

**a) List of case files on the docket of the courts of law on 31.12.2018 in which the company CONPET S.A. has the capacity of respondent**

**1. Case File no. 8296/281/2007 – Ploiești Court**

**Parties:** Cornea Rodica Aurora – claimant

Conpet S.A., Petrotrans S.A., Regionala Transgaz București/Ministry of Finances – respondents

**Object:** Cornea Rodica Aurora requests the court to rule the joint obligation of the respondents to pay civil damages in the amount of 74,000 euros representing the prejudice and damage caused by the presence of certain pipes belonging to the respondents in the basement, the claimant's property and the payment of civil damages assessed provisionally at the amount of 10,000 lei for the period February 2004 - February 2006 as a result of the use of pipes that traversed the claimant's property.

**Clarifications:** The case is suspended acc. to art. 36 of Law no. 85/2006.

**Trial stage:** Merits

**2. Case File no. 8297/281/2007 – Ploiești Court**

**Parties:** Rusu Mihaela – claimant

Conpet S.A., Petrotrans S.A., Regionala Transgaz București, Ministry of Finances – respondents

**Object:** Rusu Mihaela requests the court to rule the joint obligation of the respondents to pay civil damages in the amount of 74,000 euros representing the damage caused by the presence of certain pipes belonging to the respondents in the basement of the claimant's property.

**Clarifications:** The case is suspended acc. to art. 36 of Law no. 85/2006.

**Trial stage:** Merits

**3. Case File no. 6544/105/2011\* - Prahova Tribunal**

**Parties:** Conpet S.A. - respondent

ICIM S.A. - respondent

E.T.H. Architectural Systeme S.R.L. through the Legal Liquidator Company Dăscălescu & Co – claimant

**Object: Claims.** E.T.H. Architectural Systeme S.R.L. initiated a legal suit requesting the court:

1. to rule the obligation of the respondent ICIM in principal, and to the extent that, as a general contractor, it has not received yet the full value of the contract from the beneficiary Conpet, to obligate Conpet to pay the sum of 325,378.20 lei representing the value of the works executed and not paid, as well as the payment of the penalties related to this amount until the actual payment according to the contractual provisions;

2. to rule the obligation of the respondent ICIM in principal, and to the extent that, as a general contractor, it has not received yet the full value of the contract from the beneficiary Conpet, to obligate Conpet to pay delay penalties of 0.05% per day of delay, applied to the amount of unpaid invoices;

3. to rule the obligation of the respondent ICIM in principal, and to the extent that, as a general contractor, it has not received yet the full value of the contract from the beneficiary Conpet, to obligate the beneficiary to pay the amount of **696,577.60 lei** according to the fiscal invoice no. 0002/27.06.2011 representing the value of the additional works executed, amount paid up to date with

the inflation rate as well as the obligation to pay the interest/penalties related to this amount from the due date until the actual payment to be calculated according to art. 371 ind. 2 para. 2 of the Civil Procedure Code;

4. to rule the obligation of the respondent ICIM to return the performance bond in the total amount of 232,017.18 lei retained under the contract;

5. to mainly rule the obligation of the respondent ICIM, and to the extent that as a general contractor it has not received yet the full amount of the contract from the beneficiary Conpet, to request the beneficiary to pay the amount of 124,828.9 lei as penalties to the performance bond, namely:

a) interests/penalties for the amount constituted as performance bond which had to be 50% reimbursed in the amount of 105,166.90 lei;

b) interests/penalties for the amount constituted as performance bond which had to be 30% reimbursed in the amount of 19,662 lei and court costs.

**Clarifications: By the Conclusion of 11.04.2017** ruled by the Prahova Tribunal, based on the provisions of art. 262 para. 4 of Law no.85/2014, suspended the judgment. The conclusion was attacked with recourse. This constitutes the object of the case file no. 6544/105/2011\*/a1 on the docket with the Ploiești Court of Appeal. By the decision no.1728 / 28.09.2017 the Ploiești Court of Appeal admitted the recourse. It modified in part the attacked conclusion and sent the case back for the continuation of the judgement of the action formulated in contradictory only with the respondent SC Conpet SA, and against ICIM SA the case remained suspended.

By **sentence no. 894/23.04.2018** Prahova Law Court admits the exception of the lack of active capacity to pursue the proceedings, invoked by the defendant Conpet S.A.. Rejects the action as being introduced by a person without quality. The Order Hotărârea appealed by E.T.H. Arhitectural System SRL.

By Order no.80/27.02.2019, the Court of Appeal Ploiesti rejects the appeal as ungrounded. Irrevocable.

#### **4. Case File no. 650/215/2013\* - Dolj Tribunal**

**Parties:** Conpet S.A. – respondent

Mihai Constantin – claimant

Mihai Norica – claimant

**Object: Obligation to do something.** Mihai Constantin and Mihai Norica initiated a law suit requesting the court that, by the decision it will pronounce, to rule as follows:

- based on art. 494 of the Civil Code, the respondent Conpet be forced to remove its oil pipeline;  
- the respondent Conpet be obligated to compensate them, based on art. 998 and 999 of the Civil Code, for the damages caused by the installation of this pipeline near their household. The claimants have provisionally quantified their claims to the amount of 2,000 lei.

**Clarifications: By the Court Order no. 8895/19.06.2014** the Craiova Court rejected the action. It takes act that the respondent, through its legal representative, has not asked for court costs. The court order was attacked with appeal by Mihai Constantin and Mihai Norica;

By the **Decision no. 195/03.02.2015** the Dolj Tribunal admitted the appeal. It cancelled the court order. It sent the case back to the same first court for retrial.

By the **Court Order no. 11014 / 18.10.2017** the Craiova Court admitted in part the clarified petition formulated by the claimants. The court ruled the obligation of the respondent to pay to the claimants the sum of 22,236 lei representing the value of the damages caused to the claimants by the pipeline no. 4 Craiova-Iancu Jianu located in the concession of respondents. The court ruled the obligation of the respondent to pay to the claimants the amount of 7,970.8 lei representing court costs. The court order was attacked with appeal by Conpet and the claimants.

By the **decision no.793 /05.12.2018** The Court of Appeal orders the retrial, and admits appeals. Quashes the civil decision and remands the case for retrial to the Dolj Tribunal acting as a court of appeal.

**Trial stage:** Appeal

**Court hearing:** 13.02.2019

#### **5. Case File no. 5248/111/2014\* – Hunedoara Tribunal**

**Parties:** Conpet SA – respondent

Poenar Ioan – claimant

**Object:** Obligation to do something.

**Clarifications:** By the Decision no. 27/08.01.2015 the Bihor Tribunal admitted the exception of functional non-competence of the Second Civil Section, invoked by the court *ex officio*. It transposed the action formulated by the claimant to the Third Section of Administrative and Fiscal Contentious (where it received\*).

By the Decision nr. 1238/16.04.2015 the Bihor Tribunal admitted the exception of its territorial non-competence. It declined the resolution competence over the claim in favour of the Hunedoara Tribunal.

By the Court Order no. 196 / 16.02.2017 the Hunedoara Tribunal rejected the action in administrative contentious matters formulated by the claimant Poenar Ioan in contradictory with the respondents Conpet SA and the General Regional Division of Public Finances Timisoara through the County Administration of Public Finances. The court order was attacked with recourse by Poenar Ioan.

**Trial stage:** Merits - retrial

**Court hearing:** 12.02.2019

#### **6. Case File no. 5119/260/2014 – Prahova Tribunal**

**Parties:** Conpet SA – respondent

Biodiesel SRL – claimant

**Object:** Biodiesel SRL instituted a legal suit requesting the court to rule the nullity of the lease contract no. ADM 89/27.04.2009 and to rule the obligation of Conpet to pay the court costs.

**Clarifications:** By the Decision nr. 1415/17.09.2015 the Onesti Court declined the resolution of the case in favour of the Ploiesti Court.

By the Civil Court Order no. 9266/16.11.2016 the Ploiești Court rejected the exception of the statute of limitation of the material right to action invoked by the respondent as unfounded. It rejected the petition for legal action as unfounded. It took note that no court costs were required. The court order was attacked with appeal by Biodiesel SRL.

**Trial stage:** Appeal

**Court hearing:** Sentence delivery postponed to 14.02.2019

#### **7. Case File no. 14960/280/2015 –Pitești Court**

**Parties:** Conpet – respondent

Cîrstea Stelian - claimant

Cîrstea Gherghina – claimant

**Object:** Obligation to do something + Claims. The claimants instituted a legal suit requesting the Court to rule the obligation of Conpet SA to do the following:

1. Payment of non-utilization from the date of acquisition of land - 06.10.2014, non-use that is provisionally valued at the amount of 1000 lei.

2. The lifting of the pipelines and installations on the land owned by the applicants and, in so far as it is not possible to require Conpet to pay a monthly amount equivalent to the amount of rent for the land affected by the pipelines and installations on it - at the level of rents practiced on the free market.

3. Payment of legal costs.

The claimants increased their claims to the amount of 525,690 lei representing the non-use from 06.10.2014 until 31.12.2016.

**Trial stage:** Merits

**Court hearing:** 12.02.2019

#### **8. Case File no. 21382/281/2015 - Ploiești Court**

**Parties:** Conpet - respondent

Iordache Margareta - claimant

**Object:** Iordache Margareta initiated a legal suit requesting the court to rule the obligation of the respondent Conpet to pay the value of the non-use of the claimant's property, land located in Blejoi commune, Ploiestiori village, lot 24, plot 187/15, for the last three years prior to the introduction of the action.

**Clarifications:** By the **Conclusion of 02.05.2017** the Ploiești Court suspended the judgement of the case under Art. 242 (1) of the Civil Procedure Code. The conclusion may be appealed during the period when the the suspension of the trial proceeding takes place. The case was reinstated on 28.11.2017.

**Trial stage:** Merits

**Court hearing:** 13.03.2019

#### **9. Case File no. 3451/108/2016\* – High Court of Cassation and Justice**

**Parties:** Conpet SA – respondent

Pecica City UAT- claimant

**Object:** Pecica City UAT has filed a sue petition by which it has requested:

Mainly:

-to rule the obligation of the respondent Conpet S.A. to divert the crude oil pipeline traversing a number of 22 urban plots of land intended for the construction of dwellings owned by us, with a total surface of 20.287 sqm.

- to rule the obligation of the respondent Conpet S.A. to pay the amount of 65,000 euros representing the value of the house located in plot no. A141.7760/5/174, registered with the Land Register under no. 306869 because it can no longer be capitalized and traded by the undersigned.

Subsidiarily:

- to rule the obligation of the respondent Conpet S.A. to pay an annual rent, during the existence of the pipeline, as a result of the encumbrance of the areas shown above with the legal servitude right exercised by Conpet SA;

- to rule the obligation of the respondent Conpet S.A. to pay compensations for the period 31.10.2014 - 31.05.2016 as a result of the limitation of the ownership rights of the 22 urban plots and the decrease of the circulation value of the plots of land on the real estate market due to the restrictions imposed by the Order 196/2006 of ANRM with regard to construction;

- to rule the obligation of the respondent Conpet S.A. as to adjust every 3 years the amount of compensations to the circulation value at that time of similar plots of land and to the provisions of the future orders of ANRM;

- to rule the establishment of the due date at which the compensations will be paid annually, and to rule that the failure to pay on the date set by the court shall trigger the payment of the legal interest afferent to the sum received as compensation for the period of delay;
- to rule the award of the court costs incurred in case of opposition.

**Clarifications:** By the Conclusion of 07.12.2016, the Arad Tribunal found and ruled the functional non-competence of the First Civil Section of the Arad Tribunal and declined in favour of the Second Civil Section of the Arad Court the judgement of the action introduced by the claimant Pecica Administrative Territorial Unit.

By the Conclusion no. 40/26.01.2017 the Arad Tribunal rejected the request of identifying the holder of the right formulated by the respondent Conpet SA in contradictory with the claimant Pecica Administrative Territorial Unit and the Romanian State through the MFP and the National Agency for Mineral Resources. The conclusion was attacked with appeal by Conpet (Case File no. 3451/108/2016 \* / a1 - Timisoara Court of Appeal, court hearing: 14.03.2017). By the Decision no. 211/20.03.2017 the Timișoara Court of Appeal rejected the appeal.

By the **Court Order no. 336/18.05.2017** the Arad Court rejected the civil action introduced by the claimant Pecica Administrative Territorial Unit in contradictory with the respondent SC Conpet SA having as object the obligation to do something and claims. Without court costs. The decision was attacked with appeal by Pecica Administrative Territorial Unit.

By the **Decision no. 761/23.11.2017** the Timișoara Court of Appeal admits the appeal. It cancels the appealed decision and sends the case for retrial with the Arad Tribunal. Conpet has submitted an appeal.

By the Report dated 07.06.2018 the High Court of Cassation and Justice declared Conpet's appeal as inadmissible, being promoted against a final judgment, which does not fit into the hypothesis regulated by Art. 483 par. 1 Code of Civil Procedure. The parties may submit a written opinion on the report within 10 days of its communication. By the conclusion of 10.10.2018 the ICCJ basically admits the appeal declared by the claimant-defendant Conpet S.A. against civil decision no. 761/A of November 23, 2017 issued by the Timișoara Court of Appeal – Second Civil Section. It sets a deadline for the settlement of the appeal on January 30, 2019, summoning the parties.

**Trial stage:** Appeal

**Court hearing:** 23.03.2019

## **10. Case File no. 1978/223/2016 –Drăgășani Court**

**Parties:** Conpet SA - respondent

Florea C. Nicolae – claimant

**Object:** Florea C. Nicolae instituted a legal suit requesting the court:

- to rule the obligation of Conpet to return to the previous situation the plot land in surface of 759 sqm situated in the outside of build up areas of Drăgoești commune, Vâlcea county, lot 65 plot 1/3 located at the point “Picătura”, land affected by the oil products transported by the respondent; otherwise, it required the claimant to be authorized to perform these works at the expense of respondent Conpet. The value of these works was estimated at 1,000 lei;

- to rule the obligation of Conpet to pay the value of lack of use of the land for the past three years as well as for the period of time needed to restore the fertile layer and the land use category. It estimated the non-use to a value of 5,000 lei.

**Clarifications:** --

**Trial stage:** Merits

**Court hearing:** 21.02.2019

### **11. Case File no. 3581/281/2017 – Ploiești Court**

**Parties:** Conpet SA – respondent

Direcția Regională Drumuri și Poduri Iași – claimant

**Object:** Direcția Regională Drumuri și Poduri Iași has filed a petition requesting the court to rule the obligation of the respondent CONPET SA to pay the amount of 487.22 lei representing the value of the Placement Authorisation no. 310/04.07. 2014 plus the court costs. The reasons for the legal suit are based on the fact that our company requested the issuance of the authorisation for the placement and execution of the works “Replacement of the Lucăcești - Vermești - Dărmănești refinery crude oil pipeline, in the valve crossing area railroad CF - Vasiești railroad halting point, along a length of 1.1 km, locality Moinești, Bacău county” - sub-crossing of national road DN 2G with natural gas pipe in the area DN 2G Km 51 + 261, locality Moinești, Bacău County, and then refusing to pay the Invoice no. 3630/13.11/2014 since the project was abandoned.

**Clarifications:** By the **decision no. 3632 / 27.04.2018** The Ploiesti Court rejects the exception of the lack of capacity of C.N.A.I.R. S.A. through Direcția Regională Drumuri și Poduri Iași, invoked by the respondent Conpet SA. Admits the sue petition having the object “claims” brought by the claimant C.N.A.I.R. S.A. through Direcția Regională Drumuri și Poduri Iași in contradiction with the respondent Conpet SA. The respondent is obliged to pay to the claimant the amount of 487.22 lei representing the amount of the authorization no. 310/04.07.2014. The respondent is ordered to pay to the applicant costs of \$38.97 representing stamp duty. The judgment was appealed by Conpet. By **decision no. 3188/19.12.2018** The Prahova Tribunal rejects the appeal as unfounded. It rejects the exception to the applicant’s lack of active capacity to stand trial invoked by the claimant as unfounded. The judgment may be appealed following the communication.

**Trial stage:** --

**Court hearing:** --

### **12. Case File no. 220/262/2017 – Moreni Court**

**Parties:** Conpet SA – respondent

Chivu Ion – claimant

**Object:** Chivu Ion filed a petition requesting the court:

- to rule the obligation of Conpet SA to divert the crude oil pipeline passing through his property in surface of 1,753 square meters located in Ocnița commune T14, P114;
- to rule the establishment of the access location with the obligation of Conpet SA to pay an annual rent related to both the access road and the pipeline that damages the land;
- to rule damages for the land affected by the pipeline.

The claimant has provisionally assessed his claims at 45,540 le /year x 3 years (136,620 lei).

**Trial stage:** Merits

**Court hearing:** 05.03.2019

### **13. Case File no. 1268/302/2018 (8047/302/2017) - Bucharest Tribunal**

**Parties:** Conpet SA – intimated party

Dobrogeanu Păun Ioan – contestant

**Object:** Dobrogeanu Păun Ioan formulated a contestation against the forced execution acts issued in the forced execution files no. 10/2013 of BEJ Răduță Nicoleta at the request of Conpet by which it was demanded the setting up of the forced pursuit through withholding on its incomes received from the withheld third party SC GEGEREUL AGROTRANS SRL and requested the admission of the contestation and the annulment of the conclusion regarding the establishment of the forced execution expenses issued on 01.03.2017 for the amount of 1,381.11 lei.

**Clarifications:** By the **Court Order no. 4933/30.06.2017** the 5th District Court Bucharest admitted the exception of the territorial non-competence of the 5<sup>th</sup> District Court of Bucharest, invoked by the court *ex officio*. It declined the case having as object the contestation to forced execution to the 6th District Court Bucharest.

It admitted the exception to the territorial non-competence of the 6<sup>th</sup> District Court of Bucharest, invoked *ex officio*. By the **Decision nr. 8520 / 24.10.2017** the 6<sup>th</sup> District Court of Bucharest declined the competence to resolve the petition formulated by the contestant Dobrogeanu Păun Ioan in contradictory with Conpet SA, in favour of the 5th District Court of Bucharest. It found a negative conflict of competence and suspended the case *ex officio*. It submitted the case file for the resolution of conflict to the Bucharest Tribunal - Case File no. 41964/3/2017 By the **Court Order no. 1728/28.11.2017** the Bucharest Tribunal established the competence to resolve the contestation to the forced execution in favour of the 5th District Court of Bucharest. It sent the case to this court immediately for competent resolution.

Final. At the 5<sup>th</sup> District Court of Bucharest, the file is given the number 1268/302/2018. By sentence no. 1837/02.03.2018 The 5<sup>th</sup> District Court of Bucharest rejects the contestation against the conclusion regarding the supplementation of the execution costs issued on 01.03.2017 in the execution file 10/2013 of BEJ Răduță Nicoleta as unfounded. It obliges the contestant to pay to the intimate party the amount of 200 lei representing court and attorney fee. The decision was appealed by Dobrogeanu Păun Ioan.

**Trial stage:** Appeal

**Court hearing:** --

#### **14. Case File no. 7127/105/2017 – Prahova Court of Appeal**

**Parties:** Conpet – respondent

VICTORIA SA MICHELIN ROMÂNIA FLOREȘTI SA (former VICTORIA FLOREȘTI)

UPETROM 1 MAI SA PLOIEȘTI

PETROM BUCUREȘTI – SCHELA DE PETROL BOLDEȘTI

Grigorescu Gheorghe – claimant

**Object: Declaratory action.** Grigorescu Gheorghe initiated a law suit requesting the court to rule in its decision that he was employed in the respondent companies in actual positions and actually worked 100% of the working hours in the first and second labour groups, as the case may be, according to the annex to the application and as a consequence to rule the obligation of the respondents to issue the certificate in this respect, stating the period worked according to the requests.

**Clarifications:** By the **Decision no. 2168/02.07.2018** The Prahova Tribunal rejects the claim as unfounded against the respondents SC UPETROM 1 MAI SA, SC CONPET SA, SC A&M ARHIVE CENTER SRL and as a non-object to SC MICHELIN ROMANIA SA. The decision was appealed by Grigorescu Gheorghe.

**Trial stage:** Appeal

**Court hearing:** 28.02.2019

#### **15. Case File no. 5413/204/2017 – Ploiești Court of Appeal**

**Parties:** Conpet SA – respondent

ANRM – respondent

Dobrogeanu Dumitru – claimant

Dobrogeanu Păun Ioan – claimant

**Object:** Claims. Dobrogeanu Dumitru and Dobrogeanu Păun Ioan have submitted a sue petition requesting the court to rule the obligation of the respondents:

1. To pay an annual rent for the land plots occupied by the two oil products pipelines (crude oil) starting with 01.07.2014 and in the future for the entire duration of the pipelines;
2. To pay the compensation for the losses incurred by not reaching certain economic objectives on the remaining area between the two pipes after their restriction and the area along the national road DN1 (E60);
3. The payment of court costs.

The first head of claim was estimated by the claimants in the amount of 48,000 Euro/year (220,000 lei), and the second in the amount of 25,000 lei/year.

**Clarifications:** By the **Decision no. 594/28.02.2018** the Câmpina Court admits the exception of the material lack of competence of the Câmpina Court, invoked by the Court *ex officio*. It declines the jurisdiction to resolve the claim in favor of the Prahova Court. Without possibility of appeal. By the **Decision no. 2446/28.08.2018** The Prahova Tribunal admits the exception of the lack of passive capacity to stand trial, invoked by the defendant National Agency for Mineral Resources from Bucharest. It rejects the application, in contradiction with such defendant, as being formulated against a person without capacity to stand trial. It admits the exception of the case law. It rejects the request made against the respondent SC Conpet SA, as there is a case law. It finds that the respondents did not claim costs. The decision was appealed by Dobrogeanu Dumitru.

**Trial stage:** Appeal

**Court hearing:** 28.02.2019

#### **16. Case File no. 1099/281/2018 – Ploiești Court**

**Parties:** Conpet SA – intimated party

Dobrogeanu Dumitru – contestant

BEJ Petcu Alexandru – intimated party

**Object:** Dobrogeanu Dumitru formulates an appeal against the enforcement against the execution means issued by BEJ Petcu Alexandru in the forced execution file no. 224/2017 requesting the court:

- To request BEJ Petcu Alexandru to order the release of the amount of 2,096 lei representing an annual rent of 262 lei starting with 2006 until 01.07.2014 according to the agro expert report drawn up by the technical expert Voinea Adina, an integral part of the Decision no. 433/25.06.2014 pronounced by the Prahova Tribunal in the file no. 5216/204/2008\* which completely changed the sentence no. 244/12.10.2011, pronounced by the Câmpina Court, according to the request for execution dated 16.06.2017 and the Conclusion no. 8544/06.11.2017 pronounced by the Ploiești Court in file no. 12660/281/2017
- Complete annulment of the minutes concluded on 04.01.2018 and of the Conclusion no. 1 and the release of the amount made by forced execution dated 12.01.2018 which are not related to the forced execution which caused the forced execution request on 16.06.2017 - execution file no. 244/16.06.2017 and the conclusion no. 8544/06.11.2017 pronounced by the Ploiești Court in file no. 12660/281/2017
- Court costs

#### **17. Case File no. 4561/281/2018 – Prahova Tribunal**

**Parties:** Conpet SA - respondent

Ovidenie Dumitru – claimant

**Object:** Ovidie Dumitru has filed a sue petition, asking the court:



- to find that on the land of 335 sqm located in com. Brazi, T31, parcel 178/19, according to art.7 paragraph 1 of the Law no. 238/2004 updated, is established a right of legal servitude;
- to establish the annual rent for the claimant, according to provisions of Article 7 paragraph 2 of the Law no.238 / 2004, calculated at 5 Euro/mp;
- order the respondent to pay this rent for the past 3 years.”

**Clarifications:** --

**Trial stage:** Merits

**Court hearing:** 06.03.2019

### **18. Case File no. 2970/105/2018 – Prahova Tribunal**

**Părți:** Conpet – respondent

Tîrcavu Cornel – claimant

Ionescu Ion – claimant

**Object:** Tîrcavu Cornel and Ionescu Ion have filed a sue petition requesting the court that through the decision it will make to find that in the periods mentioned in the workbooks they have been employed and actually worked 100% of the work program within the sections in the II<sup>nd</sup> occupation category and in the I<sup>st</sup> occupation category, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3446/20.11.2018** The Prahova Tribunal admits the action. It finds that the claimants benefit 100% from the 1<sup>st</sup> occupation category for the activities carried out at the respondent unit for the periods specified in the expert report of Anton Carmen. It requests the respondent to issue to the claimants certificates showing the period, the occupation category and their working percentage. Please note that court costs are not being claimed. The decision may be appealed by appeal after communication.

**Trial stage:** --

**Court hearing:** --

### **19. Case file no. 2971/105/2018 – Prahova Tribunal**

**Parties:** Conpet – respondent

Ghioaca Constanța – claimant

Tănăsescu Constantin – claimant

**Object:** Ghioaca Constanța and Tănăsescu Constantin have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the conclusion of 02.10.2018, pursuant to the provisions of art. 411 paragraph 1 section 2 The Code of Civil Procedure, the Prahova Tribunal suspends the judgment. The case was reinstated on 08.01.2019.

**Trial stage:** Merits

**Court hearing:** 05.03.2019

### **20. Case file no. 2966/105/2018 – Prahova Tribunalul**

**Parties:** Conpet – respondent

Constantinescu Ion - Irinel – claimant

Aron Constantin – claimant

**Object:** Constantinescu Ion - Irinel and Aron Constantin have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** Prin **sentința 3718/13.12.2018** Tribunalul Prahova respinge acțiunea precizată, ca neîntemeiată. Hotărârea poate fi atacată cu apel după comunicare.

By the **Decision no. 3718/13.12.2018** the Prahova Tribunal dismissed the action as unfounded. The judgment may be appealed after communication.

**Trial Stage:** --

**Court hearing:** --

## **21. Case file no. 2972/105/2018 – Ploiești Court of Appeal**

**Parties:** Conpet – respondent

Mos Emanuel - Marius – claimant

Cazan Marian Ion – claimant

**Object:** Mos Emanuel - Marius and Cazan Marian Ion have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3414/19.11.2018** The Prahova Tribunal dismisses the application as unfounded. The decision was appealed by Moș Emanuel - Marius.

**Trial stage:** Appeal

**Court hearing:** --

## **22. Case file no. 3061/105/2018 - Ploiești Court of Appeal**

**Parties:** Conpet – respondent

Catana Florin - Eduard – claimant

Catană Victoria – claimant

**Object:** Catana Florin - Eduard and Catană Victoria have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3229/05.11.2018** The Prahova Tribunal rejects the claim as unfounded. The judgment was appealed by the claimants.

**Trial stage:** Appeal

**Court hearing:** 25.02.2019

## **23. Case file no. 3054/105/2018 – Prahova Tribunal**

**Parties:** Conpet – respondent

Moise Gabriel - Horia – claimant

Popa Petre – claimant

**Object:** Moise Gabriel - Horia and Popa Petre have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3816/18 18.12.2018** The Prahova Tribunal admits the inadmissibility exception. It rejects the application regarding the performance of the activity under special conditions. The remainder of the action is dismissed as unfounded. The judgment may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

#### **24. Case file no. 3053/105/2018 – Ploiești Court of Appeal**

**Parties:** Conpet – respondent

Cristache Vasile Gabriel – claimant

Bocsan Ioan – claimant

**Object:** Cristache Vasile Gabriel and Bocsan Ioan have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3227/05.11.2018** The Prahova Tribunal rejects the claim as unfounded. The judgment was appealed by the claimants.

**Trial stage:** Appeal

**Court hearing:** --

#### **25. Case file no. 3058/105/2018 – Ploiești Court of Appeal**

**Parties:** Conpet – respondent

Radu Marin – claimant

Brutaru Gheorghe – claimant

**Object:** Radu Marin and Brutaru Gheorghe have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Precizări:** By the **Decision no. 3228/05.11.2018** The Prahova Tribunal rejects the claim as unfounded. The judgment was appealed by the claimants.

**Trial stage:** Appeal

**Court hearing:** 25.02.2019

#### **26. Case file no. 3059/105/2018 – Prahova Tribunal**

**Parties:** Conpet – respondent

Bratu Vasile - Virgiliu – claimant

Nita Marian - Paul – claimant

**Object:** Bratu Vasile - Virgiliu and Nita Marian - have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3601/05.12.2018** the Prahova Court dismisses the action filed by the claimants Bratu Vasile-Virgiliu and Niță Marian-Paul, in contradiction with the respondent SC Conpet SA, as unfounded. It notes that the respondent has not requested the payment of court costs. The judgment may be appealed after communication.

**Trial stage:** --

**Court hearing: --**

**27. Case file. 3056/105/2018 –Prahova tribunal**

**Parties:** Conpet – respondent

Mihaila Georgiana - Zoe – claimant

Constantin Doru – claimant

**Object:** Mihaila Georgiana - Zoe and Constantin Doru have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3720/13.12.2018** The Prahova Tribunal dismisses the action as unfounded. The judgment may be appealed after communication.

**Trial stage: --**

**Court hearing: --**

**28. Case file no. 3055/105/2018 – Prahova Tribunal**

**Parties:** Conpet – respondent

Voinescu Sorin – claimant

Manolache Cristian – claimant

**Object:** Voinescu Sorin and Manolache Cristian have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3719/13.12.2018** The Prahova Tribunal dismisses the action as unfounded. The judgment may be appealed after communication.

**Trial stage: --**

**Court hearing: --**

**29. Case File no. 2965/105/2018 –Prahova Tribunal**

**Părți:** Conpet – respondent

Istrătescu Laurențiu – claimant

Petrescu Ioan – claimant

**Object:** Istrătescu Laurențiu and Petrescu Ioan have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3736/14.12.2018** The Prahova Tribunal admits the action. It finds that the claimants benefit 100% from the 1<sup>st</sup> occupation category for the activities carried out at the respondent unit for the periods specified in the expert report of Luca Marcel Constantin. It requests the respondent to issue to the claimants certificates showing the period, the occupation category and their working percentage. Please note that court costs are not being claimed. The decision may be appealed by appeal after communication.

**Trial stage: --**

**Court hearing: --**

**30. Case File no. 3062/105/2018 –Ploiești Court of Appeal**

**Parties:** Conpet – respondent

Stanciu Vasile – claimant

Dumitrescu Ștefan – claimant

**Obiect:** Stanciu Vasile and Dumitrescu Ștefan have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3609/05.12.2018** The Prahova Tribunal dismisses the action as unfounded. The decision was appealed by Stanciu Vasile.

**Trial stage:** Appeal

**Court hearing :** --

**31. Case file no. 3057/105/2018 –Prahova Tribunal**

**Parties:** Conpet – respondent

Pelin Simona – claimant

Pelin Marian – claimant

**Obiect:** Pelin Simona and Pelin Marian have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:**

By the **Decision no. 3737/14.12.2018** The Prahova Tribunal admits the action. It finds that the claimants benefit 75%-100% of the first occupational category group, of the working program, as the case may be, for the activities carried out at the respondent during the periods expressly mentioned in the expert report drawn up by expert Luca Marcel Constantin, which is an integral part of this decision. It requests the respondent to issue to the claimants certificates showing the period, the occupation category and their working percentage. Please note that court costs are not being claimed. The decision may be appealed by appeal after communication.

**Trial stage:** Appeal

**Court hearing:** --

**32. Case File no. 3060/105/2018 –Bihor Tribunal**

**Parties:** Conpet – respondent

Pop Liviu – claimant

Ciordas Gheorghe – claimant

**Object:** Pop Liviu and Ciordas Gheorghe have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3522/26.11.2018** The Prahova Tribunal admits the exception of territorial incompetence invoked by the court. Refers the case to the Bihor Tribunal for further settlement.

**Trial stage:** Merits

**Court hearing:** 21.03.2019

### **33. Case File no. 3702/105/2018 –Ploiești Court of Appeal**

**Parties:** Conpet – respondent

Târcavu Agripina – claimant

Neagu Petre – claimant

**Object:** Târcavu Agripina and Neagu Petre have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3627/10.12.2018** The Prahova Tribunal dismisses the application as unfounded. The decision was appealed by Târcavu Agripina.

**Trial stage:** Appeal

**Court hearing:** --

### **34. Case File no. 3701/105/2018 –Prahova Tribunal**

**Parties:** Conpet – respondent

Soare Iuliana – claimant

Raicu Roxana– claimant

**Object:** Soare Iuliana and Raicu Roxana have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** By the **Decision no. 3771/17.12.2018** The Prahova Tribunal dismisses the action as unfounded. The judgment may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

### **35. Case file no. 2646/241/2017 –Horezu Court**

**Parties:** Podureanu Iordachi – claimant

Conpet SA – respondent

**Object:** Podureanu Iordachi formulează cerere de chemare în judecată solicitând obligarea Conpet SA la plata sumei de 600 lei lunar reprezentând despăgubiri periodice majorate și cheltuieli de judecată. Podureanu Iordachi had filed a sue petition requesting Conpet SA to pay the amount of 600 lei per month, representing increased periodic damages and court costs.

**Clarifications:** --

**Trial Stage:** Merits

**Court hearing:** 07.03.2019

### **36. Case File no. 3996/105/2018 –Prahova Tribunal**

**Părți:** Conpet – respondent

Ispas Gabriel – claimant

**Object:** Ispas Gabriel has filed a sue petition requesting the court to declare by its decision that Conpet SA shall be required to grant the first occupation category and to issue a certificate regarding the period for which the occupation category is granted: 13.10. 1971-19.02.1974; 26.06.1975 - 29.08.1983.

**Clarifications:** --

**Trial stage:** Merits

**Court hearing:** 14.01.2019

### **37. Case file 3997/105/2018 –Prahova Tribunal**

**Parties:** Conpet – respondent

Mohora Cristina – claimant

Stănescu Nicolae Cristinel –claimant

Stănescu Doru Vasile – claimant

**Object:** Mohora Cristina, Stănescu Nicolae Cristinel and Stănescu Doru Vasile have filed a sue petition requesting the court to declare by its decision that Conpet SA shall be required to grant the second occupation category and to issue a certificate regarding the period for which the occupation category is granted, as follows: Mohora Cristina for the period 16.11.1998 – 01.01.2011, Stănescu Nicolae Cristinel for the period 27.06.1987 – 15.12.2008 and Stănescu Doru Vasile for the period 16.03.1987 – 23.09.1989; 05.10.1990 – 01.01.2011.

**Clarifications:** By the Decision no. 66/14.01.2019 The Prahova Tribunal rejects the application as unfounded. The judgment may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

### **38. Case file no. 3998/105/2018 –Prahova Tribunal**

**Părți:** Conpet – respondent

Iacob Florica – claimant

Vasilaș Adrian –claimant

Dinu (former Ristache) Cristina – claimant

**Object:** Iacob Florica, Vasilaș Adrian și Dinu (former Ristache) Cristina have filed a sue petition requesting the court to declare by its decision that Conpet SA shall be required to grant the second occupation category and to issue a certificate regarding the period for which the occupation category is granted, as follows: Iacob Florica for the period 04.08.1980 – 27.03.1982; 01.12.1983 – 01.01.2011, Vasilaș Adrian for the period 02.09.1980 – 16.09.1980; 21.10.1981 – 17.04.1982; 14.12.1983 – 01.01.2011 and Dinu (former Ristache) Cristina for the period 16.11.1984 – 01.05.1985; 09.10.1985 – 21.07.1986; 17.02.1987 – 26.09.1987; 19.04.1989 – 01.01.2011.

**Clarifications:** By the Decision no. 238/30.01.2019 The Prahova Tribunal rejects the application as unfounded. The judgment may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

### **39. Case file no. 4334/105/2018 –Ploiești Court of Appeal**

**Parties:** Conpet SA – respondent

Cazan Marian Ion – claimant

**Object:** Split from the case file no. 2972/105/2018. Cazan Marian Ion has filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks he was employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificate.

**Precizări:** Split from the case no. 2972/105/2018. By the **Decision no. 3427/19.11.2018** The Prahova Tribunal dismisses the application as unfounded. The decision was appealed by the claimant.

**Trial Stage:** Appeal

**Court hearing:** --

#### **40. File no. 4768/105/2018 – Ploiești Court of Appeal**

**Parties:** Conpet – respondent

Neagu Petre – claimant

**Object:** Neagu Petre has filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks he was employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** Aplitted from the case file no. 3702/105/2018. By the **Decision no. 3633/10.12.2018** The Prahova Tribunal dismisses the application as unfounded. The decision was appealed by the claimant.

**Trial Stage:** Appeal

**Court hearing:** --

#### **41. File no. 10636/281/2018 –Ploiești Court**

**Parties:** Conpet SA – intimated party

Grigorescu Gabriel- contestant

**Object:** Grigorescu Gabriel filed an appeal against for the execution against the garnishment made by BEJ Petrov Sergiu Alexandru in the execution file no. 30/2018.

**Clarifications:** By the **Decision no. 2594/26.11.2018** The Ploiesti Court acknowledges the exception of the delay of the grounds of appeal against the execution, invoked by the additional application, an exception invoked by the court, *ex officio*. In that regard, it rejects the disputed execution as being submitted too late. It dismisses the appeal for the enforcement against the garnishment order dated 10.04.2018 as unfounded. The judgment may be appealed after communication.

**Trial Stage:** --

**Court hearing:** --

#### **42. Case File no. 5212/105/2018 – Prahova Tribunal**

**Parties:** Conpet SA – respondent

Fondul Proprietatea SA – claimant

**Object:** Fondul Proprietatea SA has filed a sue petition requesting the court:

1. To request Conpet to pay the amount of 734,747.04 lei, representing the dividends net value related to a percentage of 6% of Conpet’s share capital, respectively for 524,366 shares held by the claimant by the registration date of AGOA Conpet on 25.04.2007 (namely 14.05.2007), for the financial year 2006,



2. To request Conpet to pay damages, namely the legal interest in respect of dividends from the due date of the amount requested in section 1 and up to the date of filing the sue petition (namely 09.11.2018) in the amount of 579,015.97 lei.

3. To request Conpet to further pay the statutory interest on the dividends net value from the date of filing of the sue petition and up to the actual payment of the amounts claimed,

4. To request Conpet to pay the costs of this dispute

**Clarifications:** --

**Trial stage:** Merits

**Court hearing:** --

#### **43. Case File no. 27181/281/2018 –Ploiești Court**

**Parties:** Conpet – intimated party

BEJ Petcu Alexandru – intimated party

Dobrogeanu Dumitru – contestant

**Object:** Dobrogeanu Dumitru formulates an appeal for the execution against the forced execution which is subject to the enforcement order Decision no. 669/20.12.2011 issued by the Prahova Tribunal in the case file no. 14660/281/2005 requesting the court:

1. The cancellation of the Official Report of accepting the actual payment offer concluded on 26.11.2018 at BEJ Petcu Alexandru, payment offer file no. 2/2018;

2. To order the payment for the lack of use for 2018 according to the decision 669/20.12.2011 issued by the Prahova Tribunal which presents the enforcement title by updating the claim amounting to 53,116 lei from the date of the decision until the effective payment thereof.

3. The costs of the proceedings.

**Clarifications:** --

**Trial stage:** Merits

**Court hearing:** --

#### **44. Case file no. 7452/118/2018 –Constanța Tribunal**

**Parties:** Conpet – respondent

Cristina Adrian – claimant

**Object:** Cristina Adrian appealed against the decision to apply the disciplinary sanction no. 818/06.11.2018 issued by Conpet SA, whereby the disciplinary sanction was applied on the grounds of art. 247 and art. 248 par. 3 sect. c of Law no. 53/2003 corroborated with art. 25 par. 1 sect. c of the collective employment contract and art. 10.5 (2) sect. c of the Internal Regulations, for the non-observance of the procedures in chap. VI art. 6.5.8 section 1, section 12, section 14 of the Internal Regulation, in conjunction with chapter. IX art. 9.2 (1), section 9, section 47 of the Internal Regulation, basically reducing the basic salary for a 3-month period by 10%, requesting the annulment of the decision and ordering Conpet SA to pay the court costs.

**Clarifications:** --

**Trial stage:** Merits

**Court hearing:** --

#### **45. Case file no. 5308/105/2018 –Prahova Tribunal**

**Parties:** Conpet – respondent

Mohora Cristina – claimant

**Object:** Split from the case file no. 3997/105/2018. Mohora Cristina, Shas filed a sue petition requesting the court to declare by its decision that Conpet SA shall be required to grant the second occupation category and to issue a certificate regarding the period for which the occupation category is granted, as follows: the period 16.11.1998- 01.01.2011,

**Clarifications:** By the Decision no. 68/14.01.2019 the Prahova Tribunal dismisses the application as unfounded. The decision may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

#### **46. Case file no. 2969/105/2018 – Prahova Tribunal**

**Parties:** Conpet SA – respondent

Ilina Nicolae – claimant

Bucică Marius Florin – claimant

**Object:** The claimants have filed a sue petition requesting the court to declare that during the periods mentioned in the workbooks they were employed and actually worked 100% of the work program in the fields of the first and second occupational categories, namely special conditions, and consequently to request the respondent to issue the certificates.

**Clarifications:** Through the Decision no. 3521/26.11.2018 the Prahova Tribunal dismisses the application as unfounded. The decision may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

#### **b) List of the case files on the docket of the courts of law on 31.12.2018 in which the Company CONPET S.A. has a double capacity**

##### **1. Case File no. 378/105/2007 – Prahova Tribunal**

**Parties:** Conpet S.A. – claimant-respondent

Petroconduct S.A. – respondent-reconvenient

**Object:** Conpet S.A. requested the obligation of the respondent Petroconduct S.A. Ploiesti to the following:

- the payment of the amount of 80,548.49 RON representing penalties for non-performance in due time of the obligations assumed in the contract no. L 45 / 18.03.2004 and in the contract no. M 59/9.06.2004

- the handing over of tubular material consisting of China steel pipe in the length of 504 m in value of 21,344.4 euros and China steel pipe in the length of 96 m in value of 4,366.08 euros or the payment to our Company of its value equivalent to 89,291.50 RON.

- the payment of the amount of 20,626 RON representing the costs for transport, loading, unloading of the tubular material

- the payment of court costs in the amount of 5,062.24 RON out of which 5,057.24 RON judicial stamp fee and 5,00 RON judicial stamp as well as other legal costs that we will bear in this process.

The company Petroconduct S.A. filed a reconventional petition/counterclaim/reconventional petition requesting the obligation of Conpet SA to pay the amount of 46,214.01 lei, representing the value of the works executed by it on the basis of works execution contracts no. L 45/18.03.2004 and no. MST 09/09.06.2004, in favour of the beneficiary Conpet SA.

**Clarifications:** On 22.02.2010, based on art. 36 of the Law no. 85/2006, the court ruled the suspension of the case.

**Trial stage:** Merits

**Court hearing:** Suspended

## **2. Case File no. 538/317/2014\* – Târgu-Cărbunești Court**

**Parties:** Conpet SA – respondent-reconvenient

Bălțoi Mariana – claimant-respondent

**Object:** Bălțoi Mariana initiated a law suit requesting the court to rule the obligation of Conpet to pay the civil compensation for the period 2011-2014 (January) in the amount of 500,000,000 old lei, and a monthly rent in the amount of 10,000 lei.

Conpet formulated a reconventional petition/counter-claim requesting:

1. The obligation of the claimant Bălțoi Mariana to allow Conpet SA to exercise the right of legal servitude established by the provisions of art. 7 and following of Law no. 238/2004 on the land owned by it. The exercise of the right of legal servitude will be made on a 2.4 meter wide corridor located along the oil transport pipeline that belongs to the National Oil Transport System and which is buried in the land of the claimant in order to acquire permanent access to the oil transport pipeline for the daily check of its technical condition and the execution of any repairs. The duration of the servitude shall be the same with the duration of the oil transport pipeline. We also request the court to set the amount of the annual rent stipulated by law due by us to the claimant in exchange for the exercise of the right to legal servitude thus established.

2. The establishment of a right of servitude over the claimant's land consisting in the right to use the land surfaces on which the installations and equipment belonging to the National Transport System (NTS) of oil are located on the surface of the soil. The duration of the servitude shall be the same as the duration of the equipment and installations concerned. At the same time one requested also the determination of the value of the land on which the servitude was instituted.

**Clarifications:** By the **Decision no. 128/20.01.2016** the Târgu Carbunesti Court of Appeal rejected the exception of the lack of procedural capacity of the claimant, invoked by the respondent. It admitted in part the counterclaim / reconventional petition. It ruled the obligation of the respondent - reconventional petitioner - to pay the claimant – respondent the amount of 184.25 lei as civil compensations representing the value of the lack of use afferent to the area of 268 square meters for the years 2011, 2012, 2013. It instituted in favour of the claimant-reconventional respondent, in total surface of 50 square meters, during the oil operations, land delimited by points 37-38-39-40-46-45-44-43, as identified by the topographer expert Gremada Constantin, in Annex 1 to the Expert Report. It ruled the obligation of the claimant – reconventional respondent to the payment to the claimant of the compensatory amount of 7 lei annually, representing the equivalent of the rent, during the period of servitude. It partially compensated the cost costs and ruled the obligation of the respondent reconventional claimant to pay to the claimant reconventional respondent of the sum of 825 lei representing court costs. The Decision was appealed by Bălțoi Mariana.

By the **Decision no. 633/15.11.2016** the Gorj Tribunal admitted the appeal, annulled the sentence and sent the case back to the same court.

**Trial stage:** Merits - retrial

**Court hearing:** 26.03.2019

## **3. Case File no. 8425/281/2015 – Ploiești Court**

**Parties:** Conpet SA- respondent-reconvenient

Panaiteescu Mircea – claimant-respondent

**Object:** Claims. Panaiteescu Mircea initiated a law suit requesting the court to rule the obligation of Conpet to pay the amount of 5,000 lei as lack of use and annual rent of 12,000 lei. Conpet filed a

counterclaim / reconventional petition requesting the establishment of the right to legal servitude and the establishment of the annual rent.

**Clarifications:** By the Decision no. 5772/29.06.2018 The Ploiesti Court of Appeal partially approves the sue petition. Partially approves the counterclaim. It requests the respondent to pay an annual rent in the amount of 58.89 lei (79.66 kg STAS wheat) for the respondent to exercise the easement right for a land area of 461 square meters corresponding to the 2.5 m passage space, at the time of the action. The respondent is ordered to pay the costs in the amount of 20 lei representing a legal stamp duty for the approved head of claim, and 600 lei representing expertise fee for the agriculture specialty, and 600 lei for the reduced attorney fee. Separate court costs are set for the respondent's account. The judgment was appealed by Conpet.

**Trial stage:** Appeal

**Court hearing:** 26.02.2019

#### **4. Case File no. 1372/212/2017 – Constanța Court**

**Parties:** Conpet SA – respondent-reconvenient

Cruceanu Alin Florinel – claimant-respondent

**Object:** Cruceanu Alin Florinel has submitted a sue petition requesting the court:

- to rule the obligation of Conpet SA to pay damages equal to the market value of the real estate property – plot of land in surface of 460 square meters located in Lazu commune, 29, Luceafărului street, Constanta County and the plot of land in surface of 460 sqm located in Lazu commune, 31, Luceafărului street, Constanta county, value appreciated at the amount of 30,000 euros, the equivalent of 134,700 lei;

- to rule the obligation of Conpet SA to pay the value of the land lack of use in the form of annual rent for the last three years;

- to rule the obligation of Conpet SA to pay the court costs for the resolution of the present petition. Subsequently, the claimant specified its action with regard to the second part of the petition requesting the court:

- to rule the obligation of Conpet SA to pay the amount representing the lack of use of the two land plots for the period between 10.12.2015 and the date when the decision remained final decision admitting the first part of the petition.

The lack of use was provisionally assessed at the amount of 5,000 lei.

Conpet formulated the counterclaim / reconventional petition requesting the court:

- to rule the obligation on the claimant to allow CONPET S.A. the exercise of the right of legal servitude instituted by the provisions of art. 7 and following of Law no. 238/2004 on the two plots of land owned by the claimant Cruceanu Alin Florinel, situated in Agigea commune, Lazu village, 29, Luceafărului street. respectively 31, Luceafărului street, Constanta County. The exercising of the right to legal servitude will be done on a 2.4 meter wide corridor located along the Ø 20 " crude oil transport pipeline Constanța-Bărăganu for the purpose of permanent access to the pipeline for the daily check of pipeline and execution condition any repairs.

- to rule the establishment of the amount of the annual rent stipulated by the law due by us the undersigned to the claimant in return for the exercise of the easement right.

**Trial stage:** First court

**Court hearing:** 28.02.2019

#### **5. Case File no. 18344/212/2017 – Constanța Court**

**Parties:** Conpet SA – respondent-reconvenient

Mitu Dumitru – claimant-respondent

Mitu Rodica – claimant-respondent

**Object:** Obligation to do something. Mitu Dumitru and Mitu Rodica initiated a law suit requesting the court to rule the obligation of Conpet to pay damages for the two plots of land located in Lazu village, Agigea commune, Constanta county affected by route of certain oil products pipelines, as well as the obligation of the claimant to pay the respondent an annual rent for the lack of use over the land affected by the legal servitude right starting with 20.06.2014 and of compensations in the form of an annual payment for the affectation of the use of the part of land on which the pipe is not placed, with the obligation to pay the court costs.

The Claimants assessed the claims brought before the court at the amount of 10,000 lei for the stamp fee for the claim showing that, after determining the values through expertise they will administer in the case, to pay the court fee difference.

Conpet formulated a counterclaim/reconventional petition requesting the court:

1. To rule the obligation of the claimants to allow the company CONPET S.A. the exercise of the right of legal servitude instituted by the provisions of art. 7 and following of Law no. 238/2004 on the two lots of land owned by the claimants. The right of legal servitude shall be exercised on a 2.4 meter wide corridor located along the F2 Ø 20 " Constanța-Bărăganu crude oil pipeline for the purpose of permanent access to the pipeline for the day-to-day inspection of the pipeline condition and for performing any repairs.

2. To set the amount of the annual rent prescribed by the law owed by Conpet to the claimants in exchange for the exercise of the right to legal servitude.

Conpet also formulated a petition of summoning in guarantee of the MINISTRY OF PUBLIC FINANCES and the NATIONAL AGENCY FOR MINERAL RESOURCES (A.N.R.M.) so that if CONPET S.A. Ploiesti falls in claims regarding the claims of the claimants formulated in the legal petition to compensate us with the amount that we shall be obligated to pay the claimants.

**Trial stage:** First court

**Court hearing:** 20.02.2019

## **6. File no. 2323/120/2018 –Dâmbovița Tribunal**

**Parties:** Conpet SA – respondent-reconvenient

Buzatu Florin – claimant-respondent

**Object:** Buzatu Florin has filed a sue petition, asking the court:

1. Order the respondent Conpet SA to pay the claimant the amount of 150,000 EUR, payable at the NBR exchange rate on the day of the payment (amount to be reassessed upon completion of the expert real estate appraisal report to be carried out in probation, we shall resize and specify the value of the claims, corroborated with the appropriate adjustment of the stamp duty), representing the fair and equitable compensation for the damage suffered by restricting the possibility of exercising its right to property on the land area of 5980 sqm located in the urban space of Slobozia Moară, Dâmbovița County, having the cadastral number 70618, registered with the land registry under 70618/UAT Slobozia Moară, Dâmbovița County, on which are found the underground gas pipelines and the overground devices of the respondent, land that cannot be used for the purpose of constructing a building;

2. Order the respondent Conpet SA to pay a 1,000-euro monthly indemnity payable at the exchange rate of the NBR on the payment day, starting with the delivery of the Decision throughout the

existence of the underground pipelines and overhead devices on the land owned by the respondent and to bear all the costs incurred by the claimant for the pre-authorization stages of the construction;

3. Subsidiarily, it orders the respondent to erect all the constructions built on the claimant's property, namely the gas pipelines and the overhead devices, to bring the land to its original condition or to enable the claimant to perform the obligation to do so, at the exclusive expense of the respondent;

4. Order the respondent Conpet SA to pay the costs of the judicial proceedings. Conpet will file a counterclaim.

**Trial stage:** Merits

**Court hearing:** 13.02.2019

#### **7. Case file no. 16016/281/2018 –Ploiești Court**

**Parties:** Conpet SA –claimant

Protect Colector SRL – respondent

**Object:** Conpet formulează cerere de chemare în judecată societății Protect Colector S.R.L. pentru ca prin hotărârea pe care o va pronunța instanța să dispună:

**Object:** Conpet has submitted a sue petition against Protect Collector S.R.L. asking the court to order:

1. Obligation of the respondent P-rotect Collector S.R.L. to pay to Conpet S.A. the amount of 26,626.70 RON representing damages in the amount of 20% due according to art. 16.6 of service agreement no. S-CA 124 / 27.04.2016.

2. Order the respondent to pay the court costs.

Protect Collector SRL has filed a counterclaim requesting the court to declare the absolute nullity of the service agreement no. S-CA 124 / 27.04.2016.

**Trial stage:** Merits

**Court hearing:** 12.03.2019

#### **c) List of case files on the docket of the courts of law on 31.12.2018 in which the Company CONPET S.A. has the capacity of claimant**

##### **1. Case File no. 11921/105/2011 – Bacău Tribunal**

**Parties:** Conpet S.A. - claimant

Biodiesel S.R.L. - respondent

**Object: Claims.** Conpet S.A has filed a sue petition requesting the court:

- to rule the obligation Biodiesel S.R.L to pay to Conpet S.A. the amount of 216,821.44 lei, representing the rent for the period June to rule the obligation of 2009 - April 2011;

- to rule the obligation of Biodiesel S.R.L to pay to Conpet S.A. the delay penalties owed by the respondent under art. 11 of Contract no. ADM 89/27.04.2009 concluded between the parties as a result of the respondent's failure to pay the rent. Conpet requires the respondent to pay the late payment penalties from the due date to the effective date of payment (the date of the payment of the principal charge equivalent to the rent due for May 2009 - April 2011). It took note that until 11.11.2011 the amount due by the respondent as delay penalties is in the amount of 30,653.77 lei;

- to rule the obligation of the respondent to pay damages for the lack of use of the land from the expiry date of the contract (28.04.2011) until now. When assessing the damages for the non-use we considered the amount of the rent agreed with the respondent through the lease no. ADM 89 / 27.04.2009;

- to rule the obligation of the respond Biodiesel S.R.L. to pay the court costs which we will bear in the present case.

**Clarifications:** By the **Court Order no. 445/04.03.2015** the Moinesti Court of Appeal rejected the exception of the contract non-execution. It admitted in part the petition formulated by the claimant Conpet SA Ploiesti in contradictory with Biodiesel SRL. It ruled the obligation of the respondent to pay to the claimant the amount of 191,554.60 lei representing the rent equivalent. It ruled the obligation of the respondent to pay to the claimant the amount of 106,026.58 lei representing default penalties for late payment, which will be due from 20.11.2014 until the actual payment of the rent equivalent. It rejected the claim for damages. It ruled the obligation of the respondent to pay to the claimant the sum of 10,599.31 lei representing the judicial stamp fee in the case of the admission of the action and the expert fees. The decision was attacked with appeal by Conpet and Biodiesel.

By the **Conclusion of 08.03.2016** the Bacău Tribunal ruled the suspension of the appeal judgement in accordance with art. 244 (1) 1 of Civil Procedure Code (old), pending the final resolution of case file no. 5119/260/2014. Conpet attacked with recourse the suspension conclusion. It will be tried by the Bacau Court of Appeal.

By the Decision of 07.09.2016 the recourse was rejected.

**Trial stage:** Appeal – Suspended

**Court hearing:** --

## **2. Case File no. 19024/281/2009 - Ploiești Court**

**Parties:** Conpet S.A. -claimant

Compania de Transport Feroviar S.A. Ploiești - respondent

**Object:** Conpet initiated a law suit requesting the court to rule the obligation of the respondent to pay the amount of 50,511.6 lei representing the payment difference from the value of the repair of the LDH 70-675 locomotive engine in the amount of 60,381.60 and the court costs.

**Clarifications:** By the conclusion of 02.09.2011 the court **suspended** the case according to art. 36 of Law 85/2006.

**Trial stage:** Merits – suspended

**Court hearing:** --

## **3. Dosar nr. 6179/105/2009 - Tribunalul Prahova**

**Parti:** Conpet S.A. - creditor

Petroconduct S.A. – debtor

**Case File no. 6179/105/2009 - Prahova Tribunal**

**Parties:** Conpet S.A. - creditor

Petroconduct S.A. – debtor

**Object: Bankruptcy.** Conpet S.A. by the Debt Statement no. 5949 / 23.02.2010 requested the registration at the creditor's table with the amount of 202,890.47 lei representing penalties for the non-performance of the obligations assumed in the Contract no. L45 / 18.03.2004 and MST9 / 09.06.2004, the value of the tubular material, costs for transport, loading and unloading of the tubular material, court costs. Conpet SA was entered on the creditors' table of the debtor S.C. Petroconduct S.A. with the amount of 62.739,06 lei.

**Clarifications:** The court liquidator of the debtor registered the Company with the debtor's preliminary table only with a part of the debt claimed by Conpet, respectively 62,739.06 lei of the total amount of the claim in the amount of 216,412.56 lei, although our Company formulated all the remedies it had at its disposal.

**Court hearing:** 07.02.2019

#### **4. Case File no. 3033/105/2012 – Prahova Tribunal**

**Parties:** Conpet SA – creditor

Vasrep Petro Construct SRL – debtor

**Object: Bankruptcy.** Conpet SA introduced petition of debt admission requesting the registration on the creditors' table of Vasrep Petro Construct SRL with the amount of 126,877 lei, including VAT, representing the value of the material, labour and equipment expenses necessary to bring the pipeline to the state before the illicit deed was committed by the debtors, consisting of the destruction and unlawful removal of two 4.120 ml lengths from the pipe Ø 10¾ "Iancu Jianu – Ghercești. Conpet contested the measure of non-registration of Conpet SA on the preliminary table with this claim, which constitutes the object of the file no. 3033/105/2012 / a1 By the Court Order No. 1958 / 19.11.2012, Prahova Tribunal rejected the contestation formulated by Conpet. Conpet formulated a recourse. The Ploiești Court of Appeal admitted the recourse, annulled the court order ruled by the First Court and sent the case to retrial. By the **Decision no. 1008 / 17.09.2014** (Case File no. 3033/105/2012 / a1 \*) the Prahova Tribunal admitted the contestation to the preliminary title. It ruled the inscription of the contestant creditor Conpet S.A. in the final debts table of the debtor with the amount of 1,473,628 lei for materials, labour and equipment and 120 lei legal stamp fee fro the recourse and 2500 lei for the expert fee. Vasrep formulated a recourse. By the **Decision no. 141 / 15.01.2015** the Ploiesti Court of Appeal rejected the recourse as unfounded.

**Trial stage:** Merits

**Court hearing:** 28.03.2019

#### **5. Case File no. 2803/120/2013 - Dambovita Tribunal**

**Parties:** Conpet SA – creditor

Ecprod SRL - debtor

**Object: Insolvency. Debt admission petition.** Conpet SA filed a petition for debt admission on the estate of the debtor Ecprod in the amount of 25,728.89 lei. Conpet is registered on the Creditors' Table with the amount of 25,728.89 lei.

**Trial stage:** Merits

**Court hearing:** 25.02.2018

#### **6. Case File no. 7932/118/2013\* – Constanța Tribunal**

**Parties:** Conpet SA - civil party

Bivolaru Gabriel, Chihaiia Marin, Mangalea Gheorghe, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Luca Viorel, Meridicos Romeo Ovidiu, Dimofte Petronel, Matei Marius Ionut, Ahălancei Ioan - defendants

Romeo International Service Company SRL Năvodari - defendant

Romeo International Service Company SRL Năvodari represented by Nicolaidis Constantin - defendant

Ministry of Public Finances- ANAF - civil party

DGFP - civil party

**Object: Offences of tax evasion (Law 87/1994, Law 241/2005), art. 323 of Criminal Code, Qualified theft (art.208-209 of Criminal Code).** Conpet SA constituted itself as civil party for the amount of 928,785.94 lei representing the equivalent of the amount of stolen crude oil (277 tons), pipeline remediation works and laboratory tests.

**Clarifications:** By the **Court Order no. 472 / 17.12.2015** the Constanta Tribunal admitted the civil action filed by the civil party Conpet SA. Ploiesti. The court ruled the joint obligation of the



defendants Bivolaru Gabriel, Chihaiia Marin, Mangalea Gheorghe, Ahalanei Ioan, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Merdicos Romeo Ovidiu, Dimofte Petronel, Luca Viorel and Matei Marius Ionut to pay to the civil party Conpet SA. the amount of 90,814.50 lei (the value of 30 tons of crude oil stolen on 27.05.2013). The defendants Bivolaru Gabriel, Chihaiia Marin, Mangalea Gheorghe, Ahalanei Ioan, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Merdicos Romeo Ovidiu, Dimofte Petronel, Luca Viorel and Matei Marius Ionut will be jointly liable to pay to the civil party Conpet SA. the amount of 93,841.65 lei (value of 31 tons of crude oil stolen on 31.05.2013). The defendants Bivolaru Gabriel, Chihaiia Marin, Mangalea Gheorghe, Ahalanei Ioan, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Merdicos Romeo Ovidiu, Dimofte Petronel, Luca Viorel and Matei Marius Ionut will be jointly liable to pay the civil party Conpet SA. the amount of 111,027.27 lei (value of 36 tons of crude oil stolen on 03.06.2013). The defendants Bivolaru Gabriel, Chihaiia Marin, Mangalea Gheorghe, Ahalanei Ioan, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Merdicos Romeo Ovidiu, Dimofte Petronel, Luca Viorel and Matei Marius Ionut will be jointly liable to pay the civil party Conpet SA. the amount of 585,977.25 lei (value of 190 tons of crude oil stolen on 04.06.2013 and 05.06.2013). The defendants Bivolaru Gabriel, Chihaiia Marin, Mangalea Gheorghe, Ahalanei Ioan, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Merdicos Romeo Ovidiu, Dimofte Petronel, Luca Viorel and Matei Marius Ionut will be jointly liable to pay the civil party Conpet SA the amount of 17,289.32 lei representing the amount of works for decommissioning the artisanal installation and for bringing the pipeline to the initial state. The defendants Bivolaru Gabriel, Chihaiia Marin, Mangalea Gheorghe, Ahalanei Ioan, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Merdicos Romeo Ovidiu, Dimofte Petronel, Luca Viorel and Matei Marius Ionut will be jointly liable to pay the civil party Conpet SA the amount of 9,576.84 lei, representing the laboratory tests for 17 samples of oil products. It took act that the civil party Conpet SA. waived the civil claims in the amount of 20,268.11 lei for the deed of 03.08.2013 because the damage was fully recovered. The decision was attacked with appeal by the defendants.

By the **Decision no. 675 / 10.06.2016** the Constanta Court of Appeal admitted the appeals filed by the Prosecutor's Office within to the Constanta Tribunal and by the defendants Bivolaru Gabriel, Chihaiia Marin, Mangalea Gheorghe, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Luca Viorel, Merdicos Romeo Ovidiu, Dimofte Petronel, Matei Marius Ionut, Ahaulanei Ioan and SC Romeo International Service Company SRL Navodari. It annulled the entire criminal court order no. 472 / 17.12.2015 ruled by the Constanța Tribunal in Case File no. 7932/118/2013 and ruled the referral of the case to the Constanța Tribunal for retrial. Here it received \* and ruled the case to be referred to the preliminary chamber judge (7932/118/2013 \* / a1).

By the **Conclusion no. 93 / 28.02.2017** the Constanța Tribunal rejected as ungrounded the requests and exceptions formulated by the defendants Bivolaru Gabriel, Chihaiia Marin, Merdicos Romeo Ovidiu, Arhire Adrian and Mangalea Gheorghe. It found the legality of the court's notification with the indictment no. 569 / P / 2013 of 30.08.2013 issued by the Prosecutor's Office within the Constanța Court of Appeal, whereby the defendants were indicted and sent to trial. It ascertained the lawfulness of the administration of evidence and the conduct of criminal prosecution. It ruled the beginning of the case trying. The conclusion was challenged with a statement, rejected by the Constanța Court of Appeal.

Also, by the Conclusion of 28.02.2017, the Constanta Tribunal found admissible the exception of unconstitutionality. It resorts to the Constitutional Court for the resolution on the objection of unconstitutionality invoked by the defendant Bivolaru Gabriel in Case File no. 7932/118/2013 \* of the Constanța Tribunal, regarding the unconstitutionality of the provisions of art. 280, para. 1, art. 281 para. 1 and art. 282 para. 1 and 2 of the Criminal Procedure Code - Case File no. 812D / 2017 - Court hearing: 14.12.2017. The exception was rejected as inadmissible.

**Trial stage:** Merits- retrial

**Court hearing:** 06.03.2019

### **7. Case File no. 1862/114/2014 – Buzău Tribunal**

**Parties:** Conpet SA – creditor  
Geluval Stor SRL – debtor

**Object:** Conpet SA formulated a petition for the admission of the debt requesting the inscription on the creditors' table of Geluval Stor SRL, with the amount of 1,440.90 lei, representing late payment penalties due for the payment beyond the deadline set in the contract of the value of 7 invoices issued by Conpet for the services rendered on the basis of Contract no. STA 101/20.03.2012 concluded with the respondent, the amount to which the debtor was ordered by the Court Order no. 8867 / 16.06.2014 ruled by the Ploiești Court in court file no. 109/281/21014, remaining final by non-appealing. Conpet was entered on the preliminary creditors' debts table against the debtor Geluval Stor SRL with the amount of RON 1,440.90.

**Trial stage:** Merits

**Court hearing:** 12.02.2019

### **8. Case File no. 6625/120/2013 - Dâmbovița Tribunal**

**Parties:** Conpet SA - injured party

Dumitru Nica Constantin, Dumitru Nica Gheorghe, Marasescu Marian, Vlada Aurica, Aslan Razvan Aurel, Grigorascu Dominel Ion, Georgescu Anda, Stanca Ion, Constantin Andrei Marius, Maricescu Constantin, Duniag Instal SRL through the legal representative Dumitru Nica Gheorghe, Anaver Vila Grup SRL through the legal representative Dumitru Nica Gheorghe – defendants

MECMA for Petrotrans SA Ploiești through the Liquidator Rominsolv SPRL - injured party

OMV Petrom SA Asset 6 Muntenia Central - injured party

Mayor's Office Bucșani - injured party

Mayor's Office Șotânga - injured party

Romtelecom S.A. – South East Operations Division – Dâmbovița Telecommunication Centre - injured party

**Object: Qualified theft.** Conpet constituted itself as civil party for the amount of 2.083,20 lei, representing the equivalent of 350 l. m. stolen from the pipe Ø 10 "F2 Siliște - Ploiești.

By the Decision no. 1284 / 05.11.2018 The Dâmbovița Court for the deed committed in September 2010 in the area of Bucșani locality, jointly charges the defendants: Dumitru Nica - Constantin, Dumitru Nica - Gheorghe, S.C. Duniag Instal S.R.L., S.C. Anaver Vila Grup S.R.L., Grigorașcu Dominel Ion, Georgescu Anda and Marasescu Marian to pay the amount of 2.083,20 lei to CONPET S.A. The judgment was appealed by Conpet, the defendants and the Public Prosecutor's Office.

**Trial stage:** Appeal

**Court hearing:** --

### **9. Case File no. 1510/262/2014 – Moreni Court**

**Parties:** Conpet SA - claimant

Pîrvu Gheorghe – respondent

Pîrvu Nicolae - respondent

Grigorescu Gabriel - respondent

Zlăteanu Dragoș Marian - respondent

Dărmănești Commune, legally represented by the Mayor of the Dărmănești Commune - respondent

SC Nimb Dâmbovița SA –respondent

**Object:** Conpet formulated a law suit requesting the Court to rule the obligation of the that respondents to pay jointly to Conpet the amount of 34,944.18 lei for civil damages - representing the value of the works for remediation of the pipeline and the cable of fiber optic Link 14, destroyed on 03.06.2011, within the area of Dărmănești commune, Dâmbovița County, works necessary to bring them to the initial state of before the commission of the deed, i.e. in good operation order, amount plus legal interest starting from the date of the final judgment which remained final of the present case and the date of actual payment; the payment of the court costs.

**Clarifications:** By the Conclusion of 08.01.2015 the Moreni Court suspended the judgement of the case in relation with the defendant SC Nimb Dambovita SA. It disjoined the case related to the other defendants and ruled the formation of a new file (184/262/2015).

**Trial stage:** Merits - Suspended

**Court hearing:** --

#### **10. Case File no. 6819/118/2013 – Constanța Tribunal**

**Parties:** Conpet SA – creditor

Tobias SRL – debtor

**Object: Bankruptcy.** Conpet S.A. requested the inscription of the creditors' table of the debtor with the amount of 663 lei representing the equivalent of 230 kg of aluminium (575 lei) and 110 kg of scrap iron (88 lei), handed over to Tobias SRL on 04.06.2013, under the contract of sale and purchase of waste no. 2013 / ADM / 15.02.2013 between Conpet and Tobias.

The petition of Conpet was partly admitted by the judicial administrator, in the sense that our company was inscribed on the creditors' table with the debt amounting to 643.11 lei, the difference of 19.89 lei representing 3% environment fund and owed to the Administration of the Environment Fund.

**Trial stage:** Merits

**Court hearing:** 07.03.2019

#### **11. Case File no. 717/105/2015 - Prahova Tribunal**

**Parties:** Conpet SA - creditor

Fotbal / Soccer Club Petrolul Ploiești SA - debtor

**Object: Bankruptcy.** Conpet filed a petition by which it requested the inscription in the creditors' table of the debtor Fotbal/Soccer Club Petrolul Ploiești SA with a debt in the amount of 14,465.33 lei. Conpet was inscribed in the creditors' table of the debtor with the requested amount.

**Clarifications:** By the Court Order no. 821/22.06.2016 the Prahova Tribunal admitted the request of the judicial administrator. It approved the conclusions of the Judicial Administrator's report. It ruled the dissolution of the debtor company and the annulment of the debtor's right of administration. It ruled the sealing of the assets from the debtor's estate and the execution of the other liquidation operations.

**Trial stage:** Merits

**Court hearing:** 07.03.2019

#### **12. Case File no. 13386/3/2015 – Bucharest Tribunal**

**Parties:** Conpet SA – creditor

Perfect Metal SRL – debtor

**Object: Bankruptcy.** Conpet S.A. requested the inscription in the creditors' table of the debtor with the amount of 221,189.85 lei representing penalties for late payment, damages, interest and court

costs. The petition was admitted, but Conpet was listed in the table as a chirographic creditor and not as a guaranteed creditor, as it should, considering the content of our petition for inclusion on the creditors' preliminary table. Conpet attacked with appeal the preliminary debts table, which constitutes the object of case file no. 13386/3/201/a1 with court hearing on 18.09.2015. By the Decision no. 7106/18.09.2015 the Bucharest Tribunal rejected the contestation as ungrounded.

**Trial stage:** Merits

**Court hearing:** 19.04.2019

### **13. Case File no. 19602/3/2015 – Bucharest Tribunal**

**Parties:** Conpet SA – creditor

Top Birotica SRL – debtor

**Object: Bankruptcy.** Conpet S.A. requested the inscription on the creditor's table of the debtor with the amount of 2,258.72 lei representing delay penalties due for delayed delivery of the equipment that constituted the object of the contract P-CA 438/17.11.2014.

**Trial stage:** Merits

**Court hearing:** 03.04.2019

### **14. Case File no. 2899/62/2015 – Braşov Tribunal**

**Parties:** Conpet SA – creditor

Condmag SA - debtor

**Object: Bankruptcy.** Petition for the admission of Conpet's debt against the estate of the debtor Condmag SA - 42,950.85 lei representing penalties, consisting of the secured claim of 40,927.28 lei and the unsecured claim of 2,023.57 lei.

**Trial stage:** Merits

**Court hearing:** 19.03.2019

### **15. Case File no. 91/116/2016 – Calaraşi Tribunal**

**Parties:** Conpet – civil party

Nitu Gh. Nicolae, Stancu N. Alexandru Emilian, Avram Gheorghe, Anton T. Petrisor, Tanase M. Vasile Aurel, Bucur G. Mădălin Cristian – defendants

**Object: Constitution of an organized crime group** (art. 367 of the New Criminal Code) para. 1 of the Criminal Code. Conpet SA constituted itself as civil party for the amount of 95,243.71 lei representing the value of the lost crude oil (79,624.98 lei) and the refurbishment works (15,618.73 lei).

**Clarifications:** By the Decision no. 93/30.07.2018 the Călăraşi Tribunal admits the civil claims filed by the civil party Conpet SA Ploiesti. It requires the defendant Anton Petrişor to pay the amount of 13,713.49 lei, representing the value of the works for the remediation of damages from the pipes in the Bărăganu-Călăraşi area, Paicu, Nicolae Bălcescu commune, and the defendant to jointly be liable for the same amount also together with the defendants Stancu Alexandru Emilian, Avram Gheorghe and Niţu Nicolae according to SP no. 69/2016 of the Calarasi Tribunal, delivered in file no. 1032/116/2016, final by DP no. 1881 / A / 2016 a CAB and with the defendants Ioniţă Gheorghe Aurel, Nistor Tiberiu, Stan Remus Constantin-according SP no. 142/15.09.2014 issued by the Călăraşi Tribunal in file no. 2623/116/2013 and with the defendant Poteraş Cristinel - according to S.P. no. 212/28.11.2013 issued by the Călăraşi Tribunal in the file no. 2037/116/2013. The judgment was appealed by the defendants.

**Trial stage:** Appeal

**Court hearing:** 22.02.2019

**16. Case File no. 8156/281/2014 – Ploiești Court**

**Parties:** Conpet SA – civil party

Matei Marinel – claimant in revision

**Object: Qualified theft.** Revision. Matei Marinel formulated a request for revision of the criminal decision no. 1383/14.10.2013 pronounced by the Ploiești Court of Appeal in file no. 19230/281/2011.

**Trial stage:** Merits

**Court hearing:** 14.02.2019

**17. Case File nr. 310/120/2016 – Dâmbovița Tribunal**

**Parties:** Conpet SA – civil party

OMV Petrom SA – civil party

SNTGN Transgaz SA – civil party

Gruia Gheorghe, Vasile Valentin, Ciobanu Viorel, Dudas Pavel, Tudorache Marius, Parvu Valentin, Georgescu Anda, Manda Marin – defendants

**Object: Constitution of an organised criminal group** (Article 367 of the PCC). Conpet constituted itself as civil party for the amount of 405,536.24 lei, representing the value of the stolen pipes.

**Clarifications:** By the Conclusion of 31.05.2016 the Dâmbovița Tribunal returned to the public prosecutor's office the case started by the indictment drafted in the criminal pursuit file no. 124/D/P/2013 of the Prosecutor's Office within to the High Court of Cassation and Justice - DIICOT - BT Dâmbovița regarding the defendants GG, VV, CV, DP, TM, PV, GA, M M, the injured parties being OMV Petrom SA, CONPET SA, National Company for Gas transport “Transgaz” SA. Against the Conclusion the Prosecutor's Office filed a contestation, on the docket of the Ploiești Appellate Court. By the Conclusion of 13.10.2016 the Ploiesti Appellate Court admitted the contestation filed by the Prosecutor's Office within the High Court of Cassation and Justice - DIICOT - Dâmbovița Territorial Office, annulled the attacked conclusion and, by re-judging, found the legality of the Dâmbovița Tribunal's notification by the indictment no. 124/D/P/2013 of the Prosecutor's Office within the High Court of Cassation and Justice - DIICOT - Dâmbovița Territorial Office, the administration of evidence and the execution of criminal prosecution acts. It ruled the commencement of the trial.

**Trial stage:** Merits

**Court hearing:** 11.02.2019

**18. Case File no. 1450/214/2016 – Costești Court**

**Parties:** Conpet SA – civil party

Șerban Ilie, Dobre Marin, Naicu Ion Marian – defendants

**Object: Theft.** Conpet constituted itself as civil party for the amount of 133,147.97 lei representing the equivalent of the quantity of stolen crude oil, of the repair works at the damaged pipeline and of the relevant expert's reports.

**Clarifications:** By the Conclusion of 18.08.2016 the Costesti Court rejected as ungrounded the

claims and the exceptions invoked by the defendants, found the competence and the legality of the court notification, of the administration of the evidence and of the execution of the other acts of criminal prosecution and ruled the commencement of the trial. The Conclusion was appealed. By the Conclusion no. 194 / 13.10.2016 the Argeş Tribunal rejected the contestation as unfounded.

**Trial stage:** Merits

**Court hearing:** 07.02.2019

### **19. Case File no. 8529/281/2016 – Ploieşti Court**

**Parties:** Conpet SA – civil party

Constantin Costel, Matei Marian, Stan Mihai Catalin, Matei Valentin Dumitru – defendants

**Object: Qualified theft.** Conpet constituted itself as civil party for the amount of 158,780.39 lei composed of:

- 24,691.2 lei (VAT included) representing the value of 30,000 litres stolen between September and October 2015 by the defendants Stan Mihai Catalin, Matei Marian and Matei Valentin Dumitru

- 128,394.0 lei (VAT included) representing the value of 156,000 litres stolen between September and October 2015 by the defendants Constantin Costel, Stan Mihai Catalin and Matei Marian.

- 5.695,19 lei (including VAT) representing the value of the pipeline rehabilitation works, necessary to bring it to the initial condition before the crime, that is to say in operational order.

**Trial stage:** Merits

**Court hearing:** 26.02.2019

### **20. Case File no. 8262/281/2016 – Ploieşti Court**

**Parties:** Conpet SA – creditor

Association Fotbal Club Conpet - debtor

**Object: Dissolution of legal person.** Petition for debt admission. Conpet SA filed a petition for the admission of the debt on the estate of the debtor Association Fotbal Club Conpet, against which the dissolution was ruled by the Civil Court Order no. 8683/04.10.2016 pronounced by the Ploieşti Court in case file no. 8262/281/2016, requesting the court to admit the petition for registration in the creditors' table of the debtor Fotbal Club Conpet with the amount of 424.94 lei, as a certain, liquid and exigible debt, born before the admission of the dissolution request, representing residual payment penalties, according to invoice no. 1653 / 31.05.2015, calculated for the late payment of the obligations arising from the Rental Contract no. ADM 366 / 23.10.2012, concluded by Conpet SA with the Association FotbalClub Conpet.

**Trial stage:** Merits

**Court hearing:** --

### **21. Case File no. 219/281/2017 – Prahova Tribunal**

**Parties:** Conpet SA – claimant

Tonicelli SRL – respondent

**Object:** Conpet initiated a law suit requesting the court to rule the obligation of the company Tonicelli SRL to pay the following amounts:

- 37,017.28 lei representing the value of unpaid ferrous waste according to Contract no. ADM 79 / 06.03.2014;

- 6,737.02 lei representing delay penalties, according to Contract no. ADM 79 / 06.03.2014,

calculated until 20.10.2016;

- the court costs.

**Clarifications:** By the **Conclusion no. 245 / 03.02.2017** the Ploiești Court annulled the petition formulated for the non-compliance with the obligations set by the court of law related to the completion or modification of the petition. Conpet submitted a review petition.

By the Conclusion no. 860 / 14.04.2017 the Ploiești Court admitted the review request filed by claimant CONPET S.A. It ruled to send the file back to the initial invested panel of judges.

By **sentence no. 1831 / 09.03.2018** Ploiești Court of Appeal admits the writ of summons. It requests the respondent to pay to the claimant the amount of lei 37,017.28 representing unpaid non-ferrous waste, according to ADM contract no. 79/06.03.2014. It requests the respondent to pay to the claimant the amount of lei 6.737,02 representing penalties for delay, according to art. 11.1 of the ADM contract no. 79/06.03.2014, calculated until 20.10.2016. It requests the respondent pay to the claimant the amount of lei 2,562.63 as court costs of which the amount of lei 1,917.63, as legal stamp duty, the amount of lei 600 representing the fee for accounting expertise and lei 45 representing the equivalent value of the confirmation of company details. The judgment was appealed by Conpet.

By the **Conclusion dated 29.11.2018** the Prahova Tribunal admits the request to suspend the case. Under Art. 75 of the Law no. 85/2014 it suspends the case as a result of the opening of the insolvency proceedings against the summoned respondent. The conclusion may be appealed throughout the suspension period.

**Trial stage:** Appeal-Suspended

**Court hearing:** --

## **22. Case File no. 3666/281/2017 – Prahova Tribunal**

**Parties:** Conpet – claimant

GENERAL REMAT SORT SRL

**Object: Claims.** Conpet filed a lawsuit requesting the court to rule the obligation of General Remat Sort SRL to pay the amount of 7,200.9 lei (2,286 lei unpaid invoice and 4,914.90 penalties for late payments calculated until 31.12.2016).

**Clarifications:** By the **sentence no. 864/08.02.2018** The Ploiești Court of Appeal admits the writ of summons filed by the claimant CONPET S.A., against the respondent GENERAL REMAT SORT S.R.L., and work point located in Constanța, Constanța County. It requests the respondent to pay to the claimant the amount of lei 2,286 representing unpaid non-ferrous waste, according to ADM contract no. 132 / 23.04.2015. It requests the respondent to pay to the claimant the amount of lei 4,914.90 representing late payment penalties, according to art.9.1 of the ADM contract no.132 / 23.04.2015, calculated up to 31.12.2016. It requests the respondent to pay to the claimant the amount of lei 1,065 in court costs, of which the amount of lei 465 representing the judicial stamp duty and the amount of lei 600 lei representing accounting expertise fee. The judgment was appealed by Conpet.

By **decision no. 2667/14.11.2018** the Prahova Tribunal admits the appeal, partially amends the appealed sentence and consequently: It requests the respondent to pay to the claimant the amount of lei 8.206,74 lei, representing late payment penalties calculated until 15.10.2017. The judgment may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

## **23. Case File no. 2345/202/2017 – Călărași Tribunal**

**Parties:** Conpet SA – claimant

Stoian Vasile – respondent

**Object: Claims.** Conpet SA filed a law suit requesting the court to rule the obligation of the respondent Stoian Vasile to pay the sum of **15,136.23** lei for civil compensation - representing the value of the materials and works needed to replace the three potential terminals afferent to the of imported crude oil transport pipelines Bărağanu - Călăreți stolen by him in the period 17.09. - 30.09.2014, amount to which one shall add the legal interest from the date of the act (30.09.2014) until the date of the actual payment, as well as the payment of the costs advanced in the case.

**Claims:** By the **Court Order no. 1694 / 19.09.2017** the Calarasi Court admitted the request made by Conpet S.A. It ruled the obligation of the respondent to pay the claimant the amount of 15,136.23 lei as civil damages. It rejected as ungrounded the applicant 's petition to rule the obligation of the respondent to pay the court costs. The decision was attacked with appeal by Conpet. Conpet also filed an application to complete the sentence no. 1694 / 19.09.2017 requesting the admission of the petition and the completion of the sentence pronounced by the Calarasi Court with the court's orders on the request of our company regarding the obligation of the respondent Stoian Vasile to pay the legal interest from the date of the commission of the deed (30.09.2014) until the actual payment of the main debit. The request for completion constitutes the object of the case file no. 2345/202/2017/a1.

By **sentence no. 258 / 06.02.2018** the Călărași Court admits the request for completion of the Civil Sentinece no. 1694/2017 dated September 19th, 2017, pronounced by the Călărași Court in file no. 2345/202/2017, request filed by the applicant Conpet S.A. Pursuant to art. 444 Code of Civil Procedure, it completes the judgment in the sens that it requests the respondent to pay the claimant Vasile Stoian legal interest calculated in the amount of lei 15136.23 as of 30.09.2014 and until the date of actual payment. It maintains the other provisions of the sentence. Final by failure to appeal.

By **decision no. 601 / 18.09.2018** the Călărași Tribunal admits the appeal declared by the claimant Conpet S.A. against the respondent Vasile Stoian against the civil sentence nr.1694 / 2017 of the Calarasi Court which it changes, in part, by requesting the respondent to pay the court costs in the amount of lei 862. It admits the request for the restitution of the stamp duty paid in the appeal (lei 33) and orders the restitution thereof. The judgment may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

#### **24. Case File no. 1656/295/2017 – Timiș Tribunal**

**Parties:** Conpet – claimant

Emiliana West Rom SRL – respondent

Zeri Andrea – respondent

**Object: Claims.** Conpet SA filed a lawsuit requesting the court to rule the joint obligation, of the respondents SC EMILIANA WEST ROM SRL and ZERI ANDREA to pay to Conpet SA the amount of **197,301.36** lei as civil compensation - representing the value of the tubular material, of the materials and works necessary for the reconstruction of the Ø 6 ½ "Valcani - Teremia" crude oil pipeline, destroyed on 07.07.2014 by the dismantling of a portion of 460 lm, amount to which will be added legal interest from the date of the criminal deed up to the date of full payment of the principal debt.

Clarifications: By the **sentence no. 132 / 12.02.2018** the Sânnicolaul Mare Court rejects the writ of summons formulated and specified by the claimant Conpet SA, against the respondent Zeri Andrea and PFA Zeri Andrea, having claims as subject-matter. It rejects the application for granting the court costs as claimed by the respondents Zeri Andrea and PFA Zeri Andrea as unfounded. The judgment was appealed against by Conpet.

**Trial stage:** Appeal



**Court hearing:** 12.02.2019

**25. Case File no. 789/105/2017 – Prahova Tribunal**

**Parties:** ICIM SA through the administrator CITR Bucharest - debtor

Conpet SA- creditor

**Object:** Insolvency proceedings. Conpet requests the inscription in the creditors' table of the company ICIM SA represented by the judicial administrator CITR FILIALA BUCUREȘTI / BUCHAREST BRANCH SPRL, with a total debt in the amount of 393,934.37 lei representing delay penalties, court costs, execution costs.

A) lei 50,094,8 representing the value of the works for remediation of the pipe Ø 6 RA Moreni-Ploiești and of the lost crude oil, the legal interest, the court costs and the execution costs established by the executory title - the civil court order no. 1014 / 28.01.2015 ruled in Case File no. 113/281/2014, remaining final and corrected by the Conclusion of correction of the material error of 06.06.2016, by which the Ploiești Court admitted the lawsuit petition introduced by the claimant Conpet S.A.

B) lei 343,839.57, consisting in the amount of lei 331,271.57 representing delay penalties in accordance with the provisions of art. 8.1. of the contract 0135/1995 (as amended by art. 5 of the addendum no. 9/2005 and the addendum no. 10/2006), as well as the amount of 12,568 lei representing the judicial stamp fee, judicial stamp and expert fees.

Conpet was entered on the table with the requested amount. ICIM filed a contestation which constituted the object of case file no. 789/105/2017/a1 and requested:

- in principal the partial amendment of the preliminary debts table in the sense of rejecting of petition for the inscription of the debt in the amount formulated by Conpet
- in subsidiary, the partial amendment of the preliminary debts table in the sense of inscribing the debt of Conpet under a condition.

**Trial stage:** Merits

**Court hearing:** 22.04.2019

**26. Case File no. 6575/105/2017 – Prahova Tribunal**

**Parties:** Conpet SA – claimant

The Court of Accounts of Romania – respondent

**Object:** Conpet attacked with appeal the Conclusion no. 78/09.08.2017 ruled by the Court of Accounts of Romania, so that the court rules:

1. The partial annulment of the Conclusion no. 78/09.08.2017 issued by the Romanian Court of Accounts, namely

- Consideration 2 related to Point II of Complaint no. 27718 / 10.07.2017 (regarding the measures No I.2 and I.3 of the Decision no.24 / 21.06.2017, for the removal of the deviations presented in points 2 and 3 of the same decision), the findings from letters A and B.

2. The partial annulment of the Decision no. 14/21.06.2017, issued by the Chamber of Accounts Prahova, namely:

- The findings set out in point 2 regarding the decommissioning and capitalization of some pipeline sections of the National Transport System (NTS) - part of the public domain of national interest, without a prior government decision to transfer from the State Public Domain to the private domain, in order to draw up the documentation for decommissioning and scrapping
- The findings presented in point 3 regarding the fact that in 2016 a recovered buried pipe was capitalised by tender for recoverable buried pipe according to the recovery procedure

approved by the Regulation on the conditions for participation in the tender and the modality of organising the tender for the capitalization of buried and/or overground metal tubular material. The capitalization was made prior to the adoption of a governmental decision approving the transition from the public domain of the state to the private domain for the purpose of capitalizing, according to the law;

- Measure no. 2 regarding the execution of the inventory to identify portions of the National Transport System (NTS) that were abandoned or decommissioned as a of the investments made in the National Transport System (NTS) within the programs for rehabilitation, modernization and development and the transmission of the results of ANRM for the initiation of the government decision for the approval of the transfer from the public domain of the state to the private domain of the state with a view to their removal from operation. The regulation through internal procedure of the manner of dismantling, scrapping and capitalization of parts of the National Transport System (NTS) dismantled following the rehabilitation, upgrading and development work carried out by the concessionaire;
  - Measure no. 3 regarding the transfer of the amount of lei 927,154.06 representing income to the state budget from the capitalization of the tubular material resulted from the decommissioning of some parts from the tangible assets belonging to the public domain of the state, together with the interest and related penalties, updated on the date of payment. The expanding of the checks to identify all net amounts arising from the capitalization of dismantled asset items belonging to the public domain of the state, decommissioned and transferred to the budget, at the updated value.
3. The suspension of the measures established by Decision no. 14/21.06.2017, issued by the Chamber of Accounts Prahova, points no. I.2 and I.3, respectively, measures 2 and 3 thereof until the final settlement of the case.

**Clarifications:** By the **conclusion of 23.02.2018** the Prahova Court rejects the application for the suspension of the execution of the administrative act as unfounded. The judgment was appealed by Conpet SA.

By **decision no. 2946/19.09.2018** the Court of Appeal of Ploiești admits the appeal. It quashes the decision under appeal in full and sends the case back to the same court of law.

By **decision no. 1850/09.11.2018** The Prahova Tribunal admits the application, orders the suspension of the execution of the measures 2 and 3 established by the decision no. 14/21.06.2017, issued by the Prahova Chamber of Accounts until the final settlement of the case. Enforceable. The judgment was appealed by the Court of Accounts. Deadline: 15.02.2019

**Trial stage:** Merits

**Court hearing:** 26.03.2019

## **27. Case File no. 689/42/2017 – Ploiesti Court of Appeal**

**Parties:** Conpet SA – claimant

National Agency of Fiscal Administration - General Division for Complaint Resolution - respondent  
General Regional Division of Public Finances Galați – County Administration of Public Finances Buzău – respondent

**Object: Contestation against a fiscal administrative act.** Conpet SA filed a law suit requesting the court:

**1.** to rule the annulment of the **Decision no. 114/06.04.2017** issued by ANAF - General Division for Complaint Resolution;

**2.** to rule the cancellation of the **Tax Imposition Decision no. F-BZ 436 / 31.10.2016**, regarding the payment additional tax obligations established by the Tax Inspection for Legal Persons issued by the General Regional Department of Public Finances Galați - the County Administration of Public

Finances Buzău;

**3.** to rule the cancellation of the Tax Inspection **Report no. F-BZ 584 / 31.10.2016**, concluded by the inspectors of the National Agency for Fiscal Administration - General Regional Department of Public Finances Galați - County Administration of Public Finances Buzău - Fiscal Inspection Service.

**4.** to rule the obligation of the respondents to pay the court costs

By **sentence no. 24 / 01.02.2019** the Ploiesti Court of Appeal partially admits the petition for legal action. It orders the partial annulment of the tax inspection report F BZ 584 dated 31.10.2016, of the tax decision F BZ 436/31.10.2016 and of the decision 114/06.04.2017 regarding the following findings: - point I on the profit tax in the amount of lei 2,435,078 lei related to the sponsorship expenses - point X - tax and profit in the amount of lei 12,915 for the advertising and publicity expenses in the amount of lei 80,719 and the related VAT in the amount of lei 19,372. - point XI - tax and profit related to advertising and publicity expenses in the amount of lei 1,129,500. – point XII - tax and profit related to the rent expenses in the corresponding amount of lei 442.545 - point XIII - tax on the external travel expenses in the amount of lei 207.614 lei. It maintains the contested documents. The judgment may be appealed after communication.

**Trial stage :** --

**Court hearing :** --

## **28. Case File no. 31709/212/2017 – Constanța Court**

**Parties:** Conpet – petitioner

SPIT Constanța – appellee

**Object: Contraventional complaint.** Conpet filed a contraventional complaint against the report of contravention finding and sanctioning no. EPJ0001652 of 16.10.2017 concluded by the Public Service of Taxes and Fess Constanța requesting the admission of the complaint, the annulment of the report and the exoneration of our company from the payment of the fine (1,500 lei), and in subsidiary the replacement of the fine by a formal warning.

**Clarifications:** By the **conclusion of 20.03.2018** the Constanța Court suspends, pending the final settlement of the files no. 2768/118/2017 and no. 4323/118/2017 - pending before the Constanța Tribunal, the judgement on the contravention complaint. The conclusion was appealed by SPIT Constanța. By the decision no. 21/05.09.2018 the Constanța Court admits the appeal. It quashes the decision under appeal in full and considering it again for judgement, it rules: it rejects the request for the suspension of the case under the provisions of art. 413 par. 1 point 1 Code of civil procedure. Final.

**Trial stage:** Merits

**Court hearing:** --

## **29. Case File no. 23486/281/2017 – Ploiești Court**

**Parties:** Conpet SA – claimant

Consultanță pentru Infrastructuri terestre / Consulting for Land Infrastructures CONSIT SA

**Object: Claims.** Conpet instituted a lawsuit against the respondent CONSULTANȚA PENTRU INFRASTRUCTURI TERESTRE CONSIT S.A. requesting the court to rule the obligation of the defendant to pay the following amounts:

- 2700 lei representing damages according to the provisions of art. 17.3 of Contract no. S-CA 85/21.03.2016 communicated through the notice of termination no.21580/30.05.2017;
- 14,715 lei representing penalties for delay, according to Contract no. S-CA 85/21.03.2016 calculated until 07.06.2017 the date of termination of the contract.

- court costs.

**Trial stage:** Merits

**Court hearing:** --

### **30. Case File no. 9696/315/2017 – Târgoviște Court**

**Parties:** Conpet SA – claimant

Crețu Cătălin – respondent

Crețu Gheorghe – respondent

Niță Ionuț – Bogdan – respondent

Roman Lucian – Marin – respondent

Vasile Andrei – respondent

Dumitrică Aurelian – respondent

**Object:** Conpet SA filed a law suit requesting the court to rule the joint obligation of the respondents to pay the amount of **37,872.18 lei** with the title of civil damages - representing the value of the replacement work of the stolen pipeline (5,472.32 lei) and the repairs of the fiber optic cable destroyed by the respondents (32.054 lei), works necessary for their restoration to the condition before the criminal deed, that is to say in operational order as well as the value of the travel to the place of the deed in order to ascertain its consequences 345.86 lei). It also required that this amount be updated at the legal rate on 10.04.2011, the date of the deed and up to the actual payment date. He also asked the respondents to pay the costs advanced in the case.

**Clarifications:** By the sentence no. 2539/24.07.2018 the Targoviste Court of Appeal admits the action. It orders the respondents to jointly and severally pay to the claimant the amount of 37.872,18 lei in respect of civil damages representing the value of the travel to the place of the deed for the finding purposes, the work to replace the pipe removed and the fiber optic remediation works, as well as the payment of the legal interest related to the main debit, calculated from 10.04.2011, the date of the offense and up to the actual payment date. It orders the respondents to jointly and severally pay to the claimant the amount of 1,742 lei as court costs representing the the judicial stamp duty. The judgment may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

### **31. Dosar nr. 4991/281/2018 – Judecătoria Ploiești**

**Părți:** Conpet SA – contestator

Dobrogeanu Dumitru – intimat

**Obiect:** Conpet SA formulează contestație la executare împotriva actelor de executare întocmite de Societatea Civilă Profesională de Executori Judecătorești Goslan și Stângă, după cum urmează:

-Încheierea din data de 06 februarie 2018;

-Înștiințarea din data de 06 februarie 2018;

-Adresa precizatoare din data de 01 martie 2018 a Somației din data 06 februarie 2018.

și solicită:

1. Anularea încheierii din data de 06 februarie 2018 emisă în dosarul nr. 4526/2017 privind stabilirea cheltuielilor de executare silită.

2. Anularea înștiințării din data de 06 februarie 2018 emisă în dosarul nr. 4526/2017 privind declanșarea urmăririi silite împotriva CONPET în vederea actualizării cu rata inflației a creanței stabilite în titlul executoriu reprezentat de Decizia civilă nr. 669/20.12.2011, de la data de 20.11.2011 până la data plății efective, pronunțată de Tribunalul Prahova în dosar nr.

14660/281/2005;

3. Anularea adresei precizatoare din data de 01 martie 2018 a somației din data de 06 februarie 2018 emisă în dosar nr.4526/2017, privind achitarea de către CONPET doar a actualizării creanței de 53.116,00 lei pe anul 2014.

4. Întoarcerea executării prin restabilirea situației anterioare acesteia.

5. Cheltuieli de judecată.

**Precizări:** Prin **Încheierea nr. 1515/19.06.2018** Judecătoria Ploiești admite excepția netimbrării cererii de chemare în judecată, invocată din oficiu. Anulează cererea ca netimbrată. Hotărârea poate fi atacată cu apel după comunicare.

**Stadiu procesual:** --

**Termen:** --

### **32. Case File 611/310/2018 –Sinaia Court**

**Parties:** Conpet SA – petitioner

Sinaia U.A.T. SINAIA through the Mayor

**Object:** Conpet files a complaint against the Minutes of finding and sanctioning of contraventions no. 4 dated March 5, 2018 concluded by Sinaia U.A.T. requesting the admission of the complaint and the annulment of minutes Minutes of finding and sanctioning of contraventions, and subsidiarily the replacement of the sanction by a warning. By the appealed Minutes, Naparus Georgeta, inspector of the Sinaia U.A.T., following a check on 05.03.2018, at 3PM, in Sinaia, 2000 range - Bucegi Mountains, refuge 2000, Prahova County, found the following: “works were executed with the non-observance of the building permit no. 70/29.08.2016 that: The roof on the rear faade has a slope along the entire length of the faade; by this change the following measurements are exceeded: the built area > 150.00 sqm, POT > 18%, developed larger > 230.00 sqm, CUT > 0.36; A supporting wall was built to support the beam; The works were done in 2017.” Through the sanction resolution, the Mayor of Sinaia applied the sanction with a fine of 50,000 lei according to art. 26 lit. b) of Law no. 50/1991 and ordered the following measures: stopping works and compliance with the law.

**Clarifications:** By the Decision no. 60/23.01.2019 The Sinaia Court rejects the complaint of violation as unfounded. Maintains the Minutes of finding and sanctioning of contraventions no. 4/05.03.2018 elaborated by the Sinaia City Hall. The decision may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

### **33. Case File no. 1064/192/2018 – Bolintin Vale Court**

**Parties:** Conpet SA – petitioner

Găiseni City Hall – intimated party

**Object: Contravention complaint.** Conpet filed a complaint of violation against the Minute no. 78/21.02.2018 concluded by the Găiseni City Hall requesting its cancellation and the exemption from the payment of the fine (500 lei) applied pursuant to art. 493 par. 5 of Law no. 207/2015 regarding the Fiscal Code for breaching the provisions of art. 461 par. 2 of the Law no. 207/2015 (failure to declare the building in due time).

**Clarifications:** By sentence no. 911/03.07.2018 The Bolintin Vale Court of Appeal admits the complaint. The judgment may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

### **34. Case File no. 8615/280/2018 – Argeş Tribunal**

**Părți:** Conpet – contestant

LAVI STAR 2007 SRL – intimated party

BEJ Copaci Vasile Dorel of the Associate Bureau of Judicial Executives Bucescu Emanoil Aron and Copaci Vasile Dorel – intimated party

**Object:** Appeal against execution. Conpet filed an appeal against execution against the termination of the forced execution conclusion dated 14.05.2018 disposed in the execution file no. 228/2018 by the bailiff Copaci Vasile Dorel from the Associated Bureau of the Judicial Executives Bucescu Emanoil Aron and Copaci Vasile Dorel requesting the court to order the termination of the forced execution conclusion no. 228/2018 dated 14.05.2018 of the bailiff Copaci Vasile Dorel and to require him to continue the forced execution for the purpose of calculating and recovering from the debtor LAVI STAR 2007 SRL the amount representing the update of the main debit with the legal interest from the date of the final stay of the enforceable title represented by the Decision no. 8072/11.09.2014 and until full payment of the main debit. It also asks the intimated parties to pay the court costs in question.

**Clarifications:** By the **Decision no. 7544/22.11.2018** The Pitesti Court dismisses Conpet's appeal as unfounded. The decision was appealed by Conpet.

**Trial Stage:** Appeal

**Court Hearing:** --

### **35. Case file no. 14772/281/2018 –Ploiești Court**

**Părți:** Conpet SA – claimant

Valin Construction Project SRL – respondent

**Object:** Conpet has filed a sue petition asking the court to:

- order the respondent to pay to Conpet SA the amount of 529.80 lei according to invoice no. PH CON FA 3378/26.04.2016, representing the value of the rental on 24.04.2016 of the special vehicle of TATRA mobile make with registration number PH-58-ZZZ, which is a Conpet property;
- order the respondent to pay to Conpet SA legal penalties in the amount of 114.06 lei, calculated until 02.07.2018, and to continue to pay them until the full payment of the debit;
- Order the respondent to pay the court costs.

**Clarifications:** By the Decision no. 148/11.01.2019 The Ploiesti Court of Appeal admits the above-mentioned summons. It requests the respondent to pay the claimant the sum of 120.95 lei as default penalties, calculated from the due date until 13.09.2018, the date of payment of the main debit in the amount of 529.80 lei according to the invoice no. CON FA 3378/26.04.2016. The respondent is ordered to pay to the claimant the amount of 62.08 lei as court costs for the stamp duty. The decision may be appealed after communication.

**Trial Stage:** --

**Court Hearing:** --

### **36. Case file no. 2782/229/2018 – J== Fetești Court**

**Părți:** Conpet SA – claimant

Zacon Trandafir – respondent

**Object:** Conpet SA has filed a sue petition against Zacon Trandafir so that based in the evidence to be administered, the court shall pronounce a decision by which:

- to find the absolute nullity of the sale-purchase agreement no. 1047/03.02.1999, concluded between Conpet SA as the seller and Zacon Rose as buyer;
  - to order the respondent to pay the court costs.
- Subsidiarily, the respondent Zacon Trandafir is required to pay the value of the property at the fair market value determined by the report of a judicial technical expertise.

**Trial stage:** Merits

**Court hearing:** 09.05.2019

**Likelihood of admission of the action:** 50%

### **37. Case file no. 9638/315/2018 –Târgoviște Court**

**Parties:** Conpet SA – petitioner

The Public Prosecutor's office attached to the Târgoviște Court– intimated party

**Object:** Conpet files a complaint against the Ordinance in regard to the rejection of the claim no. 143/II/2/2018 dated October 1, 2018 by the First Prosecutor of the Public Prosecutor's Office attached to the Târgoviște Court, by which the Conpet S.A. claim against the Order of Classification given on 04.06.2018 by the Public Prosecutor's Office attached to the Targoviste Court in file no. 595/P/2013, regarding the commission of the offense of qualified theft, deed provided for in art. 228 par. 1 - art. 229 par. 1 sect. b and par. 3 sect. A of the Criminal Code requesting the cancellation of the Ordinances, the continuation of the criminal investigation and the investigations in order to sue the suspects Spirea Robert Marius, Drăguț Marian, Niță Sorin and Sandu Marian for committing the offense provided by art. 228 par. 1 - art. 229 par. 1 sect. b and par. 3 sect. a of the Criminal Code, as well as for the recovery of the damage caused to our company.

**Clarifications:** By the order of 23.01.2019, the Târgoviște Court of Appeal admits the complaint and ordered the case to be filed with the prosecutor in order to complete the criminal prosecution of the suspects in this case file, as regards to the perpetration of the crime of qualified theft, by art. 228 par. 1 rap. to art. 229 par. 1 sect. b) and par. 3 sect. a) of the Criminal Code. Final

### **38. Case file no. 983/281/2016 –Ploiești Court**

**Parties:** Conpet SA – claimant

Dobrogeanu Dumitru – respondent

**Object:** Conpet files an application for restitution of the legal stamp duty in the amount of 1,000 lei paid by our company in the file no. 983/281/2016 through PO no. 2025 dated 25.03.2016 and the stamp duty in the amount of 658.37 lei paid by our company in the file no. 8115/281/2016 through OP no. 4249 dated 29.06.2016.

**Clarifications:** By the **Conclusion no. 44/09.01.2019** the Ploiești Court admits the application. It orders the restitution to the contestant of the amount of 1,000 lei paid by the contestant as judicial stamp duty in the file no. 983/281/2016 and the amount of 658.37 lei paid by the contestant as judicial stamp duty in the file no. 8115/281/2016. The judgment may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

### **39. Case File no. 4562/105/2018 –Prahova Tribunal**

**Părți:** Conpet SA – claimant

Agenția Județeană Pentru Ocuparea Forței De Muncă Prahova

**Object:** Anulare act administrativ. Conpet formulează cerere de chemare în judecată prin care a solicitat anularea actului administrativ reprezentat de dispoziția AJO FM nr. 223/27.02.2018 prin care a respins solicitarea Conpet de a beneficia de subvenția alocată pentru stagiați

Cancellation of the administrative act. Conpet filed a sue petition by which it requested the cancellation of the administrative act represented by the AJO FM provision no. 223/27.02.2018 refusing Conpet's request to benefit from the grant awarded to trainees

**Trial stage:** Merits

**Court hearing:** Decision delivery postponed to 07.02.2019

#### **40. Case file no. 24107/281/2018 – Ploiești Court**

**Părți:** Conpet SA – claimant

Dobrogeanu Dumitru – respondent

**Object:** Conpet files a sue petition asking the court that by its decision to order the return of forced execution under the enforceable title represented by the decision no. 669 from 20.12.2011 of the Prahova Tribunal in the execution file no. 15/2013 of B.E.J. Goslan Mihai, by partially restoring the situation prior to the execution, in order to oblige the respondent Dobrogeanu Dumitru (under Article 723 of the Civil Procedure Code) to pay the following amounts to the undersigned:

- **8,202.82 lei** representing the amount received unduly as the amount for the lack of use related to the period 16.08.2012 - 31.12.2012, updated with the inflation index for the period 01.01.2013 - 21.03.2013;

- **298,99 lei** representing the fee received unduly by the Bureau of the Judicial Executor Mihai Goslan;

- **1,000 lei**, representing the lawyer's fee.

It also requests the updating of the amounts of 8,202.82 lei, 298,99 lei and 1,000 lei with the default interest starting with 15.04.2013 (the date of the Minutes for the release of amounts in the execution file No. 15/2013) to day and further until the date of actual payment.

**Trial stage:** Merits

**Court hearing:** 04.03.2019

#### **41. Case file no. 27022/3/2018 – București Tribunal**

**Parties:** Conpet – creditor

PETROCONSTRUCT GROUP S.R.L – debtor

**Object:** Bankruptcy. Conpet SA filed an application for the admission of the claim for the amount of 17,176.14 lei (debits and penalties) for the renting of the spaces according to the agreement ADM 803/05.12.2017 and renting of a vehicle according to the order.

**Trial stage:** Merits

**Court hearing:** 16.04.2019

#### **42. Case file no. 28232/281/2018 – Ploiești Court**

**Parties:** Conpet SA – claimant

Mihoc Oil SRL – respondent

**Object:** Conpet SA filed a sue petition requesting the court by its decision:

1. To order the respondent MIHOC OIL S.R.L. to pay to CONPET S.A. the amount of 57,450 lei representing damages in the amount of 20%, due according to art. 17 of the service agreement no. S-



CA 47/28.01.2016, following the termination of the agreement by the default of the respondent  
2. To order the respondent to pay the court costs.

**Trial stage:** Merits

**Court hearing:** --

#### **43. Case file no. 11356/315/2018 – = Târgoviște Court**

**Părți:** Conpet SA – petitioner

Public Prosecutor's Office attached to the Târgoviște Court

**Object:** Conpet files a complaint against the Ordinance in regard to the rejection of the claim no. 182/II/2/2018 dated 12.11.2018 by the First Prosecutor of the Public Prosecutor's Office attached to the Târgoviște Court, by which the complaint of Conpet S.A. against the Classification Order given on 21.08.2018 by the Public Prosecutor's Office attached to the Târgoviște Court, in the file no. 1746/P/2013, on the offense of theft, deed provided for in art. 228 par. 1 of the Criminal Code asking for the admission of the complaint, abolition of the Ordinances, continuation of the criminal investigation and investigations in order to identify the offenders and prosecuting them for committing the offenses during the period 02 - 06.03.2013, the Ø14" and Ø20" oil pipelines transiting comuna Butimanu, Dâmbovița County.

**Clarifications:** By the conclusion of 22.01.2019 the Târgoviște Court of Appeal rejects the complaint. The Judicial costs advanced by the state in the amount of 50 lei shall be borne by the petitioner. Final.

#### **44. File no. 27968/281/2018 –Ploiești Court**

**Părți:** Conpet SA – petitioner

Public Prosecutor's Office attached to the Ploiești Court

**Object:** Conpet files a complaint against the Ordinance in regard to the rejection of the claim no. 289/II/2/2018 dated 16.11.2018 by the First Prosecutor of the Public Prosecutor's Office attached to the Ploiești Court, by which the complaint of Conpet S.A. against the Classification Order given on 04.09.2018 by the Public Prosecutor's Office attached to the Ploiești Court, in the file no. 6296/P/2010, on the offense of theft, deed provided for in art. 228 par. 1 of the Criminal Code asking for the admission of the complaint, abolition of the Ordinances, continuation of the criminal investigation and investigations in order to identify the offenders and prosecuting them for committing the offenses on 08.06.2010 on the oil transport pipeline from Siliște-Ploiești.

**Clarifications:** By the Conclusion no. 52/15.01.2019 The Ploiesti Court dismisses the complaint as unfounded. It orders the petitioner to pay the amount of 150 lei, representing court costs advanced by the state. Final.

#### **45. Case File no. 4279/255/2018 – Judecătoria Marghita**

**Părți:** Conpet SA – petent

Parchetul de pe lângă Judecătoria Marghita

**Object:** Conpet files a complaint against the Ordinance in regard to the rejection of the claim no. 11/II.2/2018 dated 03.12.2018 by the First Prosecutor of the Public Prosecutor's Office attached to the Marghita Court, by which the complaint of Conpet S.A. against the Classification Order given on 04.09.2018 by the Public Prosecutor's Office attached to the Marghita Court, in the file no. 903/P/2013, asking for the admission of the complaint, abolition of the Ordinances, continuation of

the criminal investigation and investigations in order to identify the offenders and prosecuting them for committing the offense found on 14.05.2013 consisting in damaging the Ø 4" oil transport pipeline Petru - Marghita, in the area of Petreu, Bihor county, for oil theft purposes.

**Trial stage:** Merits

**Court hearing:** 14.02.2019

**d) List of the case files finalized in 2018 in which CONPET S.A. had the quality of Party**

**1. Case File no. 3266/105/2017 –Prahova Tribunal**

**Parties:** Conpet SA – respondent

SC Petrotel Lukoil – respondent

SC Ubemar SA – respondent

SC Real Bucov SA – respondent

Marinoiu Dan – claimant

Marinoiu Maria – claimant

**Object: Declaratory action.** Marinoiu Dan and Marinoiu Maria formulated a law suit requesting the Court to rule that, for the periods mentioned in the Annex to the petition, they were employed in positions and actually worked 100% or less of the working hours in the 1st or 2nd employment category, in accordance with the MMPS Order no. 50/1990, Annex 1, position 12 and with CCMU, ch. IV, points 10.1, 10.2/p and 11.1/2 for the periods worked by them and to rule that the respondents issue certificates in this respect.

**Mention:** Only the claimant Marinoiu Dan was an employee of Conpet in the period 14.05.1973 - 01.04.1977.

**Clarifications:** By the **Decision nr. 5498 / 08.12.2017** of the Prahova Tribunal took act of the claimants' renunciation to the judgement of the case. This decision is final and without appeal.

**2. Case File no. 8216/270/2016 – Bacău Tribunal**

**Parties:** Conpet – contestant

Comuna Dofteana – intimated party

**Object: Contestation against execution.** Conpet formulated a contestation against the execution requesting the court to order:

- the annulment of the act entitled Executory Title no. 14962 / 12.12.2016

- the annulment of the Summons no. 14961/12.12.2016 and of the other acts of execution carried out by the intimated party.

**Clarifications:** By the **Decision no. 1393 / 21.06.2017** the Onesti Court admitted the exception of the inadmissibility of the counterclaim / reconventional petition. It rejected as inadmissible the counter-claim made by the intimated party DOFTEANA COMMUNE. It admitted the contestation to execution made by the contestant CONPET SA. It annulled the Executory Title no. 14962/12.12.2016 and the Summons no. 14961/12.12.2016, and the other execution acts issued by the intimated party in the execution file no. 488/01.18.2016. The court order was attacked with appeal by the Dofteana Commune.

### **3. Case File no. 1149/228/2017 – Făurei Court**

**Parties:** Conpet – petitioner

Ianca Mayor's Office– intimidated party

**Object:** Conpet SA filed a complaint against the offence finding report no. 316 concluded by the Ianca Mayor's Office, Brăila County on 27.04.2017, by which our Company was sanctioned with a fine of 210 lei, established on the basis of art. 466 para. 2 of the Law 227/2015 regarding the Fiscal Code, an act that it considers ungrounded and illegal and requested its cancellation.

**Clarifications:** By the **Court Order no. 1031 / 23.10.2017** the Făurei Court admitted the contravention complaint. It cancelled the Minute no. 316 concluded on 27.04.2017. This decision is final and without appeal.

### **4. Case File no. 7245/105/2015 – Ploiești Court of Appeal**

**Parties:** Conpet SA– respondent

Toader Ion – claimant

**Object:** Action to ascertain. Toader Ion initiated a legal suit requesting the court to rule in its order that during the period of its activity - 31.01.1977 - 15.08.2015 - within Conpet SA, he has effectively worked 100% of the working hours as a turner in locations falling within the second employment category, and to rule the obligation of Conpet SA to issue the certificate stating the period, group and percentage of the work in the superior employment category.

**Clarifications:** By the **Decision no. 4599 / 20.10.2017** the Prahova Tribunal admitted the clarified action. The court found that the claimant benefited 100% from the second labour group for the activities carried out within the employer's unit for the period specified in the report of expert Anton Carmen. It orders the obligation of the respondent to issue to the claimant a certificate stating the period, the employment category and the percentage in which he has worked. It found that no court costs were required. The decision was appealed by Conpet.

By **decision no. 707/15.03.2018** the Ploiesti Court of Appeal admits the appeal. It fully modifies decision in the meaning that it dismisses the action as unfounded.

### **5. Case File no. 3933/110/2016 – Bacău Appellate Court**

**Parties:** Conpet SA – respondent

Vrânceanu Ion – claimant

**Object:** Vrânceanu Ion initiated a lawsuit requesting the court to rule the recognition of his employment in the second employment category during the entire period of his employment contract, namely 13.04.1987 - 05.11.2015, as he worked in the same conditions during the entire period of the contract (in the period 01.03. 1990– 31.03.2001 being included 100% in the second employment category) and to rule the payment of the amount to the pension house according to the law for the second employment category.

**Clarifications:** By the **Decision no. 521/19.06.2017** the Bacău Tribunal admitted the exception of lack of interest for the period 1.03.1990 - 31.03.2001 and consequently rejected the action for this period based on these considerations. It rejects ungrounded the action for the periods 13.04.1987 - 01.03.1990 and 1.04.2001 - 05.11.2015. The decision was appealed by the claimant.

### **6. Case File no. 22494/281/2014 – Prahova Tribunal**

**Parties:** Conpet SA - claimant

Cezar Filip Prodimpex - respondent

**Object:** Conpet initiated a law suit requesting the court to rule: the obligation of the respondent SC

Cezar Filip Prodimpex to pay the amount of 67.258,87 lei consisting in the court costs incurred by the claimant in the case that made the object of the file no. 2434./105/2009, the first court and appeal procedural stages, the first court judgement at the Prahova Tribunal, and the appeal at the Ploiești Court of Appeal.

**Clarifications:** By the **Decision no. 2388 / 07.03.2016** the Ploiesti Court admitted in part the petition. It ruled the obligation of the respondent to pay to the claimant the amount of 15,000 lei representing court costs at the First Court in the file 2434/105/2009 of the Prahova Tribunal as lawyer's fee and 21.264.87 lei the costs of the appeal, file 2434./105/2009 of the Appellate Court Ploiești, representing 10,000 lei for lawyer fee and 11,264.87 lei judicial stamp fee. It rejected the petition for the update of the amount by the inflation rate. It rejected the application regarding the court costs. The decision was attacked with appeal by Conpet SA and Cezar Filip Prodimpex.

By the **Decision no. 3959 / 19.12.2017** the Prahova Tribunal rejected the appeals as ungrounded. It compensated entirely all the appeal costs.

Caesar Filip Prodimpex paid on 15.03.2018 the court costs set by the Decision no. 2388/07.03.2016, respectively the amount of 36,264.87 lei.

## **7. Case File no. 231/105/2016 –Ploiești Court of Appeal**

**Părți:** Conpet SA – respondent

Dragomir Florin Victor – claimant

**Object:** Dragomir Florin Victor initiated a legal suit requesting the court to find that during the period 09.05.1990 – 01.01.2011 he has effectively worked 100% of the working hours in the sections of the second employment category and the first employment category, namely special conditions, and consequently to order the respondent Conpet SA to issue the certificates.

By the **Decision no. 3409/18.08.2017** the Prahova Tribunal admitted action in part. The court found that the claimant benefited 100% from the first employment category for the activities carried out within the respondent unit, for the period specified in the report of expert Luca Marcel Constantin. It orders the obligation of the respondent to issue to the claimant a certificate stating the period, the employment category and the percentage in which he has worked. It rejects the end of the claim for special work conditions as unfounded. Please note that no court costs are required. The decision was appealed by Conpet.

By **decision no. 2628 / 22.11.2017** the Ploiesti Court of Appeal rejects the appeal as unfounded.

## **8. Case File no. 2549/270/2015 – Bacău Tribunal**

**Parties:** Conpet SA – respondent

Compania Națională de Transport Gaze Naturale- respondent

Moraru Daniel – claimant

Moraru Nicoleta Valentina – claimant

**Object:** Moraru Daniel and Moraru Nicoleta Valentina instituted a legal suit requesting the court, by the decision it will pronounce, to rule:

- the obligation of the respondents to remove the constructions they erected without right on the claimants' land located in the town of Tg. Ocna, 7, Măgura street, with cadastral number 2165, and in case of refusal the authorisation of the claimants to remove them on their expense;
- the obligation of the respondents to pay the court costs for the present proceedings.

**Clarifications:** On 01.03.2016, the Onesti Court rejected as ungrounded the legal action for a suit. It rejected as ungrounded the request of indicating the holder of the right formulated by the claimants in contradictory with the defendants: the Romanian State through the Ministry of Public Finances,

the National Agency for Human Resources. The court order was attacked with appeal by the claimants.

By the Conclusion of 13.03.2017 the Bacău Tribunal admitted the exception of functional non-competence of the First Civil Section and consequently: It declined the resolution competence of the case to the Second Civil Section of the Bacău Tribunal for competent resolution. By the Decision nr. 665 / 26.09.2017 the Second Civil Section of the Bacău Tribunal admitted the exception of functional non-competence of the Second Civil Section of the Bacău Tribunal. It sends the case to the competent Court of Bacău - Civil Division I. The result is a negative conflict of jurisdiction and it sends the case to Bacău Court of Appeal- Administrative Litigation Division for Negative Conflict Resolution, which constitutes the object of the case file no. 603/32/2017.

The Second Civil Section of the Bacău Tribunal was established as having competence to settle the case.

By decision no. 100 / 08.02.2018 The Bacău Court rejects the appeal as unfounded.

### **9. Case File no. 16082/281/2015 – Prahova Tribunal**

**Parties:** Conpet SA - respondent

Ovidenie Dumitru - claimant

**Object: Real estate property claim.** Ovidenie Dumitru initiated a law suit requesting the court to rule the restitution by Conpet of the plot of land in surface of 335 sqm located in Brazi Commune, T 31, Lot 178/19; the restoration of the land to its initial state; the payment of the non-use for the last 3 years. Conpet formulated a request of identifying the holder of the right in rem.

**Clarifications:** By the **Decision no. 6535/12.07.2017** the Ploiești Court rejected the exception of the absence of passive trial capacity of the respondent Ministry of Public Finance Ploiești. It rejected the exception of the lack of passive trial capacity of the respondent Conpet S.A Ploiesti. It partly admitted the action. It ruled the obligation of the respondent SC Conpet SA Ploiesti to pay the amount of 772 lei to the claimant, representing the value of the non-use for the years 2014-2016, calculated according to the agro-expert report in the matter considering also the topo expert's report drawn up in the case, and considering also the topo expert's report and the plan blueprint enclosed drafted in the case by the topo expert Neagu Nicu. It ruled the obligation of the respondent to pay the amount of 1,517 lei to the claimant representing the equivalent of the judicial stamp fee and 1/2 of the expert fee. It rejected the remaining part of the clarified action. The court order was attacked with appeal by Conpet SA, the Romanian State through the Ministry of Public Finance and ANAF DGRFP Ploiești.

By decision no. **398/27.03.2018** The Prahova Court rejects the appeals filed by the appellants in the Decision no. 6535/12.07.2017 as unfounded. It admits the appeal declared by the respondent appellant Conpet SA Ploiesti against the conclusion dated 27.09.2017. It partially alters the appealed decision in the meaning that it fully accepts the material error correction claim. It orders the correction of the material errors slipped in the decision no. 6535/12.07.2017 consisting in indicating the respondent's CNP and the unique registration code and the registration number with the Trade Register. It maintains the remainder of the conclusion's provisions only in respect of the respondent's domicile.

### **10. Case File no. 6683/105/2015 – Ploiești Appellate Court**

**Parties:** Conpet SA - respondent

Muscalu Florian Aurelian, Ceptureanu Romeo, Dobrică Virgil, Rădulescu Loredana Emilia, Mărgărit Corneliu, Negoită Gheorghe, Pârvu Ilie, Străchinescu Dumitru, Străchinescu Veronica, Ispas Marian, Staicu Claudia, Neagu Marin, Cosma Vasile – claimants

**Object: Action to ascertain.** The claimants instituted a legal suit requesting the court to find and rule that for the periods enclosed to the petition they were employed in certain positions and effectively worked 100% of the working hours within the sections comprised in the second employment category, the first employment category and in special and extraordinary labour conditions respectively, and consequently to rule the obligation of Conpet to issue the certificates.

**Clarifications:** By the **Court Order no. 4657 / 23.10.2017** the Prahova Tribunal admitted the clarified action. It found that the claimants benefit from the 1st labour group in proportion of 100% for the activities carried out within the employer's unit for the periods expressly mentioned in the report of expert Luca Marcel Constantin, revised, which constituted an inherent part of this court order. It ruled the obligation of the respondent to issue to the claimants certificates stating the period, group and percentage of their activity. It notes that no court costs were required. The court order was appealed by Conpet.

By **decision no. 765 / 21.03.2018** The Ploiesti Court of Appeal rejects the appeal as unfounded. It notes that no court costs have been claimed.

### **11. Case File no. 15042/212/2015 – Constanța Appellate Court**

**Parties:** Conpet SA – civil party

Polifroni Dimu, Safir Marius, Staicu Tudor – defendants

**Object:** Conpet SA is a civil party in the criminal proceedings for the sum of 156,414.01 lei representing 151,482.42 lei - the equivalent of the quantity of 73,026 kg of crude oil, 2,936.97 lei the equivalent of the pipeline rehabilitation works, necessary to bring it to the initial state before the commission of the crime, i.e. in operation and 1,987.62 lei the value of the emptying of the tanks in farm 3 Mamaia Sat and the former factory SC Munca Ovidiu SA.

**Clarifications:** By the Court Order no. 44/13.01.2017 the Constanta Court of Appeal admitted in part the civil action formulated by the civil party Conpet SA and ruled the joint obligation of the defendants Polifroni Dimu, Safir Marius, Staicu Tudor and Lupusoru Nicusor to pay the amount of 386115,48 lei as compensations for the material damages which will be updated with the legal interest starting with 21.06.2010, representing: - 357755,88 lei crude oil conveyed to the final beneficiaries (16000 litres - SC AVIPUTNA SRL, 96000 litres - SC ROLIDACOM SRL, 32000 litres - SC PETROSUD SRL, 4775 litres - SC UTILITĂȚI / UTILITIES SRL Negrești, 30000 litres - CRNN Răcăciuni, 21000 litres - SC LTA MONDIAL SRL). - 23435,01 lei the value of the losses of 11297 kg of crude oil; - 2936,97 lei the intervention value for the damage on 21.06.2010 at Farm 3 Mamaia Sat; - 1987,62 lei the emptying of the tanks in the SC Ovidiu SA factory. The decision was appealed by the defendants and Conpet.

By the **decision no. 368 / 23.03.2018** The Constanta Court of Appeal admits the appeals filed by the defendant appellants Polifroni Dimu, Safir Marius, Staicu Tudor and Lupusoru Nicusor and the civil party SC CONPET SA. It finds that the total damage to the civil party SC Conpet SA Ploiesti consists of: - 357755,88 lei which is the amount for the crude oil transported to the final beneficiaries; - 2936,97 lei which is the cost of the intervention for the damage dated 21.06.2010 at Ferma 3 Mamaia Sat. - 1987,62 lei the cost of emptying the tanks from SC Munca Ovidiu S.A. - The amount of 71,200 liters of crude oil; It orders the restitution of 71.200 liters of crude oil to the civil party SC Conpet SA. It removes the charge of the respondents to pay the amount of 23,435 lei to the civil party SC Conpet SA representing the amount for 11297 kg of crude oil. It orders the respondents to pay jointly to the civil party SC Conpet SA the amount of 362,680.47 lei representing the damage not recovered. It maintains the other provisions of the decision of the first instance should they not conflict with this decision.

## **12. Case File no. 4968/317/2016 – Târgu Cărbunești Court**

**Parties:** Conpet SA – civil party

Bumbu Constantin Daniel, Roncea Ștefan Laurențiu, Elena Ionuț Gabriel, Roncea Ionuț Cătălin, Roncea Eugen, Preda Ștefan Cristian, Roncea Constantin Robert, Bumbu Florin Ionuț – defendants  
Roncea Constantin, Roncea Aurica, Bumbu Florian, Bumbu Doina – Civil liable parties

**Object: Theft.** Conpet S.A. constituted itself as civil party in criminal file no. 1080056/2016 for the amount of 11,202.22 lei, representing the value of the materials and works needed to restore the pipe section in length of 36.2 m.l. stolen by the defendants, of the works necessary to restore it to the condition before the criminal deed, that is, in operation, the stolen pipe with the value of 7,178.04 lei being recovered by our company.

**Clarifications:** By the Conclusion no. 182/14.11.2016 the Târgu Carbunesti Court found the regularity of the indictment no. 195/P/2016 of 7.10.2016 of the Prosecutor's Office within the Tg-Carbunesti Court, of the evidence administration and of the pursuit of the criminal prosecution. It ruled the commencement of the trial in the case related to the defendants.

By the **Court Order no. 136/09.03.2017** the Târgu Cărbunești Court admitted the civil action of the civil party and ruled the obligation of the defendants jointly, of the under age defendants jointly with the civil liable parties to pay the amount of 11.202,22 lei with the related legal interest until the full recovery of the debt. The Decision may be attacked with appeal after notification.

## **13. Case File no. 3715/105/2007 - Prahova Tribunal**

**Parties:** Fondul Proprietatea S.A. – claimant

Conpet S.A. – respondent

**Object:** Fondul Proprietatea S.A. initiated a legal suit requesting the court:

- to rule the nullity of art. 4 of the General Meeting of Shareholders (GMS) of the company Conpet S.A. no. 2 / 25.04.2007

- to maintain at the Trade Registry Office the decision to be ruled in the case, as well as to delete from the Trade Register all the possible mentions made on the basis of the decision of the General Meeting of Shareholders (GMS) whose nullity is requested.

- to order the respondent to pay the court costs.

**Clarifications:** By the **decision no. 151/17.01.2018** The Prahova Tribunal admits the request. It cancels art. 4 of OUG no. 2 of 25.04.2007. The respondent is ordered to pay the claimant the amount of 10,765.84 lei as court costs. The decision was appealed by Conpet.

By **decision no. 210 / 27.04.2018** Ploiesti Court of Appeal admits the appeal. It partially amends the appealed sentence in the sense that it allows the exception of the lack of interest in cancelling the AGOA decision no. 2/25.04.2007 - Art. 4 sect. C) and rejects the request in this regard as being irrelevant. It orders the reduction of the costs of the claimant in the first instance down to the amount of 5,000 lei. It keeps the remainder. It orders the intimated party to pay to the appellant the amount of 20.15 lei as court costs. Final.

## **14. Case File no. 726/105/2016 – Ploiești Appellate Court**

**Parties:** Conpet SA – respondent

Crîngașu Silviu - claimant

**Object:** Appeal of the decision to dismiss. Crîngașu Silviu introduced a legal suit requesting the court to pronounce a decision ruling:

- the annulment of the decision to dismiss no. 10/12.01.2016 issued by the respondent,

communicated on 18.01.2016;

- to rule the obligation of the employer to pay compensations equal with salaries indexed, increased and updated;
- to rule the suspension of the effects of this decision throughout the trial until a definitive solution is ruled;
- to reinstate the parties in the situation prior to the issue of the lay off act;
- to rule the obligation of Conpet to pay the court costs.

**Clarifications:** By the **Decision no. 1976/17.05.2017** the Prahova Tribunal rejected the action as unfounded. It took note that the intimated party did not claim court costs. The decision was attacked with appeal by Crîngășu Silviu. The appellant-claimant formulated a petition for the transfer of the case, which constitutes the object of the case file no. 3427/1/2017 on the docket of ICCJ with court hearing on 20.02.2018. By the conclusion no. 430 / 20.02.2018 The ICCJ rejects the request made by the claimant, Crîngășu Silviu, regarding the displacement of the process subject of the file no. 726/105/2016 of the Ploiesti Court of Appeal – First Civil Division. Final.

By the **decision no. 1268 / 17.05.2018** The Ploiesti Court of Appeal rejects the appeal as unfounded.

### **15. Case File no. 8902/256/2016 – Constanța Appellate Court**

**Parties:** Conpet SA – civil party

Spirea Geon, Enache Noris, Panait Petre – defendants

**Object: Qualified theft.** Conpet SA constituted itself as civil party for the amount of 6,361.52 lei representing the value of the repair works of the damaged pipeline, necessary to restore it to the condition before the criminal deed, that is, in operation.

**Clarifications:** By the Conclusion no. 98/14.02.2017 Medgidia Court found the material competence, according to the capacity of the person and the territorial competence of the Medgidia Court in the resolution of the present criminal case. It found the legality of the court notification, of the evidence administration and of the conduct of criminal prosecution in the present criminal case. It ruled the commencement of the trial.

By the **Decision no. 2036/07.09.2017** the Medgidia Court admitted the civil action filed by the injured person Conpet S.A. Ploiesti and ruled the obligation of the defendants to pay, jointly and severally, the amount of 6,361.52 lei with the title of material damages compensation. The decision was appealed by the defendants.

By **decision no. 554/08.05.2018** The Constanța Court of Appeal admits the appeals of the defendants and amends the sentence on the criminal side. It maintain the remainder.

### **16. Case File no. 6072/105/2017 – Ploiești Court of Appeal**

**Parties:** Conpet SA - respondent

Grozea Vasile, Voinea Jan - claimants

**Object:** Declaratory action. The claimants filed a petition requesting the court to declare that for the periods enclosed to the petition they were employed and actually worked 100% of the working hours within the sections falling in the second labour group, the first labour group, and special conditions respectively, and consequently to rule the obligation of Conpet to issue the afferent certificates.

**Clarifications:** By the **Court Order no. 5837/15.12.2017** the Prahova Tribunal admitted the exception of the authority of *res judicata* invoked by the respondent. It rejected the action for the authority of *res judicata*. It rejected the respondent's claim for court costs as unfounded. The Decision was appealed by the respondents.



By decision no. 1622/14.06.2018 The Ploiesti Court of Appeal rejects the appeals as unfounded. Final.

### **17. Case File no. 51/281/2018 –Prahova Tribunal**

**Părți:** Conpet – intimat

Avram Gheorghe – contestator

**Object:** Avram Gheorghe files an appeal for the execution against the Conclusion dated 11.12.2017 issued in the file no. 89/2017 of BEJ Petrov Sergiu Alexandru, by which forced execution costs were set in the amount of 1,371 lei representing the execution costs and the fees of the bailiff, as well as the suspension of execution of the expenses until the settlement of the appeal against the execution which, according to art. 669 par. 4 The Code of Civil Procedure is not subject to a bail. The Court Costs are included.

**Clarifications:** By the conclusion no. 731/23.03.2018 The Ploiești Court admits the exception of the insufficient stamping. It cancels the appeal against the execution as being insufficiently stamped. The decision was appealed by Avram Gheorghe. By the decision no. 923/26.06.2018 The Prahova Tribunal dismisses the appeal as unfounded.

### **18. Case File no. 872/202/2018 –Călărași Tribunal**

**Părți:** Conpet – claimant

Protopopescu Sergiu – respondent

**Object:** Presiding Judge’s Order. Conpet filed a sue petition requesting the court to order the respondent to allow Conpet to have temporary access to the land in Dragalina commune, on an area of 8.381 sqm, Tarlăua no.137, Parcel A2 and A3, for 60 days from the date on which the constructor enters the site, in order to accomplish the works for the objective: *“Replacement of the import oil pipeline Ø 24” Bărăganu - Călăreți, on 14 sections with a total length of 16.295 m, between the Bărăganu - Călăreți pumping stations”* drafted by Petrostar SA Ploiești under Project no. 160/4066/2013.

**Clarifications:** By the decision no. 365/20.02.2018 Calarasi Court dismisses as inadmissible the application for a Presiding Judge’s Order. It orders the the claimant to pay the respondent the amount of 1300 lei as court costs. The judgment was appealed by Conpet.

By the **decision no. 506/19.06.2018** The Călăraș Tribunal rejects the appeal. It orders the appellant to pay the court costs in the amount of 1,800 lei (costs incurred in the appeal).

### **19. Case File no. 19290/281/2017 – Ploiești Court**

**Parties:** Conpet – claimant

Sima Dumitrașcu – respondent

**Object: Claims.** Conpet formulated a lawsuit requesting the court:

1. To rule the obligation of the respondent to pay the amount of 3,957.53 lei, representing the rent for the land, for the period 26.05.2014 - 13.01.2017;
2. To rule the obligation of the respondent to pay the amount of 2732,42 lei, representing late payment penalties calculated up to 31.08.2017, the amount to be updated on the date of the actual payment;
3. To rule the obligation of the respondent to pay the sum of 423.33 lei, representing damages for the lack of se of the land, for the period 14.01.2017 - 26.04.2017

4. To rule the obligation of the respondent to pay the court costs.

**Clarifications:** By the **decision no. 649/01.02.2018** The Ploiești Court admits the request. It orders the respondent to pay the claimant the amount of 7113.28 lei, out of which the amount of 3957.53 lei represents the rent for the period 26.05.2014 - 13.01.2017, 2732.42 representing late payment penalties calculated until 31.08.2017 and 423.33 lei representing damages for the lack of use of the land for the period 14.01.2017 - 26.04.2017. It orders the respondent to pay to the claimant late payment penalties of 0.1% per day of delay calculated on the main outstanding balance in the amount of 3957.53 lei representing the rent equivalents from 01.09.2017 until the actual payment of such debit. It orders the respondent to pay the claimant the court costs in the amount of 460.66 lei, representing a legal fee for stamp duty. The decision is final since there was no appeal.

#### **20. Case File no. 7558/270/2016 – Onești Court**

**Parties:** Conpet SA – respondent

Urechești Commune – claimant

**Object:** The Urechești commune initiated a legal suit requesting the court:

1. to rule the obligation of the respondent-debtor to pay the amount of 9,088 lei representing the rent unpaid and due to the Urechești commune, Bacau County, for the land occupied by the crude oil pipeline for the years 2015 and 2016;
2. to rule the obligation of the respondent to pay the related tax accessories in the amount of 1,318 lei;
3. to rule the payment of the tax on land, for the years 2015 and 2016, in the amount of 32 lei;
4. to rule the obligation of the respondent to pay the court costs.

**Clarifications:** By the **Decision no. 1946 / 18.10.2017** the Onesti Court rejected the exception of the lack of passive procedural capacity of the respondent Conpet SA. It rejected as ungrounded the claim filed by the claimant the Urechești Commune through the Mayor. It admitted the exception of the lack of passive procedural capacity of the party summoned in guarantee ANRM. It rejected the petition for summoning in guarantee formulated by the respondent Conpet SA in contradictory with ANRM as being introduced against a person without a passive capacity to stand trial. It rejected the exception of the passive capacity to stand trial of the impleaded, the Romanian State, through the Ministry of Public Finance - AJFP Bacau. It rejected the impleader formulated by the respondent Conpet SA in contradictory with the Romanian State through the Ministry of Public Finances - AJFP Bacau- decision which is final since there was no appeal.

#### **21. Case File no. 7091/105/2016 – Prahova Tribunal**

**Parties:** Conpet SA – respondent

Mărgean Elena - claimant

**Object:** Mărgean Elena filed a petition requesting the court to rule the employment in the first employment category for the period 11.08.2004 - 30.05.2005. The reasons for the petition are based on the consideration that the period during which the claimant carried on an activity in the company it was in the first employment category.

**Clarifications:** By the **Decision no. 6018 / 22.12.2017** the Prahova Tribunal admitted the petition introduced by the claimant Mărgean Elena. It found that the claimant benefits for 100% of the working hours from the second employment group, according to the report of expert Anton Carmen specialising in the organization of work and salaries. It ruled the obligation of the respondent to issue the claimant the certificate as shown above. The decision is final since there

was no appeal.

## **22. Case File no. 9919/281/2017 - Ploiești Court**

**Parties:** Company Litex Impex SRL - contestant

ASSET LEASING IFN SA – intimated party

ACON BUSINESS SOLUȚION SRL - withheld third party

ALCOPROD SERVICE SA - withheld third party

BANCA COMERCILĂ ROMÂNĂ SA - withheld third party

BCR LEASING IFN SA - withheld third party

CLUBUL AGRICULTORILOR / FARMERS' CLUB SRL - withheld third party

CONPET SA PLOIESTI - withheld third party

DIRECȚIA GENERALĂ REGIONALĂ A FINANTELOR PUBLICE PLOIEȘTI - withheld third party

DIRECȚIA SILVICĂ PRAHOVA - withheld third party

FIMPLAST IMPEX SRL - withheld third party

KR ROAD CAR SRL - withheld third party

MUTTER 2008 SRL - withheld third party

PIRAEUS BANK ROMANIA SA – withheld third party

PRAGOSA ROMÂNIA SRL – withheld third party

RAIFFEISEN BANK SA – withheld third party

REDOXIM SRL – withheld third party

SARA SRL – withheld third party

TRANSPORT CĂLĂTORI EXPRESS SA – withheld third party

TREZORERIA PLOIEȘTI – withheld third party

TRI FARM SRL – withheld third party

UNICREDIT LEASING CORPORATION IFN SA – withheld third party

VEHICLE MANAGEMENT SYSTEM SRL – withheld third party

VIORAL INTER SRL – withheld third party

**Object:** The company Litex Impex SRL formulated a contestation against the forced execution, requesting: - the annulment of the conclusion no. 2471 / 22.03.2017 pronounced by the Ploiesti Court concerning the admission of the forced execution request, of the notification of establishment the withholding no.355 / 13.04.2017 by the withheld third parties, the conclusion of 13.04.2017 regarding the setting of the execution costs, as well as of the summons no. 355 / 13.04.2017, execution documents issued in the execution file no. 355/2017 (Court Case No. 5902/281/2017) by BEJ Roșu Cristian Cornel;

- the cancellation of the anticipated maturity, the clarification of the extent of the enforceable title with respect to the actual amount that our Company owes to the creditor and the obligation of the creditor Asset Leasing IFN to issue a new reimbursement schedule according to the actual receivables due;

- the return of forced execution;

- the obligation of the creditor Asset Leasing IFN to pay the court costs of the present proceedings.

**Clarifications:** By the **decision no. 1241 /19.02.2018** The Ploiesti Court takes note of the motion

to withdraw made by the respondent Litex Impex SRL. The decision is final since there was no appeal.

### **23. Case File no. 18/54/2002 – Craiova Court of Appeal**

**Parties:** Conpet SA – respondent

Gărăiacu Vasile (deceased) – claimant

**Object:** Gărăiacu Vasile filed an action under the Law 10/2001. The action concerns a land of 1.220 m<sup>2</sup> located in comuna Barbătești, Gorj county.

**Clarifications:** By the Decision no. 59/14.03.2002 (Case No. 1197/2002) the action was dismissed. The decision was appealed by the claimant.

By the **decision no. 1067/02.04.2018** The Craiova Court of Appeal finds the appeal as obsolete. The decision may be appealed after communication.

**Trial stage:** --

**Court hearing:** --

### **24. Case File no. 4996/256/2015 – Medgidia Court**

**Parties:** Conpet SA – civil party

Sprivac Florin Alexandru, Roșu Adrian – defendants

**Object: Qualified theft.** Conpet constituted itself as civil party for the amount of 7,647.96 lei representing the value of 200 litres of crude oil lost as a result of this deed (541.33 lei), the repair works of the damaged pipeline, necessary to restore it in operation (4,710.95 lei) and the works for the greening of the land polluted surface after the failure (2,395.68 lei).

**Clarifications:** By the decision no. 3538/21.12.2017 the Medgidia Court admitted the civil action filed by the civil party CONPET SA and ruled the obligation of the defendants, jointly and severally, to pay civil damages in the amount of 7,647.96 lei with the title of material compensations. The decision is final since there was no appeal.

### **25. Case File no. 2811/105/2010\* – Ploiesti Court of Appeal**

**Parties:** Conpet S.A. – claimant

ICIM S.A. – respondent

**Object:** Conpet S.A. initiated a legal suit requesting the court to rule the obligation of ICIM to pay the amount of 338,144.32 lei representing penalties owed to our company related to the late execution of the works for which the respondent was bound according to the contract no. 0135/1995 concluded between the Parties and payment of the costs of the proceedings.

**Clarifications:** By the **Decision no. 594/05.03.2014** the Prahova Tribunal rejected the statute of limitation exception. It rejected the action as ungrounded. The decision was attacked with appeal Conpet by Appeal.

By the **Decision no. 73/04.02.2015** the Ploiesti Appellate Court admitted the appeal of the claimant. It cancelled the appealed sentence and sent the case back to the First Court.

By the **Court Decision no. 1447/22.06.2015** the Prahova Tribunal rejected the exception of the statute of limitation of the material right to action. It admitted the action. It obligated the respondent to pay to the claimant the sum of 292,754.68 lei, representing delay penalties, as well as to pay the court costs for the proceeding in the First Court and in the Appellate Court in the amount of 12,568 lei, representing the judicial stamp fee, judicial stamp and expert fees. The decision was appealed by ICIM S.A.

By **decision no. 223/04.05.2018** The Ploiesti Court of Appeal rejected the appeal as unfounded. The decision may be appealed after communication. The decision is final since there was no second appeal.

## **26. Case File no. 983/281/2016 – Prahova Tribunal**

**Parties:** Conpet SA – contestant

Dobrogeanu Dumitru – intimated party

**Object:** Conpet SA filed a contestation to the execution against the execution acts drawn up by BEJ Divoiu Maria in the execution case file no. 468/2015, as follows:

- Notification of 17.12.2016;
- Summons of 17.12.2015; - Conclusion of forced execution approval of 17.12.2015
- Conclusion of setting the execution costs for the date of 17.12.2015
- Conclusion of inflation update on 17.12. 2015

And requested the cancellation of all the disputed execution acts shown above and the exoneration of our company from paying the amount of 51,021.54 lei which constitutes the object of the forced execution.

- With court costs

**Clarifications:** By the **Court Order no. 8369 / 19.10.2017** the Ploiești Court admitted the contestation to execution filed by contestant Conpet S.A. It annulled the execution acts drafted by B.E.J. Divoiu Maria in the execution case file no. 468/2015, as follows: Notification of 17.12.2016, Summons of 17.12.2015, Conclusion of forced execution approval of 17.12.2015, Conclusion of setting the execution costs for the date of 17.12.2015 and Conclusion of inflation update on 17.12. 2015. It ruled the obligation of the intimated party to pay to the contestants the amount of 800.40 lei as court costs out of which the amount of 600 lei represents the accounting expert's fee and the amount of 200.40 lei represents the copies of the execution file no. 468/2015. It rejected as unfounded the petition to rule the obligation of the intimated party to pay the amount of 1,000 lei as court costs consisting in stamp fees. The decision was appealed Conpet.

By **Decision no. 1239/26.09.2018** The Prahova Tribunal admits the exception of the lack of stamping of the appeals, which is invoked *ex officio*. It cancels the appeals, on the grounds that they are not stamped. Final.

**Trial stage:** --

**Court hearing:** --

## **27. Case File no. 8115/281/2016 – Prahova Tribunal**

**Parties:** Conpet SA – contestant

Dobrogeanu Dumitru - intimated party

**Object: Contestation to execution.** Conpet filed a contestation to execution against the Conclusion dated 01.04.2016 drafted by BEJ Divoiu Maria in the execution file no. 468/2015, requesting the court to rule, on the basis of art. 719 of the Civil Procedure Code, the cancellation of the Conclusion and our exoneration from the payment of the amount of 11.067,41 lei which constitutes the object of the forced execution.

**Clarifications:** The Ploiești Court admitted the exception of connection, invoked *ex officio*. It ruled the connection of this case file to case file no. 983/281/2016 of the Ploiești Court.

By the **Court Order no. 8369 / 19.10.2017** ruled in case file no. 983/281/2016 the Ploiești Court admitted the contestation to execution filed by the contestant Conpet S.A. It annulled the execution acts drafted by B.E.J. Divoiu Maria in the execution case file no. 468/2015, as follows:

the notification of 17.12.2015, the summons of 17.12.2015, the conclusion of the forced execution approval of 17.12.2015, the conclusion of setting the execution expenses of 17.12.2015 and the conclusion of the update with the inflation rate of 17.12.2015. It ruled the obligation of the intimated party to pay to the contestant the amount of 800.40 lei as court costs of which the amount of 600 lei represents the accounting expertise fee and the amount of 200.40 lei represents the copies of the execution file no. 468/2015. It rejected as ungrounded the petition for the obligation of the intimated party to pay the amount of 1,000 lei as court costs consisting in judicial stamp fee. The decision was attacked with appeal by Conpet. Conpet also filed a request for the completion the judgment with court hearing on 31.01.2018.

By **Decision no. 1239/26.09.2018** The Prahova Tribunal admits the exception of the lack of stamping of the appeals, which is invoked *ex officio*. It cancels the appeals, on the grounds that they are not stamped. Final.

**Trial stage:** Appeal

**Court hearing:** --

## **28. Case File no. 13560/281/2018 – Ploiești Court**

**Parties:** Conpet – petitioner

The Public Prosecutor's office attached to the Ploiești court– intimated party

**Object:** Conpet files a complaint against the Complaint Rejection Ordinance no. 94/II/2/2018 dated 22.05.2018 by the First Prosecutor of the Public Prosecutor's Office attached to the Ploiești Court, by which the complaint of Conpet S.A. against the Order of Classification given on 29.01.2018 by the Public Prosecutor's Office attached to the Ploiești Court was wrongfully dismissed, in the file no. 7598/P/2008, regarding the offense of attempted qualified theft, deed provided by art. 32 rap. to art. 228 par. 1 - 229 par. 3 sect. a of the Criminal Code and we request the cancellation of the Ordinances, the continuation of the criminal prosecution and the investigations in order to identify the offenders and prosecuting them for the damage caused to the Călăreți - Ploiesti oil pipeline, in the area of Berceni, Prahova county, deed which was found on 21.08.2008.

**Clarifications:** By **final conclusion (disinvestment) 1513/18.09.2018** the Ploiești Court rejects Conpet's complaint as unfounded, and it orders the petitioner to pay the amount of 100 lei for the court expenses advanced by the state. Final.

**Trial Stage:** --

**Court hearing:** --

## **29. Case File no. 13561/281/2018 –Ploiești Court**

**Parties:** Conpet – petitioner

The Public Prosecutor's office attached to the Ploiești court– intimated party

**Object:** Conpet files a complaint against the Complaint Rejection Ordinance no. 98/II/2/2018 dated 21.05.2018 by the First Prosecutor of the Public Prosecutor's Office attached to the Ploiești Court, by which the complaint of Conpet S.A. against the Order of Classification given on 22.11.2017 by the Public Prosecutor's Office attached to the Ploiești Court was wrongfully dismissed, in file no. 8572 / P / 2012, regarding the commission of the property damage provided by art. 253 par. 1 Criminal Code and requests the cancellation of the Ordinances, the continuation of the criminal prosecution and the investigations in order to identify the offenders and and prosecuting them for the damage caused on 10.07.2012, for the purpose of gasoline theft, of the Ø 3½” Boldesti - Ploiesti pipeline, in the area of the Boldești Scăieni, Prahova County (damage

864.68 lei).

**Clarifications:** By **final conclusion (disinvestment) no. 1926/13/09/2018** the Ploiești Court rejects Conpet's complaint as unfounded, and it orders the petitioner to pay the amount of 100 lei for the court expenses advanced by the state. Final.

**Trial Stage:** --

**Court hearing:** --

### **30. Case File no. 19873/281/2017 – Ploiești Court**

**Parties:** Conpet SA – claimant

EURONET SRL – respondent

**Object: Claims.** Conpet initiated a law suit requesting the court:

- to rule the obligation of the respondent to pay the amount of 17,400 lei representing damages in the amount of 20% of the value of the contract;

- to rule the obligation of the respondent to pay the court costs

**Clarifications:** By the decision no. 269/19.01.2018 The Ploiesti Court of Appeal partly admits the sue petition. It orders the respondent to pay the claimant the amount of 13.050 lei, representing damages under the contract no. S-CA-CD 75/09.03.2016. The respondent is ordered to pay to the claimant the amount of 732 lei, representing court costs, stamp duty. The decision is final since there was no second appeal.

### **31. Case File no. 7237/105/2016 – Ploiești Court of Appeal**

**Parties:** Conpet – respondent

Petrotel Lukoil SA – respondent

Toma Marian – claimant

**Object:** Declaratory action. Toma Marian filed a petition for the court to find and rule that he worked in difficult working conditions that must be classified in the first labour group according to Order no. 50/1990 and to rule the obligation of the respondents to issue certificates stating that they should benefit from the above-mentioned rights.

Through the **Sentence no. 950/08.03.2018** the Prahova Tribunal partially admits the stated request. It finds that the claimant benefits from the Occupational Group I 100% for the activities carried out within the SC Petrotel Lukoil SA, for the periods: 04.03.1980 – 26.10.1983 si 14.03.1985 – 18.03.1985. It requests the respondent SC Petrotel Lukoil SA to issue to the claimant the certificate showing the period, the group and the percentage in which he carried out its activity. It rejects the action against Conpet SA. The judgment was appealed against by Toma Marian.

By **decision no. 1780/19.09.2018** the Ploiesti Court of Appeal admits the appeal, partially changes the sentence in the sense that it admits the action in full. It finds that the claimant benefits from granting the Occupational Group I 100% and from 18.03.1985-1.04.2001 for as long as she worked in SC Conpet SA and also requests this respondent to issue the certification according to the provisions of the present decision. It keeps the remainder of the provisions of the sentence. It takes note that no court costs have been claimed. Final

**Trial stage:** --

**Court hearing: --**

**32. Case File no. 23204/302/2017 –Bucharest Tribunal**

**Parties:** Conpet SA – intimated party

Attorney-at-Law practice of Lawyer Dobrogeanu Păun Ioan

Dobrogeanu Păun Ioan

**Object:** Appeal against enforcement. Attorney-at-Law practice of Lawyer Dobrogeanu Păun Ioan and Dobrogeanu Păun Ioan formulated an appeal against the forced execution, which constitutes the object of the forced execution case file no. 10/2013 of BEJ Răduță Nicoleta and of the acts of execution, namely: the garnishment address of 29.09.2017, the garnishment notification of 29.09.2017, the conclusion of 29.09.2017, the conclusion of 29.09.2017 regarding the establishment of the additional enforcement costs (lei 550.97) and the conclusion of 23.02.2013 of the Court of District 5 Bucharest regarding the approval of the forced execution. With court costs.

**Clarifications:** By the **sentence no. 2346/19.03.2018** the Court of District 5 admits the exception of the lack of capacity to stand trial, invoked by BEJ Raduță Nicoleta. It rejects the appeal against the enforcement filed by the claimant Individual Lawyer Office Dobrogeanu Păun Ioan against the appellees Conpet SA and the Bailiff's Office Răduță Nicoleta as being brought by a person without an active capacity to stand trial. It admits the exception of the lack of passive capacity to stand trial invoked by the appellee Bailiff's office Raduță Nicoleta. It rejects the appeal against enforcement filed by the claimant Dobrogeanu Păun Ioan against Bailiff's Office Raduță Nicoleta, as being directed against a person without a passive capacity to stand trial. It accepts the exception of the delay, invoked by the court *ex officio*. It rejects the appeal against enforcement as being formulated too late, having as object the forced execution itself, the decision of 25.02.2013, pronounced by the Court of District 5 Bucharest in file no. 4198/302/2013, and the decision on the determination of the additional execution costs, issued on 29.09.2017 in the enforcement file no. 10/2013 of the bailiff's Office Răduță Nicoleta. Otherwise, it rejects as unfounded the appeal against enforcement by claimant Dobrogeanu Păun Ioan against the appellee Conpet SA. It rejects as unfounded the claimants' request having the object of court costs. It requests the claimants to jointly and severally pay to the Bailiff' Office Răduță Nicoleta the amount of lei 458.15 for the photocopying and communication expenses with regards to the enforcement file. The judgment was appealed by C. I. Av. Dobrogeanu Păun Ioan.

By **decision no. 3938 / 23.10.2018** the Bucharest Tribunal rejects the appeal as unfounded. Final.

**33. Case File no. 29201/3/2012\* – Bucharest Court of Appeal**

**Parties:** Conpet SA – civil party

Dinu Ion, Petrișor Marius Sever, Petrișor Dumitru Valeriu, Pavel Vasile, Benim Nicolae, Dumitru Gabriel, Tinca Florinel Mircea, Costachi Constantin, Spirea Geon, Dragut Marian, Cobzaru Eugen Constantin, Niță Sorin, Constantin George Alin, Marin Georgian Ciprian, Chelaru Ioan Iulian, Dumitru Constantin, Sandu Marian, Toncu Ștefan – defendants

**Object: Theft. Bribery. Law 78/2000, Use of forgery. Association for crime committing.**

Conpet SA constituted itself as civil party for the amount of 6,267,625.71 lei, representing the price of the stolen crude oil.

**Clarifications:** By the **Court Order no. 1072 / 25.05.2017** the Bucharest Tribunal admitted the civil action and ruled the obligation of the defendants to do the following:

1. to pay the amount of lei 3,962,725.98 representing the value of 2,420,595 tons of crude oil



stolen, plus the legal interest from the date of each individual act until the full payment of the damage

2. to pay the amount of 8.233,99 lei, plus the legal interest, representing the value of the rehabilitation works needed to bring the 14 "Călăreți-Mavrodin" pipeline, the 200 "Bărăganu-Călăreți" pipeline and the F1 Siliște-Ploiești pipeline to the initial state before the commission of the crimes.

3. to pay, jointly, all defendants, the amount of 47,915.77 lei, plus the legal interest, representing the equivalent of the transportation cost of the 2,420,595 tons stolen.

The decision was appealed by the respondents and Conpet SA.

By **decision no. 1404 / 24.10.2018** Bucharest Court of Appeal admits, in part, the civil action brought by Conpet S.A. and requests the defendants to pay the following amounts to the civil party: 1. jointly the defendants Pavel Vasile; Peștișor Marius Sever; Dinu Ion; Peștișor Dumitru Valeriu; Tinca Florinel Mircea; Niță Sorin to pay the amount of lei 54,687.42 (the act of 20/21.08.2008); 2. jointly Pavel Vasile; Peștișor Marius Sever; Dinu Ion; Peștișor Dumitru Valeriu; Tinca Florinel Mircea; Niță Sorin; Cobzaru Eugen-Constantin; Dumitru Gabriel to pay the amount of lei 109,374.84 (the act of 28/29.08.2008); 3. jointly the defendants Pavel Vasile; Peștișor Marius Sever; Dinu Ion; Peștișor Dumitru Valeriu; Niță Sorin; Costachi Constantin to pay the amount of lei 3,719.98 (the act of 28/29.09.2008); 4. jointly the defendants Peștișor Marius Sever; Dinu Ion; Cobzaru Eugen-Constantin; Peștișor Dumitru Valeriu; Niță Sorin; Spirea Geon; Drăguț Marian and Tinca Florinel Mircea to pay the amounts of lei 46,601.42 (the act of 20/21.10.2008); 5. jointly the defendants Peștișor Marius Sever; Peștișor Dumitru Valeriu; Spirea Geon; Drăguț Marian; Constantin George-Alin to pay the amount of lei 38,377.64 (the act of 27/28.10.2008); 6. jointly the defendants Dinu Ion and Niță Sorin to pay the amount of lei 47,972.05 (the act of 27/28.10.2008); 7. jointly the defendants Peștișor Marius Sever; Spirea Geon; Dinu Ion, Peștișor Dumitru Valeriu; Drăguț Marian; Constantin George Alin and Cobzaru Eugen-Constantin to pay the amount of lei 48,429.84 (the act of 28/29.10.2008); 8. Jointly the defendants Dinu Ion, Sandu Marian and Niță Sorin to pay the amount of lei 49,989.97 (the act of 28/29.10.2008); 9. jointly the defendants Peștișor Marius Sever; Spirea Geon; Dinu Ion; Peștișor Dumitru Valeriu; Drăguț Marian; Constantin George Alin and Cobzaru Eugen-Constantin to pay the amount of lei 47,972.05 (the act of 29/30.10.2008); 10. jointly the defendants Dinu Ion and Niță Sorin to pay the amount of lei 47,972.05 (the act of 29/30.10.2008); 11. jointly the defendants Peștișor Marius Sever; Spirea Geon; Dinu Ion; Peștișor Dumitru Valeriu; Drăguț Marian; Constantin George Alin; Cobzaru Eugen-Constantin; Niță Sorin and Dumitru Constantin to the amount of lei 94,617.60 (the act of 14/15.11.2008); 12. the defendant Dinu Ion to pay the amount of lei 41,395.20 (the act of 16/17.11.2008); 13. jointly the defendants Peștișor Marius Sever; Spirea Geon; Dinu Ion; Peștișor Dumitru Valeriu; Tinca Florinel-Mircea; Drăguț Marian; Constantin George Alin; Niță Sorin; Dumitru Constantin and Sandu Marian to pay the amount of lei 123,002.88 (the act of 18/19.11.2008); 14. jointly the defendants Peștișor Marius Sever; Spirea Geon; Dinu Ion; Peștișor Dumitru Valeriu; Cuta Marian; Constantin George Alin; Niță Sorin; Cobzaru Eugen-Constantin and Dumitru Constantin to pay the sum of 123,002.88 lei (the act of 19 / 20.11.2008); 15. jointly the defendants Toncu Ștefan and Sandu Marian to pay the amount of lei 3.067,34 (the act of 16/17.10.2008); 16. on the defendant Toncu Ștefan to pay the amount of lei 38,341.75 (the act of 18/19.10.2008); 17. the defendant Toncu Ștefan to pay the amount of lei 41,118.90 lei (the act of 19/20.10.2008); 18. the defendant Toncu Ștefan to pay the amount of lei 24,538.72 (the act of 28/29.10.2008).

#### **34. Case File no. 23166/281/2017 – Prahova Court**

**Parties:** Conpet SA – contestant

Dobrogeanu Dumitru – intimated party

BEJ Goslan and Stîngă - intimated party

**Object: Reversal of execution.** Conpet initiated a law suit requesting the Court to rule the reversal of the forced execution made in accordance of the executory title represented by the Decision no. 669 of 20.12.2011 of the Prahova Tribunal in the execution file no.771/2012 of B.E.J. Goslan Mihai, by the partial restoring of the situation prior to the execution, in order to request the respondent DOBROGEANU DUMITRU (pursuant to art. 723 of the Civil Procedure Code) to pay the following amounts:

- 96,698.02 lei representing the amount unduly received by the respondent in the execution file no.771 / 2012 with the title of lack of use for the period 03.11.2006 - 15.08.2012, updated with the inflation index in the period 20.12.2011 - 15.08. 2012; (377906 lei report of Stoica Sever's expertise as paid by the executor by report of amounts issue from 04.10.2012- 281207.98 lei report of Anton Petre = 96698,02)

-3,500 lei representing the amount unduly paid in respect of expenses (lawyer's fee).

- 2,000 lei representing the amount unduly transferred to the account of the Stoica Sever expert

-1,000 lei court costs

- 1,822.32 lei representing a fee received unjustly by the Office of the Executor Judge Mihai Goslan

In subsidiary, to rule the obligation of BEJ Mihai Goslan to pay the following amounts :

- 1,822.32 lei representing unjustly received fee

- 2,000 lei representing the amount unduly transferred to the account of the Stoica Sever expert

Also, it required the legal interest rate update of the amounts of 96,698.02 lei, 3,500 lei, 2,000 lei and 1,822.32 starting with 04.10.2012 (the date of the minutes for the issuance of amounts in execution file no.771 / 2012) up to and including the actual payment. With court costs.

**Clarifications:** By the **sentence no. 6129 / 23.07.2018** The Ploiești Court admits the request in part. It orders the reversal of the forced execution carried out in the enforcement file no. No. 771/2012 of the Bailiff's Office Goslan Mihai. It requests the defendant Dobrogeanu Dumitru to pay to the claimant the amount of lei 29,769.8, updated with the legal interest from the date of the final ruling of this judgment until the date of the actual payment. It requests the defendant Dobrogeanu Dumitru to pay to the claimant the court costs in the amount of lei 300, representing the equivalent of the judicial stamp duty. The remainder of the request is dismissed as unfounded. The judgment was appealed by Dobrogeanu Dumitru and Conpet SA.

By **Conclusion no. 145 / 04.10.2018** pronounced in the file no. 23166/281/2017/a1 the Prahova Tribunal admits the exception of the inadmissibility of the appeal, which is invoked *ex officio*. It Rejects the appeal as inadmissible. It rejects the appellant's claim for court costs as unfounded. Final.

By **decision no. 166 / 26.10.2018** the Prahova Tribunal admits the Conpet SA appeal, partially amends the contested sentence, in the sense that it requests the defendant Dobrogeanu Dumitru to pay to the claimant the amount of lei 104,040.64, instead of lei 29,769.8, an amount to be updated with the statutory interest from the date of pronouncement of this judgment until the date of the actual payment. It otherwise keeps the provisions of the appealed sentence. It requests the appellee to pay to the appellant the amount of lei 250, as court costs representing stamp duty.

#### **35. File no. 1805/228/2018 –Făurei Court**

**Parties:** Conpet – claimant

Prosecutor's office attached to the Însurăței court- intimated party  
Conpet files a complaint against the Rejection Ordinance no. 10/II/2/2018 submitted on 19.06.2018 by the First Prosecutor of the Prosecutor's Office attached to the Însurăței Court, in which the Conpet S.A.'s complaint against the Nolle Prosequi ruled on 11.04.2018 by the Prosecutor's Office attached to the Însurăței Cour, in the file no. 195/P/2010, regarding the attempted aggravated theft crime, act provided by art. 32 par. 1 Penal Code in reference to art. 228 par. 1 - 229 par. 1 letter d and par. 3 letter a of the Penal Code requesting the admission of the complaint, the abolition of the said Ordinance, the continuation of the criminal prosecution and the investigations in order to identify the offenders and to submit them to penal liability for committing the act found on 21.03.2010 consisting in damage for the purpose of stealing the petroleum product of the oil transport pipeline Ø 20 "Bărăganu - Onești, within the Zăvoaia locality - Calmațui river overpassing, Brăila county (damage in the amount of lei 54,944.57).  
**Clarifications:** By the **conclusion of 11.10.2018** Făurei Court rejects the complaint as unfounded and requests Conpet to pay the amount of lei 50 representing court expenses forwarded by the state. Final.

### **36. Case File no. 2694/236/2016 - Giurgiu Court**

**Parties:** Conpet through BEJ Răduță Nicoleta - petitioner

Conpet - creditor

Stan Remus Constantin - debtor

SC Trans Denimar SRL - withheld third party

**Object:** BEJ Răduță Nicoleta filed a request for validation of the withholding established by the notification dated 22.01.2016 in the forced execution case file no. 207/2015 of BEJ Răduță Nicoleta, based on the executory title - criminal court order no. 142 of 14.09.2014 ruled by the Călărași Tribunal in case file no. 2623/116/2013, on the amounts of money owed at present or in the future by the withheld third party Trans Denimar SRL, up to the amount for which the withholding was set up, namely 17,708.55 lei, consisting of 13,713.49 lei representing the equivalent of works of repair at the damaged pipes; 2,349.44 lei representing the execution costs; 1,645.62 lei representing the executor's fee, including VAT, with the obligation of the withheld third party to pay the total amount of 17,708.55 lei, plus the expenses incurred for performing the execution in the account or the accounts opened at BCR Izvor in the name of BEJ Răduță Nicoleta.

**Clarifications:** By the **Civil Court Order no. 7772/16.11.2016** the Giurgiu Court admitted the request filed by BEJ Răduță Nicoleta in contradictory with the debtor Stan Remus Constantin, the withheld third party Trans Denimar SRL and the creditor Conpet SA. It validated the withholding established by the notification dated 22.01.2016 in the execution file no. 207/2015 for the amount of RON 17,708.55 representing debt and execution costs. It ruled the obligation of Trans Denimar SRL to pay to the creditor Conpet SA in the account of BEJ Răduță Nicoleta, within the limit of the claim, the amount owed to the debtor Stan Remus Constantin, in monthly instalments of 1/3 of the amounts owed to the debtor as rent, according to the contract no. 160/19.02.2008. Final by failure to appeal.

### **37. File no. 10393/311/2018 –Slatina Court**

**Parties:** Conpet – claimant

Prosecutor's office attached to the Slatina court– intimated part

Conpet files a complaint against the Rejection Ordinance for the claim no. 163/II/2/2018 submitted on 03.09.2018 by the First Prosecutor of the Prosecutor's Office attached to the Slatina

Court, in which it wrongly rejected the Conpet S.A.'s complaint against the Nolle Prosequi ruled on 02.07.2018 by the Prosecutor's Office attached to the Slatina Court, in the file no. 417/P/2013, on the abolition of the Ordinances, the continuation of the criminal prosecution and the investigations in order to identify the offenders and to submit them to penal liability for the damage in order to steal gasoline, of the transport pipeline Ø 6<sup>5/8</sup>" "FI Țicleni – Ploiești – near the Curtișoara locality, Olt county, act found on 04.01.2013 (damage in the amount of lei lei 5,106.43).

**Clarifications:** By sentence no. **1239/06.11.2018** the Slatina Court rejects the complaint formulated by Conpet SA as unfounded. It keeps the solution given by Ordinance no. 417/P/2013 of 02.07.2018 of the Prosecutor's Office attached to the Slatina Court, as legal and sound. It requests the claimant to pay the amount of lei 50 as court costs forwarded by the state. Final.

### **38. File no. 11541/311/2018 –Slatina court**

**Parties:** Conpet SA– claimant

Prosecutor's office attached to the Slatina court– intimated part

**Object:** Conpet files a complaint against the Rejection Ordinance for the complaint no. 174/II/2/2018 submitted on 08.10.2018 by the First Prosecutor of the Prosecutor's Office attached to the Slatina Court, in which it wrongly rejected the Conpet S.A.'s complaint against the Nolle Prosequi ruled on 04.09.2018 by the Prosecutor's Office attached to the Slatina Court, in the file no. 5676/P/2009, on the commitment of aggravated theft provided and punished under art. 228 par. 1 rep. To art. 229 par. 3 letter a of the penal code, requesting the admission of the complaint, the abolition of the Ordinances, the continuation of the criminal prosecution and the investigations in order to identify the offenders and to submit them to penal liability for the damage, in order to steal oil, of the transport pipeline Ø 10<sup>3/4</sup>" "Ghercești – Icoana – near the Cătănele locality, Schitu commune, Olt county, act found on 17.11.2009 (damage in the amount of lei 2,931.63).

**Clarifications:** By sentence no. **1295/19.11.2018** the Slatina Court rejects the complaint formulated by Conpet SA as unfounded. It keeps the Ordinance of the prosecurot's office attached to the Slatina court no. 5676/P/2009 of 04.09.2018 as legal and sound. It requests the claimant to pay the amount of lei 20 as court costs forwarded by the state. Final.

### **39. File no. 2777/262/2018 –Moreni court**

**Parties:** Conpet SA – claimant

Prosecutor's office attached to the Moreni court – intimated party

**Object:** Conpet files a complaint against the Rejection Ordinance for the complaint no. 26/II/2/2018 submitted on 07.09.2018 by the First Prosecutor of the Prosecutor's Office attached to the Moreni Court, in which it wrongly rejected the Conpet S.A.'s complaint against the Nolle Prosequi ruled on 18.07.2018 by the Prosecutor's Office attached to the Moreni Court, in the file no. 777/P/2009, on the commitment of aggravated theft provided and punished under art. 228 par. 1 rep. To art. 229 par. 3 letter a of the penal code, requesting the admission of the complaint, the abolition of the Ordinances, the continuation of the criminal prosecution and the investigations in order to identify the offenders and to submit them to penal liability for stealing gasoline during 17 – 20.07.2009, from the pipeline that crosses the Bana area, Moreni municipality.

**Clarifications:** By **certification from 20.11.2018** the Moreni Court rejects the complaint formulated by Conpet SA as unfounded. It requests the claimant to pay the state the amount of lei 50 as court costs forwarded for the settlement of this case. Final.

#### **40. File no. 2903/262/2018 –Moreni court**

**Parties:** Conpet SA – claimant

Prosecutor's office attached to the Moreni court – intimated party

**Object:** Conpet files a complaint against the Ordinance ruled on 07.09.2018 by the First Prosecutor of the Prosecutor's Office attached to the Moreni Court, in which it rejected the Conpet's complaint against the Ordinance ruled on 19.07.2018 by the Prosecutor's Office attached to the Moreni Court, in the file no. 650/P/2012, on the commitment of aggravated theft provided and punished under art. 228 par. 1 rep. To art. 229 par. 1 letter b of the penal code, requesting the abolition of the Ordinances, the continuation of the criminal prosecution and the investigations in order to identify the offenders and to submit them to penal liability for stealing some pipeline sections on 13.05.2012, 01.07.2012 and 04.06.2013.

**Clarifications:** By the **certification from 19.11.2018** the Moreni Court rejects the complaint formulated as unfounded.

#### **41. File no. 2904/262/2018 –Moreni court**

**Parties:** Conpet SA – claimant

Prosecutor's office attached to the Moreni court – intimated party

**Object:** Complaint against the prosecutor's solution

**Clarifications:** By the **conclusion of 20.11.2018** the Moreni Court rejects as unfounded the complaint filed by CONPET SA against the Nolle Prosequi of 18.07.2018 issued by the Prosecutor's Office attached to the Moreni Court in file no. 1275/P/2011, kept through Ordinance no. 27/II/2/2018 issued by the First Prosecutor of the Prosecutor's Office attached to the Moreni Court. It requests the claimant to pay to the state the amount of lei 50, representing the equivalent of the court costs forwarded for the settlement of the present case. Final.

#### **42. File no. 2378/105/2009 – Ploiești Court of Appeal**

**Parties:** Cojocaru Irinel (Bojboiu Marilena) - claimant

Conpet S.A. – respondent

**Object:** Bojboiu Marilena initiated a legal suit requesting the court:

- to rule the obligation of the company Conpet S.A. on the leaving in full ownership and possession of the land in surface of 2,500 sqm, (**551,518 RON – the value for 2,500 sqm of land**) located in Ploiesti, Rezervoarelor street, without number, in its exclusive property;
- to rule the establishment of boundary lines between the land in her property and the neighbouring properties;
- to grant court costs;

The claimant has clarified her petition in the sense that if the court does not accept the main claim, the court should rule as follows:

- the obligation of the company Conpet to pay an appropriate compensation corresponding to the replacement and circulation value of the land in surface of 2,500 sqm and, in subsidiary,
- the institution of a right of superficies in favour of the respondent and its obligation to pay monthly of the non-use for the aforementioned land, according to a rent that will be set at the circulation value of the plot of land.

**Note:** The claimant Cojocaru Irinel bought the litigious rights from the former claimant Bojboiu Marilena. Therefore, the claimant remained only Cojocaru Irinel.

**Clarifications:** By the Conclusion of 24.05.2011 the court suspended the case according to art. 244 para.1 of the Civil Procedure Code. On 22.10.2014 the case file was reintroduced on the

docket.

By **the sentence no. 5872/18.12.2017** the Prahova Tribunal rejected the action as unfounded. The judgment was appealed by Cojocaru Irinel Alexandru.

By **decision no. 317/20.12.2018** The Ploiesti Court of Appeal rejects the appeal as unfounded. Final.

#### **43. Case File no. 12905/302/2017 - Bucharest Tribunal**

**Parties:** Conpet SA - intimated party

Dobrogeanu Paun Ioan - contestant

**Object:** Dobrogeanu Păun Ioan formulated an appeal against the forced execution against the forced execution acts which constitute the object of file no. 16/2017 of BEJ Răduță Nicoleta by which one ruled the establishment of the withholding to the third parties INTERCEREAL S.A. and the Romanian Lawyers' Insurance House requesting the admission of the contestation to execution and the annulment of the Conclusion regarding the setting of the execution costs in the amount of 681.24 lei and 1,573.24 lei representing the executor's fees.

**Clarifications:** By the Decision nr. 8105 / 15.11.2017 the 5th District Court Bucharest admitted the exception to the territorial non-competence of the court invoked by Conpet. It declined the competence to resolve the case in favour of the 6th District Court Bucharest.

By **sentence no. 3197/30.04.2018** the Bucharest Court of district 6 dismisses as unfounded the appeal against enforcement. It requests the claimant to pay to BEJ Răduță Nicoleta the amount of lei 184.45 representing the expenses determined by the xercopy and the transmission of the enforcemet file no. 16/2017. The judgment was appealed by Dobrogeanu Păun Ion.

By **decision no. 4731 / 19.12.2018** the Bucharest tribunal admits the appeal. It partially changes the appealed sentence in the sense that it: it admits in part the appeal against enforcement. It partially cancels the decision of 25.05.2017 issued in the enforcement file no. 16/2017 of BEJ Răduță Nicoleta, in the sense it removes the enforcement costs in the amount of lei 681,24. It keeps bailiff's fee in the amount of lei 1,573.24. It rules the amount of lei 52.68 lei calculated in relation to the amount of lei 681.24 lei, which was removed, to be refunded to the claimant. It keeps the claimant's obligation to pay the costs relating to the photocopying of the enforcement documents in the enforcement file no. 16/2017. Final.

#### **44. Case File no. 8928/105/2017 – Prahova Tribunal**

**Parties:** Conpet – respondent

Association Tera Gaz Construct SRL – Vialis Engineering SA

**Object:** Tender cancellation. The association Tera Gaz Construct SRL - Vialis Engineering SA formulated a contestation against the Decision no. 11/04.12.2017 issued by Conpet SA - Commercial and Regulated Activities Division, regarding the Contestation no. 936/06.11.2017, registered at Conpet SA under no. 44953/06.11.2017 formulated by the Association Terra Gaz Construct SRL - Vialis Engeneering SA against the result of the procedure for awarding the contract of works having as objective the "Refurbishment of the ensemble of Headquarters Building II, located at the address 8, Rezervoarelor Street, and requested:

- the annulment of the decision no. 11/04.12.2017 issued by Conpet SA - Commercial and Regulated Activities Division, regarding the Contestation of the undersigned against the notification of the procedure outcome;

- the annulment of the notification registered under no. 43929/31.10.2017 at the headquarters of Conpet SA - Commercial and Regulated Activities Division, representing the notification of the

results of the tenders evaluation through which it announced the cancellation of the award procedure, and as a consequence the annulment of the decision to cancel the Procurement Procedure;

- the annulment of the procedure report and of all the subsequent acts, including those related to the communication of the procedure outcome, and of Notification no. 43929 respectively;
- the obligation of the Contracting Authority to resume the award procedure and to proceed to the re-evaluation of the admissible tenders, in relation with the requirements of the awarding documentation and the legal provisions, by drawing up a new report of the award procedure and the application of the award criterion published in the invitation to tender.

**Clarifications:** By the **sentence no. 613/14.03.2018** the Prahova Tribunal admits the writ of summons formulated by the claimant Association Terra Gaz Construct S.R.L. - Vialis Engineering S.A. It cancels the Decision no. 11/04.12.2017 and address no. 43929/31.10.2017 issued by the respondent The judgment was appealed by Conpet.

By **decision no. 2629/19.07.2018** the Ploiesti Court of Appeal admits the appeal. It quashes the sentence and sends the case back to the court of first instance.

By **sentence no. 1847/09.11.2018** the Prahova Tribunal notes the withdrawal from the trial. The judgment may be appealed after communication.

#### **45. Case File no. 950/281/2018 – Prahova Tribunal**

**Părți:** Conpet – contestant

Dobrogeanu Dumitru – intimated party

BEJ Mihai Goslan – intimated party

**Object:** Conpet filed an application for the return of the execution by requesting the court to order the return of the forced execution under the enforceable title represented by the decision no. 669 dated 20.12.2011 of the Prahova Tribunal in the execution file no. 710/2013 of B.E.J. Goslan Mihai, by partially restoring the situation prior to the enforcement, in order to order the respondent Dobrogeanu Dumitru (under Article 723 of the Code of Civil Procedure) to pay the following amounts:

- 1,000 lei representing the amount unduly paid by way of expenses (lawyer's fee).
- 1,062.3 lei representing the fee unduly received by the Office of the Judicial Executor Judge Mihai Goslan
- 111 lei, representing the amount cashed for copying the execution case file.

Subsidiarily, Conpet asks BEJ Mihai Goslan to pay the amount of 1,062.3 lei representing unduly received fee.

Court Costs included.

**Clarifications:** By the decision no. 4557/25.05.2018 The Ploiești Court admits the lack of passive capacity to stand trial of BEJ Mihai Goslan and consequently rejects the claim made by the claimant CONPET SA in contradiction with this defendant as being brought against a person without a passive capacity to stand trial. It partly approves the application. It orders the return of forced execution carried out in the execution file no. 710/2013 of B.E.J. Mihai Goslan through the restitution by the respondent Dobrogeanu Dumitru to the claimant CONPET SA of the amount of 2,062,3 lei. The respondent Dobrogeanu Dumitru is ordered to pay to claimant the amount of 189.23 lei, as court costs costs. The decision was appealed by Dobrogeanu Dumitru. By the **decision no. 1728/18 10.12.2018** The Prahova Tribunal dismisses the appeal as unfounded. Final.

**46. Case File no. 9472/315/2018 –Târgoviște Court**

**Parties:** Conpet SA – petitioner

The Public Prosecutor's office attached to the Târgoviște court – intimated party  
Conpet files a complaint against the Complaint Rejection Ordinance no. 93/II/2/2018 dated 26.09.2018 by the First Prosecutor of the Public Prosecutor's Office attached to the Târgoviște Court, by which the complaint of Conpet S.A. against the Order of Classification given on 26.03.2018 by the Public Prosecutor's Office attached to the Ploiești Court was wrongfully dismissed, in the file no. 368/P/2013, regarding the offense of attempted qualified theft, deed provided by art.228 par. 1 - 229 par. 1 sect. b of the Criminal Code and we request the cancellation of the Ordinances, the continuation of the criminal prosecution and the investigations in order to identify the offenders and prosecuting them for the deed found on 03.01.2013 consisting in the removal of a supporting support for the Ø 6<sup>5</sup>/<sub>8</sub>" Teiș-Moreni crude oil pipeline, at the crossing of the Ialomița river, Teiș, Dâmbovița county (prejudice - 1.733,23 lei).

**Clarifications:** By the **Conclusion of 06.12.2018** the Târgoviște Court dismisses the complaint as unfounded and orders Conpet to pay the amount of 50 lei for judicial expenses to the state. Final.

**HEAD OF LEGAL DEPARTMENT**  
**Legal Adviser Cornel Bănică**

The undersigned, **Grigorescu Daniela-Alexandra**, translator authorized by the Ministry of Justice, with the authorization no. **28921**, I do hereby certify the accuracy of this translation with the original Romanian document, which has been seen by me.  
Translator,