

Warsaw, the 26th may 2011

The Executive Board of
Apator SA
ul. Żółkiewskiego 21/29
87-100 Toruń

Making use of the right of the shareholder specified by art. 401 para 1 dated the 15th September 2000 the Polish Commercial Companies Code, Aviva Pension Open Fund Aviva BZ WBK, registered in pension fund register kept by Regional Court in Warsaw, VII Civil and Registration Department under number ref 1 – the shareholder of Apator SA (“Company”) representing at least one twentieth of share capital of the Company represented by Aviva General Pension Society BZ WBK SA (“Society”) with headquarters in Warsaw, Prosta 70, registered in National Court register at District Court for the City of Warsaw, Economic Court XII Economic Department of the national Court register under number KRS 0000005940, ask for to enter in the agenda of Ordinary General Shareholders meeting of Apator SA to be held on the 20th June 2011 in the premises of the Company in Toruń, the issues concerning the establishment of a number of the members of Supervisory Board and nomination of the member of Supervisory Board. Please find enclosed the draft of the resolutions of General Shareholders meeting concerning suggested points in the agenda of the meeting and suitable deposit certificate.

Justification:

The Society considers that the attendance in supervisory boards the persons complying the criteria of independence has positive influence on the image of the company, its activity and market value. Therefore the Society is going to suggest at coming the Ordinary General Shareholders Meeting the competent person that meets the criteria of independence, who is not recorded in the National Criminal Register, there is lack of conflict of interests and other predicted by appropriate regulations in the Polish law.

Due to that the number of the members of Supervisory Board is currently established for 5 persons and according to the Statute of Supervisory Board should consist of 5-7 persons, in order to submit suitable candidate to independent member of Supervisory Board the make-up of Supervisory Board should be increased to 6 members. Further to the above and having in mind obligatory legal regulations, therefore it is necessary to adopt the resolution of Ordinary General Shareholders Meeting increasing the number of the members of Supervisory Board.

Paweł Klimowski
Member of Executive Board
Portfolio of shares Manager
of Aviva General Pension Society
of Aviva BZ WBK SA

Marcin Żółtek
Member of Executive Board
Investment Director
of Aviva General Pension Society
of Aviva BZ WBK SA