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## **GENFIT SECURES FINANCING UP TO EUR 5.3 MILLION**

Lille (France), Cambridge (Massachusetts, United States), August 24, 2011 – GENFIT (Alternext: ALGFT; ISIN: FR0004163111), a biopharmaceutical company at the forefront of drug discovery and development, focusing on the early diagnosis and preventive treatment of cardiometabolic and associated disorders, today announces it has signed a Standby Equity Distribution Agreement with YA Global Master SPV LTD ("YA GLOBAL"), which is managed by the US-based alternative investment manager, Yorkville Advisors, LLC. YA GLOBAL has agreed to provide equity financing to GENFIT subject to approval of the SEDA by the next Extraordinary General Meeting of GENFIT expected to be called on September 28, 2011.

If approved at the Extraordinary General Meeting, at any time during the 2 year agreement, GENFIT will have the option (but no obligation) at its sole and exclusive discretion, to request YA GLOBAL to subscribe to and purchase newly issued shares (per value  $\notin$  0.25 each) in tranches with a maximum value of up to  $\notin$  500,000 per tranche (issue premium included) or twice the average volume of transactions daily operated on GENFIT's shares during the 5 days prior to the Company's demand. Nevertheless, the first two tranches will be limited to  $\notin$  100,000.

GENFIT will have the option to request YA GLOBAL a maximum of one tranche per week and provided that YA GLOBAL shall in no event hold more than 4.9% of the share capital of GENFIT.

The total amount drawn by GENFIT from YA GLOBAL pursuant to the agreement may reach a maximum of € 5 million (issue premium included). YA GLOBAL has contractually committed not to short sell or enter into any hedging transactions related to GENFIT stock during the term of the agreement.

At the current share price, the facility tranches correspond to around 191,000 new shares and to a maximum cumulated amount of approximately 1.9 million new shares.

Furthermore, subject to and upon approval by the next Extraordinary General Meeting, and, latest within 3 months after the issuing of stock warrants that will be used as a support of the transaction, GENFIT will also issue new shares (per value  $\in$  0.25 each) for value to  $\notin$  100,000 (issue premium included) to YA GLOBAL, representing approximately 38,000 shares based on the current share price, at a price equal to the average of the daily volume-weighted share prices of the trading day when the transaction will take place. These shares will be subscribed by way of set off against a one time commitment fee due by GENFIT to YA GLOBAL.

To end, and always subject to and upon approval by the next Extraordinary General Meeting, YA GLOBAL will also provide GENFIT with a complementary equity facility agreement of  $\notin$  200,000 (issue premium included), representing approximately 76,000 shares based on the current share price, within the framework of a capital increase that should take place simultaneously to the stock warrants issuing, based on a price equal to the average of the daily volume-weighted share prices of the 5 trading days prior to the equity warrants issuing.

**Jean-François Mouney, Chairman fo GENFIT's Management Board, commented**: "This agreement provides us with a flexible financial tool, while adjusting GENFIT's cash to our provisional capital needs and minimizing dilution for our shareholders.

This method of financing allows GENFIT to increase means at its disposal in order to, if the need arises, further advance or share GFT505 development's up to the end of phase II clinical trials, and to maximize its value before signing a licensing agreement with a pharmaceutical company.



That way, this agreement usefully completes the  $\notin$  5.4 million raised on July 13<sup>th</sup> and July 19<sup>th</sup>, 2011 after the publication of the first phase II clinical results of GFT505 on type 2 diabetes patients."

**Dr. Michael J. Nowak, Head of the Healthcare Team at Yorkville Advisors, LLC, the investment manager to the YA GLOBAL, led the investment into GENFIT and stated:** *"We have settled more than 20 equity facility agreements with biotech companies for the past 3 years, notably in Germany, Finland, France, Italy, The Netherlands as well as in the United States and in Canada. We are very excited to enter this last agreement with GENFIT and to be part of their growth financing strategy."* 

## About GENFIT:

GENFIT is a biopharmaceutical company focused on the Discovery and Development of drug candidates in therapeutic fields linked to cardiometabolic disorders (prediabetes/diabetes, atherosclerosis, dyslipidemia, inflammatory diseases...). GENFIT uses a multi-pronged approach based on early diagnosis, preventive solutions, and therapeutic treatments and advances therapeutic research programs, either independently or in partnership with leading pharmaceutical companies (SANOFI, SERVIER, ...), to address these major public health concerns and their unmet medical needs.

GENFIT's research programs have resulted in the creation of a rich and diversified pipeline of drug candidates at different stages of development, including GENFIT's lead proprietary compound, GFT505, that is currently in Phase II.

With facilities in Lille, France, and Cambridge, MA (USA), the Company has approximately 100 employees. GENFIT is a public company listed on the Alternext trading market by Euronext<sup>™</sup> Paris (Alternext: ALGFT; ISIN: FR0004163111). <u>www.genfit.com</u>

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