

# **Correction: Nyrstar NV – Writ of summons received on 3 January 2023**

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[Nyrstar NV](#) - Writ of summons received on 3 January 2023

4 January 2023 at 10.00am CET

[Nyrstar NV](#) (the "Company") advises today that, on 3 January 2023, a group of shareholders summoned the Company in summary proceedings before the President of the Antwerp Enterprise Court (Antwerp division). In these proceedings, the plaintiff shareholders request the judge to grant the following interim measures:

1. a prohibition to hold a general meeting with the dissolution of the Company on the agenda until at least 3 months after a decision in the proceedings on the merits pending before the Antwerp Enterprise Court (Turnhout division) will have obtained res judicata effect;
2. the appointment of a provisional administrator in the Company, for a period of 12 months with the possibility of extension, at least until a decision with res judicata effect is rendered in the proceedings on the merits pending before the Antwerp Enterprise Court (Turnhout division), with the assignment to provisionally take over all tasks of management and administration in the broadest sense;
3. order the Company to advance the costs of the provisional administrator.

In subordinate order, the plaintiff shareholders request (i) that the Company be prohibited from holding a general meeting with the dissolution of the Company on the agenda for a period of at least 12 months with possibility of extension, (ii) the appointment of an ad hoc trustee in the Company with a specific mandate for a period of 12 months with possibility of extension, at least until a decision with res judicata effect is rendered in the proceedings on the merits pending before the Antwerp Enterprise Court (Turnhout division), and (iii) that Nyrstar be ordered to advance the costs of this ad hoc trustee.

This writ of summons follows notices of default received by the Company over the past months in which new proceedings were announced. In these notices, the Company was also put on notice for all damages that the Company and the minority shareholders involved have suffered and will suffer in connection with the exercise of the put option that the Company held in relation to its (meanwhile sold) 2% participation in NN2 Newco Ltd, and the minority shareholders concerned also reserved the right to claim the suspension or nullity of the relevant decisions.

The Company will review the writ of summons and respond in the court proceedings.

A detailed overview of the current proceedings is available on the Company website at: <https://www.nyrstarnv.be/en/investors/restructuring/summary-of-ongoing-proceedings>.

#### About Nyrstar NV

The Company is incorporated in Belgium and listed on Euronext Brussels under the symbol NYR. For further information please visit the [Nyrstar NV](#) website: [www.nyrstarnv.be](http://www.nyrstarnv.be)

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#### Attachment

- 2023 01 04 Press release writ of summons EN

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