



9 September 2022

ASX ANNOUNCEMENT

249F NOTICE OF MEETING TO BE WITHDRAWN

On 6 September 2022, the Company wrote to Vitrinite Holdings Pty Ltd (Vitrinite) and Arbiter Capital Partners Management LLC (Arbiter) to invite them to voluntarily withdraw their 249F Notice of Meeting, as it failed to comply with the requirements of s 249F of the Corporations Act (Act).

The Company informed Vitrinite and Arbiter that their 249F Notice of Meeting was invalid, because Vitrinite did not hold the required shares in the Company as required by s 249F and Arbiter was not a member of the Company. The Company also identified what it believes to be further irregularities with the 249F Notice of Meeting. The Company informed Vitrinite and Arbiter that if they did not agree to withdraw the 249F Notice of Meeting, it would commence legal proceedings out of the Supreme Court of Western Australia for orders declaring the notice invalid and preventing them from holding the EGM.

Today, the Company has been informed that Vitrinite and Arbiter agree to withdraw the 249F Notice of Meeting and not convene the EGM.

The Company will provide a further update when Vitrinite and Arbiter have withdrawn the 249F Notice of Meeting.

This announcement has been authorised for release by the Board of Ten Sixty Four Limited.

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