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PRESS RELEASE

COHEN WILLIAMS SECURES VICTORY AND PUNITIVE DAMAGES AWARD IN CLOSELY-WATCHED TRADE SECRETS TRIAL PITTING ELYSIUM HEALTH AGAINST RIVAL BIOSCIENCES COMPANY CHROMADEx

After a four-day jury trial before the Honorable Cormac J. Carney in the United States District Court for the Central District of California, the jury sided with Cohen Williams LLP's clients, Elysium Health, Inc. and Mark Morris, in a hotly contested dispute against biotechnology company ChromaDex, Inc., the former supplier of ingredients Elysium Health used in its anti-aging supplement, *Basis*. The suit, initially filed by ChromaDex, involved allegations that Elysium Health misappropriated ChromaDex's trade secrets and aided and abetted Morris, a current Elysium Health executive and former ChromaDex employee, in breaching his fiduciary duty to ChromaDex. ChromaDex sought approximately \$18 million on its trade secret and fiduciary duty claims, including disgorgement of Elysium Health's profits and price discounts, disgorgement of Morris's compensation, and punitive damages. Elysium Health counter-sued, alleging that it was ChromaDex that had committed fraud and breached the "most favored nation" pricing provision of its ingredient supply agreement with Elysium Health.

After two days of deliberations, the jury delivered Elysium Health and the Cohen Williams team a complete defense victory on September 27, 2021. Jurors completely rejected ChromaDex's trade secrets and fiduciary duty claims, awarding none of the \$18 million that ChromaDex sought on those claims. As for Morris's compensation, jurors awarded a mere \$17,307.96 of the approximately \$675,000 ChromaDex requested, finding that Morris had breached a confidentiality agreement that he signed with

ChromaDex as an employee. The verdict included an award of \$2,983,350 to ChromaDex for Elysium Health's non-payment of its last order of ingredients from ChromaDex; however, Elysium Health conceded from the outset that it owed as much, and withheld payment only after learning of ChromaDex's myriad breaches of the "most favored nation" pricing provision and ChromaDex's fraudulent inducement of Elysium to enter into a Trademark License and Royalty Agreement at the start of the parties' relationship. On Elysium Health's countersuit, the jury awarded Elysium Health \$625,000 for ChromaDex's breach of the pricing provision and \$250,000 for ChromaDex's fraudulent inducement. The jury also found ChromaDex liable for \$1.025 million in punitive damages, sending a strong message of disapproval to ChromaDex for its misconduct.

Lead counsel Marc Williams said, "I'm extremely happy for Elysium Health and Mark Morris, and I'm grateful for the jury's thoroughness and thoughtfulness in evaluating the evidence and deciding the case. We always believed that ChromaDex's lawsuit was aimed more at trying to hurt a competitor than righting any wrong."

Williams's co-counsel, Reuven Cohen, added, "We represent a couple of brilliant mensches with an incredible company, and we couldn't be more thrilled for them. We asked the jurors to take their time and get to the truth, and we're gratified that they did just that."

Elysium was represented at trial by a Cohen Williams team consisting of partners Marc Williams and Reuven Cohen, senior associate Brittany Lane, and paralegal Rebecca Lessler.