

Exhibit A

1 COOLEY LLP
MICHAEL ATTANASIO (151529)
2 (mattanasio@cooley.com)
EAMONN GARDNER (310834)
3 (egardner@cooley.com)
JON F. CIESLAK (268951)
4 (jcieslak@cooley.com)
BARRETT J. ANDERSON (318539)
5 (banderson@cooley.com)
SOPHIA M. RIOS (305801)
6 (srios@cooley.com)
JAYME B. STATEN (317034)
7 (jstaten@cooley.com)
4401 Eastgate Mall
8 San Diego, CA 92121
Telephone: (858) 550-6000
9 Facsimile: (858) 550-6420

10 *Attorneys for Plaintiff and Counterdefendant*
11 *ChromaDex, Inc.*

12 *Counsel continued on following page*

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
15 **(WESTERN DIVISION)**

16 ChromaDex, Inc.,
17 Plaintiff,
18 v.
19 Elysium Health, Inc. and Mark Morris,
20 Defendants.

21 Elysium Health, Inc.,
22 Counterclaimant,
23 v.
24 ChromaDex, Inc.,
25 Counterdefendant
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Case No. SACV 16-02277-CJC(DFMx)

**STIPULATED PROTECTIVE ORDER
REGARDING PLAINTIFF CHROMADDEX,
INC.'S PRODUCTION OF DOCUMENTS
AND NONWAIVER OF PRIVILEGE**

Judge: Hon. Cormac J. Carney
Magistrate Judge: Hon. Douglas F.
McCormick

Discovery Cut-off: April 5, 2019
Pretrial Conference: July 1, 2019
Trial: July 9, 2019

[DISCOVERY DOCUMENT:
REFERRED TO MAGISTRATE
JUDGE DOUGLAS F.
MCCORMICK]

1 COVINGTON & BURLING LLP
2 MITCHELL A. KAMIN (202788)
3 (mkamin@cov.com)
4 1999 Avenue of the Stars, Suite 3500
5 Los Angeles, CA 90067-4643
6 Telephone: (424) 332-4800
7 Facsimile: (424) 332-4749

8 *Attorney for Plaintiff and Counter-Defendant*
9 *ChromaDex, Inc*

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RECITALS AND GOOD CAUSE STATEMENT

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2 **I.** Plaintiff ChromaDex, Inc. (“ChromaDex”) and Defendants Elysium
3 Health, Inc. (“Elysium”) and Mark Morris (collectively the “Parties”) have agreed to
4 resolve a discovery dispute concerning communications involving attorney and
5 ChromaDex Board Member Stephen Block. The Parties desire to resolve this dispute
6 expeditiously and efficiently and without the necessity of briefing or argument before
7 this Court.

8 **II.** To resolve the dispute, the Parties agree that ChromaDex will produce
9 certain documents it withheld or redacted because of the asserted attorney-client
10 relationship between Mr. Block and ChromaDex (the “Block Communications”) and
11 that ChromaDex’s disclosure of the Block Communications and related privilege log
12 will not constitute an express or implied waiver of any privilege or protection over any
13 other material, including any material related to any subject matter of the Block
14 Communications. The Parties have agreed on the scope of material constituting the
15 Block Communications.

16 **III.** The Parties acknowledge that this stipulation (and if approved, Order)
17 implements part of the above-described resolution.

18 **IV.** In light of these acknowledgements, and to protect against any possible
19 injury caused by ChromaDex’s production of these documents, good cause exists to
20 enter a protective order in this matter.

21 **Stipulation of Non-Waiver By Disclosure**

22 ChromaDex’s disclosure of the Block Communications and related privilege log
23 shall be without prejudice to and shall not waive for purposes of this proceeding or any
24 other federal or state proceeding, any attorney-client privilege, work product protection,
25 or any other applicable privilege, immunity, or protection afforded by law. For the
26 avoidance of doubt, the provisions of this paragraph shall apply to all disclosures,
27 privileges, and protections within the scope of Fed. R. Evid. 502(d), and further shall
28 apply to all disclosures, privileges, and protections within this Court’s authority, to the

1 fullest extent permitted under law. Pursuant to Fed. R. Evid. 502(d), if Block
2 Communications subject to privilege or protection and a related privilege log are
3 disclosed in this litigation pursuant to the agreement of the Parties that such disclosure
4 shall be on a nonwaiver basis (meaning that no privilege is waived as to any other matter
5 or document), the disclosure shall not be a waiver in any other federal or state
6 proceeding.

7 **IT IS SO STIPULATED.**

8
9 Dated: March 11, 2019

COOLEY LLP
MICHAEL ATTANASIO (151529)

10
11 *s/ Michael Attanasio*
12 _____
MICHAEL ATTANASIO

13 Attorneys for Plaintiff and Counter-
14 Defendant ChromaDex, Inc.

15 *The filer, Michael Attanasio, attests that the*
16 *other signatory listed, on whose behalf the*
17 *filing is submitted, concurs in the filing's*
content and has authorized the filing.

18 Dated: March 11, 2019

BAKER & HOSTETLER LLP
ESTERINA GIULIANI (admitted *pro hac*
19 *vice*)

20
21 *s/ Esterina Giuliani*
22 _____
ESTERINA GIULIANI

23 Attorneys for Defendant and
24 Counterclaimant Elysium Health, Inc. and
25 Defendant Mark Morris

1 FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

2 DATED: March __, 2019

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5 HON. DOUGLAS F. MCCORMICK

6 United States Magistrate Judge

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