



By registered mail:

Esperite N.V.
Attn: Board of Directors
Piet Heinstraat 11a
7204 JN Zutphen
The Netherlands

E-mail copy to:

ir@esperite.com

The Hague 16 May 2017
Reference: 2017029 qb
Subject: Genoma SA *en liquidation*

Dear Sirs,

I am writing you on behalf of the Dutch Investors' Association (the **VEB**) in connection with Esperite N.V.'s press release of 15/16 May 2017 concerning its subsidiary Genoma SA (**Genoma**).

Yesterday, 15 May 2017, in an online publication by *Het Financieele Dagblad* mention was made of a press release by Premaitha Health plc (**Premaitha**) of 12 May 2017. In this release Premaitha referred to Genoma as facing financial difficulties. It also announced that following legal proceedings pursued by Premaitha, a Swiss court declared Genoma bankrupt.

In its press release of 15/16 May 2017, Esperite confirmed the positive outlook of its genetic activities and announced its intention to file a substantial claim against Premaitha. Furthermore, Esperite points to Premaitha's own financial situation, but makes no mention of Genoma's state of insolvency. It refers only to: "Premaitha's latest action against Genoma", which is presented as a "desperate attempt to conceal Premaitha's financial situation."

Apart from the merits of the debate between, amongst others, Premaitha and Genoma, this course of events gives rise to a number of questions. The VEB urges Esperite to provide answers with the utmost care and expedience.

- It follows from the extract of the Swiss trade register (annex 1) that the relevant Swiss court declared Genoma bankrupt by decision of 4 May 2017: "*La société est dissoute par suite de faillite prononcée par jugement du Tribunal de première instance du 04.05.2017, avec effet à partir du 04.05.2017 à 14:30. Par conséquent, sa raison*



sociale devient: Genoma SA, en liquidation." Genoma forms one of the three pillars of Esperite's business (as explained in the general meeting of 9 June 2016, [annex 2](#)). It has repeatedly and consistently been presented as Esperite's key generator of revenue (and potentially profit). In its press release, Esperite announced: "Esperite will continue all its activities and will vigorously fight Premaitha." Please explain how Esperite expects to continue all its activities in spite of Genoma's insolvency.

- It appears that the relevant Swiss court declared Genoma bankrupt by judgment of 4 May 2017. In its press release of 15/16 May 2017, Esperite only refers to "Premaitha's latest action". This seems fairly incomplete, considering that Genoma has been declared bankrupt. Please explain why the press release has been worded in veiled terms.
- Furthermore, Esperite's released this information more than ten days after the date of the Swiss court's judgment, which appears to be (too) late. Please explain the timing of publication.

As customary, the VEB explicitly reserves its right to publish this letter on its website, as well as Esperite's response.

Yours sincerely,

Vereniging van Effectenbezitters

Paul Koster
Director VEB

Quirijn Bongaerts
Lawyer (*advocaat*)



Annex 1



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Eidgenössisches Departement für
Wirtschaft, Bildung und Forschung WBF
Staatssekretariat für Wirtschaft SECO

Handelsregister - Registre du commerce - Registro di commercio **Mutationen - Mutations - Mutazioni**

Genoma SA, à Plan-les-Ouates, CHE-418.589.190 (FOSC du 25.02.2015, p. 0/2009795). La société est dissoute par suite de faillite prononcée par jugement du Tribunal de première instance du 04.05.2017, avec effet à partir du 04.05.2017 à 14:30. Par conséquent, sa raison sociale devient: **Genoma SA, en liquidation.**

Registre journalier no 8204 du 09.05.2017 / CHE-418.589.190 / 03519715



Annex 2

Lean structure

