

Nyrstar NV – Petition for interim measures received on 11 March 2024

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Regulated Information

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12 March 2024 at 06.00 CET

[Nyrstar NV](#) (the "Company") today provides an update on certain proceedings initiated against, among others, the Company and its board of directors by certain shareholders of the Company.

The Company advises that, on 11 March 2024, certain shareholders have filed a petition for interim measures with the Antwerp Enterprise Court (Turnhout division). This petition was filed within the procedural framework of the liability proceedings on the merits initiated by these plaintiff shareholders with a writ of summons dated 29 May 2020 (see also link). As a reminder, these proceedings were introduced in court on 18 November 2020 but were immediately sent to the docket at the request of the plaintiff shareholders.

In this petition, the plaintiff shareholders request the court to grant the following interim measures:

- 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, with the assignment to provisionally take over all tasks of management and administration in the broadest sense;
- the suspension ex nunc of the enforceability of all, at least part of the obligations under the Limited Recourse Loan Facility concluded between the Company and NN2 Newco Limited, until a decision with res judicata effect is rendered in the proceedings on the merits and at least for the entire duration of the mandate of the provisional administrator or ad hoc trustee (see below);
- an order against, among others, the Company to produce a series of documents within a period of 48 hours from the verdict to be rendered, on a penalty fine of EUR 25.000 per day of delay.

In subordinate order, the plaintiff shareholders request 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. The plaintiff shareholders also demand that the Company be ordered to advance the costs of the provisional administrator or ad hoc trustee. The plaintiff shareholders request the court to refer the remainder of the case back to the docket.

The Company further advises that the plaintiff shareholders have filed similar requests on multiple occasions since 2019 and refers to its website where a detailed overview of the current and completed proceedings is available at: <https://www.nyrstarnv.be/en/investors/restructuring/summary-of-ongoing-proceedings>

The Company contests the allegations of the plaintiff shareholders. It will further review the petition and will defend its position in the court 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

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Attachment

- 2024 03 12 [Nyrstar NV](#) Press release interim measures 2024 EN

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