

Current Report No. 8/2011**Date:** 2011-01-18**Subject:** Initiation of court proceedings against the Issuer**Legal basis:** Article 56 par. 1 pt. 2 of the Act on offerings – current and periodic information

The Management Board of Energomontaż-Południe S. A. (the “**Company**” or the “**Issuer**”) announces that, on 17 January 2011, the Company received a copy of a statement of claim filed by Martifer Polska Sp. z o.o. with its registered office in Gliwice (the “**Claimant**”) regarding payment with a motion for an injunction. The value of the subject of the dispute indicated by the claimant is PLN 90,753,413. The Claimant maintains that it is due the amount sought as payment for the completed construction works on the basis of a construction works agreement of 29 October 2009, as a contractual penalty for withdrawing from the agreement, and damages for other defaults on the construction works agreement.

The defendant comprises the following companies: Energomontaż-Południe S.A., Hydrobudowa Polska S.A., Hydrobudowa 9 S.A., Alpine Construction Polska Sp. z o.o., and PBG Technologia Sp. z o.o.

The Issuer finds the claims set out in the statement of claim to be unjustified and devoid of factual and legal grounds. The Issuer believes that the statement of claim filed by Martifer Polska Sp. z o.o. is a strategic move aimed at improving the negotiating position of Martifer Polska sp. z o.o. in connection with the fact that Martifer Polska sp. z o.o. committed flagrant breaches of the construction works agreement concluded with the Issuer from which the Issuer withdrew, for reasons attributable to Martifer Polska Sp. z o.o., on 2 September 2010, as reported in current report No. 41/2010.

The conclusion of the agreement with the syndicate comprising Hydrobudowa Polska S.A. and Alpine Construction Polska Sp. z o.o. regarding the construction of a steel roof structure for Arena Battycka (currently PGE Arena Gdańsk) was announced by the Company in its current report No. 58/2009 of 21 October 2009. A portion of the works with a value of PLN 44 million was contracted to the syndicate comprising Martifer Polska Sp. z o.o. and Slovakia’s Ocekon Engineering s.r.o. The works were to be completed by 30 June 2010.

Martifer Polska sp. z o.o. failed to meet the work completion deadline. As a result, a dispute ensued. The Issuer is estimating the extent of the damage it suffered, for which it will seek redress from Martifer Polska Sp. z o.o.

SIGNATURES OF PERSONS REPRESENTING THE COMPANY

Radosław Kamiński
Dariusz Kowzan

President of the Management Board
Member of the Management Board