

Resolution

In insolvency matters of the debtor **OKD, a. s., identification No. 26863154, Stonavská 2179, 735 06 Karviná - Doly**, represented by **Petr Kuhn, advokát** (attorney), with his office at BADOKH - Kuhn Dostál advokátní kancelář, s. r. o., 28. října 12, 110 00 Prague 1 (the "Debtor"), the Regional Court in Ostrava, acting through single judge Mgr. Petr Kuba, has decided to appoint an interim creditors' committee,

as follows:

In the insolvency proceedings over the debtor's estate, the Insolvency Court hereby appoints an **interim creditors' committee** of three members, composed of:

- **Advanced World Transport, a.s.**, identification number 47675977, Hornopolní 3314/38, 702 62 Ostrava - Moravská Ostrava;

- **Czech Republic - Czech Social Security Administration**, identification number 00006963, Křížová 1292/25, 150 00 Prague - Smíchov;

- **Revírní bratrská pokladna, zdravotní pojišťovna** [i.e., the Miners' Health Insurance Company], identification number 47673036, Michálkovická 967/108, 710 00 Ostrava - Slezská Ostrava.

Reasons:

Insolvency proceedings were initiated upon the Debtor's insolvency petition, which reached the Court on 3 May 2016. In its resolution KSOS 25 INS 10525/2016-A19 of 9 May 2016, the Court decided on the insolvency of the Debtor.

With a view to the scope of the insolvency proceedings and the number of registered creditors, the Insolvency Court has decided to install an interim creditors' committee (the "ICC").

The criterion for determining how many members an ICC should have is the number of registered creditors. As of the date of issuance of this resolution, 129 creditors have registered their receivables, out of an expected number of approx. 650 creditors as per the Debtor's estimate. For this reason, the Court has decided on a three-member ICC. The Court has also taken into account the amount of the registered receivables, and has seen to it that the various categories of creditors, as defined by the nature of their registered receivables, are all represented in the committee. The Court has therefore decided that a creditor with one of the largest receivables registered thus far, who moreover showed itself interest in being on the committee, ought to be one of the members of the ICC. The second member represents the state, in the form of the Czech Social Security Administration, and the last member will be the Miners' Health Insurance Company (Revírní bratrská pokladna); in both cases, we are looking at major creditors with registered receivables in a significant amount.

At this stage of the proceedings, the Court has given no thought to appointing also the creditor with the largest receivable registered thus far: Citibank N.A., with its seat in London, as this receivable has been registered on grounds of the Debtor's suretyship. The Court selected all members of the ICC from among unsecured creditors, seeing as no secured creditor has submitted any registration so far.

In deciding on the composition of the ICC, the Court has also taken into account the trustee's proposal and his arguments (see case file p. B51); the Court notes that in handing down this resolution, it also accommodates the Debtor's request contained in the motion for a temporary injunction (see case file p. B41).

Instruction on remedies:

This resolution cannot be appealed.

Ostrava, on 1 June 2016

For accuracy:
Petra Šimkovičová

Mgr. Petr Kula m.p.
single judge