

7 July 2022

Dale Allen
Manager, Listings Compliance (Perth)
ASX Limited
Level 40 Central Park
152 – 158 St Georges Terrace
PERTH WA 6000

By email: ListingsCompliancePerth@asx.com.au
Your reference: 54706

Dear Dale

RESPONSE TO ASX PRICE - QUERY

CFOAM Limited ("CFOAM" or the "Company") refers to your Price - Query letter dated 5 July 2022 and provides the following responses:

1. Yes, the Company is aware of information concerning it that has not been announced which, if known by some in the market, could be an explanation for the recent trading in the securities of the Company.

CFOAM Limited advises that it has entered into a conditional agreement for the sale of its 74.34% interest in CFOAM Corp to CONSOL Energy Inc. for US\$1,000,000.

CFOAM Corp is currently 74.34% owned by CFOAM Limited and 25.66% owned by CONSOL Energy Inc. CFOAM Corp owns the operating entity CFOAM LLC, located in Triadelphia, West Virginia.

Closing of the transactions set forth in the agreement is conditioned on standard conditions including but not limited to CFOAM Limited shareholder approval under Chapter 11 of the ASX Listing Rules and critically, a full release of any parent company guarantees provided by CFOAM Limited to the USA domiciled entities, CFOAM Corp and CFOAM LLC, as well as any required third-party consents to the transactions. CONSOL Energy Inc. has agreed to fund the CFOAM Corp and CFOAM LLC business during the period from the signing of the agreement to settlement up to the amount of US\$300,000. In the event that the proposed sale does not complete then this funding may be converted to equity in CFOAM Corp increasing CONSOL Energy Inc.'s ownership interest to up to 39.21% (on the basis that US\$300,000 is the amount of the working capital loan).

Attached is an announcement relating to the corporate transaction.

2. The Company has been relying on Listing Rule 3.1A.
3. Not applicable.
4. The Company confirms that it is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.
5. The Company confirms that its response has been authorised and approved by officers of the Company that have delegated authority from the Board to respond to ASX on disclosure matters.

Yours sincerely



Gary Steinepreis
Director



5 July 2022

Reference: 54706

Mr Gary Steinepreis
Company Secretary

By email: gs@ascentcapital.com.au

Dear Mr Steinepreis

CFOAM Limited ('CFO'): Price - Query

ASX refers to the following:

- A. The change in the price of CFO's securities from a low of \$0.003 to an intra day high of \$0.009 today, 5 July 2022.
- B. The significant increase in the volume of CFO's securities traded today, 5 July 2022.

Request for information

In light of this, ASX asks CFO to respond separately to each of the following questions and requests for information:

- 1. Is CFO aware of any information concerning it that has not been announced to the market which, if known by some in the market, could explain the recent trading in its securities?
- 2. If the answer to question 1 is "yes".
 - (a) Is CFO relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1? Please note that the recent trading in CFO's securities would suggest to ASX that such information may have ceased to be confidential and therefore CFO may no longer be able to rely on Listing Rule 3.1A. Accordingly, if the answer to this question is "yes", you need to contact us immediately to discuss the situation.
 - (b) Can an announcement be made immediately? Please note, if the answer to this question is "no", you need to contact us immediately to discuss requesting a trading halt (see below).
 - (c) If an announcement cannot be made immediately, why not and when is it expected that an announcement will be made?
- 3. If the answer to question 1 is "no", is there any other explanation that CFO may have for the recent trading in its securities?
- 4. Please confirm that CFO is complying with the Listing Rules and, in particular, Listing Rule 3.1.
- 5. Please confirm that CFO's responses to the questions above have been authorised and approved under its published continuous disclosure policy or otherwise by its board or an officer of CFO with delegated authority from the board to respond to ASX on disclosure matters.

When and where to send your response

This request is made under Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by no later than **4:00 PM AWST Tuesday, 5 July 2022**. You should note that if the information requested by this letter is information required to be given to ASX under Listing Rule 3.1 and it does not fall

within the exceptions mentioned in Listing Rule 3.1A, CFO's obligation is to disclose the information 'immediately'. This may require the information to be disclosed before the deadline set out in the previous paragraph and may require CFO to request a trading halt immediately.

Your response should be sent to me by e-mail at **ListingsCompliancePerth@asx.com.au**. It should not be sent directly to the ASX Market Announcements Office. This is to allow me to review your response to confirm that it is in a form appropriate for release to the market, before it is published on the ASX Market Announcements Platform.

Trading halt

If you are unable to respond to this letter by the time specified above, or if the answer to question 1 is "yes" and an announcement cannot be made immediately, you should discuss with us whether it is appropriate to request a trading halt in CFO's securities under Listing Rule 17.1. If you wish a trading halt, you must tell us:

- the reasons for the trading halt;
- how long you want the trading halt to last;
- the event you expect to happen that will end the trading halt;
- that you are not aware of any reason why the trading halt should not be granted; and
- any other information necessary to inform the market about the trading halt, or that we ask for.

We require the request for a trading halt to be in writing. The trading halt cannot extend past the commencement of normal trading on the second day after the day on which it is granted. You can find further information about trading halts in Guidance Note 16 *Trading Halts & Voluntary Suspensions*.

Suspension

If you are unable to respond to this letter by the time specified above, ASX will likely suspend trading in CFO's securities under Listing Rule 17.3.

Listing Rules 3.1 and 3.1A

In responding to this letter, you should have regard to CFO's obligations under Listing Rules 3.1 and 3.1A and also to Guidance Note 8 *Continuous Disclosure*: Listing Rules 3.1 – 3.1B. It should be noted that CFO's obligation to disclose information under Listing Rule 3.1 is not confined to, nor is it necessarily satisfied by, answering the questions set out in this letter.

Release of correspondence between ASX and entity

We reserve the right to release a copy of this letter, your reply and any other related correspondence between us to the market under Listing Rule 18.7A.

Questions

If you have any questions in relation to the above, please do not hesitate to contact me.

Yours sincerely

Dale Allen
Manager, Listings Compliance (Perth)