

EUROCASH

Current Report

No. 46/2011

Date: 9 October 2011

Subject: The lawsuit of Eurocash S.A. ("Eurocash") against Emperia Holding S.A. ("Emperia") and P1 Sp. z o.o. ("P1") in relation to the investment agreement dated 21 December 2010 ("Investment Agreement").

Report body:

Eurocash announces that on 10 September 2011, it filed suit against Emperia and P1 for the determination of, and the ruling by the arbitration tribunal that: (a) the legal relationship arising out of the Investment Agreement concluded by Emperia and Eurocash exists; and (b) that the price for the shares purchased by Eurocash in the distribution companies controlled by Emperia is equal to the Base Value (specified in the Investment Agreement, i.e. PLN 925,975,000), adjusted in accordance with Article 7.9 of the Investment Agreement.

The abovementioned lawsuit was filed in the period provided to Eurocash by the Circuit Court in Lublin, IX Commercial Division, which found the abovementioned claim of Eurocash to be substantiated and secured it in the manner indicated in current report no. 45/2011 of Eurocash.

Legal basis:

Section 56.1.1 of the Act on Public Offerings – confidential information