



From: ARCUS S.A.
Issued on: 20 April 2012

Subject: Institution of legal proceedings

Current report no 8/2012

Legal basis: Article 56(1) point 2 of the Act on Public Offering – Current and Periodic Information

Report content:

The Management Board of ARCUS S.A. ('the Issuer') hereby informs that on 20 April 2012 the Company instituted legal proceedings at the Regional Court in Warsaw against Zakład Ubezpieczeń Społecznych (hereinafter 'the Social Insurance Institution') with its registered office in Warsaw at 3 Szamocka Street for the payment and compensation of damage. The amount of the claim equals to PLN 9,483,125.27.

The Issuer's claim for the payment and compensation of damage resulting from non-performance of obligations arising from the agreement No TZ/370/16/09 of 27 November 2009 by the Social Insurance Institution, shall be the subject matter of the proceedings.

In a current report No 4/2011 of 1 April 2011, the Management Board of ARCUS S.A. informed that had received from the Social Insurance Institution an accounting note stating the burden arising from the delays in carrying out the maintenance inspection in accordance with terms of the agreement. The Social Insurance Institution stated

that aforementioned agreement had been breached and requested ARCUS S.A. to pay the contractual penalty at the amount of PLN 5,515,440.00 by 14 April 2011. The Social Insurance Institution cited, groundless in the opinion of the Issuer, breach of agreement pursuant to which ARCUS S.A. was obliged to carry out the maintenance inspection of mentioned printers at least every 8 months starting from the agreement signing date that is from 27 July 2010.

In the opinion of the Issuer, the Social Insurance Institution's request to pay a contractual penalty constitutes an unfounded claim. The delay in carrying out the maintenance inspection was the exclusive fault of the Social Insurance Institution and due to that fact it cannot be stated that ARCUS S.A. breached the agreement. Taking the above into consideration, in the opinion of the Management Board, the Social Insurance Institution had no right to request the payment of contractual penalty.

Since the day of receiving the accounting note, ARCUS S.A. has conducted a dialog with the Social Insurance Institution in order to settle a dispute which occurred as a result of different interpretation of the agreement's provisions and breaching the specification of the Order's Key Terms in the tender process. In the financial statement for the fourth quarter of 2011 of 29 February 2012, the Company informed about filling a statement of claim with a court against the Social Insurance Institution. Despite many attempts, in accordance with inability to reach an agreement satisfactory for both parties and lack of the possibility to apply for arbitration to the economic self-government organization (agreements with public sector entities do not provide for such procedures), the Issuer's Management Board decided to obtain an independent assessment of the situation within the competences of a common court of law, finally pay and file a relevant suit against the Social Insurance Institution for the full cost of claim of ARCUS S.A. Therefore, on 20 April 2012 the statement of claim was filed together with a full court fee and the legal proceedings were instituted.

Legal basis: Par. 5.1.8 of the Regulation of the Minister of Finance of 19 February 2009 on current and periodic information to be published by issuers of securities (as amended)