SEC Form 3 FORM 3

UNITED STATES SECURITIES AND EXCHANGE

COMMISSION

Washington, D.C. 20549

OMB APPROVAL

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INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934 or Section 30(h) of the Investment Company Act of 1940

| 1. Name and A Braun Sai | ng Person [*] | 2. Date of E Requiring S (Month/Day 05/10/202 | Statement //Year) | 3. Issuer Name and Ticker or Trading Symbol <u>KEMPHARM, INC</u> [KMPH] | | | | | | |
|---|------------------------|--|----------------------|--|---|--|---|---|---|----|
| (Last) (First) (Middle) 5 WEST MAIN STREET | | | | 4. Relationship of Reporting Issuer (Check all applicable) Director X | | | 5. If Amendment, Date of Original Filed (Month/Day/Year) | | | |
| BOX 361 | | | | | Officer (give title below) | Other (specify below) | | 6. Individual or Joint/Group Filing (Check Applicable Line) X Form filed by One Reporting Person | | |
| (Street) WARNER | SD 5 | 57479-0361 | | | | | | Form filed by More than One Reporting Person | | |
| (City) | (State) (Z | Zip) | | | | | | | | |
| Table I - Non-Derivative Securities Beneficially Owned | | | | | | | | | | |
| 1. Title of Security (Instr. 4) | | | | 6 | 2. Amount of Securities Beneficially Owned (Instr. 4) | | | 4. Nature of Indirect Beneficial Ownership (Instr. 5) | | |
| COMMON STOCK | | | | | 3,060,000 | D(| 1) | | | |
| COMMON STOCK | | | | | 68,000 | I | I By | | by Thinkswitch Capitol, LLC ⁽²⁾ | |
| COMMON STOCK | | | | | 15,000 | | | By ThetaBurn Investments, LLC ⁽²⁾ | | |
| Table II - Derivative Securities Beneficially Owned (e.g., puts, calls, warrants, options, convertible securities) | | | | | | | | | | |
| E | | 2. Date Exercisable and Expiration Date (Month/Day/Year) | | 3. Title and Amount of Se Underlying Derivative Sec (Instr. 4) | | | rcise | 5. Ownership Form: Direct (D) | 6. Nature of Indirect Beneficial Ownership (Instr. | |
| | | C E | | Expiration Date | Title | Amount or Number of Shares | | | or Indirect (I) (Instr. 5) | 5) |
| CALL OPTION (OBLIGATION TO BUY) | | 08/20/2021 | 08/20/2021 | COMMON STOCK | 2,000 | (3) | | D | | |

Explanation of Responses:

1. Includes 60,000 shares held in a jointly-owned account over which the reporting person exercises sole investment discretion. The reporting person disclaims beneficial ownership of these securities except to the extent of his pecuniary interest therein.

2. The reporting person disclaims beneficial ownership of these securities except to the extent of his pecuniary interest therein.

3. The Call Options represent the reporting person's obligation to purchase the referenced shares if the trading price on the expiration date exceeds \$10 per share. Otherwise,

exercise of the options is at the holder's discretion.

/s/ Samuel J. Braun

Date

05/17/2021

** Signature of Reporting Person

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

* If the form is filed by more than one reporting person, see Instruction 5 (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).

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

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB Number.