



14 July 2017

Australian Securities Exchange  
Company Announcements Platform

**RESPONSE TO ASX PRICE QUERY**

Mobile Embrace Limited (**ASX: MBE, 'Mobile Embrace' or the 'Company'**) provides this response in relation to the ASX's letter dated 13 July 2017 regarding the change in the price of the Company's securities from a close of \$0.049 on 3 July to a high of \$0.079 on 13 July and the increase in the volume of trading in securities.

In response to the questions detailed in the ASX's letter the Company advises as follows:

1. The Company is not 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. Not applicable.
3. The Company is not aware of any other explanation for the recent trading in its securities.
4. The Company confirms that is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.
5. These responses to the ASX's questions have been authorised by the full Board of the Company.

Yours faithfully,

**JUSTIN B CLYNE**  
Company Secretary

**Mobile Embrace Limited** ABN: 24 089 805 416

Level 23, 100 William Street, East Sydney NSW 2011 Australia

**T** +61 2 9360 3385 **F** +61 2 9360 2775 **W** [www.mobileembrace.com](http://www.mobileembrace.com)

For personal use only



13 July 2017

Mr Justin Clyne  
Company Secretary  
Mobile Embrace Limited  
Level 23  
100 William Street  
Westfield Towers  
EAST SYDNEY NSW 2010

By email: [jclyne@clynecorporate.com.au](mailto:jclyne@clynecorporate.com.au)

Dear Mr Clyne

**Mobile Embrace Limited (“MBE”): price query**

We note the change in the price of MBE’s securities from a low of \$0.049 on 3 July 2017 to a high of \$0.079 today, 13 July 2017.

We also note the significant increase in the volume of MBE’s securities traded.

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

1. Is MBE 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?

In responding to this question, please consider in particular whether MBE is aware of any information that its earnings for the 12 month period ended on 30 June 2017 are likely to differ materially (downwards or upwards) from any earnings guidance it has given for the period.

2. If the answer to question 1 is “yes”:

- a) Is MBE relying on Listing Rule 3.1A not to announce that information under Listing Rule 3.1?

Please note that the recent trading in MBE’s securities would suggest to ASX that such information may have ceased to be confidential and therefore MBE 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?

For personal use only

3. If the answer to question 1 is “no”, is there any other explanation that MBE may have for the recent trading in its securities?
4. Please confirm that MBE is in compliance with the Listing Rules and, in particular, Listing Rule 3.1.
5. Please confirm that MBE’s responses to the questions above have been authorised and approved in accordance with its published continuous disclosure policy or otherwise by its board or an officer of MBE 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, and in accordance with, Listing Rule 18.7. Your response is required as soon as reasonably possible and, in any event, by not later than half an hour before the start of trading (ie before 9.30 am AEST) on Friday, 14 July 2017. If we do not have your response by then, ASX will have no choice but to consider suspending trading in MBE’s securities under Listing Rule 17.3.

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, MBE’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.

ASX reserves the right to release a copy of this letter and your response on the ASX Market Announcements Platform under Listing Rule 18.7A. Accordingly, your response should be in a form suitable for release to the market.

Your response should be sent to me by email. 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.

#### **Listing Rules 3.1 and 3.1A**

Listing Rule 3.1 requires a listed entity to give ASX immediately any information concerning it that a reasonable person would expect to have a material effect on the price or value of the entity’s securities. Exceptions to this requirement are set out in Listing Rule 3.1A.

In responding to this letter, you should have regard to MBE’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 MBE’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.

#### **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 MBE’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 may 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*.

If you have any queries or concerns about any of the above, please contact me immediately.

Yours sincerely

*[sent electronically without signature]*

Violetta Codreanu

**Senior Adviser, Listings Compliance (Sydney)**

For personal use only