

## **Current Report No. 17/2010**

Date of preparation: 12 May 2010

### **Subject: Exceeding 5 % 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. with registered office in Bogdanka (the “Company”) hereby announces that on 12 May 2010 it was informed by AMPLICO Powszechne Towarzystwo Emerytalne S.A. on increasing the share of AMPLICO Otwarty Fundusz Emerytalny (the open pension fund) in the total number of votes in the Company to exceed 5%.

#### Content of the notification:

“Pursuant to Article 69.1 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. 05.184.1539, as amended), AMPLICO PTE S.A. hereby informs you that due to the transaction of acquisition of shares of LW BOGDANKA S.A. with registered office in Puchaczów (the “Company”), AMPLICO Otwarty Fundusz Emerytalny (the open pension fund) (“OFE”), managed by AMPLICO PTE S.A., increased 5% of the total vote in the Company.

The threshold of 5% was exceeded as a result of acquisition of the Company shares on 6 May 2010. Immediately before the change of its stake, OFE held 1,680,194 (one million six hundred eighty thousand one hundred and ninety-four) ordinary bearer shares from 34,013,590 (thirty-four million thirteen thousand five hundred and ninety) shares, which represented 4.94% of the Company’s share capital and conferred the right to 1,680,194 (one million six hundred eighty thousand one hundred and ninety-four) votes at the General Shareholders Meeting, and represented 4.94% of the total vote at the Company’s General Shareholders Meeting.

Currently OFE holds 1,734,194 (one million seven hundred thirty-four thousand one hundred and ninety-four) ordinary bearer shares from 34,013,590 (thirty-four million thirteen thousand five hundred and ninety) shares, which represents 5.10% of the Company’s share capital and confers the right to 1,734,194 (one million seven hundred thirty-four thousand one hundred and ninety-four) votes at the General Shareholders Meeting, and represents 5.10% of the total vote at the Company’s General Shareholders Meeting.”

Legal Basis: Article 70.1 of the Act on Public Offering - acquisition or disposal of a significant block of shares