UNITED STATES SECURITIES AND EXCHANGE COMMISSION

Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report (Date of earliest event reported): January 11, 2022

Eagle Pharmaceuticals, Inc.

(Exact name of registrant as specified in its charter)

Delaware (State or other jurisdiction of incorporation)

001-36306 (Commission File Number)

20-8179278 (IRS Employer Identification No.)

50 Tice Boulevard, Suite 315 Woodcliff Lake, NJ (Address of principal executive offices)

07677 (Zip Code)

| Registrant's telep | phone number, including area code: | (201) 326-5300 | | | |
|--|--|--|--|--|--|
| Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligations of the registrant under any of the following provisions: | | | | | |
| $\hfill\Box$ Written communications pursuant to Rule 425 under the Securities Act (17 | CFR 230.425) | | | | |
| $\hfill \square$ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CF | FR 240.14a-12) | | | | |
| $\hfill \square$ Pre-commencement communications pursuant to Rule 14d-2(b) under the E | Exchange Act (17 CFR 240.14d-2(b) |)) | | | |
| $\hfill\Box$ Pre-commencement communications pursuant to Rule 13e-4(c) under the E | Exchange Act (17 CFR 240.13e-4(c) |) | | | |
| Securities registered pursuant to Section 12(b) of the Act: | | | | | |
| Title of each class Common Stock (par value \$0.001 per share) | Trading Symbol EGRX | Name of each exchange on which registered The Nasdaq Stock Market LLC | | | |
| Indicate by check mark whether the registrant is an emerging growth company Exchange Act of 1934 (17 CFR §240.12b-2). | y as defined in Rule 405 of the Secu | rities Act of 1933 (17 CFR §230.405) or Rule 12b-2 of the Securities | | | |
| Emerging growth company \square | | | | | |
| If an emerging growth company, indicate by check mark if the registrant has estandards provided pursuant to Section 13(a) of the Exchange Act. \Box | elected not to use the extended transi | tion period for complying with any new or revised financial accounting | | | |
| | | | | | |

Item 7.01 Regulation FD Disclosure.

On January 12, 2022, Eagle Pharmaceuticals, Inc., or the Company, will present the attached presentation of the Company's products and product candidates at the 40th Annual J.P. Morgan Healthcare Conference, taking place virtually January 10-13, 2022.

A copy of the above-referenced presentation is furnished as Exhibit 99.1 to this Current Report on Form 8-K and is incorporated herein by reference. The information furnished pursuant to Item 7.01 of this current report, including Exhibit 99.1, shall not be deemed "filed" for purposes of Section 18 of the Securities Exchange Act of 1934, as amended, or the Exchange Act, or otherwise subject to the liabilities of that section, and shall not be deemed incorporated by reference into any of the Company's filings under the Securities Act of 1933, as amended or the Exchange Act, whether made before or after the date hereof, regardless of any general incorporation language in such filing, except as shall be expressly set forth by specific reference in such filing. The furnishing of the information in this Current Report on Form 8-K is not intended to, and does not, constitute a determination or admission by the Company that the information in this Current Report on Form 8-K is material or complete, or that investors should consider this information before making an investment decision with respect to any security of the Company.

| Item 9.01 Financial Statements a | nd Exhibits. |
|----------------------------------|--------------|
|----------------------------------|--------------|

| Exhibit No. | Description |
|-------------|--|
| <u>99.1</u> | Presentation of the Company, dated January 2022. |
| 104 | Cover Page Interactive Data File (embedded within the Inline XBRL document). |
| | |

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Dated: January 11, 2022

EAGLE PHARMACEUTICALS, INC.

/s/ Scott Tarriff
Scott Tarriff Chief Executive Officer



Forward-Looking Statements

This presentation contains "forward-looking statements" within the meaning of the Private Securities Litigation Reform Act of 1995, as amended, and other securities laws. Forward-looking statements are statements that are not historical facts. Words and phrases such as "anticipated," "forward," "will," "would," "may," "remain," "potential," "prepare," "expected," "believe, "plan," "near future," "belief," "guidance," and similar expressions are intereded to identify forward-looking statements. These statements include, but are not limited to, the Company's ability to obtain and affective to the company's product candidates and the anticipated development expenses for such development plans; the potential therapeutic and clinical benefits of the Company's product candidates in the Company's product candidates and the anticipated development expenses for such development plans; the potential therapeutic and clinical benefits of the Company's product candidates, including Landidol and its fullwestrant product; the timing, scope or likelihood and timing of regulatory filings and approvals from the FDA for the Company's products, including Landidol and its fullwestrant product; the timing, scope or likelihood and The Company's control of marketing exclusivity for any of the Company's products or products; the ability of the Company to successfully commercialize its product candidates, including vasopressin and PEMFEXY; the ability of the Company to botain and maintain coverage and adequate reimbresement for its products; the sublity of the Company to collaborations with its strategic partners and the timing and results of these partners' preclinical studies and clinical trials, including the Company's collaborations with its strategic partners and the timing and results of these partners' preclinical studies and clinical trials, including the Company's strategy and to utilize its cash and other assets to increase shareholder value; expectations regarding the Company's future growth and its ability to generate signif



Eagle Overview:

A Mainstream Pharmaceutical Company Specializing in Oncology + Acute Care









Specialty Pharma Company







Pharmaceutical Company Specializing in Acute Care & Oncology









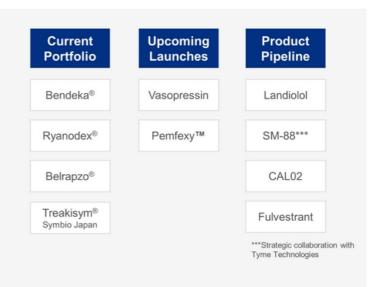


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Eagle Pharmaceuticals Financial Position, Portfolio & Pipeline





*As of 12/31/21 **As of 9/30/21



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Near Term Business Highlights

Vasopressin:

- Shipping to commence on Monday, January 17, 2022, with 180 days of marketing exclusivity.
- An important product for Eagle, as Vasostrict[®] U.S. sales totaled \$890 million for the LTM ended September 30, 2021.

▶ PEMFEXY™:

- On February 1, 2022, the Company will launch PEMFEXY, a ready-to-use liquid with a unique J-code.
- Eagle has been building inventory and believes this is a significant opportunity, as the Alimta[®] U.S. market totaled \$1.2 billion for the LTM ended September 30, 2021.

> TREAKISYM:

- Eagle's bendamustine franchise continues to grow, with the Japan launch of TREAKISYM ready-to-dilute ("RTD") formulation.
- Together with a potential approval of the rapid infusion ("RI") (50ml) liquid formulation, this could generate approximately \$20 million of combined royalty and milestone revenue in 2022.

Fulvestrant:

 Based on discussions with FDA, Eagle will commence human pilot studies of its fulvestrant product candidate for the treatment of HR+/HER- advanced breast cancer shortly.

> Landiolol:

 Eagle is on track to submit an NDA in the first half of 2022, seeking approval of Landiolol, a novel therapeutic, for the short-term reduction of ventricular rate in patients with supraventricular tachycardia, including atrial fibrillation and atrial flutter.

➤ CAL02:

· Eagle is preparing to begin clinical trials for CAL02, a novel approach to the treatment of severe bacterial pneumonia, later this year.







Vasopressin Overview

Vasopressin injection is FDA-approved to increase blood pressure in adults with vasodilatory shock (e.g., post- cardiotomy or sepsis) who remain hypotensive despite fluids and catecholamines.



Currently Endo/Par markets VASOSTRICT® (vasopressin)



U.S. sales totaled \$890 million for the LTM ended September 30, 2021*



Eagle is first-to-file an ANDA referencing VASOSTRICT® for the 20 units per ml presentation



Commercial launch on January 17th 2022

180-day market exclusivity



Successful vasopressin patent trial; Court held Eagle's proposed vasopressin product does not infringe any of the patents Par asserted against the Company



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*Source: Endo International plc



CAL02 Overview

OOO CAL02 (drug product): Specific mixture of re-engineered empty liposomes OOO solely composed of sphingomyelin and cholesterol capable of capturing and neutralizing a broad spectrum of virulence effectors.



Novel first-in-class antitoxin agent in development for combination use with antibiotics for the treatment of severe pneumonia



Proposed injectable treatment for severely infected patients



Applying for Qualified Infectious Disease Product Designation under the GAIN Act



CAL02 - Novel, First-in-Class Antitoxin Agent

Mechanism of Action

Address the downstream effects of bacterial Virulence Effectors/ Pore Forming Toxins through competitive inhibition

- Binds to virulence effector molecules secreted by infecting bacteria, prohibiting host tissue cell binding
- Acts as an extracellular "sink" for these toxins
- Potential to attenuate pore forming toxin related effects including host tissue damage, immune dysregulation, and inflammation that contribute to increase disease severity

Lead Indication

Severe Community Acquired Pneumonia

- Significant morbidity and mortality despite advances in direct acting antibacterials
- Addresses significant medical need and burden on health care systems

Differentiated Advantages

- Potential to be used as adjuvant therapy with any traditional antibacterial [therapy agnostic]
- Potential to be used against any bacteria that produces pore forming toxins [bacteria agnostic]
- Potential to carry less risk of antibacterial resistance development

Program somewhat de-risked for phase of development

- FTIH proof of concept study showed tolerability as well as trends toward efficacy
- Positive regulatory interactions with FDA and EMA – may be eligible for special designations and review processes
- Scalable manufacturing process

Anticipate that development costs through interim results will total approximately \$35 million



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CAL02: Therapeutic Benefit & Unique Potential

Potential to become first line empirical therapy*

- · Excellent safety profile
- · Does not prompt any new resistance
- · Unique broad-spectrum activity
- · No impact on flora
- · Non-immunogenic
- · Biologically neutral

Offers a unique therapeutic benefit to critically ill patients

Positive trends over placebo in efficacy parameters*+

- · Reduction of mortality risk+
- · Potentially faster and complete recovery of organ function +
- · Shorter duration of mechanical ventilation
- · Immediate decrease in inflammatory biomarkers (e.g. IL-6)
- · Shorter ICU length of stay +

+ statistically significant



Addressing a significant unmet medical need

A straightforward and innovative approach

A potentially unique therapeutic benefit to critically ill patients

Already achieved critical de-risking milestones



Landiolol: Beta-1 Adrenergic Blocker; Leading Hospital Emergency Use Product



Signed licensing agreement for U.S. commercial rights from AOP Orphan Pharmaceuticals (AOP) in August 2021



Approved in Europe for the treatment of noncompensatory sinus tachycardia and tachycardic supraventricular arrhythmias



Eagle will support seeking approval of Landiolol for short-term reduction of ventricular rate in patients with supraventricular tachycardia, including atrial fibrillation and atrial flutter in the U.S.



Anticipate filing NDA in Q1 2022, with expected ten-month review, based on well-defined feedback from FDA provided during AOP's Type C meeting



Eagle will facilitate regulatory pathway for U.S. approval based on existing data from Japanese and European studies with no additional clinical work expected



Studies for additional indications, including sepsis and other cardioprotective indications, have begun in Europe, with the potential to be pursued in the U.S.



Enrollment of study in pediatric patients with supraventricular tachycardia is underway in Europe and will serve as the basis for initial pediatric study plans for a future FDA submission

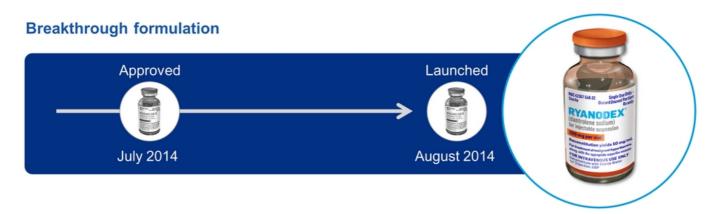


Expect five years of new chemical entity exclusivity





RYANODEX® (dantrolene sodium) injectable suspension

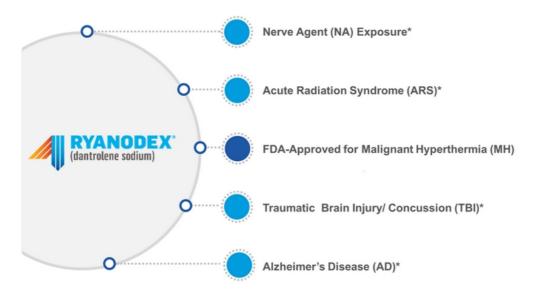


Currently indicated for the treatment of malignant hyperthermia (MH) in conjunction with appropriate supportive measures, and for the prevention of MH in patients at high risk



RYANODEX®: Building a Successful Franchise

New indications under development*



Ten U.S. patents issued to date, expiring between 2022 and 2025





Eagle's PEMFEXY™ is FDA-Approved for:





Nonsquamous Non-Small Cell Lung Cancer in combination with cisplatin for initial treatment or locally in combination for advanced or metastatic disease

Nonsquamous Non-Small Cell Lung Cancer maintenance, when disease has not progressed after four cycles of platinum-based first-line chemotherapy

Nonsquamous Non-Small Cell Lung Cancer after prior chemotherapy as a single agent for locally advanced or metastatic disease





Mesothelioma in combination with cisplatin for malignant pleural mesothelioma when disease is unresectable.



ALIMTA® (Eli Lilly) - PEMFEXY™ (Eagle)



Currently marketed by **Lilly as ALIMTA**® (pemetrexed) 100mg and 500mg powder single dose vials



 U.S. market totaled \$1.2 billion for the LTM ended September 30, 2021*



Eagle first to market 505(b)(2) PEMFEXY™ (pemetrexed)

500mg liquid multi-dose vial

- Granted unique J-code by CMS
- Launch planned February 1st 2022
- Generic entrants blocked until May 24, 2022



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Eagle's Differentiated PEMFEXY™ (pemetrexed):





Other pemetrexed

Other pemetrexed formulations are **single-dose powder,** which require reconstitution

Some patients may need 2-3 vials; time-consuming for pharmacist/nurse and wastage occurs frequently because they are not multi-dose vials





Eagle's formulation

Eagle's formulation is available in a **500mg liquid** ready-to-dilute **multi-dose vial**

PEMFEXY™ eliminates the reconstitution process wastage and helps prevent medication errors. The vial can be reused under refrigeration for 28 days.



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EA-114: Our Fulvestrant Product Candidate for HR+/HER2-**Advanced Breast Cancer**

Impact of Advanced **Breast Cancer**

- ~75% of breast cancers are HR+1
- ~30% of patients first diagnosed with early-stage disease eventually develop metastatic disease²

27% five-year survival for patients in U.S. with metastatic breast cancer3

An Unmet Need

- Eagle's 600-subject PK trial yielded ~18,000 data points, which we mined for insights
- · For fulvestrant to work, it needs to bind to and block the estrogen receptor (ER)
- · Not everyone treated with fulvestrant achieves the desired result - a substantial number of women with advanced HR+/HER2- breast cancer receiving standard treatment experience early disease progression
- · Currently, low ER inhibition is an important factor resulting in suboptimal treatment, which may lead to faster progression of the disease
- · Our research suggests Eagle's product could substantially improve the clinical outcomes for these post-menopausal metastatic breast cancer patients



1. Keen JC, Davidson NE. The biology of breast carcinoma. Cancer 2003,97:825–33. DOI: 10.1002/cncr.11126
2. Zhao H, et al. Incidence and prognostic factors of patients with synchronous liver metastases upon initial diagnosis of breast cancer: a population-based study. Dove Press. 27 September 2018. DOI https://doi.org/10.2147/CMAR.S178395.
3. Howlader N, et al. (eds). SEER Cancer Statistics Review, 1975-2016, National Cancer Institute, Bethesda, MD, https://seer.cancer.gov/csr/1975_2016/, based on November 2018 SEER data submission, posted to the SEER website, April 2019.



Existing Product Partnerships



- SymBio received approval of TREAKISYM Ready-To-Dilute ("RTD") bendamustine formulation and launched in January 2021
- SymBio is currently conducting a clinical trial for a rapid infusion bendamustine product and pursuing additional indications
- Eagle earns tiered royalties on net sales of licensed products and \$20-\$25mm from combined royalty and milestone revenue in 2022



SM-88

- In 2020 Eagle and TYME entered into a share purchase agreement and a co-promotion agreement for SM-88
- SM-88 is a novel investigational agent in a Phase II/III trial for pancreatic cancer
- For SM-88 Eagle shall earn 15% of U.S. net sales and will be responsible for 25% of the promotional effort
- Tyme may buy out Eagle's rights at any time under the co-promotion agreement for \$200mm



Inflection Points



2:

Eagle Pharmaceuticals Summary

| Experienced Organization | Mainstream pharmaceutical company with over 40 representatives calling into Hospital & Oncologists |
|-----------------------------|--|
| Commercial Expansion | Commercial infrastructure in place and positioned to take on additional assets |
| Financial Position | Strong financial position supports opportunistic approach to transactions |

Well positioned to capitalize on near-term opportunities





First-In Human Study Results

- > Randomized, double-blind, placebo-controlled
- > 3 arms / 19 patients:
 - CAL02 Low dose (4 mg/kg) + Standard of Care
 - CAL02 High dose (16 mg/kg) + Standard of Care Placebo (saline) + Standard of Care
- > 2 IV administration 24h apart
- > Severe CAPP: At least 1 major criteria (mechanical ventilation/ vasopressors) or 3 minor criteria
- > Primary objective: Safety & Tolerability
- > Secondary objective : Efficacy & Pharmacodynamics



Baseline characteristics

Disease severity of the study population corresponded to that expected from the inclusion/ exclusion criteria

Severity at baseline:

- ➤ Mean APACHE II Score: 21.5 (95% CI 19.3-23.7)
- > 58% in Septic Shock
- >40% under Invasive Mechanical Ventilation

No differences between treatment groups considered to have a substantial effect on safety and efficacy outcomes

Safety outcomes / TEAEs

CAL02 showed the same safety profile as placebo (saline)

- > AE occurred in 12 (85%) of 14 patients in the CAL02 groups combined and in all 5 (100%) patients in the placebo group.
- > SAE occurred in 4 (29%) of 14 patients in the CAL02 groups combined and 2 (40%) of 5 patients in the placebo group
- > 1 AE (mild increase in the triglycerides) in a patient in the CAL02 High dose group was reported as related to study drug. However, the analysis of the changes in triglyceride in the CAL02 groups compared with the placebo group revealed no correction with CAL02.
- > No AEs were liked to local tolerability events.





Efficacy Outcomes

| Low-dose CAL02 (n=3) | High-dose CAL02 (n=10) | Placebo (n=5) |
|-------------------------|--|---|
| 0 | 5 (56%)* | 1 (20%) |
| 2 (100%)* | 10 (100%) | 5 (100%) |
| 15·0 (14 to 16)† | 8·0 (6 to 16) | 10·0 (7 to 14) |
| 1 (33%) | 1(10%) | 1 (20%) |
| -65·9% (-34·7 to -97·1) | -64·7% (-46·3 to -83·1) | -29·2% (-12·8 to -45·5) |
| -59·9% (-34·0 to -85·8) | -60·4% (-45·3 to-75·5) | -22·1% (-15·5 to -28·7) |
| 153·1 %(116·2 to 189·9) | 78·4% (7·4 to 149·3) | 58·5% (-27·5 to 137·9) |
| 12-0 (5 to 19)† | 4·5 (4 to 14) | 12·0 (11 to 56) |
| 16·5 (1·8 to 31·2)† | 25·1 (22·0 to 28·2)† | 17·8 (7·7 to 27·9) |
| 15-0 (9 to 21)† | 5·0 (2 to 15) | 12·0 (6 to 56) |
| 33-0 (12 to 54)† | 13·0 (4 to 28)† | 21·0 (6 to 56) |
| | 0 2(100%)* 15·0 (14 to 16)† 1(33%) -65·9% (-34·7 to -97·1) -59·9% (-34·0 to -85·8) 153·1 %(116·2 to 189·9) 12·0 (5 to 19)† 16·5 (1·8 to 31·2)† 15·0 (9 to 21)† | 0 5 (56%)* 2 (100%)* 10 (100%) 15·0 (14 to 16)† 8·0 (6 to 16) 1 (33%) 1 (10%) -65·9% (-34·7 to -97·1) -64·7% (-46·3 to -83·1) -59·9% (-34·0 to -85·8) -60·4% (-45·3 to -75·5) 153·1 %(116·2 to 189·9) 78·4% (7·4 to 149·3) 12·0 (5 to 19)† 4·5 (4 to 14) 16·5 (1·8 to 31·2)† 25·1 (22·0 to 28·2)† 15·0 (9 to 21)† 5·0 (2 to 15) |

Data are n (%), median (range), or mean (95% CI). PaO_z/FiO_z =partial pressure of oxygen in the blood/fraction of inspired oxygen. *One patient was missing for the assessment (because of death). †One patient censored because of death.

Overview of primary and secondary efficacy endpoints in CAL02 and placebo treatment groups (as-treated population)



CAL02 Competitive Advantages

Limitations of current approaches

(approved / in development)

Limited use

Restrictions imposed by stewardship measures and purchasers, as antibiotics are inevitably linked to the emergence of new resistances

Slow and laborious market penetration

- > Based on non-inferiority results
- > Last-resort treatments
- Increasingly competitive space

Limited scope of application

- Action dedicated against resistant mechanism
- > New mechanisms ultimately facing resistance issues
- > Monoclonal antibodies targeting a single toxin
- Agents targeting a downstream specific pathway or cytokine dedicated to target patients already in shock



- · Potentially will not drive resistance; fills a significant medical gap
- · Offers physicians a new treatment; potential to dramatically improve outcomes
- Combines with any treatment (antibacterial agnostic)
- May lead to a tremendous economy on cost of care; broad-spectrum (used irrespective of pathogen identification or hemoculture or resistance to antibacterials)
- Broad therapeutic impact
- · Potential for expedited regulatory pathway to approval



CAL02 Phase 2 Clinical Development Plan

Development Costs through Interim Results

| Deal Signing Milestone | \$10M |
|---|-------|
| Phase I – Drug-Drug Interaction | \$1M |
| P2B/3 Multicenter Global Study – Part 1 Through Interim Analysis Results | \$21M |
| Clinical Trial Materials | \$3M |

Total = \$35M

Key Next Steps

- 1. IND Filing
- 2. Start P2B/3 Multicenter Global Study – Part 1
- 3. P2B/3 Multicenter Global Study Part 1
- 4. Interim Analysis Results

