



**THE FOUNDATION
FOR SECURE
MARKETS**

#51002

Date: September 09, 2022

Subject: Adjusted Vivani Medical, Inc. – Cash In Lieu Settlement
Adjusted Option Symbol: VANI1

Adjusted Vivani Medical, Inc. (formerly Second Sight Medical Products, Inc.) options were adjusted on August 19, 2022 and subsequently underwent a symbol change on August 31, 2022. (See OCC Information Memos #50896 and 50960). The new deliverable became 1) 33 Vivani Medical, Inc. (VANI) Common Shares, and 2) Cash in lieu of approximately 0.3333 fractional VANI Shares. Only settlement of the cash portion of VANI1 options exercise/assignment activity was subject to delayed settlement.

OCC has been informed that a price of \$6.06 per whole VANI share will be used to determine the cash in lieu amount at a rate of 0.3333. Accordingly, the cash in lieu amount is:

$$0.3333 \times \$6.06 = \$2.02 \text{ per VANI1 Contract}$$

Now that the exact cash in lieu amount has been determined, OCC will require Put exercisers and Call assignees, during the period of August 19, 2022 through September 09, 2022, to deliver the appropriate cash amount.

The cash in lieu of fractional share portion of the option deliverable remains fixed and does not vary with price changes of any security.

Terms of the VANI1 options are as follows:

New Deliverable

Per Contract: 1) 33 Vivani Medical, Inc. (VANI) Common Shares
2) \$2.02 Cash

Strike Prices: Unchanged

CUSIP: 92854B109

Multiplier: 100 (i.e., a premium of 1.50 yields \$150)

Settlement

The VANI component of VANI1 exercise/assignment activity from August 19, 2022 through September 8, 2022, has settled through National Security Clearing Corporation (NSCC). The \$2.02 cash amount will be settled by OCC.

Pricing

The underlying price for VANI1 will be determined as follows:

$$\text{VANI1} = 0.33 (\text{VANI}) + 0.0202$$

For example, if VANI closes at 2.87, the VANI1 price would be calculated as follows:

$$\text{VANI1} = 0.33 (2.87) + 0.0202 = 0.97$$

Disclaimer

This Information Memo provides an unofficial summary of the terms of corporate events affecting listed options or futures prepared for the convenience of market participants. OCC accepts no responsibility for the accuracy or completeness of the summary, particularly for information which may be relevant to investment decisions. Option or futures investors should independently ascertain and evaluate all information concerning this corporate event(s).

The determination to adjust options and the nature of any adjustment is made by OCC pursuant to OCC By-Laws, Article VI, Sections 11 and 11A. The determination to adjust futures and the nature of any adjustment is made by OCC pursuant to OCC By-Laws, Article XII, Sections 3, 4, or 4A, as applicable. For both options and futures, each adjustment decision is made on a case by case basis. Adjustment decisions are based on information available at the time and are subject to change as additional information becomes available or if there are material changes to the terms of the corporate event(s) occasioning the adjustment.

ALL CLEARING MEMBERS ARE REQUESTED TO IMMEDIATELY ADVISE ALL BRANCH OFFICES AND CORRESPONDENTS ON THE ABOVE.

For questions regarding this memo, please email the Investor Education team at options@theocc.com. Clearing Member Firms of OCC may contact Member Services at 1-800-544-6091 or, within Canada, at 1-800-424-7320, or email memberservices@theocc.com.