

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 31, 2022 (January 27, 2022)

**AXOGEN, INC.**

(Exact Name of Registrant as Specified in Charter)

**Minnesota**  
(State or Other Jurisdiction of  
Incorporation or Organization)

**001-36046**  
(Commission File Number)

**41-1301878**  
(I.R.S. Employer Identification No.)

**13631 Progress Boulevard, Suite 400 Alachua, Florida**  
(Address of principal executive offices)

**32615**  
(Zip Code)

**(386) 462-6800**  
(Registrant's telephone number, including area code)

N/A  
(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (see General Instruction A.2. below):

- 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:

Title of each class	Trading Symbol(s)	Name of exchange on which registered
Common Stock, \$0.01 par value	AXGN	The Nasdaq Stock Market

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

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 1.01 Entry into a Material Definitive Agreement

### *Amendment to Burlison Lease*

On January 27, 2022, Axogen Corporation (“AC”), a wholly owned subsidiary of Axogen, Inc. (the “Company”), entered into the Commercial Lease Amendment (the “Amendment”) with Ja-Cole, L.P. (“Ja-Cole”). Ja-Cole is the landlord of AC and the Company’s currently leased 15,000 square foot facility in Burlison, Texas (the “Leased Premises”) pursuant to that certain Commercial Lease dated April 21, 2015, as amended (the “Lease”).

The Amendment revises the commencement date of the Lease to mean May 1, 2022 and revises the expiration date of the Lease to mean April 30, 2027AC and the Company use the Leased Premises for office and warehouse space.

The foregoing summary of the material terms of the Amendment is qualified in its entirety by reference to the full text of the Amendment, which is attached hereto as Exhibit 10.1 and incorporated by reference.

## Item 9.01. Financial Statements and Exhibits

(d) Exhibits

<u>Exhibit No.</u>	<u>Description</u>
10.1	<a href="#">Commercial Lease Amendment, dated as of January 27, 2022, by and between Axogen Corporation and Ja-Cole, L.P.</a>
104	Cover Page Interactive Data File (embedded within the Inline XBRL document)

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**SIGNATURES**

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

AXOGEN, INC.

Date: January 31, 2022

By: /s/ Bradley L. Ottinger  
Bradley L. Ottinger  
General Counsel and Chief Compliance Officer



### COMMERCIAL LEASE AMENDMENT

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.  
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#### AMENDMENT TO THE COMMERCIAL LEASE BETWEEN THE UNDERSIGNED PARTIES CONCERNING THE LEASED PREMISES AT 300 Boone Rd, Burleson, TX 76028-2919

Effective on February 1, 2022, Landlord and Tenant amend the above-referenced lease as follows:

A. Leased Premises: The suite or unit number identified in Paragraph 2A(1) is:

(1) changed to 1,2,3,4,5,6.

(2) contains approximately 15,000 square feet.

B. Term:

(1) The length of the term stated in Paragraph 3A is changed to 60 months and 0 days.

(2) The Commencement Date stated in Paragraph 3A is changed to May 1, 2022.

(3) The Expiration Date stated in Paragraph 3A is changed to April 30, 2027.

C. Rent: The amount of the base monthly rent specified in Paragraph 4A is changed to:

\$	<u>12,900.00</u>	from	<u>05/01/2022</u>	to	<u>04/30/2023</u>	;
\$	<u>14,150.00</u>	from	<u>05/01/2023</u>	to	<u>04/30/2024</u>	;
\$	<u>14,503.75</u>	from	<u>05/01/2024</u>	to	<u>04/30/2025</u>	;
\$	<u>14,866.34</u>	from	<u>05/01/2025</u>	to	<u>04/30/2026</u>	;
\$	<u>15,238.00</u>	from	<u>05/01/2026</u>	to	<u>04/30/2027</u>	;

D. Security Deposit: The amount of the security deposit in Paragraph 5 is changed to \$ \_\_\_\_\_.

E. Maintenance and Repairs: The following item(s) specified in the identified subparagraph of Paragraph 15C will be maintained by the party designated below:

<u>Para. No.</u>	<u>Description</u>	<u>Responsible Party</u>		
_____	_____	<input type="checkbox"/> N/A	<input type="checkbox"/> Landlord	<input type="checkbox"/> Tenant
_____	_____	<input type="checkbox"/> N/A	<input type="checkbox"/> Landlord	<input type="checkbox"/> Tenant
_____	_____	<input type="checkbox"/> N/A	<input type="checkbox"/> Landlord	<input type="checkbox"/> Tenant
_____	_____	<input type="checkbox"/> N/A	<input type="checkbox"/> Landlord	<input type="checkbox"/> Tenant

F. Parking:

(1) Common Parking: The number of vehicles identified in Paragraph A(1) of the Commercial Lease Parking Addendum is changed \_\_\_\_\_ to vehicles.

(2) Restricted Common Parking for Tenants: The number of vehicles identified in Paragraph A(2) of the Commercial Lease Parking Addendum is changed to \_\_\_\_\_ ds Vehicles.



Amendment to Commercial Lease concerning 300 Boone Rd, Burleson, TX 76028-2919

- (3) Assigned Parking: Tenant's assigned parking areas identified in Paragraph A(3) of the Commercial Lease Parking Addendum is changed to \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
- (4) Parking Rental: The amount of rent identified in Paragraph B of the Commercial Lease Parking Addendum is changed to \$ \_\_\_\_\_.
- G. Other: Paragraph(s) \_\_\_\_\_ are changed to read *(cite specific paragraphs and copy the applicable paragraphs verbatim, making any necessary changes)*:

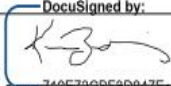
Landlord: Ja-Cole LP

Tenant: Axogen Corporation

By: \_\_\_\_\_

By: \_\_\_\_\_

By (signature): Rob Orr

By (signature): 

Printed Name: Rob Orr

Printed Name: Karen Zaderer

Title: President Date: 01-27-2022

Title: CEO Date: 1/27/2022

By: \_\_\_\_\_

By: \_\_\_\_\_

By (signature): \_\_\_\_\_

By (signature): \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_



