

## **Current report No. 22/2018**

**Subject:** Appellate Court judgment concerning the Company's lawsuit against the State Treasury

**Legal basis:** Art. 17 of the Market Abuse Regulation (MAR) – inside information

In relation to information disclosed in Current Reports no. 13/2014 of 1 August 2014 and 16/2014 of 9 October 2014 the Management Board of CD PROJEKT S.A., headquartered in Warsaw (hereinafter referred to as "the Company") hereby announces that on 21 December 2019 the Appellate Court in Kraków, acting as the court of second instance, delivered a judgment in the case filed by Optimus S.A. (currently operating under the name CD PROJEKT S.A.) against the State Treasury for payment of damages in association with erroneous decisions issued by fiscal authorities. The Appellate Court's judgment altered the judgment of the court of first instance by dismissing the Company lawsuit in its entirety.

As expressed in the justification, delivered orally, the Appellate Court has determined that the State Treasury is not liable for losses incurred by Optimus S.A. since that company was neither the addressee of the contested decisions nor its fiscal successor. In the Appellate Court's opinion the fact that Optimus S.A. participated in acquisition of the company to which these decisions were addressed, following its division, and bore the economic consequences of unlawful decisions related to the disaggregated business activity which it had acquired, has no bearing upon the State Treasury's liability for damages.

The Board will make decisions regarding the future course of action in the presented case, including potentially filing a cassation appeal, once it has familiarized itself with the written justification of the reported judgment.

The above information was conveyed by representatives of the plaintiff who attended the announcement of the judgment and must not be construed as a formal expression of the Appellate Court's opinion as delivered by its judge-rapporteur. Only selected aspects of the oral justification are disclosed in this report.

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