

## CURRENT REPORT

### **KOFOLA-HOOP S.A.**

November 25th 2008

Current Report No. 45/2008

### **Subject: Non-Compliance with a Corporate Governance Rule**

Legal basis: Par. 29.3 of the Warsaw Stock Exchange Rules

Pursuant to Par. 29.3 of the Warsaw Stock Exchange Rules, the Management Board of KOFOLA-HOOP S.A. of Warsaw (“the Company”) reports that the Company has not complied with Par. 1.3 of Section III of the Best Practices of WSE-Listed Companies, namely that the Company’s Supervisory Board did not issue an opinion on the subject matters of resolutions to be adopted at the Extraordinary General Shareholders Meeting convened for November 26th 2008. The Company’s Management Board requested such an opinion from the Supervisory Board, but as the number of Supervisory Board members fell below the minimum provided for in the Company’s Articles of Association (due to the resignation of Mr Marek Jutkiewicz and Mr Jacek Zbikowski from the Supervisory Board), the Supervisory Board could not adopt a valid resolution. The Management Board also reports that the non-compliance was incidental and that the agenda for the Extraordinary General Shareholders Meeting convened for November 26th 2008 included the adoption of resolutions on changes to the composition of the Supervisory Board.