

3 March 2021

### Notice under section 708A(5)(e) of the *Corporations Act 2001 (Cth)*

**Minnesota, United States and Melbourne, Australia – 3 March 2021.** This notice is being given by Osprey Medical Inc. (ASX:OSP) (**Osprey** or the **Company**) under section 708A(5)(e) of the *Corporations Act 2001 (Cth)* (**Corporations Act**).

#### **Background**

As previously announced, MRCF3 Services (SW) Pty Ltd as trustee of the MRCF3 (SW) Trust (a fund of the Statewide Superannuation Trust) (**Statewide**) and MRCF3 Services (HP) Pty Ltd as trustee of the MRCF3 (HP) Trust (a fund of Hostplus Pty Ltd aff the Hostplus Pooled Superannuation Trust) (**HostPlus**) (together, **Underwriters**) have taken up and exercised the shortfall of 29,643,330 unlisted options which were issued under Osprey's 2020 renounceable entitlement offer, pursuant to the terms of the underwriting agreement between Osprey and the Underwriters dated 12 February 2021.

#### **Issue of CDIs to Underwriters**

Osprey will today issue 29,643,330 CHESS Depository Interests (**CDIs**) (representing 14,821,665 shares of common stock) to the Underwriters in their relevant proportions (being 29,643,330 CDIs for Statewide and 2,872,795 CDIs for Hostplus). The CDIs will rank equally with the existing CDIs on issue.

#### **Statements by Osprey**

Osprey relies on section 708(5)(e) of the *Corporations Act* and gives notice that it has issued the CDIs without disclosure to the Underwriters under Part 6D.2 of the *Corporations Act*.

As at the date of this notice, Osprey:

- (a) has complied with the provisions of chapter 2M of the *Corporations Act* as they apply to Osprey and section 674 of the *Corporations Act*; and
- (b) confirms there is no information:
  - (1) that has been excluded from a continuous disclosure notice given to ASX Limited (**ASX**) in accordance with the ASX Listing Rules (and which has since not been given to ASX or which is set out below in this notice);
  - (2) that investors and their professional advisers would reasonably require for the purpose of making an informed assessment of:
    - (A) the assets and liabilities, financial position and performance, profits and losses and prospects of Osprey; or
    - (B) the rights and liabilities attaching to Osprey's securities,

to the extent to which it would be reasonable for investors and their professional advisers to expect to find such information in a disclosure document.

**This announcement was authorised for release by the President and CEO of Osprey, Mike McCormick.**

A handwritten signature in black ink, appearing to read "B. Case".

Brendan Case  
Company Secretary

## Contact details:

### Investor relations

Leijie Li  
Vesparum Capital  
T: (61) 3 8582 4800  
[ospreymed@vesparum.com](mailto:ospreymed@vesparum.com)

### Company

Brendan Case  
Company Secretary  
M: (61) 410 442 393  
[brendan@casegovernance.com.au](mailto:brendan@casegovernance.com.au)

## About Osprey Medical (ASX: OSP)

Osprey Medical's vision is to make heart imaging procedures safer for patients with poor kidney function. The amount of dye (contrast) used during angiographic imaging procedures increases the patient's risk for dye-related kidney damage known as Contrast-Induced Acute Kidney Injury (AKI). The Company's core technologies originated from research conducted by Dr David Kaye at Melbourne's Baker Institute. Its proprietary dye reduction and monitoring technologies are designed to help physicians minimize dye usage and monitor the dose of dye real time throughout the procedure. The Company's DyeVert™ System reduces contrast while maintaining image quality in a self-adjusting easy-to-use design that monitors dye usage. Osprey Medical's Board and Management are comprised of experienced and successful personnel with established track records covering medical device development, regulatory approvals, sales and marketing, and mergers-acquisitions. Osprey Medical's advisory board comprises world-recognised experts in heart and kidney diseases.

## Forward-Looking Statements

This announcement contains or may contain forward-looking statements that are based on management's beliefs, assumptions, and expectations and on information currently available to management. Forward-looking statements involve known and unknown risks, uncertainties, contingencies and other factors, many of which are beyond the Company's control (including but not limited to the COVID-19 pandemic), subject to change without notice and may involve significant elements of subjective judgment and assumptions as to future events which may or may not be correct.

All statements that address operating performance, events or developments that we expect or anticipate will occur in the future are forward-looking statements, including without limitation our expectations with respect to our ability to commercialize our products including our estimates of potential revenues, costs, profitability and financial performance; our ability to develop and commercialize new products including our ability to obtain reimbursement for our products; our expectations with respect to our clinical trials, including enrolment in or completion of our clinical trials and our associated regulatory submissions and approvals; our expectations with respect to the integrity or capabilities of our intellectual property position.

Management believes that these forward-looking statements are reasonable as and when made. You should not place undue reliance on forward-looking statements because they speak only as of the date when made. Given the current uncertainties regarding the impact of the COVID-19 on the trading conditions impacting the Company, the financial markets and the health services world-wide, investors are cautioned not to place undue reliance on the current trading outlook.

Osprey does not assume any obligation to publicly update or revise any forward-looking statements, whether as a result of new information, future events or otherwise. Osprey may not actually achieve the plans, projections or expectations disclosed in forward-looking statements, and actual results, developments or events could differ materially from those disclosed in the forward-looking statements.

## Foreign Ownership Restriction

Osprey's CHES Depository Interests (CDIs) are issued in reliance on the exemption from registration contained in Regulation S of the US Securities Act of 1933 (Securities Act) for offers or sales which are made outside the US. Accordingly, the CDIs have not been, and will not be, registered under the Securities Act or the laws of any state or other jurisdiction in the US. The holders of Osprey's CDIs are unable to sell the CDIs into the US or to a US person unless the re-sale of the CDIs is registered under the Securities Act or an exemption is available. Hedging transactions with regard to the CDIs may only be conducted in accordance with the Securities Act.