



PRESS RELEASE

**Higher Economic Court resolves dispute initiated by Ministry of Education of Ukraine in favour of Kyiv City Council, T. Shevchenko National University and TMM**

**Kyiv, 18 July 2011** – The Higher Economic Court has resolved the dispute, which had been initiated by the Ministry of Education of Ukraine (the Ministry), in favour of the Kyiv City Council, Kyiv Taras Shevchenko National University (the University) and Firma “T.M.M.”-LLC (TMM or TMM Company). The Higher Economic Court has annulled the rulings of the preceding courts – Kyiv Economic Court and Kyiv Economic Court of Appeals, both in favour of the Ministry. Furthermore, the Higher Economic Court dismissed a claim of the Ministry against the Kyiv City Council, the University and TMM. Thus, the higher court confirmed legitimacy of the construction process on the land plot located at 73-79 Lomonosova str, which is used by the University on a permanent basis and where TMM Company is realizing its project acting as a co-investor and subcontractor.

Earlier, the Ministry of Education and Science of Ukraine had filed a claim with Kyiv Economic Court against three respondents – the Kyiv City Council, Kyiv National Taras Shevchenko University and TMM. The subject of the claim was nullification of the Kyiv City Council’s resolution changing the purpose of use of a land plot located within Lomonosova, Kovalevskoi and Vasylykivska streets. On the back of this, the Ministry also filed a claim to nullify the Investment Agreement signed between the University and TMM in 2003 regarding their mutual investments into the construction of a residential complex with internal infrastructure on the land plot. The land plot had been allotted to the University to be used on a permanent basis and remained zoned "for construction of social objects" even after the purpose of use was changed, which was used as grounds for filing a lawsuit by the Ministry.

Mykola Tolmachov, CEO of TMM: *“The decision of the Higher Economic Court is as a positive outcome for all the parties involved in the dispute. The court ruling protects the interests of individual buyers, who invested into the project construction, as well as OJSC “Oschadbank”, financing the construction of the residential complex, and the Kyiv National Taras Shevchenko University, which will now be able to receive apartments for its employees under the investment agreement with TMM. Cooperation with a large construction company is one of the few ways to resolve the housing problem for the employees of the university.”*

**About TMM:**

TMM is a leading Ukrainian real estate development and construction company delivering residential, office and commercial real estate projects in Kyiv, Kharkiv and the Crimea. During the past 17 years the company has completed 31 projects totaling to over 600 thousand sq m. Currently TMM’s portfolio includes 34 projects with the gross buildable area of 2.7 million sq m. and additional area of 150 ha in land plots held for development.

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