

Foxby Corp. Announces Decision To Opt In To Maryland Control Share Acquisition Act

New York, NY – December 10, 2020 – [Foxby Corp.](#) (OTC ticker: FXBY) (NASDAQ: XFXBX) (the “Fund”), a non-diversified, closed end fund with an investment objective of total return, announced today that the Fund has elected, by a unanimous resolution of the Fund’s board of directors, to be subject to the Maryland Control Share Acquisition Act (MCSAA), effective as of December 9, 2020.

The objective of the MCSAA is to protect the interests of all stockholders of a Maryland corporation. It achieves this by limiting the voting power of a large investor or group acting in concert on newly acquired shares above various threshold levels that start at 10 percent. Those shares can be voted only if two-thirds of the shares held by the other stockholders agree to grant voting rights to these “control” shares.

The MCSAA limits the ability of an acquiring person to achieve a short term gain at the expense of long term value for the rest of the Fund’s stockholders. The MCSAA will only apply to “control shares” acquired (other than any acquisition or proposed acquisition of shares of stock of the Fund by Midas Management Corporation, the Fund’s investment manager, or any of its affiliates or by any director or officer of Foxby) after December 9, 2020, the date that the Fund elected to be subject to the MCSAA.

The above description of the MCSAA is only a general summary and investors should refer to the actual provisions of the MCSAA and the Fund’s Bylaws (available at <https://foxbycorp.com/literature/>) for more information.

About Foxby Corp.

Foxby Corp., a non-diversified closed end management investment company, seeks to achieve its non-fundamental investment objective of total return from growth of capital and from income by investment in securities of any type, unlimited by the issuer’s location, size, or market capitalization. There is no assurance that the Fund’s investment objective will be attained.

From time to time, shares of the Fund may trade at a premium to net asset value (NAV) or a discount to NAV. During such periods when the Fund’s NAV per share is above the market price, there may be an opportunity for investors to purchase shares of the Fund at a discount to their underlying value. The Fund’s premium or discount to NAV may vary over time and shares of the Fund may subsequently be worth more or less than their original cost.

To learn more about the Fund visit www.FoxbyCorp.com. For shareholder services, please call 212-785-0900. Foxby Corp. is part of a fund complex which includes the [Midas Funds](#) and [Dividend and Income Fund](#).

Past performance is no guarantee of future results. You should consider the investment objective, risks, charges and expenses of the Fund carefully before investing. The Fund's investment policies, management fees and other matters of interest to prospective investors may be found in its filings with the U.S. Securities and Exchange Commission, including its annual and semi-annual reports. To obtain a copy of the reports, please call us toll free at 855-411-6432 or download them at <https://foxbycorp.com/literature/>. Please read the reports carefully before investing.

Shares of closed end funds frequently trade at a discount from their NAV. This characteristic is a risk separate and distinct from the risk that the Fund's NAV has decreased in the past, and therefore could decrease in the future, as a result of its investment activities. Neither the Investment Manager nor the Fund can predict whether shares of the Fund will trade at, below, or above NAV. The risk of holding shares of the Fund that might trade at a discount is more pronounced for investors expecting to sell their shares in a relatively short period of time after acquiring them because, for those investors, realization of a gain or loss on their investments is likely to be more dependent upon the existence of a premium or discount than upon portfolio performance. The shares of the Fund are designed primarily for long term investors and should not be considered a vehicle for trading purposes. The NAV of the Fund's shares typically will fluctuate with price changes of the Fund's portfolio securities, and these fluctuations are likely to be greater in the case of a fund which uses leverage, as the Fund may from time to time. In the event that shares of the Fund trade at a premium to NAV, there is no assurance that any such premium will be sustained for any period of time and will not decrease, or that the shares of the Fund will not trade at a discount to NAV thereafter. The market price for the Fund is based on supply and demand which fluctuates daily based on many factors, such as economic conditions and global events, investor sentiment, and security-specific factors.

This notice is provided for informational purposes only. This is not a prospectus, circular, or representation intended for use in the purchase of shares of the Fund or any securities mentioned in this notice. This notice shall not constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sale of, these securities in any state in which such offer, solicitation, or sale would be unlawful prior to registration or qualification under the securities laws of any such state, or an exemption therefrom.

Investment products, including shares of closed end funds, are not federally or FDIC insured, are not deposits or obligations of, or guaranteed by, any financial institution and involve investment risk, including possible loss of principal and fluctuation in value. Consult with your tax advisor or attorney regarding specific tax issues.

Cautionary Note Regarding Forward Looking Statements. *Certain information presented in this release may contain "forward looking statements" within the meaning of the federal securities laws, including the Private Securities Litigation Reform Act of 1995. Forward looking statements include, but are not limited to, statements concerning the Fund's plans, objectives, goals, strategies, distributions and their amounts and timing, distribution declarations, future events, future performance, prospects of its portfolio holdings, or intentions, and other information that is not historical information. Generally, forward looking statements can be identified by terminology such as "believes," "expects," "estimates," "may," "will," "should," "anticipates," "projects," "plans," or "intends," or the negative of such terms or other comparable terminology, or by discussions of strategy. All forward looking statements by the Fund involve known and unknown risks, uncertainties, and other factors, many of which are beyond the control of the Fund, which may cause the Fund's actual results to be materially different from those expressed or implied by such statements.*

These risks include, but are not limited to, equity securities risk, corporate bonds risk, credit risk, interest rate risk, leverage and borrowing risk, additional risks of certain securities in which the Fund invests, market discount from net asset value, distribution policy risk, management risk, risks related to the negative impacts from the continued spread of COVID-19 on the economy and the broader financial markets, and other risks discussed in the Fund's filings with the SEC. All such subsequent forward looking statements, whether written or oral, by the Fund or on its behalf, are also expressly qualified by these cautionary statements. Investors should carefully consider the risks, uncertainties, and other factors, together with all of the other information included in the Fund's filings with the SEC, and similar information. The Fund may also make additional forward looking statements from time to time. All forward looking statements apply only as of the date made. The Fund undertakes no obligation to publicly update or revise forward looking statements, whether as a result of new information, future events, or otherwise. Thus you should not place undue reliance on forward looking statements.