



U.S. Securities and Exchange Commission

Tips, Complaints, and Referrals

Summary Page - After Submission

This export was generated on Thu, March 20, 2025 at 04:48:54 PM EDT

The Complaint Form questions that you responded to, the answers you entered for those questions, and any documents that you have uploaded to this TCR are listed below.

Submission Number: [REDACTED]

Thank you for contacting the United States Securities and Exchange Commission. This automated response with your Submission Number confirms that your submission has been received successfully. Please write down your Submission Number or print/save a copy of your submission for future reference. Once you navigate away from this page you will not be able to get back to your submission.

We are always interested in hearing from the public, and your submission will be given careful consideration in view of the Commission's overall responsibilities under the federal securities laws. Please note, however, that it is the Commission's policy to conduct its investigations on a non-public basis in order to preserve the integrity of its investigative process. Subject to the provisions of the Freedom of Information Act, we cannot disclose to you any information which we may gather, nor can we confirm the existence or non-existence of an investigation, unless such information is made a matter of public record in proceedings brought before the Commission or the courts. Therefore, this may be the only response that you receive. If you want to learn more about how the Commission handles inquiries or complaints, please

visit http://www.sec.gov/complaint/info_tipscomplaint.shtml.

What is your complaint about?

Please select the option that best describes your complaint.

Material misstatement or omission in a company's public filings or financial statements, or a failure to file

Please select the specific category that best describes your complaint.

False/misleading proxy materials

Is this supplemental information to a previous complaint?

No

In your own words, describe the conduct or situation you are complaining about.

We submitted a shareholder proposal on Oct. 24, 2024 for Coca-Cola's 2025 annual meeting that we titled (within the 500-word proposal limit), "Revisit DEI Goals in Executive Pay Incentives." In an email exchange (copies attached) with the company's legal counsel, we requested to be provided a copy of how our proposal will appear in the proxy statement prior to its publication, and our request was denied. The company changed the name of the proposal as listed in the statement and on the proxy voting card to "Shareowner Proposal Regarding DEI Goals in Executive Pay." We maintain that this significantly changes the nature and intent of the proposal, confuses voting shareholders, as something "Regarding" DEI goals is very neutral compared to asking the company to "Revisit" them. This materially misleads shareholders and this intentional change could have been corrected had our request to view the proposal prior to printing been granted.

Further, the company submitted the proposal to the Division of Corporation Finance seeking no-action relief solely on the basis that the proposal had already been "substantially implemented" by the Company under Rule 14a-8(i)(10). The Staff determined that "We are unable to concur in your view that the Company may exclude the Proposal under Rule 14a-8(i)(10). In our view, the Company has not substantially implemented the Proposal."

In the same email exchange referenced above, we noticed that the opposition statement sent by the Company to us as a preview before the proxy printing nonetheless made the same claim, that "the Company has substantially implemented the proposal," citing the same arguments the Company made in its no-action pleading to the Staff. We sent a warning notice to the Company's legal counsel that the opposition statement made a claim that Staff determined was not true, that we would consider the statement materially misleading if the Company did not change it, and that it would be subject to possible SEC complaint if it was not changed. The Company's legal counsel notified us in response that the statement as originally sent would still appear in the 2025 Proxy Statement.

So the Company has willfully maintained materially misleading stance on our shareholder proposal, in addition to deceptively editing it for the purposes of consideration by shareholders.

Are you having or have you had difficulty getting access to your funds or securities?

No

Did you suffer a loss?

No

When did you become aware of the conduct? (mm/dd/yyyy)

03/11/2025

When did the conduct begin? (mm/dd/yyyy)

02/12/2025

Is the conduct ongoing?

Yes

Has the individual or firm acknowledged the conduct?

Yes

How did you learn about the conduct? You may select more than one answer.

Conversations

Have you taken any action regarding your complaint? You may select more than one answer.

Complained to firm

Provide details.

See explanation above. Person contacted was legal counsel A. Jane Kamenz, senior legal counsel.

Who are you complaining about?

Person or Firm 1

Are you complaining about a person or a firm?

Firm

Select the title that best describes the firm the complaint is about.

Publicly held company

Are you or were you associated with the person or firm when the alleged conduct occurred?

No

Identifier Type

Ticker Symbol

Ticker Symbol

KO

Are you a current or former Employee, Officer, Partner, or Employee Director of any entity you are complaining about?

No

Are you a current or former Non-Employee Director, Consultant, Contractor or Trustee of any entity you are complaining about?

No

Firm Name

The Coca-Cola Company

Street Address

One Coca-Cola Plaza

Country

United States

Zip / Postal Code

30313

City

ATLANTA

State / Province

GA

Work Phone

XXXXXXXXXX

Email Address

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Website

<https://investors.coca-colacompany.com/>

If the complaint is about an entity or person that has custody or control of your investments, have you had difficulty contacting that entity or person?

No

Which investment products are involved?

Mobile Telephone**Email Address****What is the best way to reach you?**

Email

If you are filing on behalf of another government agency or outside organization, please identify it here

National Legal and Policy Center

Are you represented by an attorney in connection with this matter, or would you like to provide your attorney's contact information?

No

Select the profession that best represents you.

Other

For Other, please specify.

Non-profit organization (investor)

Attach Files

Upload Document(s)

- *Coca-Cola-Kamenz-notify-proposal-opposition-proxy-2025.pdf.pdf* (132.72 KB)
- *Coca-Cola-Opposition-Statement-2025.pdf* (172.25 KB)
- *Coca-Cola-no-action-docket-full-2025-compressed.pdf* (2.43 MB)
- *Coca-Cola-Item-7-opposition-statement-2025.png* (356.54 KB)
- *Coca-Cola-Item-7-2025.png* (473.85 KB)
- *Coca-Cola-2025-proxy-voting-card.png* (875.21 KB)
- *Coca-Cola-proposal-DEI-exec-pay-2025.pdf* (128.52 KB)