

EXEGENICS INC  
Form DEFA14A  
October 24, 2003

OMB APPROVAL

OMB Number: 3235-0059  
Expires: August 31, 2004  
Estimated average  
burden  
hours per response 14.73

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

SCHEDULE 14A

Proxy Statement Pursuant to Section 14(a) of the Securities  
Exchange Act of 1934 (Amendment No. )

Filed by the Registrant ☒ x

Filed by a Party other than the Registrant ☐ o

Check the appropriate box:

- ☐ o Preliminary Proxy Statement
- ☐ o Confidential, for Use of the Commission Only (as permitted by Rule 14a-6(e)(2))
- ☐ o Definitive Proxy Statement
- ☒ x Definitive Additional Materials
- ☐ o Soliciting Material Pursuant to §240.14a-12

**eXegenics Inc.**

(Name of Registrant as Specified In Its Charter)

(Name of Person(s) Filing Proxy Statement, if other than the Registrant)

Payment of Filing Fee (Check the appropriate box):

- ☒ x No fee required.
- ☐ o Fee computed on table below per Exchange Act Rules 14a-6(i)(1) and 0-11.

1) Title of each class of securities to which transaction applies:

2) Aggregate number of securities to which transaction applies:

3) Per unit price or other underlying value of transaction computed pursuant to Exchange Act Rule 0-11 (set forth the amount on which the filing fee is calculated and state how it was determined):

4) Proposed maximum aggregate value of transaction:

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o Fee paid previously with preliminary materials.

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o Check box if any part of the fee is offset as provided by Exchange Act Rule 0-11(a)(2) and identify the filing for which the offsetting fee was paid previously. Identify the previous filing by registration statement number, or the Form or Schedule and the date of its filing.

1) Amount Previously Paid:

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2) Form, Schedule or Registration Statement No.:

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4) Date Filed:

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SEC 1913 (02-02)

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**FOR IMMEDIATE RELEASE**

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***eXegenics* ANNOUNCES INTENTION TO APPEAL POTENTIAL NASDAQ DELISTING**

DALLAS, October 24, 2003 *eXegenics* Inc. (Nasdaq: EXEG) announced today that it intends to appeal, under NASD Marketplace Rule 4820, a determination to delist its common stock. This appeal comes after *eXegenics* had received official notification from The Nasdaq Stock Market that it is not in compliance with the minimum \$1.00 closing bid price per share requirement, as set forth in NASD Marketplace Rule 4310(c)(4), nor the requirement for a minimum of three independent members of the audit committee as set forth in NASD Marketplace Rule 4350(d)(2). Accordingly, *eXegenics* common stock is subject to delisting from The Nasdaq SmallCap Market effective October 29, 2003.

*eXegenics* is appealing the determination to delist its common stock by requesting a hearing under NASD Marketplace Rule 4820. *eXegenics* has been advised that the delisting will be stayed pending The Nasdaq Listing Qualifications Panel's decision on the appeal.

There can be no assurance that the panel will grant *eXegenics* request for continued listing on The Nasdaq SmallCap Market. In the event the panel does not grant *eXegenics* request for continued listing on The Nasdaq SmallCap Market, *eXegenics* anticipates that its common stock will be eligible for immediate quotation on the Over-the-Counter Bulletin Board of the National Association of Securities Dealers (OTCBB), under the symbol EXEG.OB.

The OTCBB is a regulated quotation service that displays real-time quotes, last sale prices and volume information in over-the-counter equity securities that are not listed on The Nasdaq Stock Market or a national securities exchange. OTCBB securities are traded by a community of registered market makers that enter quotes and trade reports through a computer network. Information regarding the OTCBB, including stock quotes, can be found at [www.otcbb.com](http://www.otcbb.com). Investors should contact their broker for further information about executing trades in *eXegenics* common stock on the OTCBB.

***Safe Harbor***

This release contains forward-looking statements. The words believe, expect, intend, anticipate, variations of such words, and similar expressions identify forward-looking statements, but their absence does not mean that the statement is not forward-looking. These statements are subject to certain risks, uncertainties and assumptions that are difficult to predict. Readers are cautioned not to place undue reliance on these forward-looking statements, which speak only as of the date of this release. *eXegenics* undertakes no obligation to update any forward-looking statement to reflect new information, events or circumstances after the date of this release or to reflect the occurrence of unanticipated events.