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16 **UNITED STATES DISTRICT COURT**
 17 **CENTRAL DISTRICT OF CALIFORNIA**
 18 **(SOUTHERN DIVISION)**

19 ChromaDex, Inc.,
 20 Plaintiff,
 21 v.
 22 Elysium Health, Inc., and Mark Morris
 23 Defendants.

24 Elysium Health, Inc.,
 25 Counterclaimant,
 26 v.
 27 ChromaDex, Inc.,
 28 Counter-Defendant.

Case No. 8:16-cv-2277-CJC (DFMx)

**JOINT STIPULATION TO MODIFY
 BRIEFING SCHEDULE FOR
 CHROMADDEX’S MOTION FOR SANCTIONS
 OR, IN THE ALTERNATIVE, PARTIAL
 RECONSIDERATION OF THE COURT’S
 JANUARY 16, 2020 ORDER REGARDING
 SUMMARY JUDGMENT [Dkt. 413]**

Judge: Hon. Cormac J. Carney
 Courtroom: 7C

Pretrial Conf.: Sept. 13, 2021
 Trial: Sept. 21, 2021

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1 Plaintiff and Counter-Defendant ChromaDex, Inc. and Defendant and
2 Counterclaimant Elysium Health, Inc. submit the following joint stipulation and
3 attached proposed order regarding the briefing schedule for ChromaDex’s forthcoming
4 motion for sanctions or, in the alternative, partial reconsideration of the Court’s
5 January 16, 2020 order regarding summary judgment.

6 On December 11, 2020, Elysium filed a “Notice of Correction of Depositions”
7 that “change[d] and correct[ed] the depositions of Eric Marcotulli and Daniel Alminana
8 taken in this action respectively on March 27, 2019, and March 29, 2019.” (Dkt. 453
9 at 1.) On February 22, 2021, ChromaDex informed Elysium that it would move this
10 Court to dismiss Elysium’s third, fourth, and fifth counterclaims because of information
11 contained in that Notice. On February 25, 2021, the parties met and conferred about
12 the motion as required by Local Rule 7-3 and ChromaDex informed Elysium that it
13 would move this Court for dismissal under the Court’s inherent authority and Federal
14 Rule of Civil Procedure 54(b).

15 The parties also discussed the deadlines related to the forthcoming motion and
16 have agreed that a modified briefing schedule is warranted in order to allow Elysium
17 adequate time to oppose the motion while ensuring that it is still heard in a timely
18 manner. The parties have agreed to the following schedule: ChromaDex shall file its
19 motion on March 8, 2021; Elysium shall file its opposition brief on March 22, 2021;
20 ChromaDex shall file its reply brief on March 29, 2021.

21 The parties acknowledge the Court’s ordinary procedure of holding hearings on
22 Mondays at 1:30 p.m. Elysium’s counsel teaches a class at Columbia Law School on
23 Monday afternoons up to and including April 19, 2021, and therefore is unavailable for
24 a Monday hearing until April 26, 2021 or later. In order to ensure that the motion is
25 heard in a timely manner, the parties request that the Court set the hearing on the motion
26 at a date and time that it is available, other than on a Monday afternoon, after the parties
27 fully brief the motion.

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1 The parties thus request that the Court enter an order approving this joint
2 stipulation and scheduling the hearing.

3 Dated: March 3, 2021 COOLEY LLP
4

5 /s/ Michael A. Attanasio
6 MICHAEL A. ATTANASIO

7 *Attorneys for Plaintiff and*
8 *Counter-Defendant*
ChromaDex, Inc.

9
10 *The filer, Michael A. Attanasio, attests that*
11 *the other signatory listed, on whose behalf*
12 *the filing is submitted, concurs in the*
filing's content and has authorized the
filing.

13 Dated: March 3, 2021 KAPLAN HECKER & FINK LLP
14

15 /s/ Roberta Kaplan
16 ROBERTA KAPLAN

17 *Attorneys for Defendant and*
18 *Counterclaimant*
Elysium Health, Inc.

19 *Attorneys for Defendant*
20 *Mark Morris*

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