# SEC Form 4

## FORM 4

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

OMB APPROVAL

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## STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

| 1. Name and Address of Reporting Person*<br>KIRK RANDAL J            |               |                |            |         | suer Name <b>and</b> Tic<br><u>ECIGEN, IN</u>               |           |   |             | lationship of Report<br>ck all applicable)<br>Director | 0                          | (s) to Issuer<br>10% Owner                                    |   |  |                      |
|--|---------------|----------------|------------|---------|---|-----------|---|-------------|--|----------------------------|---|---|--|----------------------|
| (Last)<br>C/O THIRD S  |               | (Middle)<br>LC |            |         | ate of Earliest Trans<br>9/2021                             | saction ( | (Month  | n/Day/Year) |  | Officer (give title below) |   | Other (specif<br>below)   | у  |                      |
| 1881 GROVE<br>(Street)<br>RADFORD<br>(City)                          | VA<br>(State) | 24141<br>(Zip) |            |         |   |           |   |             |  |                            |   | p Filing (Check Applicable<br>e Reporting Person<br>re than One Reporting |  |                      |
|  |               | Table I - No   | on-Derivat | tive \$ | Securities Acc  | quired    | l, Dis  | posed of,   | or Be  | neficial                   | y Owned   |   |  |                      |
| 1. Title of Security (Instr. 3)<br>2. Transact<br>Date<br>(Month/Day |               |                |            |         | 2A. Deemed<br>Execution Date,<br>if any<br>(Month/Day/Year) |           | Transaction Disposed Of (D) (Instr. 3,<br>Code (Instr. 5) |             |  |                            | 5. Amount of<br>Securities<br>Beneficially<br>Owned Following | 6. Owner<br>Form: Dir<br>(D) or Ind<br>(I) (Instr. 4                      | rect Indirec<br>irect Benefi<br>4) Owner | ct<br>icial<br>rship |
|  |               |                |            |         |   | Code      | v   | Amount      | (A) or<br>(D)  | Price                      | Reported<br>Transaction(s)<br>(Instr. 3 and 4)                |   | (Instr.                                  | 4)                   |
| Common Stock 11/   |               |                | 11/19/20   | 21      |   | Р         |   | 307,661     | A  | \$3.75                     | 307,661   | I   | by<br>Parky<br>2020                      |                      |
| Common Stock 11/22/20  |               |                |            | 21      |   | р         |   | 161 904     | A  | \$3.59                     | 469 565   | Т   | by<br>Parky                              | view                 |

|              | 1          |   |   |   |         | 1 · · |        | · ·        |   |   |
|--------------|------------|---|---|---|---------|-------|--------|------------|---|---|
| Common Stock | 11/19/2021 |   | Р |   | 307,661 | A     | \$3.75 | 307,661    | I | by<br>Parkview<br>2020 <sup>(1)</sup>       |
| Common Stock | 11/22/2021 |   | Р |   | 161,904 | A     | \$3.59 | 469,565    | I | by<br>Parkview<br>2020 <sup>(1)</sup>       |
| Common Stock | 11/22/2021 |   | Р |   | 43,900  | A     | \$3.6  | 513,465    | I | by<br>Parkview<br>2020 <sup>(1)</sup>       |
| Common Stock | 11/22/2021 |   | Р |   | 200     | A     | \$3.52 | 513,665    | I | by<br>Parkview<br>2020 <sup>(1)</sup>       |
| Common Stock | 11/23/2021 |   | Р |   | 486,335 | A     | \$3.58 | 1,000,000  | I | by<br>Parkview<br>2020 <sup>(1)</sup>       |
| Common Stock |            |   |   |   |         |       |        | 18,738,124 | I | by R.J.<br>Kirk<br>DOT <sup>(1)</sup>       |
| Common Stock |            |   |   |   |         |       |        | 479,857    | I | by JPK<br>2008 <sup>(1)</sup>               |
| Common Stock |            |   |   |   |         |       |        | 3,597,953  | I | by JPK<br>2009 <sup>(1)</sup>               |
| Common Stock |            |   |   |   |         |       |        | 1,612,186  | I | by JPK<br>2012 <sup>(1)</sup>               |
| Common Stock |            |   |   |   |         |       |        | 447,405    | I | by Kellie<br>L. Banks<br>LTT <sup>(1)</sup> |
| Common Stock |            |   |   |   |         |       |        | 478,894    | I | by MGK<br>2008 <sup>(1)</sup>               |
| Common Stock |            |   |   |   |         |       |        | 3,838,992  | I | by MGK<br>2009 <sup>(1)</sup>               |
| Common Stock |            |   |   |   |         |       |        | 1,594,863  | I | by MGK<br>2011 <sup>(1)</sup>               |
| Common Stock |            |   |   |   |         |       |        | 567,535    | I | by ZSK<br>2008 <sup>(1)</sup>               |
| Common Stock |            |   |   |   |         |       |        | 342,685    | I | by ZSK<br>2009 <sup>(1)</sup>               |
| Common Stock |            |   |   |   |         |       |        | 213,805    | I | by ADC<br>2010 <sup>(1)</sup>               |
|              | ,          | a | , | , |         | ,     | ,      | 2          | , | 3   |

| Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned |  |   |             |   |                                    |               |       |   |   |   |  |  |
|--|--|---|-------------|---|------------------------------------|---------------|-------|---|---|---|--|--|
| 1. Title of Security (Instr. 3)  | 2. Transaction<br>Date<br>(Month/Day/Year) | 2A. Deemed<br>Execution Date,<br>if any<br>(Month/Day/Year) | Transaction |   | 4. Securities<br>Disposed Of<br>5) |               |       | 5. Amount of<br>Securities<br>Beneficially<br>Owned Following | 6. Ownership<br>Form: Direct<br>(D) or Indirect<br>(I) (Instr. 4) | 7. Nature of<br>Indirect<br>Beneficial<br>Ownership<br>(Instr. 4) |  |  |
|  |  |   | Code        | v | Amount                             | (A) or<br>(D) | Price | Reported<br>Transaction(s)<br>(Instr. 3 and 4)                |   | (1150.4)  |  |  |
| Common Stock   |  |   |             |   |                                    |               |       | 1,144,481   | Ι   | by<br>Spouse  |  |  |
| Common Stock   |  |   |             |   |                                    |               |       | 13,520,789 <sup>(2)</sup>                                     | I   | by<br>Kapital<br>Joe <sup>(1)</sup>                               |  |  |
| Common Stock   |  |   |             |   |                                    |               |       | 1,403   | I   | by<br>Lotus <sup>(1)</sup>  |  |  |
| Common Stock   |  |   |             |   |                                    |               |       | 16,406,828  | I   | by<br>Sunset<br>2020 <sup>(1)(3)</sup>                            |  |  |

### Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of<br>Derivative<br>Security<br>(Instr. 3) | 2.<br>Conversion<br>or Exercise<br>Price of<br>Derivative<br>Security | 3. Transaction<br>Date<br>(Month/Day/Year) | 3A. Deemed<br>Execution Date,<br>if any<br>(Month/Day/Year) | 4.<br>Transa<br>Code (<br>8) |   | 5. Nu<br>of<br>Deriv<br>Secu<br>Acqu<br>(A) of<br>Dispo<br>of (D)<br>(Instr<br>and 5 | vative<br>rities<br>lired<br>r<br>osed<br>)<br>r. 3, 4 | 6. Date Exerc<br>Expiration Da<br>(Month/Day/Y | ate                | 7. Titl<br>Amou<br>Secur<br>Under<br>Deriv<br>Secur<br>3 and | int of<br>rities<br>rlying<br>ative<br>rity (Instr. | 8. Price of<br>Derivative<br>Security<br>(Instr. 5) | 9. Number of<br>derivative<br>Securities<br>Beneficially<br>Owned<br>Following<br>Reported<br>Transaction(s)<br>(Instr. 4) | 10.<br>Ownership<br>Form:<br>Direct (D)<br>or Indirect<br>(I) (Instr. 4) | 11. Nature<br>of Indirect<br>Beneficial<br>Ownership<br>(Instr. 4) |
|---|---|--|---|------------------------------|---|--|--|--|--------------------|--|---|---|--|--|--|
|   |   |  |   | Code                         | v | (A)  | (D)  | Date<br>Exercisable                            | Expiration<br>Date | Title  | Amount<br>or<br>Number<br>of<br>Shares              |   |  |  |  |

#### Explanation of Responses:

1. Randal J. Kirk controls each of Parkview 2020 Limited Partnership ("Parkview 2020"), R.J. Kirk Declaration of Trust ("R.J. Kirk DOT"), JPK 2008 LLC ("JPK 2008"), JPK 2009 LLC ("JPK 2009"), JPK 2012 LLC ("JPK 2009"), Kellie L. Banks (2009) Long Term Trust ("Kellie L. Banks LTT"), MGK 2008 LLC ("MGK 2008"), MGK 2019 LLC ("MGK 2009"), MGK 2011 ("MGK 2011"), ZSK 2008 LLC ("ZSK 2008"), ZSK 2009 LLC ("ZSK 2009"), ADC 2010, LLC ("ADC 2010"), Kapital Joe, LLC ("Kapital Joe"), Lotus Capital (2000) Company, Inc. ("Lotus"), and Sunset 2020 LLC ("Sunset 2020"). Shares held by these entities may be deemed to be beneficially owned (as defined under Rule 13d-3 promulgated under the Securities Exchange Act of 1934, as amended) by Mr. Kirk. Mr. Kirk disclaims beneficial ownership of such shares, except to the extent of any pecuniary interest therein.

2. The indicated number of shares reflects internal transfers among certain affiliated entities that own issuer common stock.

3. Due to row limitations, this filing is comprised of two (2) Forms 4. Additional details are reported on a separate Form 4 filed with the SEC on November 23, 2021.

/s/ Randal J. Kirk 11/23/2021

\*\* Signature of Reporting Person Date

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

 $\ast$  If the form is filed by more than one reporting person, see Instruction 4 (b)(v).

\*\* Intentional misstatements or omissions of facts constitute Federal Criminal Violations See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, see Instruction 6 for procedure.

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