

VAN HERK INVESTMENTS B.V.
 Form 4
 February 25, 2019

FORM 4

**UNITED STATES SECURITIES AND EXCHANGE COMMISSION
 Washington, D.C. 20549**

OMB APPROVAL

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Check this box if no longer subject to Section 16. Form 4 or Form 5 obligations may continue. See Instruction 1(b).

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person *
 VAN HERK INVESTMENTS B.V.

2. Issuer Name and Ticker or Trading Symbol
 MARRONE BIO INNOVATIONS INC [MBII]

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

(Last) (First) (Middle)

3. Date of Earliest Transaction (Month/Day/Year)
 02/14/2019

____ Director
 ____ Officer (give title below)
 10% Owner
 ____ Other (specify below)

LICHTENAUERLAAN 30

(Street)

4. If Amendment, Date Original Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check Applicable Line)
 ____ Form filed by One Reporting Person
 Form filed by More than One Reporting Person

ROTTERDAM, P7 3062 ME

(City) (State) (Zip)

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

| 1. Title of Security (Instr. 3) | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Date, if any (Month/Day/Year) | 3. Transaction Code (Instr. 8) | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership (Instr. 4) |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|---|
| Common Stock | 02/14/2019 | | P | V Amount \$ 1.5 | 7,128,770 ⁽¹⁾ <u>(2)</u> <u>(3)</u> | D <u>(1)</u> <u>(2)</u> <u>(3)</u> | |
| Common Stock | 02/21/2019 | | S | V Amount \$ 1.57 | 5,628,770 ⁽¹⁾ <u>(2)</u> <u>(3)</u> | D <u>(1)</u> <u>(2)</u> <u>(3)</u> | |

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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 (9-02)

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned
(e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of Derivative Security (Instr. 3) | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transaction Code (Instr. 8) | 5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5) | 6. Date Exercisable and Expiration Date (Month/Day/Year) | 7. Title and Amount of Underlying Securities (Instr. 3 and 4) | 8. Price of Derivative Security (Instr. 5) | 9. Number of Derivative Securities Owned Beneficially (Instr. 5) |
|--|--|--------------------------------------|--|--------------------------------|---|--|---|--|--|
| | | | | Code | V (A) (D) | Date Exercisable | Expiration Date | Title | Amount or Number of Shares |

Reporting Owners

| Reporting Owner Name / Address | Relationships | | | |
|--|---------------|-----------|---------|-------|
| | Director | 10% Owner | Officer | Other |
| VAN HERK INVESTMENTS B.V. LICHTENAUERLAAN 30 ROTTERDAM, P7 3062 ME | | X | | |
| Van Herk Private Equity Investments B.V. LICHTENAUERLAAN 30 ROTTERDAM, P7 3062 ME | | X | | |
| Van Herk Management Services B.V. LICHTENAUERLAAN 30 ROTTERDAM, P7 3062 ME | | X | | |
| Onroerend Goed Beheer- en Beleggingsmaatschappij A. van Herk B.V. LICHTENAUERLAAN 30 ROTTERDAM, P7 3062 ME | | X | | |
| A. van Herk Holding B.V. LICHTENAUERLAAN 30 ROTTERDAM, P7 3062 ME | | X | | |
| Stichting Administratiekantoor Abchrys LICHTENAUERLAAN 30 ROTTERDAM, P7 3062 ME | | X | | |
| van Herk Adrianus LICHTENAUERLAAN 30 ROTTERDAM, P7 3062 ME | | X | | |
| Stichting Administratiekantoor Penulata LICHTENAUERLAAN 30 ROTTERDAM, P7 3062 ME | | X | | |

Signatures

| | |
|--|------------|
| Van Herk Investments B.V. By: /s/ Erik G. A. Esveld, Attorney-In-Fact* | 02/25/2019 |
| **Signature of Reporting Person | Date |
| Van Herk Private Equity Investments B.V. By: /s/ Erik G. A. Esveld, Attorney-In-Fact* | 02/25/2019 |
| **Signature of Reporting Person | Date |
| Stichting Administratiekantoor Penulata By: /s/ Erik G. A. Esveld, Attorney-In-Fact* | 02/25/2019 |
| **Signature of Reporting Person | Date |
| Van Herk Management Services B.V. By: /s/ Erik G. A. Esveld, Attorney-In-Fact* | 02/25/2019 |
| **Signature of Reporting Person | Date |
| Onroerend Goed Beheer- en Beleggingsmaatschappij A. van Herk B.V. By: /s/ Erik G. A. Esveld, Attorney-In-Fact* | 02/25/2019 |
| **Signature of Reporting Person | Date |
| A. van Herk Holding B.V. By: /s/ Erik G. A. Esveld, Attorney-In-Fact* | 02/25/2019 |
| **Signature of Reporting Person | Date |
| Stichting Administratiekantoor Abchrys By: /s/ Erik G. A. Esveld, Attorney-In-Fact* | 02/25/2019 |
| **Signature of Reporting Person | Date |
| Adrianus van Herk /s/ Erik G. A. Esveld, Attorney-In-Fact* | 02/25/2019 |
| **Signature of Reporting Person | Date |

Explanation of Responses:

- * If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) These securities are held by Van Herk Investments B.V., a private company with limited liability incorporated under the laws of the Netherlands ("VHI"). This statement is being filed by (i) VHL, (ii) Van Herk Private Equity Investments B.V., a private company with limited liability incorporated under the laws of the Netherlands ("VHPI"), (iii) Stichting Administratiekantoor Penulata, a foundation organized under the laws of the Netherlands ("Penulata"), (iv) Van Herk Management Services B.V., a private company with limited liability incorporated under the laws of the Netherlands ("VHMS"), (v) Onroerend Goed Beheer- en Beleggingsmaatschappij A. van Herk B.V., a private company with limited liability incorporated under the laws of the Netherlands ("OGBBA"), (vi) A. van Herk Holding B.V., a private company with limited liability incorporated under the laws of the Netherlands ("Holdings"), Footnote (1) continued in Footnote (2).
- (2) Footnote (2) continued from Footnote (1). (vii) Stichting Administratiekantoor Abchrys, a foundation organized under the laws of the Netherlands ("Abchrys"), and (viii) Adrianus van Herk ("Mr. van Herk"). Mr. van Herk is (i) an investor, (ii) the holder of all of the depository receipts issued by Penulata and Abchrys, (iii) the sole board member of Penulata and Abchrys, and (iii) the sole managing director of VHMS, OGBBA and Holdings. Penulata holds substantially all of the issued and outstanding shares of VHPI. VHPI is the sole shareholder of VHL. VHL is principally engaged in making investments. Abchrys holds substantially all of the issued and outstanding shares of Holdings. Holdings is the sole shareholder of OGBBA. OGBBA is the sole shareholder of VHMS and is principally engaged in making investments. Footnote (2) continued in Footnote (3).
- (3) Footnote (3) continued from Footnote (2). VHMS is the sole managing director of VHI and VHPI. Each of Mr. van Herk, VHPI, Penulata, VHMS, OGBBA, Holdings and Abchrys disclaims beneficial ownership of the securities covered by this statement except to the extent of their pecuniary interest therein, if any, and this statement shall not be deemed an admission that any of them is a beneficial owner of such securities for purposes of Section 16 of the Securities Exchange Act of 1934, as amended, or for any other purpose.

Remarks:

* Pursuant to a Power of Attorney, dated as of February 27, 2018, by and among the Reporting Persons. Exhibit 24.1 Power of

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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