

# 9 February 2021

Vanessa Nevjestic Adviser, Listings Compliance (Perth) Australian Securities Exchange By email: ListingsCompliancePerth@asx.com.au

Dear Vanessa

# MyFiziq Limited ('MYQ'): Price and Volume - Query

MyFiziq Limited (**Company**) refers to ASX's Price and Volume – Query letter dated 9 February 2021 and provides the following responses to the specific queries set out in that letter.

Capitalised terms which are defined in ASX's letter have the same meaning where used in this letter.

1. No, the Company is not aware of any information concerning it that has not been announced to the market which, if known by some in the market, could explain the recent trading in its securities.

The Company notes that it has today announced that it has agreed to an extension of time to finalise formal agreements with Nexus Vita Pte Ltd. As announced, the Company has agreed to extend the deadline to finalise the formal agreements to 8<sup>th</sup> May 2021, and the parties expect to deliver a market-ready integration into the Nexus-Vita platform by 8 May 2021.

The Company does not consider that this information explains the recent trading in its securities, as the proposed extension of time remained confidential at all times prior to the release of the announcement.

- 2. Not applicable.
- 3. The Company is unaware of any specific circumstances that may explain the recent trading in its securities however notes the following:
  - The Company is engaged in ongoing promotional activities with potential investors and potential customers. As part of these promotional activities, the Company's CEO Vlado Bosanac has recently completed a series of presentations to potential investors and potential customers.
  - The Company has made a number of announcements recently regarding new partnerships and product launches, including:
    - o signing of a Joint Marketing and Expansion Agreement with Bearn LLC announced on 22 January 2021;
    - o successful launch of the Biomorphik application on 5 January 2021; and
    - signing of a Binding Term Sheet with Triage Technologies Inc. to implement their AI "health assistant" technology within MyFiziq's CompleteScan SaaS offering, with the Company now developing a revolutionary multi-scan solution, announced on 3 December 2020.
  - The Company's most recent quarterly update, released on 29 January 2021, noted that:

MyFiziq Limited ACN 602 111 115 Postal Address: PO Box 190, South Perth WA 6951 Email: admin@myfiziq.com



- $\circ$  a number of other product launches are expected from the Company's partners in 2021; and
- the Company remains on track with its proposed IPO and listing on NASDAQ (as announced on 9 October 2020, the Company has appointed Ladenburg Thalmann & Co. Inc. as lead underwriter to its proposed NASDAQ IPO).
- 4. Yes, the Company confirms that it is complying with the Listing Rules and, in particular, Listing Rule 3.1.
- 5. Yes, the Company confirms that the responses to the questions above have been authorised and approved by the Company's Board under its published continuous disclosure policy.

Should you require any further clarification please do not hesitate to contact the undersigned.

Yours faithfully,

Steven Richards Company Secretary & Chief Financial Officer MyFiziq Limited *E: admin@myfiziq.com* 

Reference: ODIN30683

Mr Steven Richards Company Secretary MyFiziq Limited Suite 8, 7 The Esplanade Mt Pleasant, Western Australia 6153

By email: steven.richards@myfiziq.com

Dear Mr Richards

## MyFiziq Limited ('MYQ'): Price and Volume - Query

ASX refers to the following:

- A. The change in the price of MYQ's securities from an intraday low of \$1.250 on Monday, 8 February 2021 to an intraday high of \$1.455 at the time of writing this letter today.
- B. The significant increase in the volume of MYQ's securities traded from Monday, 8 February 2021 to Tuesday, 9 February 2021.

### **Request for information**

In light of this, ASX asks MYQ to respond separately to each of the following questions and requests for information:

- 1. Is MYQ aware of any information concerning it that has not been announced to the market which, if known by some in the market, could explain the recent trading in its securities?
- 2. If the answer to question 1 is "yes".
  - (a) Is MYQ relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in MYQ's securities would suggest to ASX that such information may have ceased to be confidential and therefore MYQ may no longer be able to rely on Listing Rule 3.1A. Accordingly, if the answer to this question is "yes", you need to contact us immediately to discuss the situation.
  - (b) Can an announcement be made immediately? Please note, if the answer to this question is "no", you need to contact us immediately to discuss requesting a trading halt (see below).
  - (c) If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made?
- 3. If the answer to question 1 is "no", is there any other explanation that MYQ may have for the recent trading in its securities?
- 4. Please confirm that MYQ is complying with the Listing Rules and, in particular, Listing Rule 3.1.
- 5. Please confirm that MYQ's responses to the questions above have been authorised and approved under its published continuous disclosure policy or otherwise by its board or an officer of MYQ with delegated authority from the board to respond to ASX on disclosure matters.

### When and where to send your response

This request is made under Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by no later than **13:15 PM AWST Tuesday**, **9 February 2021**. You should note that if the information requested by this letter is information required to be given to ASX under Listing Rule 3.1 and it does not fall within the exceptions mentioned in Listing Rule 3.1A, MYQ's obligation is to disclose the information 'immediately'. This may require the information to be disclosed before the deadline set out in the previous paragraph and may require MYQ to request a trading halt immediately.

Your response should be sent to me by e-mail at **ListingsCompliancePerth@asx.com.au**. It should not be sent directly to the ASX Market Announcements Office. This is to allow me to review your response to confirm that it is in a form appropriate for release to the market, before it is published on the ASX Market Announcements Platform.

### **Trading halt**

If you are unable to respond to this letter by the time specified above, or if the answer to question 1 is "yes" and an announcement cannot be made immediately, you should discuss with us whether it is appropriate to request a trading halt in MYQ's securities under Listing Rule 17.1. If you wish a trading halt, you must tell us:

- the reasons for the trading halt;
- how long you want the trading halt to last;
- the event you expect to happen that will end the trading halt;
- that you are not aware of any reason why the trading halt should not be granted; and
- any other information necessary to inform the market about the trading halt, or that we ask for.

We require the request for a trading halt to be in writing. The trading halt cannot extend past the commencement of normal trading on the second day after the day on which it is granted. You can find further information about trading halts in Guidance Note 16 *Trading Halts & Voluntary Suspensions*.

#### Suspension

If you are unable to respond to this letter by the time specified above, ASX will likely suspend trading in MYQ's securities under Listing Rule 17.3.

### Listing Rules 3.1 and 3.1A

In responding to this letter, you should have regard to MYQ's obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure*: Listing Rules 3.1 – 3.1B. It should be noted that MYQ's obligation to disclose information under Listing Rule 3.1 is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

#### Release of correspondence between ASX and entity

We reserve the right to release a copy of this letter, your reply and any other related correspondence between us to the market under Listing Rule 18.7A.

### Questions

If you have any questions in relation to the above, please do not hesitate to contact me.

Yours sincerely

Vanessa Nevjestic Adviser, Listings Compliance (Perth)