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ASX Market Announcements  
ASX Limited  
Exchange Centre  
20 Bridge Street  
Sydney NSW 2000

## Resolution of dispute between Freedom Foods and Blue Diamond Growers

Freedom Foods Group Limited (**ASX: FNP**) (**the Company**) provides the following further update regarding the legal dispute between Freedom Foods Pty Limited (**FFPL**) and other Group subsidiaries and Blue Diamond Growers (**Blue Diamond**) in relation to a licence agreement to manufacture and distribute Almond Breeze products (**the Licence Agreement**). As announced on 28 May 2021, the Federal Court of Australia proceedings were stayed and the matters in dispute between FFPL and Blue Diamond were confined to the arbitration proceedings brought by Blue Diamond against FFPL in the US (**Arbitration**).

FFPL and Blue Diamond have today entered into a binding heads of agreement under which the parties have reached a mutually acceptable resolution of the Arbitration (**the Settlement Agreement**). Under the Settlement Agreement, the Arbitration will be dismissed within 15 days of a long-form agreement being signed and FFPL will pay to Blue Diamond a total of US\$ 35 million as follows:

- US\$ 17 million within 20 business days of the long form agreement being signed; and
- Future payments totalling US\$ 18 million paid in US\$ 4.5 million instalments over four years commencing on 1 September 2022, which will be supported by provision of a bank guarantee.

The Settlement Agreement also contemplates a wind-down and termination of the Licence Agreement by 30 June 2022, provides Blue Diamond with an option thereafter for 12 months of contract packing by FFPL at cost, and reimbursement of Blue Diamond's Australian Federal Court legal costs. Upon execution of the contemplated long-form agreement, the Group may sell nut-based beverages (including MILKLAB) in Australia and elsewhere without restriction.

The Company has received approval for entry into the Settlement Agreement from its senior lenders and convertible noteholders.

The Company is not able to provide any further comment at this time as to the Settlement Agreement, save that both parties are satisfied with this resolution.

### Investor inquiries:

Justin Coss  
Company Secretary  
Freedom Foods Group Limited  
+ 612 9526 2555  
[justin.coss@ffgl.com.au](mailto:justin.coss@ffgl.com.au)

### Media inquiries:

Clive Mathieson  
Cato & Clive  
+61 411 888 425  
[clive@catoandclive.com](mailto:clive@catoandclive.com)

*This announcement was authorised for release by the Board*

### About Freedom Foods Group Ltd (soon to be noumi Limited pending shareholder approval)

Freedom Foods Group (**ASX: FNP**) is a leading Australian FMCG company with a mission to create quality, on-trend, responsibly produced dairy and plant-based beverages, nutritional products and ingredients used across the health and fitness industries. The Group operates state-of-the-art manufacturing facilities in Victoria and



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NSW and produces key brands include the MILKLAB range of shelf-stable dairy and plant-based milks, Australia's Own, So Natural, Crankt, Vital Strength and PUREnFERRIN lactoferrin. Shareholders at the Annual General Meeting on 18 November 2021 will be asked to vote on a corporate name change to noumi Limited (ASX: NOU). <https://ffgl.com.au/>