

IMAGION BIOSYSTEMS LIMITED

(ASX: IBX)

10 November 2021

Melissa Kostopoulos
Compliance Adviser, Listing Compliance (Melbourne)
ASX
Via email

Imagion Biosystems Limited: Price - Query

Dear Ms Kostopoulos,

I refer to your letter dated 9 November 2021 regarding a change in the price of IBX securities from a low of \$0.077 at close of trading on 8 November 2021 and a high of \$0.102 on 9 November 2021 and the significant increase in the volume of IBX securities traded on 9 November 2021.

IBX provides the following responses to your letter.

1. *Is IBX 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 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 IBX securities.

If the answer to question 1 is "yes".

- (a) *Is IBX relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in IBX's securities would suggest to ASX that such information may have ceased to be confidential and therefore IBX 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?*

Not applicable.

2. *If the answer to question 1 is "no", is there any other explanation that IBX may have for the recent trading in its securities?*

The Company is currently enrolling patients into its MagSense® HER2 breast cancer Phase I first-in-human Study.

Since the first patient was enrolled into the Study (released to the ASX on 26 May 2021) the Company had noted within the Q2 2021 Quarterly Activities / Appendix 4C Cash Flow Report (announced to the ASX on 30 July 2021) that patient screening and overall HER2 patient numbers were below pre-pandemic levels. The Company further noted that if patient accessibility continued to be slow the previous target of completing enrolment by the end of 2021 would be difficult.

Within the recent Q3 2021 Quarterly Activities / Appendix 4C Cash Flow Report (released to the ASX on 29 October 2021) the Company provided an update in relation to its MagSense® Study noting multiple patients had been enrolled in the Study. The Company also confirmed that there were now four sites actively screening patients. The Company also stated that we will have a better indication over Q4 2021 as to the likely cadence of recruitment going forward as we see how the end of lock downs affect cancer screening.

The recent Q3 2021 Quarterly Activities / Appendix 4C Cash Flow Report was the first update to the ASX stating that enrolment into the Study was progressing and therefore could have had an impact on the recent trading in IBX securities.

The Company can offer no other explanations for the recent change in the price and increase in volume of its securities.

3. *Please confirm that IBX is complying with the Listing Rules and, in particular, Listing Rule 3.1.*

The Company confirms it is in compliance with the Listing Rules including Listing Rule 3.1.

4. *Please confirm that IBX'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 IBX with delegated authority from the board to respond to ASX on disclosure matters.*

These responses have been authorised by the Disclosure Committee of the Company.

Your Sincerely



Geoff Hollis
CFO and Company Secretary
Imagion Biosystems Limited



9 November 2021

Reference: 42356

Mr Geoff Hollis
Company Secretary
Imagion Biosystems Limited
c/o- K&L Gates
Level 25, 525 Collins Street
Melbourne Victoria 3000

By email: geoff.hollis@imagionbio.com

Dear Mr Hollis

Imagion Biosystems Limited ('IBX'): Price - Query

ASX refers to the following:

- A. The change in the price of IBX's securities from a low of \$0.077 at close of trading yesterday to a high of \$0.102 today.
- B. The significant increase in the volume of IBX's securities traded today.

Request for information

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

- 1. Is IBX 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?

If the answer to question 1 is "yes".

- (a) Is IBX relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in IBX's securities would suggest to ASX that such information may have ceased to be confidential and therefore IBX 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?
- 2. If the answer to question 1 is "no", is there any other explanation that IBX may have for the recent trading in its securities?
- 3. Please confirm that IBX is complying with the Listing Rules and, in particular, Listing Rule 3.1.
- 4. Please confirm that IBX'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 IBX 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 **9:30 AM AEDT Wednesday, 10 November 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, IBX'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 IBX to request a trading halt immediately.

Your response should be sent to me by e-mail at **ListingsComplianceMelbourne@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 IBX'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 IBX's securities under Listing Rule 17.3.

Listing Rules 3.1 and 3.1A

In responding to this letter, you should have regard to IBX'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 IBX'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.

Regards

Melissa Kostopoulos

Compliance Adviser, Listings Compliance (Melbourne)