

Report of Organizational Actions Affecting Basis of Securities

OMB No. 1545-0123

► See separate instructions.

Part I Reporting Issuer

1 Issuer's name		2 Issuer's employer identification number (EIN)	
Tyme Technologies, Inc.		45-3864597	
3 Name of contact for additional information	4 Telephone No. of contact	5 Email address of contact	
Investor Relations	(617) 744-1340	hannahd@sternir.com	
6 Number and street (or P.O. box if mail is not delivered to street address) of contact		7 City, town, or post office, state, and ZIP code of contact	
35 CambridgePark Drive, 4th Floor		Cambridge, MA 02140	
8 Date of action		9 Classification and description	
September 16, 2022		Tyme Technologies, Inc. common stock	
10 CUSIP number	11 Serial number(s)	12 Ticker symbol	13 Account number(s)
90238J103	N/A	TYME	N/A

Part II Organizational Action Attach additional statements if needed. See back of form for additional questions.

14 Describe the organizational action and, if applicable, the date of the action or the date against which shareholders' ownership is measured for the action ► [See attached statement](#)

15 Describe the quantitative effect of the organizational action on the basis of the security in the hands of a U.S. taxpayer as an adjustment per share or as a percentage of old basis ► [See attached statement](#)

16 Describe the calculation of the change in basis and the data that supports the calculation, such as the market values of securities and the valuation dates ► [See attached statement](#)

17 List the applicable Internal Revenue Code section(s) and subsection(s) upon which the tax treatment is based ► [See attached statement](#)

18 Can any resulting loss be recognized? ► [See attached statement](#)

19 Provide any other information necessary to implement the adjustment, such as the reportable tax year ► [See attached statement](#)

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Jan Haas

Date ► October 26, 2022

Print your name ► Jason Haas

Title ► **Treasurer**

Print/Type preparer's name

Preparer's signature

Date

Check ☐ if self-employed

PTIN

Firm's name ▶

Firm's EIN ►

Firm's address ►

Phone no.	
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Tyme Technologies, Inc.
EIN: 45-3864597
Attachment to Form 8937 – Part I and Part II

Line 14: Describe the organizational action and, if applicable, the date of the action or the date against which shareholders' ownership is measured for the action:

On July 3, 2022, Syros Pharmaceuticals, Inc., a Delaware corporation (“**Syros**”), Tack Acquisition Corp., a Delaware corporation and a wholly owned subsidiary of Syros (the “**Merger Sub**”); and Tyme Technologies, Inc., a Delaware corporation (“**Tyme**”) entered into an agreement and plan of merger (the “**Merger Agreement**”).

On September 16, 2022, pursuant to the terms of the Merger Agreement, Merger Sub merged with and into Tyme in accordance with the terms of the Merger Agreement, with Tyme surviving as a wholly-owned subsidiary of Syros.

As a result of the merger, each share of Tyme common stock was automatically converted into the right to receive a number of shares of common stock, \$0.001 par value per share, of Syros equal to the exchange ratio, as provided in the Merger Agreement. At the effective time of the merger, each share of Tyme common stock was automatically cancelled and ceased to exist, and each holder of a certificate representing any such shares of Tyme common stock ceased to have any rights with respect thereto, except the right to receive the shares of Syros common stock and any cash in lieu of a fractional shares of Syros common stock paid in consideration thereof.

The merger is intended to qualify as either a tax-free contribution pursuant to Section 351 of the Internal Revenue Code (“Code”), taken together with the financing of Syros that occurred in connection with the merger, or a “reorganization” within the meaning of Section 368(a) of the Code. The descriptions in this form assume the merger so qualifies.

Line 15: Describe the quantitative effect of the organizational action on the basis of the security in the hands of a U.S. taxpayer as an adjustment per share or as a percentage of old basis:

A U.S. shareholder will generally have an aggregate tax basis in the shares of Syros common stock received in the merger (including any fractional share) equal to the aggregate adjusted tax basis of the shares of Tyme common stock surrendered in exchange therefor. A U.S. shareholder must allocate the aggregate tax basis across the total number of shares of Tyme common stock that the U.S. shareholder received in the merger. If a U.S. shareholder acquired different blocks of Tyme common stock at different times or at different prices, the holder’s tax basis in the shares of Syros common stock received in the merger should be determined by reference to each separate block of Tyme common stock.

Line 16: Describe the calculation of the change in basis and the data that supports the calculation, such as the market values of securities and the valuation dates:

See response to Line 15 above.

Line 17: List the applicable Internal Revenue Code section(s) and subsection(s) upon which the tax treatment is based:

The merger is intended to qualify as either a tax-free contribution pursuant to Section 351 of the Code, taken together with the financing of Syros that occurred in connection with the merger, or a “reorganization” within the meaning of Section 368(a) of the Code. See Sections 351, 354, 358, 368, and 1001 of the Code.

Line 18: Can any resulting loss be recognized?

No loss should be recognized to U.S. shareholders with respect to the merger other than in connection with cash received in lieu of any fractional share.

A U.S. shareholder that receives cash in lieu of a fractional share of Syros common stock in the merger generally will be treated as having received such fractional share and then as having received such cash in redemption of the fractional share. Gain or loss generally will be recognized based on the difference between the amount of cash received in lieu of the fractional share of Syros common stock and the portion of the U.S. shareholder’s aggregate adjusted tax basis in the shares of Tyme common stock surrendered that is allocable to the fractional share of Syros common stock deemed received. Such gain or loss generally will be long-term capital gain or loss if the U.S. shareholder’s holding period for its shares of Tyme common stock exceeds one year at the effective time of the merger.

For more information regarding the tax consequences of the merger, please see the section titled "Material U.S. Federal Income Tax Consequences of the Merger" in the Form S-4 of Syros Pharmaceuticals, Inc. filed with the SEC with respect to the merger available here: [Syros Pharmaceuticals, Inc. \(Form: S-4, Received: 07/18/2022 08:00:43\) \(edgar-online.com\)](#)

Former Tyme shareholders are encouraged to consult their tax advisors regarding the tax consequences of the merger.

Line 19: Provide any other information necessary to implement the adjustment, such as the reportable tax year:

The reportable tax year is 2022 for calendar year taxpayers. For shareholders reporting income on a period other than the calendar year, the reportable year is generally the shareholder's tax year that ends on or includes September 16, 2022.