

Date of issue: 26 April 2017

Current report no 4/2017

**Receipt of a demand for payment in connection with the execution by the insurer of a performance bond issued with regard to a significant agreement concluded by the Issuer**

Legal basis: Art. 17.1 of the Market Abuse Regulation

**Content of the report:**

With reference to the current report no 2/2017, the Management Board of **ARCUS S.A.** (hereinafter “**the Issuer**”) hereby discloses the information on receiving from an insurer - Ergo Hestia S.A. (hereinafter “Ergo-Hestia”) of a letter dated 5 April 2017 containing a demand for payment (plus statutory interest) of an amount PLN 9,597,702.30, representing the value of a performance bond executed by Ergo-Hestia on 3 March 2017 for the benefit of Energa Operator S.A. (hereinafter “Energa”) in connection with the Implementation Agreement concluded on 1 February 2013 between the Issuer, T-matic Systems S.A. (hereinafter “T-matic”) and Energa, the subject of which was the delivery and setting up of the meter infrastructure as the Issuer informed in current report no 4/2013 (hereinafter “the Agreement”) – within the scope covering the claims of Energa against the Issuer and T-matic resulting from alleged improper performance of the Agreement (current report no 25/2015).

The Issuer invariably questions both the claims of Energa and the execution of a performance bond by Ergo-Hestia, considering them wholly unfounded.

Notwithstanding the above, and not prejudging the final settlement of this dispute, the Management Board of the Issuer acknowledges that it is justifiable from the point of view of the Issuer's interest to seek an arrangement with Ergo-Hestia as regards payment in instalments of an amount arising from execution of a performance bond and requested by Ergo-Hestia.

**Legal basis:**

Art. 17.1 of the Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (market abuse regulation) and repealing Directive 2003/6/EC of the European Parliament and of the Council and Commission Directives 2003/124/EC, 2003/125/EC and 2004/72/EC.

**SIGNATURES OF PERSONS REPRESENTING THE COMPANY:**

**Michał Czeredys** – President of the Management Board

**Rafał Czeredys** – Member of the Management Board