

# SECURITIES & EXCHANGE COMMISSION EDGAR FILING

**Yuma Energy, Inc.**

**Form: 8-K**

**Date Filed: 2019-04-02**

Corporate Issuer CIK: 1672326

**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: April 2, 2019

*(Date of earliest event reported)*

**YUMA ENERGY, INC.**

*(Exact name of registrant as specified in its charter)*

**DELAWARE**

*(State or other jurisdiction  
of incorporation)*

**001-37932**

*(Commission File Number)*

**94-0787340**

*(IRS Employer Identification No.)*

**1177 West Loop South, Suite 1825  
Houston, Texas 77027**

*(Address of principal executive offices) (Zip Code)*

**(713) 968-7000**

*(Registrant's telephone number, including area code)*

*(Former name or former address, if changed since last report)*

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- 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))

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 2.02. Results of Operations and Financial Condition.**

On April 2, 2019, Yuma Energy, Inc. (the "Company") issued a press release providing an update on recent developments and disclosing the receipt of an audit opinion containing a going concern emphasis. A copy of the press release is furnished as Exhibit 99.1 to this Current Report on Form 8-K and is incorporated herein by reference.

The information in this Current Report on Form 8-K furnished pursuant to Item 2.02, including Exhibit 99.1, shall not be deemed to be "filed" for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the "Exchange Act"), or otherwise subject to liability under that section, and such information shall not be deemed incorporated by reference in any filing under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such filing.

**Item 9.01. Financial Statements and Exhibits.**

(d) Exhibits.

The following exhibit is furnished with this Current Report on Form 8-K:

<b>Exhibit No.</b>	<b>Description</b>
<a href="#"><u>99.1</u></a>	Press Release dated April 2, 2019.

**SIGNATURE**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**YUMA ENERGY, INC.**

By: /s/ Anthony C. Schnur

Name: Anthony C. Schnur

Title: Interim Chief Executive Officer and Chief Restructuring Officer

Date: April 2, 2019



YUMA ENERGY, INC.

NEWS RELEASE

## Yuma Energy, Inc. Reports Recent Developments

HOUSTON, TX – (PR Newswire – April 2, 2019) – Yuma Energy, Inc. (NYSE American: YUMA) (“Yuma” or the “Company,” “we” or “our”) announced today that on April 2, 2019, it filed its annual report on Form 10-K for the year ended December 31, 2018, with the Securities and Exchange Commission (“SEC”). Investors and stockholders may obtain our Form 10-K and other documents filed with the SEC free of charge at the SEC’s website, [www.sec.gov](http://www.sec.gov). In addition, a copy of our Form 10-K is available on our website at [www.yumaenergyinc.com](http://www.yumaenergyinc.com)

### Recent Developments

Interested parties are encouraged to access and read the Form 10-K in its entirety. The risk factors and uncertainties described therein for the year ended December 31, 2018, as well as other more recent risk factors which include, but are not limited to, events of default under the Company’s credit agreement, declines in production, reduction of personnel, the failure to establish commercial production on our Permian properties, and our substantial working capital deficit of approximately \$37.0 million as of year-end, all of which raise substantial doubt about our ability to continue as a going concern.

On March 28, 2019, Mr. Anthony C. Schnur was appointed Interim Chief Executive Officer of the Company, replacing Mr. Sam L. Banks. Mr. Schnur has also served as Chief Restructuring Officer of the Company since March 1, 2019.

The Company continues to reduce corporate overhead and operating costs, and is focused on higher margin operations and cash conservation following a comprehensive review of its business and assets. We recently entered into an agreement to sell our California assets for \$2.1 million to provide near term liquidity. Similar asset sales are under review and may follow but are undetermined at this time.

### Other Matters

As previously reported, the Company has retained and continues to work with Seaport Global Securities LLC, an investment banking firm, to advise the Company on its strategic alternatives and divestitures. The Company has also engaged Energy Advisors Group (formerly “PLS Divestment Services”) to market certain properties. In addition, as previously reported, the Company received a deficiency letter from the NYSE American stock exchange (“NYSE American”) indicating the Company’s common stock has been selling for a low price per share for a substantial period of time and the Company must demonstrate an improved share price or effect a reverse stock split of its common stock by no later than July 4, 2019, in order to maintain the listing of the Company’s common stock on the NYSE American. The Company could be subject to immediate de-listing should the stock price decline to \$0.06. The NYSE American notification of continued listing deficiency does not affect the Company’s business operations or its SEC reporting obligations.

### Going Concern Uncertainty

The Company’s consolidated financial statements for the year ended December 31, 2018, included a going concern qualification. The financial statements were included in the Company’s Annual Report on Form 10-K for the year ended December 31, 2018, which was filed with the SEC on April 2, 2019. Generally, events of default under the Company’s credit agreement, declines in production, reduction of personnel, the failure to establish commercial production on our Permian properties, and our substantial working capital deficit of approximately \$37.0 million as of year-end, as noted above, raise a substantial doubt about the Company’s ability to continue as a going concern.

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Please refer to our recently filed Annual Report on Form 10-K for the year ended December 31, 2018, and all our filings with the SEC for further information.

#### **Management Comments**

Mr. Anthony C. Schnur, Interim Chief Executive Officer and Chief Restructuring Officer stated, "The Board of Directors and I are committed to address Yuma's financial circumstances on behalf of all stakeholders by reducing operating and administrative costs and improving the cash flow margins of the Company. We have an open and constructive dialogue with our lenders and are fully engaged with the Seaport team to pursue any and all reasonable options for the Company and its stakeholders. We are undertaking a corporate restructuring initiative which may include additional asset sales, one or more acquisitions, restructured debt facilities, equity financings or a corporate merger intended to better position the Company for the future."

#### **About Yuma Energy, Inc.**

Yuma Energy, Inc., a Delaware corporation, is an independent Houston-based exploration and production company focused on acquiring, developing and exploring for conventional and unconventional oil and natural gas resources. Historically, the Company's activities have focused on inland and onshore properties, primarily located in central and southern Louisiana and southeastern Texas. Its common stock is listed on the NYSE American under the trading symbol "YUMA."

#### **Forward-Looking Statements**

This release contains forward-looking statements within the meaning of Section 27A of the Securities Act of 1933, as amended (the "Securities Act"), and Section 21E of the Securities Exchange Act of 1934, as amended (the "Exchange Act"). Any and all statements that are not strictly historical statements constitute forward-looking statements and may often, but not always, be identified by the use of such words such as "expects," "believes," "intends," "anticipates," "plans," "estimates," "potential," "possible," or "probable" or statements that certain actions, events or results "may," "will," "should," or "could" be taken, occur or be achieved. The Company's annual report on Form 10-K for the year ended December 31, 2018, recent current reports on Form 8-K, and other SEC filings discuss some of the important risk factors identified that may affect its business, results of operations, and financial condition. The Company undertakes no obligation to revise or update publicly any forward-looking statements, except as required by law.

#### **For more information, please contact**

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