

Exhibit 73

**REDACTED VERSION OF DOCUMENT PROPOSED TO BE
FILED UNDER SEAL**

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

CHROMADEX, INC.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. SACV 16-02277-CJC
)	
ELYSIUM HEALTH, INC.,)	
)	
Defendant.)	
)	
<hr/> ELYSIUM HEALTH, INC.,)	
)	
Counterclaimant,)	
)	
vs.)	
)	
CHROMADEX, INC.,)	
)	
Counter-Defendant.)	
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DEPOSITION OF
DANIEL H. MAGIDA
NEW YORK, NEW YORK
DECEMBER 13, 2018

Reported by:
VICTORIA RUSSO
No. 18-72380

1 from ChromaDex, correct?

2 A. Yes.

3 Q. And how many Basis lots was NR from
4 PONR109 incorporated into?

5 A. Ten.

6 Q. And do all those lot numbers end with
7 6170?

8 A. Yes.

9 Q. Do any other Basis lots end in 6170?

10 A. No, just besides those ten.

11 Q. When did Elysium begin selling bottles
12 from lot numbers ending in 6170?

13 A. On Page 3 02716170 in October of 2016.

14 Q. And you are referring to Exhibit 42?

15 A. Yes.

16 Q. When did Elysium last sell Basis from a
17 lot number that ends in 6170?

18 A. The last one would have been on Page 5,
19 Exhibit 2 -- Exhibit 42, 02816170 in November of
20 2017.

21 Q. So Elysium sold Basis with ChromaDex NR
22 in November of 2017?

23 A. Yes.

24 Q. You said that Elysium first received NR
25 from [REDACTED] in May of 2017; is that right?

10:32 1 quantity but also a forecast itself always had
2 fluctuations itself.

3 It's not easy predicting behavior at
4 times. So each version had scenarios where you could
10:32 5 do different things in terms of marketing or this to
6 get those full amounts.

7 Q. Which date range does the quantity of
8 3,300 KG of NR and 660 kilograms of ptero correspond
9 to?

10:32 10 A. So they all were built to last until
11 pretty much way into 2017. The question is which
12 option is the best for us to get there. So they all
13 service all data, just --

14 Q. And the goal is to have inventory that
10:33 15 lasts until 2017?

16 A. It goes by inventory but also to be
17 efficient at the same time.

18 Q. And which date range does the 3,300 and
19 660 amounts relate to?

10:33 20 A. Well, like I said, each scenario can
21 stretch to a different version. That's why there is
22 a best case, a middle case and a worst case. So they
23 are all built around different forecast structures.

24 Q. So it looks like the best case, middle
10:33 25 case, and worst case correspond to different prices?

1 A. Yes.

2 Q. When you say, "current inventory" in
3 the next bullet point, what are you referring to?

4 A. Current inventory on hand at Fosdick.

5 Q. And was that ChromaDex NR?

6 A. Yes.

[REDACTED]

[REDACTED]

9 Q. So you didn't know whether the
10 ChromaDex material had acetamide in it?

11 A. Whatever was supplied to us via the
12 certificate of analysis from ChromaDex, based on our
13 decision, that product was deemed safe to sell in the
14 state of California.

15 Q. Did the COA say that it was safe to
16 sell in the state of California?

17 A. If the -- well, it doesn't state
18 verbatim you can go sell in California but if the
19 test results prove that acetamide is non-detect, then
20 you can -- you would make the assumption that
21 ChromaDex is not giving false information on their
22 certificate of analysis which would allow us then to
23 sell in the state of California.

24 Q. Are you referring to certificates of
25 analysis that ChromaDex sent to Elysium when Elysium

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C E R T I F I C A T E

I, VICTORIA RUSSO, a Certified Shorthand Reporter and Notary Public within and for the States of New York and New Jersey, do hereby certify:

I reported the proceedings in the within-entitled matter, and that the within transcript is a true record of such proceedings.

I further certify that I am not related, by blood or marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of December, 2018.



VICTORIA RUSSO
Registration No. 01RU4849015
Notary Public for the State of New York
My commission expires: October 31, 2021
Registration No. 2347397
Notary Public for the State of New Jersey
My commission expires: July 20, 2021