

No.172/03.03.2023

To:

- **BUCHAREST STOCK EXCHANGE**  
Fax: 021/256.92.76
- **FINANCIAL SURVEY AUTHORITY**  
Fax: 021/659.60.51

**CURRENT REPORT**  
according to FSA Regulation no. 5/2018  
**Report date: 03.03.2023**

**OIL TERMINAL S.A.Constanta**

Headquarters: no.2 Caraiman str., Constanta

Phone no.: 0241/702600, fax: 0241/694833

Registration number at Trade Register Office: J13/512/1991

Unique register number: 2410163

**Important event to be reported:** *File report no.898/118/2023 in contradiction with the significant shareholder Dumitrescu Andrei Sebastian*

The company OIL TERMINAL S.A. informs the shareholders that on xx.02.2023 the summons in the case no.898/118/2023 registered at the Court of Constanta was received at the company's registered office, which has as object a complaint against the resolution of the director of the Trade Register Office of the Court of Constanta regarding the registration of the EGSM Decision 4/21.03.2022. The complaint was formulated by the shareholder Dumitrescu Andrei Sebastian against Oil Terminal S.A. and O.R.C. next to the Constanta Court.

We remind you that by the EGSM Decision no. 4/21.03.2022 the shareholders approved the continuation of the share capital increase procedure.

**EGSM Decision no. 4/21.03.2022 is subject to the following disputes:**

1. **17 files (2026/118/2022, 2027/118/2022, 2028/118/2022, 2029/118/2022, 2030/118/2022, 2031/118/2022, 2032/118/2022, 2033/118/2022, 2034/118/2022, 2035/118/2022, 2036/118/2022, 2037/118/2022, 2038/118/2022, 2039/118/2022, 2040/118/2022, 2041/118/2022, 2042/118/2022) concerning the Presidential Order by which Dumitrescu Sebastian Andrei seeks the suspension of AGEA Decisions No. 4/21.03.2022 pending the outcome of the proceedings for a declaration of absolute nullity of that decision.**

**Files 2027/118/2022, 2028/118/2022, 2029/118/2022, 2030/118/2022, 2031/118/2022, 2032/118/2022, 2033/118/2022, 2034/118/2022, 2036/118/2022, 2037/118/2022, 2038/118/2022, 2039/118/2022, 2040/118/2022, 2041/118/2022, 2042/118/2022 have been joined to File No 2026/118/2022.** By decision pronounced on 04.05.2022, the Constanta Court rejected the related applications for suspension of the execution of the Decision of the

Extraordinary General Meeting of Oil Terminal SA no. 4/21.03.2022 made by the plaintiff Dumitrescu Andrei Sebastian against the defendant Oil Terminal S.A. for failure to meet the conditions of admissibility of the presidential order and ordered the plaintiff to pay costs in the amount of 13,830.64 lei in favour of OIL Terminal SA. Dumitrescu Sebastian Andrei appealed against this judgment. The Constanta Court of Appeal rejected the appeal as unfounded. The judgment is final.

**The case no. 2035/118/2022** was heard in a separate hearing, and the Constanta Court dismissed the application for a presidential order as unfounded. An appeal was lodged against this decision, and on 24.06.2022 the Constanta Court of Appeal rejected the appeal as unfounded. **The solution remained final.**

- 2. 17 files (2007/118/2022, 2008/118/2022, 2009/118/2022, 2010/118/2022, 2011/118/2022, 2013/118/2022, 2014/118/2022, 2016/118/2022, 2017/118/2022, 2018/118/2022, 2019/118/2022, 2020/118/2022, 2021/118/2022, 2022/118/2022, 2023/118/2022, 2024/118/2022, 2025/118/2022) concerning the Action for absolute annulment of the EGSM Decision no. 4/21.03.2022, with stages as follows:**

**File No 2009/118/2022.** On 03.11.2022, the Constanta Court ordered the following: **dismiss as unfounded the claim brought by the plaintiff DUMITRESCU ANDREI SEBASTIAN** against the defendant SC OIL TERMINAL S.A. An appeal has been lodged against this decision, and the next trial date is 15.03.2023, at the Constanta Court of Appeal.

**File No 2016/118/2022.** On 03.11.2022, the Constanta Court ordered the following: **dismiss as unfounded the claim brought by the plaintiff DUMITRESCU ANDREI SEBASTIAN** against the defendant SC OIL TERMINAL S.A. An appeal has been lodged against this decision, and the next trial date is 22.03.2023, at the Constanta Court of Appeal.

**File No 2017/118/2022.** On 03.11.2022, the Constanta Court ordered the following: **dismiss as unfounded the claim brought by the plaintiff DUMITRESCU ANDREI SEBASTIAN** against the defendant SC OIL TERMINAL S.A. An appeal has been lodged against this decision, and the next court date is 26.05.2023, at the Constanta Court of Appeal.

**File No 2019/118/2022.** On 03.11.2022, the Constanta Court ordered the following: **dismiss as unfounded the claim brought by the plaintiff DUMITRESCU ANDREI SEBASTIAN** against the defendant SC OIL TERMINAL S.A. An appeal has been lodged against this decision, and the next trial date is 15.03.2023, at the Constanta Court of Appeal.

**File No 2020/118/2022.** On 03.11.2022, the Constanta Court ordered the following: **dismiss as unfounded the claim brought by the plaintiff DUMITRESCU ANDREI SEBASTIAN** against the defendant SC OIL TERMINAL S.A. An appeal has been lodged against this decision, and the next trial date is 22.03.2023, at the Constanta Court of Appeal.

**File No 2021/118/2022.** On 03.11.2022, the Constanta Court ordered the following: **dismiss as unfounded the claim brought by the plaintiff DUMITRESCU ANDREI SEBASTIAN** against the defendant SC OIL TERMINAL S.A. An appeal has been lodged against this decision, and the next trial date is 15.03.2023, at the Constanta Court of Appeal. The Court also ordered the formation of the associated file no. 2021/118/2022/a1, the object of which is

to refer the matter to the Constitutional Court for a ruling on the exception of unconstitutionality invoked by the applicant DUMITRESCU ANDREI SEBASTIAN with regard to Article 12 of Law no. 137/2002 by reference to Article 1 para. 3 and Article 1 para. 5 of the Romanian Constitution.

**File No 2023/118/2022.** On 03.11.2022, the Constanta Court ordered the following: **dismiss as unfounded the claim brought by the plaintiff DUMITRESCU ANDREI SEBASTIAN** against the defendant SC OIL TERMINAL S.A. An appeal has been lodged against this decision and the next trial date is 15.03.2023, at the Constanta Court of Appeal.

**File No 2024/118/2022.** On 03.11.2022, the Constanta Court ordered the following: **dismiss as unfounded the claim brought by the plaintiff DUMITRESCU ANDREI SEBASTIAN** against the defendant SC OIL TERMINAL S.A. An appeal has been lodged against this decision, and the next court date is 26.05.2023, at the Constanta Court of Appeal.

**Case no. 2007/118/2022** to which were connected the cases **2010/118/2022, 2011/118/2022, 2014/118/2022, 2018/118/2022, 2022/118/2022 and 2025/118/2022** has a term of judgment on 16.03.2023, at the Constanta Court.

**Case no. 2008/118/2022** is scheduled for trial on 16.03.2023, at the Constanta Court.

**Case no. 2013/118/2022** is scheduled for trial on 16.03.2023, at the Constanta Court

**File no. 2244/118/2022**, application for intervention OUG 116/2009, by which the plaintiff Dumitrescu Andrei Sebastian applies to the court for the non-registration of the mentions regarding the EGSM Decision of Oil Terminal S.A. no. 4 of 21.03.2022 in the Trade Register. The next court date is 26.04.2023, at the Constanta Court.

The EGSM Decision no. 4/21.03.2022 was published in the Official Gazette part IV no. 5157 dated 12.12.2022 being registered at ONRC according to the provisions of Law 265/2022 which repeals the provisions of GEO 116/2009.

**General Director**  
**Sorin CIUTUREANU**

**Development Director**  
**Marieta STAȘI**

**Chief of Shareholding-Communication Dept.**  
**Georgiana DRAGOMIR**