

DRAFT—Exception to Embargo Policy Letter to the American Diabetes Association

To: American Diabetes Association

This letter is to confirm our disclosure obligations under applicable federal securities laws with regard to information included in abstract 123-P, *Using Drug A in Newly Diagnosed Diabetic Patients—Results of the Phase III Study*, submitted for presentation at the American Diabetes Association’s 82nd Scientific Sessions.

On June XX, 2022, XYZ Corporation will present its second quarter results in a press release and investor presentation. It is my opinion that XYZ Corporation would not meet its obligations under Section 10(b) of the Securities Exchange Act of 1934, as amended, and Rule 10b-5(b) promulgated there under without, at a minimum, disclosing a summary of the topline results (overall response rate, median duration of response, and safety information) from *Using Drug A in Newly Diagnosed Diabetic Patients—Results of the Phase III Study* in connection with the initial public disclosure of the results of the study.

The co-authors of this abstract have been notified of our intent to issue a press release (included) on June XX, 2022. Please do not hesitate to contact me if you have any questions about the statements above.

Sincerely,

John Smith, Esq.
General Counsel
Company
Contact information