(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 88/2010

Date: 13 October 2010
Issuer's shortened name: KOPEX S.A.

Subject: **Consortium agreement of the Kopex Group companies.**
Legal basis: Law on Offer, Art. 56, Par.1 Item 2– current and periodic information

Contents of the report:
The Management Board of KOPEX SA with a registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 13 October 2010 by Zabrzańskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. with a registered seat in Zabrze (the Issuer's subsidiary) an agreement signed with Kompania Węglowa SA with a registered seat in Katowice.

The Parties of the agreement dated 8 October 2010 are: consortium of the following firms: Zabrzańskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. (Proxy-Consortium Leader), Zabrzańskie Zakłady Mechaniczne SA (Consortium Participant - the Issuer's subsidiary), Kopex SA (Consortium Participant) - the Contractor and Kompania Węglowa SA Murcki-Staszic Coal Mine – the Orderer.

Subject of the agreement is lease of the KSW-880EU/3,3kV longwall shearer for KW SA Murcki-Staszic Coal Mine.

Value of the agreement: PLN 1.465.900,00 + 22% VAT

Term of the agreement: 214 days

Stipulated penalties:
Each Party is obliged to pay stipulated penalties amounting to 10% of the gross agreement value in case of renouncing the agreement due to the reasons caused by that Party.
In case of loss of the longwall shearer or the shearer system by the Orderer , what will result in the scrapping and in case of qualifying the longwall shearer to be scrapped for other reasons attributable to the Buyer, the Buyer shall pay the Seller compensation amounting to:

a) 75% of the value of the subject of the lease if the incident took place during the service life of up to 18 months after its launch in the wall,
b) 50% of the value of the subject of the lease if the incident took place during the service life over 18 months after its launch in the wall.

If the stipulated penalties do not cover damages sustained the Parties may claim on the general rules. Detailed conditions of the agreement stick to the conditions commonly applied in the agreements of this kind.

The criterion of recognising an agreement as a significant one is exceeding by it of 10% of bounds pertaining to the Issuer's equity capital (the Issuer's equity capital amounts to 1,334,388 thou PLN, in compliance with data included in the published

semi-annual report for 2010) and fulfillment of the criteria set forth in Par.2 Cl.1 Item 44) and Par.2 Cl.2 of Regulation of the Minister of Finance dated 19 February 2009 on current and periodic information (…). In the past 12 months the Issuer's subsidiaries signed with this customer and its subsidiaries agreements amounting altogether to 155.427 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 82/2010 dated 28.09.2010. The highest value agreement from anong all the agreements signed in the past 12 months is the agreement the Issuer informed about in the current report RB 176/2009 dated 13.11.2010 that also includes information relating to the highest value agreement set forth in Cl.9 Items from 1) to 7) of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information (…).
Legal basis for publishing: Cl.5 Par.1 Item 3 in relation with Cl.2 Par.2 and Cl.9 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information transmitted by issuers of shares and conditions of recognizing as equivalent the information required by legal regulations of a country that is not a member country (*Dz.U. z 2009, Nr 33 poz.259 ze zmianami).*