

Current Report No. 9/2010

Date of preparation: 17 March 2010

Subject: Exceeding 15 % of the total number of votes

General legal basis: Article 70.1 of the Act on Public Offering - acquisition or disposal of a significant block of shares

Content:

The Management Board of Lubelski Węgiel Bogdanka S.A. (the “Company”) hereby announces that on 17 March 2010 it was informed by Aviva Powszechne Towarzystwo Emerytalne Aviva BZ WBK S.A. on increasing the share of Aviva Otwarty Fundusz Emerytalny Aviva BZ WBK (open pension fund) in the total number of votes in the Company to exceed 15%.

Content of the notification:

“Pursuant to the obligation under Article 69.1 and 69.4 of the Act on public offering and conditions governing the introduction of financial instruments to organised trading and public companies of 29 July 2005 (Dz.U. No. 184, item 1539) we hereby announce that as a result of acquisition of shares of Lubelski Węgiel Bogdanka S.A. (hereinafter the “Company”) with registered office in Puchaczów, concluded on 9 March 2010, Aviva Otwarty Fundusz Emerytalny Aviva BZ WBK (“Aviva OFE”) increased a share in the total number of votes in the Company to exceed 15%.

Before the settlement of the above mentioned transactions of 11 March 2010, Aviva OFE held 2,914,265 shares of the Company, representing 8.57% of the Company’s share capital (issued shares) and conferring the right to 2,914,265 votes at the General Shareholders Meeting, which accounted for 8.57% of the total number of votes.

Following the conclusion and settlement of the above mentioned transactions, as of 12 March 2010, Aviva OFE held 5,553,113 shares of the Company, representing 16.33% of the Company’s share capital (the number of the issued shares) and conferring the right to 5,553,113 votes at the General Shareholders Meeting, which accounted for 16.33% of the total number of votes.

This is a portfolio investment. It is possible that within the next 12 months following submission of this notification, Aviva OFE will increase its share in the Company for the purpose of achieving a maximum level of safety and profitability of the open pension fund’s deposits. We further announce that pursuant to the provisions of the Act on the organisation and operation of pension funds and detailed provisions issued by virtue of this Act, Aviva OFE’s participation in the Company’s share capital cannot exceed 20%. The fund does not exclude the option of disposing of the shares in the event of a suitable increase in value or investment risk.”

Legal basis: Article 70.1 of the Act on Public Offering – acquisition or disposal of a significant number of shares.