



## **CURRENT REPORT 32 / 2019**

**14 August 2019**

*Legal basis: Art. 17.1 of the MAR – Confidential Information.*

Subject: Judgment by the District Court.

Content:

The Management Board of ZUE S.A. with registered office in Cracow (the "Company," ZUE) inform that they learnt on 14 August 2019 about the oral judgment (the "Judgment") delivered on the same date by the VII Commercial Division of the District Court in Białystok (the "Court"). The Court ordered that the judgment of 22 May 2019 delivered by the National Appeals Chamber (the "Chamber") be changed by dismissing the entire appeal of the Company and ELKOL Sp. z o.o. with registered office in Bytom (the "Consortium") against the selection by Elektrownia Ostrołęka Sp. z o.o. (the "Contracting Authority") of the most economically advantageous tender submitted in the tender procedure concerning the reconstruction of the rail infrastructure system required to operate Elektrownia Ostrołęka C (the "Tender Procedure").

The Company informed about the abovementioned judgment of the Chamber in the current report 14/2019 of 22 May 2019.

The Court also ordered that the selection by the Contracting Authority of the most economically advantageous tender in the Tender Procedure be cancelled and the bidder that ranked first be excluded. In addition, the Contracting Authority was ordered under the Judgment to reconsider all valid offers and select the most economically advantageous tender.

The Consortium cannot appeal against the abovementioned Judgment.