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ESS Tech, Inc.

Extract: Charter Amendment (Plain English Desc) from a [8-K](#) on 05/22/2023

[SEC Document](#)

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As disclosed in Item 5.07 below, at the Annual Meeting of the Company, the Company's stockholders approved an amendment to Article IX of the Company's Certificate of Incorporation ("Charter"), to provide for exculpation of certain officers to the fullest extent permitted by the Delaware General Corporation Law. The Board previously approved the amendment to the Charter subject to stockholder approval. The Charter amendment became effective upon the filing of the Certificate of Amendment to the Charter with the Secretary of State of the State of Delaware on May 19, 2023.