



**THE FOUNDATION  
FOR SECURE  
MARKETS®**

#53879

**Date:** January 02, 2024

**Subject:** RPT Realty - Contract Adjustment  
Option Symbol: 01/02/2024 - RPT remains RPT  
01/03/2024 - RPT becomes KIM1  
**Date:** 01/02/2024

**Contract Adjustment**

**Date:** January 2, 2024

**Option Symbol:** 01/02/2024 - RPT remains RPT (with adjusted deliverable described below)  
01/03/2024 - RPT changes to KIM1

**Strike Divisor:** 1

**Contracts Multiplier:** 1

**New Multiplier:** 100 (e.g., a premium of 1.50 yields \$150; a strike of 10 yields \$1,000.00)

**New Deliverable Per Contract:**

- 1) 60 Kimco Realty Corporation (KIM) Common Shares, subject to adjustment as described in the RPT/KIM Proxy Statement/Prospectus dated November 9, 2023 ("Proxy")
- 2) Cash in lieu of 0.49 fractional KIM Common Shares, subject to adjustment as described in the proxy

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

**CUSIP:** KIM: 49446R109

**Pricing**

Until the cash in lieu amount is determined, the underlying price for KIM1 will be determined as follows if the terms are unchanged:

$$\text{KIM1} = 0.6049 (\text{KIM})$$

**Delayed Settlement**

OCC will delay settlement of the KIM component and the cash portion of the KIM1 deliverable until the final merger consideration and cash in lieu of fractional KIM shares amount, if any, are determined. Upon determination of the final merger consideration and the cash in lieu amount, OCC will require Put exercisers and Call assignees to deliver the appropriate number of KIM shares and appropriate cash amount if any.

### **Background**

On December 12, 2023, Shareholders of RPT Realty (RPT) voted concerning the proposed merger with Kimco Realty Corporation (KIM). The merger was approved and subsequently consummated before the open on January 2, 2024. As a result, each existing RPT Common Share will be converted into the right to receive 0.6049 KIM Common Shares, subject to adjustment as described in the Proxy. Cash will be paid in lieu of fractional KIM shares.

### **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).