

Current Report 11/2009

Date of preparation: July 6, 2009

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 hereby announces that on July 6, 2009 it was informed by Aviva Powszechne Towarzystwo Emerytalne Aviva BZ WBK S.A. with registered office in Warsaw on increasing a theoretical share of Aviva Otwarty Fundusz Emerytalny Aviva BZ WBK in the total number of votes in the Company to exceed 5%.

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 July 29, 2005 (Dz.U. No. 184, item 1539) we hereby inform you that due to the transaction of acquisition on the regulated market of the rights to shares of Lubelski Węgiel Bogdanka S.A. (hereinafter the “Company”) with registered office in Puchaczów, Aviva Otwarty Fundusz Emerytalny Aviva BZ WBK (hereinafter “Aviva OFE”) increased a theoretical share in the total number of votes in the Company to exceed 5%.

Before the above mentioned transactions as of June 29, 2009 Aviva OFE held 1,240,000 rights to the Company's shares, representing 3.65% of the Company's share capital, conferring the right to 1,240,000 votes at the General Shareholders Meeting, which represented 3.65% of the total number of votes.

Following the conclusion and settlement of the transaction referred to above, as of June 30, 2009 Aviva OFE held 2,141,231 rights to the Company's shares, which in the event of a conversion into shares will represent 6.3% of the Company's share capital and will confer the right to 2,141,231 votes at the Company's General Shareholders Meeting, which after the conversion will represent 6.3% of the total number of votes.”

Legal basis for submitting the report: Article 70.1 of the Act on Public Offering - acquisition or disposal of a significant block of shares