



**THE FOUNDATION  
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MARKETS®**

#53506

**Date:** November 06, 2023

**Subject:** Mirati Therapeutics, Inc. – Anticipated Cash Settlement  
Option Symbol: MRTX  
Date: ???

On December 13, 2023, Shareholders of Mirati Therapeutics, Inc. (MRTX) will vote concerning the proposed merger with Vineyard Merger Sub Inc., a wholly owned subsidiary of Bristol-Myers Squibb Company. If the merger is approved and consummated, each existing MRTX Common Share will be converted into the right to receive \$58.00 Cash plus one non-transferable Contingent Value Right (“CVR”) per share.

Note: The CVR represents a non-transferable contractual right to receive an additional payment. The adjusted MRTX option deliverable will not include the non-transferable CVRs.

**Exercise Considerations** – MRTX options will not call for the delivery of the CVRs. Call option holders who wish to receive the CVRs should exercise their options in sufficient time in advance of the contract adjustment. In all cases, it is the sole responsibility of persons holding call options seeking to receive the underlying securities to determine when to exercise their options.

#### **Contract Adjustment**

**Date:** Effective the opening of the business day after the merger is consummated.  
Contract adjustment is expected to occur in the first half of 2024.

**New Deliverable  
Per Contract:** \$5,800.00 Cash (\$58.00 x 100)

Settlement in MRTX options will take place through OCC’s cash settlement system. Settlement will be accomplished by payment of the difference between the extended strike amount and the cash deliverable.

#### **Acceleration of Expirations**

Pursuant to OCC Rule 807, equity stock option contracts whose deliverables are adjusted to call for cash-only delivery will be subject to an **acceleration of the expiration dates for outstanding option series** (See OCC Information Memo 23988).

#### **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](mailto: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](mailto:memberservices@theocc.com).