

11 January 2022

Ms. Yushra Haniff
Adviser, Listings Compliance (Sydney)
ASX Limited
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Sydney NSW 2000

By email:

yushra.haniff@asx.com.au
and via the Company Announcements Platform

Dear Ladies and Gentlemen

NOTICE UNDER SECTION 708A(5)(e) OF THE CORPORATIONS ACT 2001 (CTH)

This notice is given by Marley Spoon AG (ARBN 625 684 068) (“**Marley Spoon**” or the “**Company**”) under section 708A(5)(e) of the Corporations Act 2001 (Cth) (the “**Act**”).

On 10 January 2022, Marley Spoon has issued 7,907,000 new CHESS depositary interests over ordinary shares in the Company (the “**CDIs**”) at an issue price of EUR 0.63235 (~AUD 1.00) per CDI to a long-term oriented European institutional investor as announced on 21 December 2021.

For purposes of section 708A(6) of the Act, Marley Spoon confirms that:

- (a) the CDIs were issued without disclosure to investors under Part 6D.2 of the Act;
- (b) as a disclosing entity, the Company is subject to regular reporting and disclosure obligations;
- (c) as at the date of this notice, Marley Spoon has complied with:
 - (i) the provisions of Chapter 2M of the Act as they apply to Marley Spoon; and
 - (ii) section 674 of the Act; and
- (d) as at the date of this notice, there is no excluded information of the type referred to in sections 708A(7) and 708A(8) of the Act that is required to be set out in this notice under section 708AA(7)(d) of the Act.

For and on behalf of the Supervisory Board of the Company



Dr. Mathias Hansen
General Counsel and Company Secretary