

Asit Biotech  
Ter attentie van de heer Michel Baijot - CEO  
Ter attentie van de heer Frank Hazevoets - CFO  
Rue des Chasseurs Ardennais 7  
4031 Angleur

## INGEBREKESTELLING

AANGETEKEND (per mail en informatief in het frans) Gent, 10 december 2019

Geachte Heer Baijot  
Geachte Heer Hazevoets

Betreft :

- onze quality en confidentiality overeenkomsten en technical quality overeenkomsten TQA\_Pack 19030 en 19019 en onze diverse werkopdrachten.
- Openstaande facturen voor een bedrag van 222.389,96 euro waarvan vervallen op 30/11 een bedrag van 94.822,08 euro.
- Uw rescue medication en andere materialen bij ons of via ons gestockeerd

Wij verwijzen naar bovenstaande overeenkomsten en werkopdrachten waarvoor wij onze verplichtingen zijn nagekomen.

Op 30 oktober hebben wij 6 facturen gestuurd voor geleverde prestaties, deze facturen zijn ondertussen vervallen, maar tot op heden mochten wij geen betaling ontvangen, ook niet na meerdere aanmaningen per e-mail. Ook op onze vraag van 25 november wat er met jullie gestockeerde materialen moet gebeuren mochten wij geen reactie ontvangen.

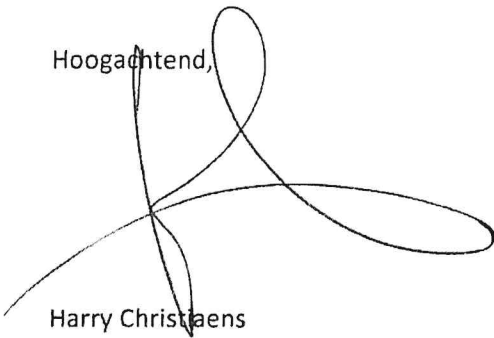
Hierbij stellen wij u in gebreke en vragen u binnen de 8 dagen alsnog de vervallen facturen te betalen en te reageren op onze vragen omtrent de stockage van uw materialen.

Het bedrag van 94.822,08 euro inclusief BTW kan u overmaken op onze bankrekening (IBAN 25363116006582) bij ING Bank op naam van Pharmavize NV.



Wanneer de betaling en de antwoorden niet binnen de 8 dagen zijn ontvangen, zien wij ons genoodzaakt om de invordering uit handen te geven. Wij stellen u daarbij aansprakelijk voor alle kosten die daarvoor zullen moeten gemaakt worden en verwijzen in dit verband ook naar onze algemene verkoopvoorwaarden punt 8.

Hoogachtend,



Harry Christiaens  
CEO



Asit Biotech  
Ter attentie van de heer Michel Baijot - CEO  
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Rue des Chasseurs Ardennais 7  
4031 Angleur

Objet : Mise en demeure par lettre recommandée      Gent, 10 december 2019

Cher Monsieur Baijot  
Cher Monsieur Hazevoets

Concerne :

- Nos accords de qualité et de confidentialité, nos accords "technical quality" TQA\_Pack 19030 et 19019 ainsi que diverses tâches confiées à Ardena (Pharmavize SA)
- Factures impayées pour un montant de 222 389,96 euros dont un montant de 94 822,08 euros a expiré le 30/11/2019.
- Vos 'rescue medication' et autres matériels stockés chez nos locaux ou via notre société.

Nous nous référons aux accords et missions ci-dessus pour lesquels nous avons rempli nos obligations.

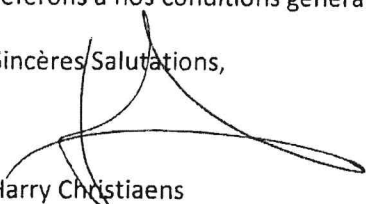
Le 30 octobre, 6 factures vous ont été envoyées pour les services fournis. Ces factures ont expiré depuis, mais nous n'avons pas encore reçu de paiement, même après plusieurs rappels par e-mail. Nous attendons aussi une réponse à notre question du 25 novembre 2019 et voudrions savoir que faire des matériaux stockés dans nos locaux.

Par la présente nous vous informons de la mise en demeure et nous vous demandons de payer les factures dans les 8 jours et de nous répondre à propos du stockage des matériaux.

Veuillez nous transférer le montant 94.822,08 euro (TVA incluse) sur notre compte chez ING (IBAN 25363116006582) au nom de Pharmavize NV.

Si le paiement et les réponses n'ont pas été reçus dans les 8 jours, nous serons obligés d'engager une procédure légale. Vous serez tenu responsable de tous les frais qui devront être engagés à cet effet et nous référons à nos conditions générales de vente (point 8).

Sincères Salutations,



Harry Christiaens  
CEO



## Hélène Kislanski

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**From:** Frank Hazevoets <frank.hazevoets@biotech.be>  
**Sent:** woensdag 18 december 2019 9:38  
**To:** Patrick della Faille; Florence Goffin; Hélène Kislanski  
**Cc:** Michel Baijot  
**Subject:** TR: Follow up gp-ASIT invoices

This e-mail originated from outside Lydian - handle with care

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FYI

**Frank Hazevoets**  
**CFO**



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**De :** Filip Van Herck  
**Envoyé :** mercredi 18 décembre 2019 09:25  
**À :** Frank Hazevoets  
**Cc :** Harry Christiaens  
**Objet :** Follow up gp-ASIT invoices

Harry Christiaens – CEO Ardena group – in copy

Dear Mr. Hazevoets,

I am reaching out to you directly because we have not been successful in getting answers on the issues we raised over the last weeks. We contacted your organization on numerous occasions reminding you of the outstanding amounts. Furthermore, we also need instructions on what to do with the materials in stock at our site and at an external location. Finally we keep getting transport invoices in relation to the shipments of the rescue medication. We need to make sure that ASIT will also respect these payment obligations.

Could you please reply to me today via email or call me directly at +32 473 86 74 33 to discuss how we will proceed?

Regards

**Filip Van Herck**

Chief Financial Officer

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The facility in Ghent will be closed from December 25<sup>th</sup> until January 1<sup>st</sup>.

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**From:** Ben Vermeulen <[Ben.Vermeulen@ardena.com](mailto:Ben.Vermeulen@ardena.com)>

**Sent:** 25 November 2019 17:53

**To:** Vincent Bille <[vincent.bille@biotech.be](mailto:vincent.bille@biotech.be)>

**Cc:** Tania Furst <[tania.furst@biotech.be](mailto:tania.furst@biotech.be)>; Eléonore Dubois <[eleonore.dubois@biotech.be](mailto:eleonore.dubois@biotech.be)>

**Subject:** Follow up gp-ASIT invoices and other items

Dear Vincent and Colleagues,

Hopefully you have already had the time to digest a little bit the bad news from this morning. From our side, we really hope there may be some way for you to continue your work.

Following up on several fronts, I decided to put everything in one mail:

**Invoicing:**

- My colleagues from financing have already communicated the invoices from October and are following up on that.
- As for November, we will share the invoices very shortly, and not wait until the end of the month, per your request. These invoices will encompass:
  - o ASIT-P18-139 & ASIT-P18-184 (8.900€) Handling of the running stability study and its samples (cfr mail from Eleonore earlier this day) => we would propose to invoice the complete T18M time point, as we were nearly finished with all the lab work for this time point and we have to document this all via deviations + arrange the shipment back and do inventory counts
  - o ASIT-P17-048 (11.700€) Handling of all rescue medication => regie hours estimate (cfr below)
  - o ASIT-P19-164 (26.200€) The remaining invoice for the manufacturing of the follow-up phase III batches (release this week Tuesday or Thursday)
  - o ASIT-P19-277 (48.909€) The invoice for the work on the sourcing of the rescue medication that was performed still this month
  - o ASIT-P19-277 (8.769€) Storage for all rescue medication during last Q 2019

**Rescue medication:**

- Most important question, what is the fate of the rescue medications that are present at our site
  - ⇒ We relayed with Novitan, and unfortunately, there is no possibility for taking back these medications=> should we **destroy** them or **ship** them to your site?
    - All returned rescue medication (& IMP) from clinical sites from the clin trial from this year
    - All new rescue medication that was ordered and taken in into our systems
    - All rescue medication from the past clin trials that is still present in our GMP stock

**All other materials in stock:**

- Besides the rescue medication and the stability samples from last year, we have several materials in our storage, please indicate what you want us to do with these samples (i.e. destruct or ship them to you).
  - o All references and products needed for the performing the stability studies (plates, reference materials, serum, antibodies, etc)
  - o Some materials from older studies:

<u>PVZ ID</u>	<u>Name</u>	
950032	Pollen Peptides Injectable Solution, 100 µg/ml	
950039	Pollen Peptides Injectable Solution, Placebo	

- o All remaining products (i.e. Peanut tox batches & HDM tox batches) from ASIT-P18-156 and ASIT-P18-157 stored currently at Raes at -80°C (450€/month)
- o All retention/reference samples from current and past releases

Please don't hesitate to reach out, should you want to discuss anything.

Kind regards,

Ben

**Ben Vermeulen**

Project Manager

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Pharmavize NV | Kleimoer 4, 9030 Mariakerke, Belgium

ARDENA

Drug Product Development & Manufacturing



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Cascais / Lisbon, Portugal  
November 25 + 26, 2019

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