

Sep 30, 2024

To whom it may concern:

TOWA PHARMACEUTICAL CO., LTD.

## Notice of Settlement of Lawsuit

Towa Pharmaceutical Co., Ltd. (hereinafter, the “Company”) announces that on September 30, 2024, a settlement was reached in a lawsuit filed by Eagle Pharmaceuticals, Inc. and SymBio Pharmaceuticals Limited (hereinafter individually referred to as the “plaintiff”) against the Company in the Tokyo District Court on December 16, 2022, seeking an injunction against patent infringement and compensation for damage (hereinafter, the “Lawsuit”), as detailed below.

### 1. Background from the filing of the lawsuit to the settlement

The Lawsuit was filed by the two plaintiffs against the Company in the Tokyo District Court on December 16, 2022 regarding BENDAMUSTINE HYDROCHLORIDE INTRAVENOUS INFUSION 25mg/1mL “TOWA” and BENDAMUSTINE HYDROCHLORIDE INTRAVENOUS INFUSION 100mg/4mL “TOWA”, which were launched in June 2022. A court settlement has now been reached in this Lawsuit.

### 2. Outline of the settlement counterparties

Plaintiff (1): Eagle Pharmaceuticals, Inc.

50 Tice Blvd, Suite 315, Woodcliff Lake, NJ 07677, U.S.A.

Michael Graves, Interim Executive Chairman of the Board    Interim  
Principal Executive Officer.

Plaintiff (2): SymBio Pharmaceuticals Limited

Toranomon Towers Office, 7th floor, 4-1-28 Toranomon, Minato-ku, Tokyo,  
Japan

Fuminori Yoshida, Representative Director

### 3. Settlement details

We will refrain from disclosing the details of the settlement since the settlement agreement includes a non-disclosure clause.

#### 4. Future outlook

The Company will continue to manufacture and sell the above product. The impact of this case on consolidated financial results is minor.

End of Notice