

**List of case files pending with the courts on December 31<sup>st</sup>, 2015 in which  
CONPET S.A. has double capacity**

**1. Case file no. 2707/223/2010\*\* – Dragasani Court**

**Parties:** Conpet SA – defendant - counter - plaintiff

Sandulescu Ion – plaintiff - defendant

Sandulescu Ioana - plaintiff - defendant

**Object: Claims.** Sandulescu Ion formulates a writ of summons asking for the obligation of Conpet S.A. and Energopetrol S.A to, jointly and severally, pay the amount of **RON 15,000** representing the value of the lack of use of the land with a surface of 2499.43 sm, located in Dragoesti commune, point "Picatura", Valcea County by carrying out works with regard to crossing such land with the installations related to Cathodic Protection Station, without the consent of the owners. It also requested the obligation of the defendants to remove the entire installation from the land, and to bring the land to its initial condition or the authorisation to bring the land to its initial state on the expense of the defendants, as well as court charges.

Conpet SA formulated a counterclaim by means of which it requested the establishment of an easement right over the land of the plaintiffs on which is located a cathodic protection station and determining the amount of the annual rent.

Conpet SA also formulates a third party procedure against SC Compania Energopetrol SA Campina because in the event Conpet shall enter pleas unsuccessfully, it should be required to make compensations with the amounts which we will be required to pay to the plaintiffs for the lack of use of the land.

**Specifications:** By sentence no. 3032/12.10.2012 the Dragasani Court rejects the exception of the lack of capacity of being summoned as witness of Conpet SA, it admits the exception of the lack of capacity of being summoned of Energo Petrol SA, it rejects the exception of the lack of the capacity of being subpoenaed of plaintiffs Sandulescu Ion and Sandulescu Ioana, it rejects the exception of the lack of capacity of being summoned as witness of the Romanian State represented by ANRM, it admits the exception of the lack of capacity of being summoned as witness of the Romanian State represented by the Ministry of Finance, it rejects the counterclaim formulated by Conpet, it rejects the application for indicating the holder of the rights formulated by the defendant against the Romanian State, represented by the Ministry of Public Finance and by ANRM, it admits in part the lawsuit of the plaintiffs, it compels Conpet to pay to the plaintiffs the lack of use of the land with a surface of 142.56 sm for the **past three years (2009 – 2012) in a total amount of RON 6,843**, it takes note of the fact that the plaintiff withdraw the head II in the main request, it compels Conpet to pay to the plaintiffs court charges amounting to RON 2,215. The decision was appealed against by Conpet.

Conpet formulated a request for the change of venue which was subject to the case file no. 54/1/2013 pending with ICCJ. By the conclusion no. 1034/27.02.2013 ICCJ admits the request formulated by the defendant Conpet SA by means of which it requested the change of venue of the

case subject to the case file no. 2707/223/2010 with Vâlcea Court. It changes the venue of the case file from Vâlcea Court to Arad Court. It keeps the proceeding related documents carried out by the court prior to the change of venue.

By the decision no. 877/20.06.2013 Arad Court admits the appeal, it partially invalidates the sentence and, as a consequence, it sends the case file back to the retrial of the main legal action and of the counterclaim.

By the resolution no. 2371/11.11.2013 Dragasani Court sends the case file to Arad Court.

On December 17<sup>th</sup>, 2013 Arad Court finds a negative conflict of jurisdiction, notified to the High Court of Cassation and Justice (ICCJ). On February 25<sup>th</sup>, 2014 ICCJ established the jurisdiction for settling the case file in favour of Dragasani Court.

**Procedural status:** Pending - retrial

**Deadline:** 20.01.2016

## **2. Case file no. 132/229/2012 – Ialomita Court**

**Parties:** Conpet S.A. – defendant - counter - plaintiff

Zacon Trandafir – plaintiff - defendant

**Object: Compliance obligation.** Zacon Trandafir formulates a writ of summons requesting as follows:

- obligation of Conpet to issue an invoice on the name of the plaintiff for the amount of RON 800, representing the value of the real estate property located in Fetesti, Calarasi St., building 25A, 4<sup>th</sup> floor, ap. 9, Ialomita County, acquired on the basis of the sale and purchase agreement no. 1047/3 February 1999, entered into together with Conpet;

- obligation of Conpet to pay court charges

At the same time, Conpet S.A. formulated a counterclaim against the plaintiff Zacon Trandafir for obliging the later, on the basis of court decision:

1. To leave us, under quiet enjoyment and peaceful possession, the real estate property apartment no. 19, located in Fetesti, Calarasi St., building 25A, 4<sup>th</sup> floor, Ialomita County (former address Fetesti, Armatei St., building P 1, ap. 19, Fetesti – Train station, Ialomita County), which was taken from us, and

2. to pay the court charges consisting in judicial stamp charge and the judicial stamp.

**Specifications:** By sentence no. 1755/24.09.2014 Fetesti Court rejects the main legal action.

It rejects the counterclaim. The decision was appealed against by Zacon Trandafir.

By the decision no. 1200/10.12.2015 Ialomita Court rejects as ungrounded the appeal formulated by the appellants - plaintiffs – defendants. It rejects as ungrounded the appeal formulated by the appellant defendant – plaintiff Conpet S.A. It rejects the request of the appellants plaintiffs Zacon Ligia and Zacon Trandafir for obliging the respondent Conpet S.A. to pay court charges.

The decision may be appealed against subsequent to the pronouncement hereof.

**Procedural status:** --

**Deadline:** --

### **3. Case file no. 378/105/2007 – Prahova County**

**Parties:** Conpet S.A. – plaintiff - defendant

Petroconduct S.A. – defendant-counter - plaintiff

**Object:** Conpet S.A. requests an order against the defendant Petroconduct S.A. Ploiesti to:

- pay the amount of RON 80,548.49 representing penalties for failure to fulfil within the deadline the obligations undertaken pursuant to the agreement no. L 45/18.03.2004 and agreement no. M 59/9.06.2004

- hand over the tubular material consisting of 504 China steel pipes amounting to EUR 21,344.4 and 96 m China steel pipes amounting to EUR 4,366.08 or to pay to our company the value hereof, namely the amount of RON 89,291.50.

- pay the amount of RON 20,626 representing the expense for the tubular material transport, loading and unloading.

- pay the court charges amounting to RON 5,062.24 out of which RON 5,057.24 judicial stamp charge and RON 5.00 the judicial stamp as well as other court charges, which we will incur during this trial.

Petroconduct S.A. formulated a counterclaim by means of which it requested an order against Conpet SA to pay the amount of RON 46,214.01 representing the value of the works carried out by the former pursuant to the works agreements no. L 45/18.03.2004 and no. MST 09/09.06.2004, in favour of the beneficiary, Conpet SA.

**Specifications:** On February 22<sup>nd</sup>, 2010, on the basis of Art. 36 of Law no. 85/2006 the court decided to suspend the case file.

**Procedural status:** Pending

**Deadline:** Suspended

### **4. Case file no. 5519/315/2013 – Dambovitza Court**

**Parties:** Conpet SA – defendant-counter - plaintiff

Popescu Floarea – plaintiff-defendant

**Object: Compliance obligation.** Popescu Floarea formulated a writ of summons requesting the court that based on the decision given hereof, it should compel Conpet to decommission de pipeline crossing the land under his property, located near the county road DJ 712 Targoviste – Pucioasa, near Targoviste, in point Camp – Teis, and in the event of failing to do so, to pay damages.

The plaintiff quantified its claims to the amount of RON 114,376, representing:

- the amount of the corn/alfalfa crops which it would have obtained from cultivating the land, amounting to RON 26,376;

- the amount of the lack of use of the land in order to build a building, amounting to RON 88,000.

Conpet formulated a counterclaim requesting the court to decide upon obliging the plaintiff to allow Conpet to exercise its easement right legally created pursuant to the provisions of Art. 7 and following of Law no. 238/2004 in relation to the land under the property of the plaintiff and to determine the amount of the annual rent.

**Specifications:** By sentence no. 3506/15.10.2015 Targoviste Court rejects the exception of the Statute of Limitations. It admits in part the main request, as amended. It admits the counterclaim, as stipulated. The decision may be appealed against subsequent to the pronouncement hereof.

Conpet formulated an appeal.

**Procedural status:** Appeal

**Deadline:** --

#### **5. Case file no. 538/317/2014 – Targu Carbonești Court**

**Parties:** Conpet SA – defendant-counter - plaintiff

Baltoi Mariana – plaintiff-defendant

**Object:** Baltoi Mariana formulated a writ of summons requesting the court that based on the decision given hereof, it should compel Conpet to pay civil damages for the period 2011 - 2014 (January) amounting to RON 500,000,000 (former currency), and a monthly rent amounting to RON 10,000.

Conpet formulates a counterclaim requesting:

1. An order against the plaintiff Baltoi Mariana, domiciled in Berlesti commune, Piriu Viu village, Gorj County, with personal identification number (CNP) 2730805181158, to allow CONPET SA to exercise its easement right legally created pursuant to the provisions of Art. 7 and following of Law no. 238/2004 in relation to the land under her property. The easement right should be exercised for a corridor of land of 2.4 meters wide located along the oil transportation pipeline belonging to the national system for oil transportation and which is buried on the land of the plaintiff, in order to gain permanent access to the transportation pipeline to perform daily checks on the technical condition thereof and to carry out any possible repair. The length of the easement shall be the same as the life of the oil transportation pipeline. At the same time we would like to establish the amount of the annual rent provided by the law, payable by us to the plaintiff in exchange of exercising the easement right thus legally created.

2. An easement right shall be created in relation to the land of the plaintiff consisting in the right of use of the plot of land on which are located above ground the installations and equipment belonging to the national system for oil transportation. The length of the easement shall be the same as the life of such equipment and installations. At the same time, we would like to request to establish the amount for the use of the land for which the easement right was created.

**Procedural status:** Pending

**Deadline:** 12.01.2016

#### **6. Case file no. 8425/281/2015 – Ploiesti Court**

**Parties:** Conpet SA- defendant-counter - plaintiff

Panaitescu Mircea – plaintiff-defendant

**Object:** Claims for obliging Conpet to pay the amount of RON 5000 for the lack of use and the annual rent amounting to RON 12000. Conpet formulated a counterstatement and a counterclaim by means of which it requested the creation of the easement right and the establishment of an annual rent.

**Procedural status:** Pending

**Deadline:** February 26<sup>th</sup>, 2016

#### **7. Case file no. 5216/204/2008\*/a1 – Prahova County**

**Parties:** Dobrogeanu Dumitru and Dobrogeanu Paun Ioan –plaintiffs - defendants

Conpet S.A. – defendant - counter - plaintiff

**Object:** Dobrogeanu Dumitru and Dobrogeanu Paun Ioan requested and order against the defendant to:

- decommission the pipelines and the related installations, located on the land under our property and the mounting of such pipelines and installations on a corridor (alley) along and in immediate vicinity of the access roads (DN1), and in the event of a refusal, to pay damages.
- the value of the lack of use (rent) of the land occupied by the pipelines and the related installations for the transportation of oil products and of the protection areas along the pipelines crossing our land, starting with 2006 at the price in the area, equivalent to the annual rent.
- the value of the losses we, the plaintiffs, incurred due to the impossibility of achieving some economic objectives, according to the urban planning certificate no. 80/2006 and determined pursuant to PUG and PUZ, in relation to the land with a surface of circa 5,00 ha, backyards, constructions, located on DN 1 Bucharest – Brasov, with an opening of 400 m.l.
- payment of damages (lack of use) for the surface of land of circa 12500 sm, degraded upon fitting the pipelines and installations, by decreasing the soil fertility.
- payment of court charges

CONPET S.A. formulated a counterclaim by means of which it requested the creation of an easement right in relation to the land under the property of the plaintiff consisting in the right to use a surface of 2.4 ml, located along the pipelines crossing the land, having as symmetrical axis each pipeline apart.

**Specifications:** By sentence no. 2444/12.10.2011 the court admits restricted legal action formulated by the plaintiffs. It admits the counterclaim formulated by the defendant. It compels Conpet to pay to the plaintiffs the amount of RON 1,789,174 representing the value of the lack of use for the surface occupied by the pipelines and the related installations for the transportation of

oil products and of the protection areas along the pipelines for the period December 12<sup>th</sup>, 2005 – December 12<sup>th</sup>, 2008, the amount of RON 718,975 representing the value of the lack of use for the same plot of land in 2009, and the annual payment of the value of the lack of use amounting to RON 718,975, starting with 2010. It compels Conpet to pay to the plaintiffs the amount of RON 243,600 representing the amount of the losses incurred by the plaintiffs due to the impossibility of achieving some economic objectives, in relation to the land with a surface of 2.04 ha, located on DN1, km 79 + 500. It compels the plaintiffs to allow the defendant to exercise its legal easement right provided for by Art. 7 of Law no. 238/2004, in relation to the land with a surface of 45,104 sm, identified pursuant to the topographical expertise report prepared by Eng. Andreescu Florin. It compels Conpet to pay the plaintiff Dobrogeanu Dumitru the amount of RON 39,679 representing court charges. The sentence was appealed against by Conpet S.A.

By the decision no. 302/03.05.2012 Prahova County admits the appeal. It cancels the sentence appealed against and retains the case file for a pending trial.

By the resolution no. 433/25.06.2014, Prahova County, invoking the pending procedure following the cancellation of sentence no. 2444/12.10.20114 pronounced by Câmpina Court, by the civil decision no. 302 of 03.05.2012 pronounced by Prahova County, by means of which the appeal formulated by the appellant – defendant SC Conpet SA was admitted and retains the case file for a retrial: it admits the second head of the counterclaim formulated by the defendant and, consequently: it obliges the plaintiffs to allow the defendant SC Conpet SA the access to the land with a surface of 1927 sm, on a corridor of 2.4 ml located along the pipelines on the land having as vertical symmetrical axis each pipeline apart. It obliges the defendant to pay the plaintiffs an annual rent based on version I of the expertise report prepared by the agricultural engineer Voinea Adina, carried out during the appeal, amounting to RON 262. It obliges the plaintiffs to pay the defendant the amount of RON 18252 representing court charges, remaining subsequent to the offset of the topographical expert fees. This decision was appealed against by the plaintiffs.

By the decision no. 314/19.03.2015 CA Ploiesti rejects the case file as ungrounded. It compels the applicants to pay the respondent amount of RON 6,189 for court charges.

Dobrogeanu Dumitru formulated an application for revision of the civil decisions no. 302/03.05.2012 and 433/25.06.2014 pronounced by Prahova County.

By sentence no. 3318/10.12.2015 Prahova County rejected the application for revision as ungrounded. It obliges the applicants, jointly and severally, to pay RON 6,646 court charges to the respondent. The decision may be appealed against.

**Procedural status:** --

**Deadline:**

Approved,

CORPORATE MANAGEMENT DIVISION MANAGER

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CHIEF OF LEGAL SERVICE

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The undersigned, Alexandru Tănase, certified translator under no. 33106, hereby certify the accuracy of the translation into the English language of the document written in the Romanian language, which has been seen by me, registered under no. 2016/1052/4/3

Translator,  
Alexandru Tănase

