



East 33 Limited

ASX ANNOUNCEMENT

For immediate release

5 November 2024

## Compulsory Acquisition of Remaining East 33 Shares and Postponement of Annual General Meeting

### Compulsory acquisition of remaining East 33 Shares

East 33 Limited (ASX: E33) ("East 33" or "Company") confirms that the off-market takeover offer made by Yumbah Aquaculture Limited (Yumbah) for all of the issued shares in East 33 (East 33 Shares) that Yumbah did not already own (Offer) closed at 5:00pm (Sydney time) on 31 October 2024.

As detailed in the Substantial Holder Notice lodged on the ASX by Yumbah on 1 November 2024, as at Thursday, 31 October 2024, Yumbah has a voting power of 94.61%.

Yumbah has advised East 33 that as it has met the required thresholds, it will proceed with the compulsory acquisition of the remaining East 33 Shares that it does not own or control pursuant to section 661A(1) of the *Corporations Act 2001* (Cth) (**Corporations Act**). The compulsory acquisition of East 33 Shares will be on the same terms as the Offer, that is \$0.022 per East 33 Share.

Earlier today, Yumbah lodged a notice with the ASX regarding the compulsory acquisition process (**Compulsory Acquisition Notice**). Pursuant to ASX Listing Rule 17.4, the ASX will suspend quotation of East 33 Shares five trading days following receipt of the Compulsory Acquisition Notice, being **close of trading on 12 November 2024**. East 33 shareholders should be aware that they will no longer be able to sell their East 33 Shares on-market after this time.

East 33 understands that Yumbah will send a Compulsory Acquisition Notice to each East 33 shareholder who did not accept the offer as soon as practicable. The Compulsory acquisition process, which is subject to the *Corporations Act*, is likely to take approximately 4-6 weeks, but may take longer in some circumstances. East 33 shareholders do not need to do anything.

### Postponement of Annual General Meeting

East 33 also wishes to advise its shareholders, that the Australian Securities and Investments Commission (ASIC) has today granted an extension of time for East 33 to hold its Annual General Meeting for the financial year ended on 30 June 2024 (**AGM**).

Under section 250P of the *Corporations Act*, ASIC has extended the period within which East 33 must hold its AGM by three months, to 28 February 2025 (**AGM Extension**).

East 33 applied for the extension because it did not consider it was in the best interests of either East 33 shareholders or East 33 to spend time and funds in convening the AGM, given Yumbah's compulsory acquisition intentions in relation to East 33.

The AGM Extension has been granted by ASIC following Yumbah commencing the process of compulsory acquisition of the remaining East 33 Shares (as announced by East 33 on 5 November 2024).

As a result, in accordance with its Constitution, East 33 confirms that it has postponed the Annual General Meeting of the Company to 2:00pm (Sydney time) on 28 February 2025. The virtual meeting details remain the same.

**This Announcement is authorised for release by the Board**

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## Announcement Ends

For further information, please contact:

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## About East 33 Limited

East 33 is dedicated to pioneering the world's best oyster culture, by empowering the people behind it, caring for the places that support it, and delivering moments to be savoured.

East 33 represents quality, a dedication to the authentic and an inspired future, focused on delivering a moment of joy.

East 33 is one of the largest vertically integrated Sydney Rock Oyster producer, processor, and supplier. Operations span all elements of the Sydney rock oyster industry from hatchery, nursery, and production farmers to processing facilities.

East 33's current operations are based in the Wallis Lake, Port Stephens and the Camden Haven River regions of NSW, and over 130 years of collective farming knowledge. Learnings are being harnessed to deliver the next stage of improved breeding, technology, and sustainable farming techniques to propel the industry for generations to come.

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