

Form **8937**
(December 2017)
Department of the Treasury
Internal Revenue Service

Report of Organizational Actions Affecting Basis of Securities

OMB No. 1545-0123

► See separate instructions.

Part I Reporting Issuer

1 Issuer's name <u>Acurx Pharmaceuticals, Inc.</u>		2 Issuer's employer identification number (EIN) <u>82-3733567</u>	
3 Name of contact for additional information <u>David P. Luci</u>	4 Telephone No. of contact <u>917-533-1469</u>	5 Email address of contact <u>davidluci@acurxpharma.com</u>	
6 Number and street (or P.O. box if mail is not delivered to street address) of contact <u>259 Liberty Avenue</u>		7 City, town, or post office, state, and ZIP code of contact <u>Staten Island, New York 10305</u>	
8 Date of action <u>AUGUST 4, 2025</u>		9 Classification and description <u>Common Stock: Reverse Stock Split</u>	
10 CUSIP number <u>00510M203</u>	11 Serial number(s) <u>N/A</u>	12 Ticker symbol <u>ACXP</u>	13 Account number(s) <u>N/A</u>

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 ► On August 4, 2025, Acurx Pharmaceuticals, Inc. (the "Company") effected a 1-for-20 Reverse Stock Split (the "Reverse Stock Split") for its common stock. Pursuant to the Reverse Stock Split, every 20 shares of issued and outstanding common stock automatically converted into 1 share of common stock. Any stockholder who would otherwise have been entitled to a fractional share as a result of the Reverse Stock Split received cash in lieu thereof at a price equal to the fractional share to which the stockholder would otherwise be entitled multiplied by the closing sale price of the common stock on the Nasdaq Capital Market, as adjusted for the Reverse Stock Split, on the trading day immediately prior to the effective date of the Reverse Stock Split, August 1, 2025.
- 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 ► While the basis 'per share' is impacted, the basis of the stockholder's total investment remains unchanged. The stockholder's per share cost basis of their newly acquired share is 2000% of the original per share cost basis. For instance, if the stockholder's per share cost basis is \$100 before the Reverse Stock Split, the per share cost basis will be \$2000 after the Reverse Stock Split. Stockholders with blocks of pre-split common stock not divisible by 20 which reflect pre-split common stock acquired at different times or different prices must replicate such blocks of pre-split common stock received pursuant to a formula provided in treasury regulations that seeks to preserve, to the greatest extent possible, the basis of a particular block of pre-split common stock in one or more post-split common stock shares received in exchange therefor. this may require the aggregate basis in one block of pre-split common stock to be allocated to post-split common stock in a manner where some post-split common stock may have split basis and holding period segments.
- 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 answer to Line 15. Because no fractional shares were issued, the aggregate tax basis of the company stock held by a stockholder immediately after the Reverse Stock Split could be less than the pre-split aggregate tax basis by an amount equal to the aggregate tax basis allocated to the fractional share(s), if any.

Part II

Organizational Action (continued)

17 List the applicable Internal Revenue Code section(s) and subsection(s) upon which the tax treatment is based ▶ IRC 354(a), 358(a), and 368(a)(1)(E)

18 Can any resulting loss be recognized? ▶ The 1 for 20 Reverse Stock Split should not constitute a taxable transaction except to the extent cash was received for fractional shares. Stockholders should consult their tax advisor to determine the tax impact of this transaction with respect to their individual facts and circumstances for tax year 2025.

19 Provide any other information necessary to implement the adjustment, such as the reportable tax year ▶ The reportable tax year is 2025. The information set forth in this Form 8937 does not constitute tax advice, does not take into account any stockholder's specific facts and circumstances and does not purport to be a complete summary of the tax consequences of the Reverse Stock Split to a stockholder. Each stockholder should consult such stockholder's own tax advisor with respect to the tax consequences of the Reverse Stock Split.

Sign Here

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.

Signature ▶ Robert Shawah

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Date ▶ 8/25/2025 | 8:37:46 AM PDT

Print your name ▶ Robert Shawah

Title ▶ Chief Financial Officer

Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
Firm's name ▶	Firm's EIN ▶			
Firm's address ▶	Phone no.			

Send Form 8937 (including accompanying statements) to: Department of the Treasury, Internal Revenue Service, Ogden, UT 84201-0054