducing financial instruments to organised trading and on public companies (consolidated text Dz.U. [Polish Journal of Laws] of 2009 No. 185 item 1439 as amended, “Act on Offerings”).