# EXHIBIT 3

Emails between Plaintiff and Theriva's counsel, October 20, 2026

Nejmeh v. Theriva Biologics, Inc., No. 3:26-cv-00705-ART-CSD
Declaration of Mark Joseph Nejmeh under Local Rule 7-4(a)

Gmail

**RealRoofers Mark Nejmeh <realroofers@gmail.com>**

## Nejmeh v. Theriva, 3:26-cv-00705 – November 18 special meeting – request to confer by phone

**Mark Nejmeh** <research@warrantwire.com> Tue, Oct 20, 2026 at 7:17 PM
To: ahosmerhenner@mcdonaldcarano.com, kweil@mcdonaldcarano.com, Andrew.Hambelton@blankrome.com, Elizabeth.Young@blankrome.com, Michael.McQueeney@blankrome.com

Dear Counsel:

At 6:59 p.m. Eastern today, October 20, 2026, I called McDonald Carano at (775) 788-2000 and left a message with Amanda and a voicemail asking to confer by telephone about Theriva's special meeting.

Theriva's definitive proxy statement, filed today, sets the meeting for November 18, 2026, in person in Spain, with an October 9, 2026 record date. Because the date is now fixed, I cannot wait until October 26 for your answer to my October 17 letter.

1. Will Theriva agree, without a court order, to postpone the meeting to December 22, with a new record date of November 30?
2. Will Theriva agree to:
    - an independent inspector of elections
    - remote attendance and voting for stockholders
    - a separate vote on each proposal
    - a corrected proxy to the new holders
3. If not, I'll file an emergency motion this week. Is there anything Theriva would agree to?

Please call me at 732-995-3914 by 3:00 p.m. Eastern (12:00 noon Pacific) on Wednesday, October 21, 2026, to tell me whether Theriva will agree to any of the requests in that letter. If we cannot confer by then, I will file an emergency motion asking the Court to order them.

**Sincerely,**
**Mark Joseph Nejmeh**
**Plaintiff, self-represented**
**732-995-3914**

Gmail **RealRoofers Mark Nejmeh <realroofers@gmail.com>**

# Re: Nejmeh v. Theriva, 3:26-cv-00705 – November 18 special meeting – request to confer by phone

**Hambelton, Andrew** <andrew.hambelton@blankrome.com> Tue, Oct 20, 2026 at 7:27 PM
To: Mark Nejmeh <research@warrantwire.com>
Cc: "ahosmerhenner@mcdonaldcarano.com" <ahosmerhenner@mcdonaldcarano.com>, "kweil@mcdonaldcarano.com" <kweil@mcdonaldcarano.com>, "Young, Elizabeth V." <elizabeth.young@blankrome.com>, "McQueeney, Michael" <Michael.McQueeney@blankrome.com>

Mr. Nejmeh,

I am available Thursday at 2pm ET. If that works, we will send a Teams Meeting link. Also, so the rules of the road are clear, there is to be no recording of the call in any manner.

Andy Hambelton
BLANK ROME LLP
1271 Avenue of the Americas
New York, NY 10020
O: (212) 885-5345
M: (617) 584-3325
Andrew.hambelton@blankrome.com

On Oct 20, 2026, at 7:17 PM, Mark Nejmeh <research@warrantwire.com> wrote:

You don't often get email from research@warrantwire.com. Learn why this is important

Dear Counsel:

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**Sincerely,**
**Mark Joseph Nejmeh**
**Plaintiff, self-represented**
**732-995-3914**

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Gmail **RealRoofers Mark Nejmeh <realroofers@gmail.com>**

## Re: Nejmeh v. Theriva, 3:26-cv-00705 – November 18 special meeting – request to confer by phone

**mark** <realroofers@gmail.com> Tue, Oct 20, 2026 at 7:39 PM
To: "Hambelton, Andrew" <andrew.hambelton@blankrome.com>
Cc: "ahosmerhenner@mcdonaldcarano.com" <ahosmerhenner@mcdonaldcarano.com>, "kweil@mcdonaldcarano.com" <kweil@mcdonaldcarano.com>, "Young, Elizabeth V." <elizabeth.young@blankrome.com>, "McQueeney, Michael" <Michael.McQueeney@blankrome.com>

Mr. Hambelton,

Thursday, October 22, 2026 at 2:00 p.m. Eastern works for me. Please send the Teams link to this address. I agree that the call will not be recorded.

My central request is that the November 18 meeting be postponed until after Theriva answers the complaint: to December 22, 2026, with a record date of November 30, 2026, as set out in my October 17 letter. The other requests in that letter are conditions for that postponed meeting. They are not substitutes for the postponement.

**Sincerely,**
**Mark Joseph Nejmeh**

[Quoted text hidden]