

CURRENT REPORT FILED WITH THE POLISH FINANCIAL SUPERVISION AUTHORITY IN WARSAW

DATE: August 2nd 2022

Subject: [Non-final court approval of settlement agreement between Company and JSW KOKS S.A. of Zabrze \(Current Report No. 58/2022\)](#)**Text of the report:**

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, and (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, the Management Board of RAFAKO S.A. of Racibórz (the “**Company**”) announces that on August 2nd 2022 the Company was notified that on July 29th 2022 the District Court of Gliwice, 10th Commercial Division, issued a decision to approve the Settlement Agreement (the “**Court Decision**”).

The Company’s Management Board would like to note that, as stated in the Company’s Current Report No. 19/2022 of March 31st 2022, entry into force of the Settlement Agreement and, consequently, of the Annex, is subject to the satisfaction of the conditions set out in the Settlement Agreement, including the condition that the Settlement Agreement shall be approved by a final decision of the competent court.

The Management Board would like to clarify that the Court Decision is not final as at the date of this Current Report. Consequently, its issuance does not satisfy the last condition for entry into force of the Settlement Documentation (the Settlement Agreement and the Annex). The condition will be met when the Court Decision becomes final, which will be announced by the Company in a separate current report.

Legal basis: Article 17(1) of MAR – Inside information

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