

16 August 2023

Ms Laura Gomme  
Senior Adviser, Listings Compliance  
ASX Compliance Pty Ltd  
Level 40, Central Park  
152-158 St Georges Terrace  
PERTH WA 6000

Dear Laura

## **ASX PRICE QUERY**

We refer to the Price Query received from the ASX on 16 August 2023 and respond as follows to the specific questions asked:

1. **Is the Company 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?**

No. The Company is not aware of any information concerning it that has not been announced, 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 the Company relying on Listing Rule 3.1A not to announce under Listing Rule 3.1?**  
**(b) Can an announcement be made immediately?**  
**(c) If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made?**

The answer to question 1 is no – therefore not applicable.

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

In its Quarterly Activities Report and Appendix 4C released on 31 July 2023, the Company advised that the Fourth Platform Lot had been successfully manufactured and shipped from imec to Fremont, California and that the Lot was undergoing extensive analysis utilising the enhanced test capabilities, with results to be announced upon completion. It is noted that previous guidance for results remains Q3 2023.

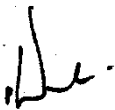
4. **Please confirm that the Company is in compliance with the Listing Rules and, in particular, listing rule 3.1.**

We confirm that the Company is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.

5. **Please confirm that the Company's responses to the questions above have been authorised and approved in accordance with its published continuous disclosure policy or otherwise by its board or an officer of the Company with delegated authority from the board to respond to the ASX on disclosure matters.**

Confirmed.

Yours sincerely



**Peter Webse**  
Company Secretary

**Authorised for release by the Board.  
Contact information**

**Investors:** David McAuliffe  
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**About 4DS**

4DS Memory Limited (ASX: 4DS), with facilities located in Silicon Valley, is a semiconductor development company of non-volatile memory technology, pioneering Interface Switching ReRAM for next generation gigabyte storage in mobile and cloud. Established in 2007, 4DS owns a patented IP portfolio, comprising 34 USA patents granted which have been developed in-house to create high-density Storage Class Memory. 4DS has a joint development agreement with Western Digital subsidiary HGST, a global storage leader, which accelerates the evolution of 4DS' technology. 4DS also collaborates with imec, a world-leading research and innovation hub in nanoelectronics and digital technologies. The combination of imec's widely acclaimed leadership in microchip technology and profound software and information and communication technology expertise makes them unique.

For more information, please visit [www.4dsmemory.com](http://www.4dsmemory.com).



16 August 2023

Reference: 78162

Mr Peter Webse  
4DS Memory Limited  
PO Box 271  
West perth WA 6782

By email:

Dear Mr Webse

#### **4DS Memory Limited ('4DS'): Price Query**

ASX refers to the following:

- A. The change in the price of 4DS's securities from a low of \$0.045 to an intraday high of \$0.052 today.
- B. The significant increase in the volume of 4DS's securities traded on 16 August 2023

#### **Request for information**

In light of this, ASX asks 4DS to respond separately to each of the following questions and requests for information:

1. Is 4DS 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 4DS relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in 4DS's securities would suggest to ASX that such information may have ceased to be confidential and therefore 4DS 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 4DS may have for the recent trading in its securities?
4. Please confirm that 4DS is complying with the Listing Rules and, in particular, Listing Rule 3.1.
5. Please confirm that 4DS'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 4DS 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 **4.00 PM AWST Wednesday, 16 August 2023**. 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

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within the exceptions mentioned in Listing Rule 3.1A, 4DS's obligation is to disclose the information 'immediately'. This may require the information to be disclosed before the deadline set out in the previous paragraph and may require 4DS to request a trading halt immediately.

Your response should be sent to me by e-mail at **ListingsCompliancePerth@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.

### **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 4DS'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 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 4DS's securities under Listing Rule 17.3.

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

In responding to this letter, you should have regard to 4DS'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 4DS'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.

### **Release of correspondence between ASX and entity**

ASX reserves the right to release all or any part of this letter, your reply and any other related correspondence between us to the market under Listing Rule 18.7A.

### **Questions**

If you have any questions in relation to the above, please do not hesitate to contact me.

Yours sincerely

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**Laura Gomme**  
Senior Adviser, Listings Compliance