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# Excluded Information - Prior to lodgment of Cleansing Notice - 708AA(2)(f) and 708A(5)(e) of the Corporations Act 2001 (Cth)

Microba Life Sciences Limited (ASX: MAP) ('Company' or 'Microba') intends on lodging a cleansing notice under sections 708A(5)(e) and 708AA(2)(f) of the *Corporations Act 2001 (Cth)* (as modified by *ASIC Corporations (Non-Traditional Rights Issues) Instrument 2016/84* (Corporations Act) following the announcement on Thursday, 19 October 2023 of the launch of a A\$20 million pro rata accelerated non-renounceable entitlement offer (Entitlement Offer) of new fully paid ordinary shares (Entitlement Offer Shares) at an offer price of A\$0.23 per Entitlement Offer Share (Offer Price).

The Entitlement Offer is comprised of an offer of 1 Entitlement Offer Share for every 4 shares held as at 7.00pm (Sydney time) on Monday, 23 October 2023 by shareholders in Australia, New Zealand and certain other jurisdictions (see further details below), to raise gross proceeds of up to A\$20.0 million.

The Company confirms that it has the following "excluded information" as defined in sections 708AA(7), 708AA(8) and 708A(7) and 708A(8) of the Corporations Act:

- (a) In light of the proposed acquisition of Invivo Clinical Limited¹ and Microba's establishment in the UK, Sonic Healthcare Limited and Microba have entered into an indicative, non-binding term sheet (Indicative, Non-binding Term Sheet) to agree terms to align commercial strategy across the UK, Europe and Australia. The in-principle indicative terms to be negotiated and agreed covers UK market strategy, product distribution and laboratory establishment.
- (b) The Indicative, Non-binding Term Sheet presently falls within ASX Listing Rule 3.1A on the basis that it concerns an incomplete proposal or negotiation and remains subject to negotiation and agreement, the information has not ceased to be confidential and a reasonable person would not expect the information to be disclosed.
- (c) On entering into the binding terms the subject of the Indicative, Non-binding Term Sheet (**Binding Agreement**), Microba will immediately announce that fact to the market including detail of the terms of the Binding Agreement, as required under ASX Listing Rule 3.1.

This announcement has been authorised for release by the Board.

For further information, please contact:

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# **About Invivo Clinical Limited**

Invivo Clinical Limited is a leading UK microbiome testing and supplement business which provides solutions to healthcare professionals and their patients. Invivo was established in 2007 and is headquartered in Stroud, Gloucestershire. It has established a base of over 1,700 integrative and functional medicine practitioners and in addition to its gastrointestinal microbiome testing, Invivo has also developed microbiome tests spanning additional body sites including Vaginal, Oral and Urinary tests, together with a targeted set of evidence-based intervention formulations.

<sup>&</sup>lt;sup>1</sup> Refer to the ASX Announcement lodged on 19 October 2023 for further details.

19 October 2023



## **About Microba Life Sciences Limited**

Microba Life Sciences is a precision microbiome company driven to improve human health. With world-leading technology for measuring the human gut microbiome, Microba is driving the discovery and development of novel therapeutics for major chronic diseases and delivering gut microbiome testing services globally to researchers, clinicians, and consumers. Through partnerships with leading organisations, Microba is powering the discovery of new relationships between the microbiome, health and disease for the development of new health solutions.

#### Disclaimer

#### Forward looking statements

This document contains certain "forward-looking statements". The words "expect", "anticipate", "estimate", "intend", "believe", "guidance", "should", "could", "may", "will", "predict", "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. Forward-looking statements, opinions and estimates provided in this document are based on assumptions and contingencies that are subject to change without notice and involve known and unknown risks and uncertainties and other factors that are beyond the control of Microba, its directors and management. This includes statements about market and industry trends, which are based on interpretations of current market conditions.

Forward-looking statements are provided as a general guide only and should not be relied upon as an indication or guarantee of future performance. Actual results, performance or achievements may differ materially from those expressed or implied in such statements and any projections and assumptions on which these statements are based. These statements may assume the success of Microba's business strategies. The success of any of those strategies will be realised in the period for which the forward-looking statement may have been prepared or otherwise. Readers are cautioned not to place undue reliance on forward-looking statements and except as required by law or regulation, none of Microba, its representatives or advisers assumes any obligation to update these forward-looking statements. No representation or warranty, express or implied, is made as to the accuracy, likelihood of achievement or reasonableness of any forecasts, prospects, returns or statements in relation to future matters contained in this document. The forward-looking statements are based on information available to Microba as at the date of this document. Except as required by law or regulation (including the ASX Listing Rules), none of Microba, its representatives or advisers undertakes any obligation to provide any additional or updated information whether as a result of a change in expectations or assumptions, new information, future events or results or otherwise. Indications of, and guidance or outlook on, future earnings or financial position or performance are also forward-looking statements.

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### For more information visit: www.microba.com

Microba encourages all current investors to go paperless by registering their details with the designated registry service provider, Automic Group.