



24 April 2023

## ASX ANNOUNCEMENT

# NOTICE RECEIVED UNDER S249D OF THE CORPORATIONS ACT

Ten Sixty Four Limited (“Ten Sixty Four” or the “Company”) (ASX:X64) advises that on 21 April 2023, the Company received a request to call a general meeting pursuant to section 249D of the Corporations Act 2001 (“249D Notice”), to consider resolutions that would seek to overturn the entire Board.

The request made by Vitrinite Holdings Pty Ltd, Vitrinite Pty Ltd and Vitrinite Holdings LLC (“Vitrinite Group”), comes after the Vitrinite Group’s failed attempt to alter the membership of the Board in October 2022, under section 249F of the Corporations Act. Unlike section 249F costs which are borne by the requisitioners, costs incurred under section 249D are paid using Company funds.

Under the 249D Notice, the Vitrinite Group proposes the following resolutions:

1. The removal of the Board, being Ms Kate Lowese George, Mr Jeffery William McGlinn, Mr Simon John Mottram, Mr Andrew Charles Hunt and Mr Aaron Edmund Treyvaud as Directors of the Company; and
2. The appointment of Ms Debra Anne Bakker, Mr Walter Robertson Milbourne Jr., Mr Jonathan Nicholas Shellabear, Mr William John DeCooman Jr. and Mr Andrew John Brown, as Directors of the Company.

The Board will advise when it has properly considered the request.

**This announcement has been authorised for release by the Managing Director of Ten Sixty Four Limited.**

**TEN SIXTY FOUR®**

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This report contains certain forward-looking statements. The words 'anticipate', 'believe', 'expect', 'project', 'forecast', 'estimate', 'likely', 'intend', 'should', 'could', 'may', 'target', 'plan' and other similar expressions are intended to identify forward-looking statements. Indications of, and guidance on, future earnings and financial position and performance are also forward-looking statements.

Such forward-looking statements are not guarantees of future performance and involve known and unknown risks, uncertainties and other factors, many of which are beyond the control of Ten Sixty Four, and its officers, employees, agents and associates, that may cause actual results to differ materially from those expressed or implied in such statements.

Actual results, performance or outcomes may differ materially from any projections and forward-looking statements and the assumptions on which those assumptions are based.

You should not place undue reliance on forward-looking statements, and neither Ten Sixty Four nor any of its directors, employees, servants or agents assume any obligation to update such information.