

**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): February 27, 2023

**EYENOVIA, INC.**  
(Exact Name of Registrant as Specified in its Charter)

**Delaware**  
(State or other jurisdiction  
of incorporation)

**001-38365**  
(Commission  
File Number)

**47-1178401**  
(IRS Employer  
Identification No.)

295 Madison Avenue, Suite 2400, New York, NY 10017  
(Address of Principal Executive Offices, and Zip Code)

(917) 289-1117  
Registrant's Telephone Number, Including Area Code

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)  
 Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)  
 Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))  
 Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Securities registered pursuant to Section 12(b) of the Act:

<b>(Title of each class)</b>	<b>(Trading Symbol)</b>	<b>(Name of each exchange on which registered)</b>
Common stock, \$0.0001 par value	EYEN	The Nasdaq Stock Market (Nasdaq Capital Market)

Indicate by check mark whether the registrant is an emerging growth company as defined in Rule 405 of the Securities Act of 1933 (17 CFR §230.405) or Rule 12b-2 of the Securities Exchange Act of 1934 (17 CFR §240.12b-2).

Emerging growth company

If an emerging growth company, indicate by check mark if the registrant has elected not to use the extended transition period for complying with any new or revised financial accounting standards provided pursuant to Section 13(a) of the Exchange Act.

**Item 5.02. Departure of Directors or Principal Officers; Election of Directors; Appointment of Principal Officers; Compensatory Arrangements of Certain Officers.**

On February 28, 2023, Eyenovia, Inc. (the “Company”) issued a press release announcing the resignation of Stephen Benjamin from the Board of Directors (the “Board”) and the Audit Committee, effective as of February 27, 2023. This was not the result of any disagreement with the Company, its management or the Board. The Company thanks Mr. Benjamin for his distinguished service and many contributions to the Board. A copy of the press release is filed hereto as Exhibit 99.1 and is incorporated herein in its entirety by reference.

The Board will appoint Rachel Jacobson as a member of the Audit Committee to fill the vacancy left by Mr. Benjamin’s resignation.

**Item 9.01. Financial Statements and Exhibits.**

(d) Exhibits

<b><u>Exhibit No.</u></b>	<b><u>Description</u></b>
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<a href="#">99.1</a>	<a href="#">Eyenovia, Inc. Press Release, dated February 28, 2023.</a>
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104	Cover Page Interactive Data File (embedded within the Inline XBRL document).
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**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.

Date: February 28, 2023

**EYENOVIA, INC.**

/s/ John Gandolfo  
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John Gandolfo  
Chief Financial Officer

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## **Eyenovia Announces Independent Director Stephen Benjamin to Step Down to Assume Role of Head of White House’s Office of Public Engagement**

NEW YORK— February 28, 2023—Eyenovia, Inc. (NASDAQ: EYEN), a pre-commercial ophthalmic technology company developing the Optejet® delivery system for use both in connection with its own drug-device therapeutic programs for mydriasis, presbyopia and pediatric progressive myopia as well as out-licensing for additional indications, today announced that Stephen Benjamin, an independent director on the Company’s Board of Directors, is stepping down to assume the role of Head of the White House’s Office of Public Engagement.

Mr. Benjamin, an attorney, former three-term mayor of Columbia, South Carolina and 76<sup>th</sup> President of the U.S. Conference of Mayors, with an extensive record of achievement in government and the public sector, joined the Eyenovia Board in February 2022.

“We are beyond thrilled for Stephen, and wish him all the best in this important and high-profile role within the President’s administration,” stated Michael Rowe, Chief Executive Officer of Eyenovia. “Over the past year, Steve Benjamin’s insights and guidance have served us well at Eyenovia, and it is due in part to his service that we have achieved so much during that time.”

Eyenovia’s Board will continue to consist of seven members. A search for Mr. Benjamin’s successor on the Eyenovia Board has been initiated.

### **About Eyenovia, Inc.**

Eyenovia, Inc. (NASDAQ: EYEN) is an ophthalmic pharmaceutical technology company developing a pipeline of microdose array print (MAP™) therapeutics. Eyenovia is currently focused on the late-stage development of microdosed medications for mydriasis, presbyopia and myopia progression. For more information, visit [Eyenovia.com](http://Eyenovia.com).

The Eyenovia Corporate Information slide deck may be found at [ir.eyenovia.com/events-and-presentations](http://ir.eyenovia.com/events-and-presentations).

### **Forward-Looking Statements**

Except for historical information, all the statements, expectations and assumptions contained in this presentation are forward-looking statements. Forward-looking statements include, but are not limited to, statements that express our intentions, beliefs, expectations, strategies, predictions or any other statements relating to our future activities or other future events or conditions, including estimated market opportunities for our product candidates and platform technology. These statements are based on current expectations, estimates and projections about our business based, in part, on assumptions made by management. These statements are not guarantees of future performance and involve risks, uncertainties and assumptions that are difficult to predict. Therefore, actual outcomes and results may, and in some cases are likely to, differ materially from what is expressed or forecasted in the forward-looking statements due to numerous factors discussed from time to time in documents which we file with the U.S. Securities and Exchange Commission.

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In addition, such statements could be affected by risks and uncertainties related to, among other things: risks of our clinical trials, including, but not limited to, the costs, design, initiation and enrollment, timing, progress and results of such trials; the timing of, and our ability to submit applications for, obtaining and maintaining regulatory approvals for our product candidates; the potential advantages of our product candidates and platform technology; the rate and degree of market acceptance and clinical utility of our product candidates; our estimates regarding the potential market opportunity for our product candidates; reliance on third parties to develop and commercialize our product candidates; the ability of us and our partners to timely develop, implement and maintain manufacturing, commercialization and marketing capabilities and strategies for our product candidates; intellectual property risks; changes in legal, regulatory, legislative and geopolitical environments in the markets in which we operate and the impact of these changes on our ability to obtain regulatory approval for our products; and our competitive position.

Any forward-looking statements speak only as of the date on which they are made, and except as may be required under applicable securities laws, Eyenovia does not undertake any obligation to update any forward-looking statements.

**Eyenovia Contact:**

Eyenovia, Inc.  
John Gandolfo  
Chief Financial Officer  
[jgandolfo@eyenovia.com](mailto:jgandolfo@eyenovia.com)

**Eyenovia Investor Contact:**

Eric Ribner  
LifeSci Advisors, LLC  
[eric@lifesciadvisors.com](mailto:eric@lifesciadvisors.com)  
(646) 751-4363

**Eyenovia Media Contact:**

Eyenovia, Inc.  
Norbert Lowe  
Vice President, Commercial Operations  
[nlowe@eyenovia.com](mailto:nlowe@eyenovia.com)

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