

POLISH FINANCIAL SUPERVISION AUTHORITY
Current Report No 12/2019

Date: May 16, 2019

Abbreviated name of issuer:
DEBICA

Subject: Update of information regarding determination of non-existence / declaration of invalidity / cancellation of resolutions adopted by the Ordinary General Meeting of 14 June 2018

Legal grounds:
Art. 56 item 1 (2) of the Act on Public Offering Act Extraordinary General Meeting 2019

Report content:
Management Board of Tire Company Dębica S.A. ("Company"), in reference to current report no. 5/2019 of 1 April 2019, hereby informs that today the Company has received information that the District Court in Rzeszów, 6th Commercial Division of the National Court Register, issued a decision on discontinuance of the appeal proceedings as a result of the partial withdrawal of the appeal dated 04.03.2019 by the District Court in Rzeszów, 6th Commercial Division of the National Court Register:

1. Alter FIZ Active Shares
2. ALTER FIZ Active Allocation of Dividend Companies
3. ALTER Absolute Return Rate of FIZ with separated sub-funds: Altus Sub-fund Absolute Rate of Return of Foreign Markets and Altus Sub-fund Absolute Rate of Return of the Polish Market
4. ALTER Absolute Rate of Return of FIZ of the Polish Market 2
5. ALTER Absolute Rate of Return of FIZ of Foreign Markets 2
6. ALTER FIZ Shares+
7. Altus Umbrella Open Investment Fund with separate sub-funds: Altus Sub-fund of Absolute Return Rate of the Polish Market; Altus Sub-fund of Stable Growth; Altus Sub-fund of Optimal Growth; Altus Sub-fund of Shares

(further referred to as Funds managed by Rockbridge).

The withdrawal of the appeal by funds managed by Rockbridge and the court's decision to discontinue the appeal proceedings relate to the following resolutions of the Annual Shareholders Meeting of the Company dated 14 June 2018:

- No. 2 concerning election of the Chairman of the Ordinary General Meeting;
- No. 3 concerning the adoption of the agenda consistent with the announcement of the Ordinary General Meeting;
- No. 5 on the election of the Secretary of the Ordinary General Meeting;
- No. 6 concerning approval of the Company's financial statements for the year 2017;

- No. 7 concerning approval of the report of the Company's Management Board on the Company's activity for the year 2017;
- No. 8 concerning approval of the report of the Supervisory Board on the Company's activities for the year 2017;
- No. 10 on granting a vote of acceptance to Mr. Stanisław Cieszkowski, Member of the Management Board;
- No. 11 concerning granting a vote of acceptance to Mr. Michał Mędrek, Member of the Management Board;
- No. 13 on acknowledging the fulfilment of duties by Member of the Management Board Mr. Ireneusz Maksymiuk;
- No. 14 on acknowledging the fulfilment of duties by Member of the Management Board Mr. Paweł Miłoszewski;
- No. 15 on granting a vote of acceptance to Mr. Mirosław Maziarka, Member of the Management Board;
- No. 17 concerning granting a vote of acceptance to Mr. Dominikus Golsong, Member of the Supervisory Board;
- No. 18 on acknowledging the fulfilment of duties by Member of the Supervisory Board Mr. Karl Brocklehurst;
- No. 20 on acknowledging the fulfilment of duties by a member of the Supervisory Board Ms. Renata Kowalska - Andres
- No. 21 concerning granting a vote of acceptance to Mr. Łukasz Rędziniak, Member of the Supervisory Board;
- No. 22 concerning granting a vote of acceptance to Mr. Janusz Raś, Member of the Supervisory Board;
- No. 23 concerning granting a vote of acceptance to Mr. Leszek Cichocki, Member of the Supervisory Board;
- No. 25 concerning appointment to the Supervisory Board for the term commencing on 14 June 2018 Mr Leszek Cichocki
- No. 26 concerning appointment to the Supervisory Board for the term commencing on June 14, 2018 Mr Dominikus Golsong;
- No. 28 concerning appointment to the Supervisory Board for the term commencing on June 14, 2018 Ms Renata Kowalska - Andres;

The above mentioned court decision, after it becomes final and binding, will also result in finalising the judgment of the Regional Court in Rzeszów, 6th Commercial Division, about which the Company informed in the current report no. 38/2018, to the extent to which the action for establishing nonexistence was dismissed, or in the event of invalidation, or in the event of reversal of the above-mentioned resolutions of the Annual Shareholders Meeting of the Company of 14 June 2018. The court's decision may be appealed by the Company or by Funds managed by Rockbridge. The Company does not intend to exercise its right to appeal against the decision.

For the rest, the funds managed by Rockbridge did not withdraw the appeal and uphold the forms of order sought.

Accordingly, the appeal of funds managed by Rockbridge against the judgment of the court of first instance dismissing in its entirety the action brought by funds managed by Rockbridge concerns only the resolutions of the Annual General Meeting of the Company dated 14 June 2018 listed below:

- No. 9 concerning the distribution of profit for 2017;

- No. 12 concerning granting a vote of acceptance to Mr. Leszek Szafran, Member of the Management Board
- No. 16 concerning granting a vote of acceptance to Mr. Jacek Pryczek, Member of the Supervisory Board;
- No. 19 on acknowledging the fulfilment of duties by a member of the Supervisory Board Mr. Maciej Mataczyński
- No. 29 concerning appointment to the Supervisory Board for the term commencing on 14 June 2018 Mr Maciej Mataczyński;
- No. 30 concerning appointment to the Supervisory Board for the term commencing on 14 June 2018 Mr. Jacek Pryczek;
- No. 30 concerning appointment to the Supervisory Board for the term commencing on 14 June 2018 Mr. Łukasz Rędziniak.

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Detailed legal basis: § 19 section 1 item 10 of the Regulation of the Minister of Finance of 29 March 2018 regarding current and periodic information to be submitted by issuers of securities and conditions for recognizing as equivalent information required by the laws of a non-member state