

Date of report: 12 April 2019

Current report no 4/2019

**Information on filing a lawsuit for payment against Energa-Operator S.A. for the performance of additional works in connection with the implementation of the AMI project**

Legal basis: Art. 17.1 of the Market Abuse Regulation

**Content of the report:**

The Management Board of **ARCUS S.A.** (hereinafter the “Issuer”) hereby discloses the information that today has become aware of the fact that the Issuer's legal representative filed a suit dated 11 April 2019 with the Regional Court in Gdańsk, IX Commercial Division (“the Suit”) against Energa-Operator S.A. with its registered office in Gdańsk (“Energa”), under which the Issuer and T-matic Systems S.A. (“T-matic”), acting as claimants (“Claimants”), claim from Energa for the benefit of T-matic, or for the benefit of the Issuer and T-matic, the payment of the amount of PLN 4,710,466.04 (with statutory interest due) on account of additional works performed by T-matic for Energa in connection with three implementation agreements (No. 62 of 9.09.2011, No. 63 of 26.08.2011 and No. 64 of 26.08.2011) for the supply of software and start-up of metering infrastructure (“Agreements”).

The claim covered by the lawsuit results from the fact that the performance of the aforementioned additional works did not fall within the material scope of the Agreements and did not include the remuneration paid to the Claimants. The Claimants also continue to uphold the request for invalidity of the Agreements. Therefore, in the Claimants’ opinion, the amount claimed is due as reimbursement of the unfounded enrichment on the part of Energa or as a compensation for T-matic.

The lawsuit is an element of a multifaceted dispute between the Claimants and Energa concerning the validity, correctness and mutual claims arising from and related to the conclusion and performance of the Agreements. The Issuer informed about key events in the ongoing dispute in previous current reports.

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:**

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