

24 September 2019

Lisa Banh  
Senior Adviser, Listings Compliance  
ASX, Sydney

By email: [ListingsComplianceSydney@asx.com.au](mailto:ListingsComplianceSydney@asx.com.au)

Dear Lisa,

**Oventus Medical Limited ("OVN"): Price Query**

Please find below OVN's response to your query dated 23 September 2019 regarding OVN's share trading on 23 September 2019.

- 1. Is OVN 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?**

OVN is not aware of any information that has not already been released to the market.

- 2. If the answer to question 1 is "yes"?**

Not applicable.

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

On 2 September 2019, Oventus announced that its flagship device for the treatment of Obstructive Sleep Apnoea, the O<sub>2</sub>Vent<sup>™</sup> Optima had received clearance from the US Food and Drug Administration. This clearance enabled the product to be sold in the United States, and also allowed for the provisioning of several commercial agreements that the Company had announced on 15 July 2019 and 15 August 2019. Oventus is aware that several investors had been watching progress on these matters, which may have converted into higher volumes of trading in the securities.

- 4. Please confirm that OVN is complying with the Listing Rules and, in particular, Listing Rule 3.1.**

OVN confirms compliance with Listing Rule 3.1. There is no information that should be given to ASX under that rule that has not already been released to the market.

- 5. Please confirm that OVN'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 OVN with delegated authority from the Board to respond on disclosure matters.**

OVN confirms that OVN's responses have been appropriately approved.

If you have any queries or concerns about any of the above, please contact me.



**STEPHEN DENARO**  
**COMPANY SECRETARY**



23 September 2019

Reference: 07558

Mr Stephen Denaro  
Company Secretary  
Oventus Medical Limited

By email:

Dear Mr Denaro

### **Oventus Medical Limited ('OVN'): Price Query**

We note the change in the price of OVN's securities from a low of \$0.60 to a high of \$0.77 today.

We also note the significant increase in the volume of OVN's securities traded today.

### **Request for Information**

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

1. Is OVN 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?
2. If the answer to question 1 is "yes".
  - (a) Is OVN relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in OVN's securities would suggest to ASX that such information may have ceased to be confidential and therefore OVN 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?
3. If the answer to question 1 is "no", is there any other explanation that OVN may have for the recent trading in its securities?
4. Please confirm that OVN is complying with the Listing Rules and, in particular, Listing Rule 3.1.
5. Please confirm that OVN'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 OVN 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 AEST Tuesday, 24 September 2019**. If we do not have your response by then, ASX will likely suspend trading in OVN's securities under Listing Rule 17.3. 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, OVN's obligation is to disclose the

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information “immediately”. This may require the information to be disclosed before the deadline set out in the previous paragraph.

ASX reserves the right to release a copy of this letter and your response on the ASX Market Announcements Platform under Listing Rule 18.7A. Accordingly, your response should be in a form suitable for release to the market. Your response should be sent to me by e-mail at [ListingsComplianceSydney@asx.com.au](mailto:ListingsComplianceSydney@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.

### **Listing Rules 3.1 and 3.1A**

Listing Rule 3.1 requires a listed entity to give ASX immediately any information concerning it that a reasonable person would expect to have a material effect on the price or value of the entity’s securities. Exceptions to this requirement are set out in Listing Rule 3.1A. In responding to this letter, you should have regard to OVN’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 OVN’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.

### **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 OVN’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 may 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 OVN’s securities under Listing Rule 17.3.

### **Enquiries**

If you have any queries or concerns about any of the above, please contact me immediately.

Regards

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**Lisa Banh**  
Senior Adviser, Listings Compliance (Sydney)