

Current Report No. 41/2012

Subject: Conclusion by Mobyland of an understanding with Cyfrowy Polsat and acceptance of an order for the data transfer service.

Legal basis: Article 56 par. 5 of the Public Offering Act - update of confidential information

In reference to Current Report No. 4/2012 of 24 January 2012 concerning the receipt by Mobyland Sp. z o.o. ("Mobyland") of an order for the data transfer service ("Order 2"), the Management Board of NFI Midas S.A. (the "Fund") hereby announces that it received a notification from Mobyland that on 28 September 2012, Mobyland and Cyfrowy Polsat S.A. ("Cyfrowy Polsat") signed an understanding (the "Understanding") to the Agreement of 15 December 2010 concerning the principles of cooperation between Mobyland and Cyfrowy Polsat to the extent related to the provision by Mobyland of data transfer services to Cyfrowy Polsat (the "Agreement") and that, as a result of the Understanding, Cyfrowy Polsat placed and Mobyland accepted, Order 3 ("Order 3") to the Agreement.

As part of the Understanding renegotiating the terms on which Mobyland will, as of 1 September 2012, be providing data transfer services to Cyfrowy Polsat, the parties agreed that Cyfrowy Polsat would increase the volume of Data Transfer Services placed thus far by placing Order 3 for 31 million GB and a total net value of PLN 204,748,800.

The total value of Order 3, which amounts to 31 million GB, comprises:

- 7.6 million GB unused by Cyfrowy Polsat by 31 August 2012 under Order 1 to the Agreement ("Order 1"),
- 13 million GB unused by Cyfrowy Polsat by 31 August 2012 under Order 2,
- additional 10.4 million GB.

The price for the Data Transfer Services ordered under Order 3 will amount to PLN 0.00645 net for 1MB.

In view of the fact that (a) payments under Order 1 were made in full and (b) payments under Order 2 are being made under the Agreement, Order 3 will be settled as follows:

- the amount of PLN 139,098,816 net stemming from the payments made by Cyfrowy Polsat by 31 August 2012 on the unused portion of Order 1 and Order 2 will be applied towards payments on Order 3,
- the amount of PLN 34,344,960 net, which represents the portion of Order 2 that was not settled by 31 August, will be paid in four equal payments due in the period from September to December 2012, in accordance with the terms of Order 2,
- the amount of PLN 11,490,624 net will be paid in twelve equal monthly payments due in the period from January to December 2013,
- the amount of PLN 19,814,400 net, which represents a one-time final payment for Order 3, will be paid in the month following the month in which Cyfrowy Polsat uses the entire Order 3.

Order 3 will be effective for 36 full months, starting from the beginning of October 2012, subject to any provisions of the Agreement that allow for an extension of this period.

Furthermore, under the terms of the Understanding, the Parties agreed to conclude, by 30 November 2012, an annex to the Agreement containing new terms of their cooperation, in the event that an agreement is concluded between Polkomtel and Mobyland concerning access to data transfer services carried out in the Polkomtel network.

The Fund would like to note that pursuant to the Agreement, Mobyland provides access to the wireless data transfer service rendered in Band 1800 and Band 900 in the LTE or HSPA+ technology. The Agreement has been concluded for an indefinite term and its value is defined on the basis of separate orders issued by Cyfrowy Polsat with respect to the purchase of data transfer services.