Attention: Mr. Pál Réti, Editor in Chief

HVG Kiadó Zrt.

Heti Világ Gazdaság (HVG)

**Editorial Staff** 

H–1037 Budapest Montevideo utca 14.

Fax: +36 1 436 2089

Subject: request for a correction notice in connection with the article entitled "Próbafúrás" ["Pilot

Boring"] and published in HVG's issue dated as of 29 February 2008.

Dear Editorial Staff, Editor in Chief,

The Undersigned, **PannErgy Public Company Limited by Shares** (seat: H–1097 Budapest, Könyves Kálmán körút 5/b.; company registration number: 01-10-041618; represented by: Balázs Bokorovics, Chairman of the Board of Directors; "Pannergy Plc."), as well as **Balázs Bokorovics**, **István Töröcskei**, **Dr. Márk Győrvári** and **György Apáti** hereby

## request the publication of a correction notice

in connection with the article entitled "Próbafúrás" ["Pilot Boring"] and published in HVG's printed issue dated as of 29 February 2008 with reference to Article 79 of the Civil Coe ("Ptk."), in relation to the grievances we have suffered, on the basis of the following considerations.

PannErgy Plc. hereby confirms that it was the General Meeting held on 23 November 2007 that decided on the change in the name of the Company, and the same was registered in the company register on 23 January 2008 by way of the related decision of the company registry court. It should be reasonably expectable from an economic news magazine and its journalist, and is rather against the required accuracy that in contrast with the new company name (PannErgy Plc.) also mentioned in the article she uses the former company name and its abbreviation "PP").

As the issuer of publicly listed shares, PannErgy Plc. also enounces that it lays priority emphasis on the proper observance of obligations pertaining to the information of the public as set forth in the relevant legal regulations or stock-exchange rules. Some of the statements having been made in the article and thus requested to be corrected is connected to information that raises the false impression in the readers of the article that PannErgy Plc. as an issuer of shares in fact has not complied with its obligations to publish information belonging to the statutory scope of extraordinary disclosures.

The following statements of the above-referenced article are indeed untrue, or give grounds to false impressions in connection with certain facts:

1

The last sentence of the second paragraph of Page 94 states that the Company "foresees the multiplication of their stock-exchange rates" [quote from the article in italics]. PannErgy Plc. emphatically points out that it has not formulated or published any forecast in connection with the stock-exchange rates of the shares issued by the Company, and in the future it also wishes to act in compliance with the relevant legal regulations in this respect.

Furthermore, PannErgy Plc. and Balázs Bokorovics note that Balázs Bokorovics requested the cancellation of the above-cited sentence prior to the publication of the article from the journalist. In spite of this fact – though with minor modifications –, it has been included in the article.

2

The statement in the first paragraph of Page 95. i.e. "we have succeeded in opening a EUR 300 million credit line with the European Bank for Reconstruction and Development…" is also untrue. Instead, the realistic fact – as it has been also published by PannErgy Plc. in the framework of its extraordinary information obligations required in the capital markets – is that the Company is conducting negotiations with the European Bank for Reconstruction and Development in connection with the opening of a cc. EUR 300 million credit line. PannErgy Plc. hereby requests the above-mentioned untrue statement to be corrected.

Furthermore, PannErgy Plc. and Balázs Bokorovics note that they requested the correction of the above-cited sentence prior to the publication of the article from the journalist. In spite of this fact, it has been included in the article in this untrue statement.

3

The statement included in the second paragraph of Page 95, i.e. "the former banker, István Töröcskei [...], who with his business partners – for example, Balázs Bokorovics, Chief Executive Officer – has controlling influence on the management of PP" is untrue. In contrast with the published statement, Balázs Bokorovics is not the Chief Executive Officer of PannErgy Plc., but acts as the Chairman of the Board of Directors. Moreover, the reference to controlling influence has no factual grounds, as the stake of Balázs Bokorovics in PannErgy Plc. is in fact 3.2%, whereas István Töröcskei holds a 3.7% stake, which under the relevant legal regulations – Act on Business Associations (Gt.) and Act on Capital Markets (Tpt.) – clearly makes up just a minority shareholding, and in addition there are no circumstances that would involve any alleged joint exercise of control by the said persons. Furthermore, they are members of the 5-member Board of Directors of PannErgy Plc., and therefore they may not be deemed to have controlling influence in this respect, either. PannErgy Plc., Balázs Bokorovics and István Töröcskei hereby request the above-mentioned untrue statement to be corrected.

Furthermore, PannErgy Plc. and Balázs Bokorovics note that Balázs Bokorovics requested the correction of the above-cited statement prior to the publication of the article from the journalist. In spite of this fact, the untrue statement has been published, which is rather indicative of bad faith on the journalist's part.

In the last paragraph of Page 96 in the article, the following statements associated with the cooperation between PannErgy Plc. and the Municipality of Szentlőrinc are untrue:

"Although the settlement has collected a number of data from former pilot borings, PP's deadline has expired without the Company's taking any action. << Therefore, we have had to re-negotiate the agreement with them.>>1 – explained the mayor."

Among other things, within the above-mentioned four-month deadline PannErgy Plc. was involved in the supervision of the data being available to the municipality concerned and handed over to PannErgy Plc. with the involvement of appropriate experts, and the parties were waiting for the outcomes of the said supervision. In addition, the clause in quotation marks in the article – thus giving the impression of a word-by-word quotation – was never said in the course of the inquiries prior to the writing of the article, and it is therefore untrue; consequently, with the preceding sentence in the article it leads to false implications. In fact, PannErgy Plc. was involved in the above activities, and the expiry of the deadline did not resulted in the break-up of contacts between the parties; negotiations on the strengthening of the contractual cooperation and further cooperative efforts are under way. PannErgy Plc. and dr. Márk Győrvári, Mayor of Szentlőrinc hereby request the above-mentioned untrue statement to be corrected.

In the last paragraph of Page 96 in the article, the following statement pertaining to the relations of PannErgy Plc. and the Municipality of Csenger is also untrue:

"György Apáti, the Mayor of Csenger is more clear-cut: << If PP fails to keep the deadlines, we will opt for Brunnen Kft. >>2

The sentence in quotation marks in the article – thus giving the impression of a word-by-word quotation – has never been said by the person named, as he has never been contacted in this context, and thus this part of the article is also untrue. Therefore, György Apáti hereby requests the correction of the challenged statement.

In the light of the foregoing, pursuant to Section (1) of Article 79 of Act IV of 1959 on the Civil Code ("Ptk."), we hereby

require You

<sup>2</sup> Quote in quote.

<sup>&</sup>lt;sup>1</sup> Quote in quote.

to publish the following correction notice in Your following issue, in the place and fashion being identical to those of the challenged article.

## "Correction notice

In our article entitled "Pilot Boring" published in our issue of 29 February 2008, we have given rise to the untrue impression that PannErgy Plc. formulated and published forecasts in connection with the rates of the shares issued by the said Company.

We have also made the untrue statement that PannErgy Plc. succeeded in opening a EUR 300 million credit line with the European Bank for Reconstruction and Development. Instead, the realistic fact is that the Company is conducting negotiations with the European Bank for Reconstruction and Development in connection with the opening of a cc. EUR 300 million credit line.

Our statement that Balázs Bokorovics is the Chief Executive Officer of PannErgy Plc. is not true, as the said person acts as the Chairman of the Board of Directors. Moreover, it is also untrue that István Töröcskei with his business partners – for example, Balázs Bokorovics – has controlling influence on the management of PannErgy Plc.

We have given rise to the untrue impression that the contractual relationship between the Municipality of Szentlőrinc and PannErgy Plc. is to be re-negotiated due to some failure by PannErgy Plc.

The statement attributed to György Apáti, Mayor of Csenger has been included in the article without any factual ground, untruthfully.

In connection with this statement, we have given rise to the untrue impression that PannErgy Plc. acts in conflict with the contracts concerned, and that it fails to comply with its statutory obligations of information service and disclosure.

## We hereby apologize for the above-described facts to all."

In case the challenged article is also accessible via the Internet, in the online publication of the magazine, we are also requiring You to publish the above correction notice in a place and fashion being identical to those of the online publication, and immediately terminate the accessibility of the article with respect to the fact that it is seriously injurious to PannErgy Plc's right to reputation.

Should You fail to fulfill the above request for correction at all or in any incompliant manner, we will enforce our claim in court proceedings, in the framework of the litigation for press correction. In any such proceedings, under the current judicial practices You are required to evidence the truthfulness of the challenged statements You have made.

The above-cited statements compel the readers to formulate such value judgment that are entirely discrepant from the overall approach implied by the true facts, and thus it is highly injurious in particular to PannErgy Plc. Consequently, apart from the foregoing PannErgy Plc. hereby makes the following statement.

With the open assertion of untrue facts and the concealment of certain facts, the article potentially gives ground to erroneous conclusions, and therefore in addition to the foregoing it is suitable for the deterioration of PannErgy Plc's reputation. Furthermore, the article fails to present facts that would be required and material for giving an overall insight into the topic concerned. The violation of this personality right of PannErgy Plc. – being a company listed at the stock exchange – is obviously injurious to the material business interests of the Company.

It is of outstanding significance that the article implies that PannErgy Plc. has failed to comply with its information service and disclosure obligations as an issuer of public shares. For this reason, under Act CXX of 2001 on Capital Markets the Hungarian Financial Supervisory Authority may initiate a supervision, apply various measures and sanctions. With the correction of the untrue statements, even without the actual application of the above-mentioned measures/sanctions the Company would incur considerable burdens, damage, as well as legal and other costs that PannErgy Plc. – if such costs are incurred in fact – would pass over to the party making the untrue statements.

It is to be also noted that with the untrue statements of the last paragraph the article gives rise to the false impression, implies and sheds the ungrounded suspicion to PannErgy Plc. that PannErgy Plc. has acted in violation of its contracts having already been concluded in the given field of operations, which is in contrast with the facts. It is obvious that by deteriorating PannErgy Plc's reputation the article potentially influences the Company's existing and future business relations with the municipalities in a seriously unfavourable manner. Should such events occur – for instance, the termination, rejection of the contractual relations –, PannErgy Plc. will pass the associated damage over to You.

PannErgy Plc. is thus ready to employ all the available means of legal remedies, and pass over all the detrimental consequences of the violation of its personality and other rights to the violator(s) in the form of damages. PannErgy Plc. hereby calls the attention to the fact that above violation of personality rights damages may be enforced against the publisher, the editor in chief, the responsible columnist and the journalist concerned, alongside with other civil law claims described in Article 84 of the Civil Code that the Company is willing to employ if proper legal grounds are in place.

Budapest, 03 March 2008

Signature PannErgy Plc.

Signature István Töröcskei

*Signature* György Apáti Signature Balázs Bokorovics

Signature Dr. Márk Győrvári