

Notice of Statutory Demand from Arena Investors

6 November 2018

New Energy Minerals Limited (“**New Energy**”) (**ASX:NXE FRA:GGY**, the “**Company**”) advises that it has been served with a statutory demand notice under the Corporations Act by Arena Structured Private Investments (Cayman), LLC owned by Arena Investors L.P (“Arena”), arising from debts allegedly owed by the Company under the terms of the Convertible Note Deed between the Company and Arena. The Company does not accept the quantum of Arena’s claim under the statutory demand (which totals A\$5.1 million and appears to include a claim for a termination fee of A\$2.5 million). The Company is currently seeking legal advice to determine its next steps.

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It is the Company’s intention to repay in cash the amounts it considers to be owing to Arena (including all interest) as soon as possible and the Company is actively engaging with potential investors regarding a refinancing and repayment of the Arena loan. Arena currently holds notes with a face value of A\$2.5 million (excluding interest of approximately A\$104,000).

As announced on 15 August 2018 it is the Company’s view that Arena agreed to waive the termination payment as defined in the main Convertible Note Deed announced on 8 January 2018 and therefore a termination payment is not payable to Arena. The Company intends to vigorously defend this position.

The Company also notes that Arena was previously named in the Company’s top 20 shareholders and has progressively converted part of its convertible note facility to shares as disclosed in various Appendix 3B’s lodged by the Company. Arena have actively sold almost all its converted shares in the period from June to October 2018 and are no longer in the top 20 shareholders of the Company as at 29 October 2018.

Please refer to ASX Announcements dated 8 January 2018, 22 May 2018 and 15 August 2018 for further details on the Arena financing as well as key waivers and amendments.

For and on behalf of the Company.



Dr. Bernard Olivier
Managing Director

FOR FURTHER INFORMATION, PLEASE CONTACT:

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