

Exhibit 22

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10 *Attorneys for Plaintiff and Counter-Defendant*
11 *ChromaDex, Inc.*

12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14 **(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.

Case No. SACV 16-02277-CJC(DFMx)

**CHROMADEx, INC.’S AMENDED AND
SUPPLEMENTAL RESPONSES TO
ELYSIUM HEALTH, INC.’S SECOND SET
OF INTERROGATORIES**

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**CHROMADEx’S AMENDED AND SUPP. RESPONSES
TO ELYSIUM’S 2ND SET OF INTERROGATORIES
SACV 16-2277-CJC (DFMx)**

1.

28

1 **PROPOUNDING PARTY: ELYSIUM HEALTH, INC.**

2 **RESPONDING PARTY: CHROMADEx, INC.**

3 **SET NUMBER: TWO (Nos. 10-15)**

4 Pursuant to Federal Rule of Civil Procedure 33, Plaintiff and Counterdefendant
5 ChromaDex, Inc. (“ChromaDex” or “Plaintiff”) supplements or amends its Responses
6 to Defendant and Counterclaimant Elysium Health, Inc.’s (“Elysium” or “Defendant”)
7 Second Set of Interrogatories, which were served on November 2, 2018 and November
8 16, 2018.

9 **I. GENERAL RESPONSES.**

10 Plaintiff hereby incorporates its general responses to Defendant’s First Set of
11 Interrogatories, served on October 6, 2017.

12 Plaintiff has identified, after meeting and conferring with counsel for Elysium
13 regarding its Responses to Interrogatories requesting that Plaintiff identify supply
14 agreements related to nicotinamide riboside (“NR”), tentative agreements with partners
15 where there was no executed agreement that could be identified following a reasonable
16 search. The identification of these tentative agreements is included in the Responses
17 below solely for the purpose of avoiding the costs and burden of motion practice and is
18 not a representation that the tentative agreements were in anyway binding on the
19 relevant parties.

20 **II. GENERAL OBJECTIONS.**

21 Plaintiff hereby incorporates its general objections made in response to
22 Defendant’s First Set of Interrogatories, served on October 6, 2017.

23 **III. SPECIFIC OBJECTIONS AND RESPONSES TO INTERROGATORIES.**

24 Without waiving or limiting in any manner any of the foregoing General
25 Objections, but rather incorporating them into each of the following responses to the
26 extent applicable, Plaintiff responds to the specific interrogatories in Defendant’s
27 Second Set of Interrogatories as follows:

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1 **INTERROGATORY NO. 10:**

2 Identify each person to whom ChromaDex has supplied nicotinamide riboside,
3 and for each such person, (a) identify any license or supply agreement for nicotinamide
4 riboside; (b) identify any license to the NIAGEN mark; and (c) state whether the person
5 used the NIAGEN mark on products.

6 **AMENDED RESPONSE TO INTERROGATORY NO. 10:**

7 Plaintiff objects to the Interrogatory as overbroad and unduly burdensome to the
8 extent it requires Plaintiff to “state whether the person used the NIAGEN mark on
9 products” because Plaintiff construes the Interrogatory as seeking information or
10 documents not in Plaintiff’s possession, custody, or control. Plaintiff will not undertake
11 an obligation to investigate or discover information or materials from third parties or
12 services, or from public sources, both of which are equally accessible to Defendant.
13 Plaintiff also objects to the Interrogatory as overly burdensome to the extent it requests
14 information created before June 1, 2013 and after February 28, 2018. Plaintiff also
15 objects to the Interrogatory to the extent it calls for material protected by the attorney
16 work-product doctrine.

17 Subject to and without waiving any of its objections, pursuant to Federal Rule of
18 Civil Procedure 33(d), Plaintiff has conducted a reasonable search for documents
19 responsive to this Interrogatory, and responds that the answer to the Interrogatory
20 between June 1, 2013 and February 28, 2018, insofar as it is available to Plaintiff, can
21 be derived by examining the documents beginning at the following Bates numbers
22 already produced by Plaintiff in this action:

- 23 • CDXCA_00008673
- 24 • CDXCA_00047340
- 25 • CDXCA_00008471
- 26 • CDXCA_00008475
- 27 • CDXCA_00008496
- 28 • CDXCA_00008508

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- 1 • CDXCA_00008533
- 2 • CDXCA_00008604
- 3 • CDXCA_00008653
- 4 • CDXCA_00008672
- 5 • CDXCA_00008683
- 6 • CDXCA_00008700
- 7 • CDXCA_00008788
- 8 • CDXCA_00008876
- 9 • CDXCA_00008878
- 10 • CDXCA_00008903
- 11 • CDXCA_00008919
- 12 • CDXCA_00009098
- 13 • CDXCA_00024270
- 14 • CDXCA_00027271
- 15 • CDXCA_00027383
- 16 • CDXCA_00027542
- 17 • CDXCA_00027585
- 18 • CDXCA_00027740
- 19 • CDXCA_00047391
- 20 • CDXCA_00047958
- 21 • CDXCA_00052193
- 22 • CDXCA_00059152
- 23 • CDXCA_00053217
- 24 • CDXCA_00053298
- 25 • CDXCA_00053764
- 26 • CDXCA_00054597
- 27 • CDXCA_00055065
- 28 • CDXCA_00055655

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- 1 • CDXCA_00055669
- 2 • CDXCA_00062195
- 3 • CDXCA_00062202
- 4 • CDXCA_00070003
- 5 • CDXCA_00076712
- 6 • CDXCA_00079069
- 7 • CDXCA_00118906
- 8 • CDXCA_00119832
- 9 • CDXCA_00119851
- 10 • CDXCA_00119856
- 11 • CDXCA_00125845
- 12 • CDXCA_00127999
- 13 • CDXCA_00130686
- 14 • CDXCA_00131219
- 15 • CDXCA_00195595
- 16 • CDXCA_00210959
- 17 • CDXCA_00211991
- 18 • CDXCA_00212020
- 19 • CDXCA_00214427
- 20 • CDXCA_00070177
- 21 • CDXCA_00221789
- 22 • CDXCA_00228738
- 23 • CDXCA_00229393
- 24 • CDXCA_00237081
- 25 • CDXCA_00262712
- 26 • CDXCA_00262716
- 27 • CDXCA_00262820
- 28 • CDXCA_00275590

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**CHROMADEx's AMENDED AND SUPP. RESPONSES
TO ELYSIUM'S 2ND SET OF INTERROGATORIES
SACV 16-2277-CJC (DFMx)**

5.

- 1 • CDXCA_00276188
- 2 • CDXCA_00276219
- 3 • CDXCA_00080964
- 4 • CDXCA_00429718
- 5 • CDXCA_00429793
- 6 • CDXCA_00429932
- 7 • CDXCA_00429948
- 8 • CDXCA_00429956
- 9 • CDXCA_00429957
- 10 • CDXCA_00429958
- 11 • CDXCA_00429959
- 12 • CDXCA_00429960
- 13 • CDXCA_00429962
- 14 • CDXCA_00005445
- 15 • CDXCA_00008517
- 16 • CDXCA_00008790
- 17 • CDXCA_00008887
- 18 • CDXCA_00008928
- 19 • CDXCA_00008958
- 20 • CDXCA_00024284
- 21 • CDXCA_00024343
- 22 • CDXCA_00027257
- 23 • CDXCA_00027279
- 24 • CDXCA_00027521
- 25 • CDXCA_00027632
- 26 • CDXCA_00027669
- 27 • CDXCA_00027735
- 28 • CDXCA_00047818

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**CHROMADEx's AMENDED AND SUPP. RESPONSES
TO ELYSIUM'S 2ND SET OF INTERROGATORIES
SACV 16-2277-CJC (DFMx)**

6.

- 1 • CDXCA_00053211
- 2 • CDXCA_00053291
- 3 • CDXCA_00053772
- 4 • CDXCA_00055664
- 5 • CDXCA_00057153
- 6 • CDXCA_00057328
- 7 • CDXCA_00077667
- 8 • CDXCA_00077668
- 9 • CDXCA_00125184
- 10 • CDXCA_00131228
- 11 • CDXCA_00140852
- 12 • CDXCA_00160238
- 13 • CDXCA_00169940
- 14 • CDXCA_00276169
- 15 • CDXCA_00055678
- 16 • CDXCA_00429638
- 17 • CDXCA_00422033

18 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 10:**

19 Plaintiff incorporates by reference its General Responses and General Objections
20 stated above, as well as its prior responses to Interrogatory No. 10.

21 Subject to and without waiving any of its objections, Plaintiff hereby supplements
22 its response to Interrogatory No. 10 to include the information below, and, pursuant to
23 Federal Rule of Civil Procedure 33(d), to incorporate by reference its Second
24 Supplemental Responses to Interrogatory Nos. 1 and 3, and the documents beginning at
25 the following Bates numbers already produced by Plaintiff in this action, which were
26 identified pursuant to a reasonable search for documents responsive to this
27 Interrogatory, and the following information, which is **EXHIBIT 22** designated
28 “CONFIDENTIAL” under the Protective Order entered in this action **Page 322**:

Party	Supply Agreement(s)	Trademark License	Trademark used?
4Excelsior (aka Excelsior Nutrition, Inc.) (CMO for Asia Capital Resources Holdings Ltd. and Brain Forza)	CDXCA_00052193 CDXCA_00429956	--	N/A
5 Linx Enterprises Inc.	CDXCA_00062195 CDXCA_00062202 CDXCA_00008475 CDXCA_00008471	--	Yes
Adept Life Science, LLC (CMO for Evolved Organics, LLC)	CDXCA_00008496	--	N/A
Advanced Rejuvenation Institute	--	--	Unknown
Alivebynature, Inc.	CDXCA_00008508	CDXCA_00008517	Yes
AlternaScript, LLC	--	CDXCA_00027257	Yes
Archon Vitamin Corporation (CMO for Specialty Nutrition Group)	--	--	N/A
Archway Apothecary	--	--	Unknown
Asia Capital Resources Holdings Ltd. (aka Vitascell.com)	CDXCA_00076712	--	Yes
Barology Bar LLC	CDXCA_00027271 CDXCA_00008533	CDXCA_00027279	Yes
BPI Sports	CDXCA_00024270 CDXCA_00262712 CDXCA_00262716	--	Yes
Brain Forza	CDXCA_00213745 CDXCA_00433191	--	N/A
Capstone Nutrition (CMO for MusclePharm and Specialty Nutrition Group)	--	--	N/A
Central Drug	--	--	Unknown
Coast Compounding Pharmacy	CDXCA_00192567	--	Unknown
College Pharmacy	CDXCA_00193243	--	Unknown
Comind Yang	CDXCA_00052016	--	Unknown
Complementary Compounding Services	CDXCA_00193583	--	Unknown
Doctor's Best Inc.	CDXCA_00430489	--	Yes
Dr. David Peretz (aka Tasty Tubes Factory, LLC)	--	--	Unknown
Elysium Health, Inc.	CDXCA_00118906 CDXCA_00027383	CDXCA_00169940	No
Evolved Organics, LLC	CDXCA_00055065 CDXCA_00131219	CDXCA_00131228	Yes
Factors Group of Nutritional Companies, Inc.	CDXCA_00228738	--	Yes
Global Radiant Health	CDXCA_00070003	--	Unknown
Golden Hippo Media (formerly, Living Cell Research and Whole Body Research)	CDXCA_00086975 CDXCA_00196920	CDXCA_00077667 CDXCA_00077668	Yes
Hayden Pharmaceuticals	--	--	Unknown
Healthspan Research LLC	CDXCA_00059152	--	Yes

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Party	Supply Agreement(s)	Trademark License	Trademark used?
Healthy Directions, LLC	CDXCA_00127999 CDXCA_00429962	CDXCA_00057153	Yes
High Performance Nutrition LLC (aka HPN)	CDXCA_00008604 CDXCA_00237081 CDXCA_00429948 CDXCA_00429960	CDXCA_00024284	Yes
Ignite Health, Inc.	CDXCA_00047340	CDXCA_00125184	N/A
Innocutis Holdings, LLC	CDXCA_00233906		Unknown
Innovations 4 Health LLC	--	--	Unknown
The International Eye Wellness Institute, Inc.	CDXCA_00055669	CDXCA_00055678	Unknown
Jarrow Formulas, Inc.	CDXCA_00276188 CDXCA_00276219 CDXCA_00221789	CDXCA_00027521	Yes
Jay Cutler Elite	CDXCA_00027542	--	Unknown
JW Nutritional LLC (CMO for Vorlo, Inc.)	CDXCA_00008653	--	N/A
Leonardi Medical Institute	CDXCA_00027585 CDXCA_00429957	--	Unknown
Lief Organics (CMO for Medici Pharmaceutical, Inc., Leonardi Medical Institute, Healthspan Research LLC)	--	--	N/A
Life In Balance Health LLC (aka Nutranatomy)	CDXCA_00053217	CDXCA_00053211	Yes
MAAC10	CDXCA_00152820 CDXCA_00027653 CDXCA_00146312	CDXCA_00030410	No
Manhattan Drug Co. (CMO for Life Extension)	CDXCA_00008683	--	N/A
Medici Pharmaceutical, Inc.	CDXCA_00240927	CDXCA_00027669	Unknown
Metabolic Code Enterprises, Inc.	CDXCA_00080964	CDXCA_00005445	Unknown
MitoCore	--	--	Unknown
Multivitamin Direct	CDXCA_00212020	CDXCA_00160238	Unknown
Musclepharm Corporation	CDXCA_00098313	CDXCA_00057328	Yes
Myolibria	--	--	Unknown
Natural Alternatives International	CDXCA_00106723	--	Unknown
Natural Factors	CDXCA_00151639	--	Yes
Natural Vitamins Laboratory Inc. (CMO for Smart City)	CDXCA00177023	--	Unknown
Nature's Value (CMO for Life Extension)	--	--	N?A
Nectar7 LLC	CDXCA_00130686 CDXCA_00119832 CDXCA_00119851 CDXCA_00008700	--	Yes
Nexgen Pharma (aka Vitaceutical Labs) (CMO for CVS Pharmacy, Inc.)	CDXCA_00027740 CDXCA_00429958	CDXCA_00027735	Unknown
NIG Europe Ltd. (CMO for Ignite Health, Inc.)	CDXCA_00054597	--	N/A

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Party	Supply Agreement(s)	Trademark License	Trademark used?
Nordic Clinical, Inc.	--	--	Yes
Novo Nordisk A/S	--	--	Unknown
Nutra Solutions USA (CMO for Vitamonk)	CDXCA_00047391	--	N/A
Nutri-Force Nutrition	CDXCA_00158108	--	Unknown
Opko Health, Inc.	CDXCA_00207835 CDXCA_00429793	--	Unknown
Partell Pharmacy	--	--	Unknown
PCCA	--	--	Unknown
PD Labs	--	--	Unknown
Pharma Science Nutrients, Inc. (CDI)	--	--	Unknown
Pharmacy Innovations	--	--	Unknown
Pretiva, LLC	CDXCA_00210959 CDXCA_00429916 CDXCA_00008788	CDXCA_00086303	No
Procter and Gamble Co.	--	--	Unknown
ProHealth, Inc.	CDXCA_00053764	CDXCA_00053772	Yes
ProTec Laboratories	--	--	Unknown
Quality Supplements and Vitamins, Inc. (aka Life Extension)	CDXCA_00125845 CDXCA_00262820	CDXCA_00027632	Yes
Radishing Medical LLC (aka TreatMNT)	CDXCA_00211991	--	N/A
Rejuvenation Therapeutics Corp.	CDXCA_00275590	--	Unknown
SBC Intercontinental, Inc.	CDXCA_00157330	--	Unknown
Shenzhen Longerlive Technology Co.	CDXCA_00214427	--	Unknown
Signature Supplements	CDXCA_00433901	--	Unknown
SK Labs	--	--	Unknown
SM Empreendimentos Farmaceuticos Ltda (aka Fagron)	CDXCA_00008876 CDXCA_00008878	CDXCA_00008887	Unknown
Sovereign Natural Health	--	--	Unknown
Specialty Compounding	--	--	Unknown
Specialty Nutrition Group, Inc. (related to General Nutrition Centers, Inc.)	CDXCA_00244252		Yes
Starr Holdings, Ltd.	--	--	Unknown
Super Pharmacy	--	--	Unknown
Surecare Specialty Pharmacy	--	--	Unknown
Suzi Alter	CDXCA_00186817 CDXCA_00186819	--	Unknown
Thorne Research, Inc.	CDXCA_00079069 CDXCA_00047958 CDXCA_00008919	CDXCA_00008928	No
Threshold Enterprises	--		Unknown
Thrive Now Health LLC	CDXCA_00055655 CDXCA_00119856	CDXCA_00008958 CDXCA_00053772	Yes
Tishcon Corp.(CMO for Healthy Directions and Elysium Health)	--	--	N/A
Tranquil Healing Center	--	--	Unknown
Uckele Health & Nutrition	--	--	Unknown

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Party	Supply Agreement(s)	Trademark License	Trademark used?
VitaCell International Co., Ltd.	--	--	Yes
Vitaquest International LLC (formerly Garden State Nutritional) (CMO for Nordic Clinical)	CDXCA_00009098		N/A
Venom Marketing LLC (formerly Nutrition & Beauty)	CDXCA_00246916	CDXCA_00024343	Unknown
Vitamonk LLC	CDXCA_00053298	CDXCA_00053291	Yes
Vorlo, Inc. (aka Per Vitam)	CDXCA_00195595	CDXCA_00047818	Yes
Watson's The Chemist, Ltd.	--	--	Unknown
West Lindfield Pharmacy	CDXCA_00210567	--	Unknown

INTERROGATORY NO. 11:

Describe how ChromaDex’s channels of distribution for nicotinamide riboside in the United States changed over time, including without limitation whether and when ChromaDex began offering nicotinamide riboside directly to consumers and whether and when ChromaDex ceased selling, supplying or licensing nicotinamide riboside to others.

RESPONSE TO INTERROGATORY NO. 11:

Plaintiff objects to the Interrogatory as vague, ambiguous, and not reasonably specific insofar as it requests a description of Plaintiff’s “channels of distribution.” Plaintiff also objects to the Interrogatory as overly burdensome to the extent it requests information created before June 1, 2013 and after February 28, 2018. Plaintiff also objects to the Interrogatory to the extent it seeks information that is not relevant to any party’s claims or defenses. Plaintiff also objects to the Interrogatory insofar as it seeks information protected by the attorney work-product doctrine.

Subject to and without waiving any of its objections, Plaintiff responds that, on March 12, 2017, ChromaDex acquired a direct-to-consumer internet based selling business model when it acquired all outstanding shares of Healthspan Research, LLC. Plaintiff further responds, pursuant to Federal Rule of Civil Procedure 33(d), that Plaintiff has conducted a reasonable search for documents responsive to this Interrogatory, and the remaining answer to the Interrogatory can be derived by examining the documents beginning at the following Bates numbers already produced

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1 by Plaintiff in this action:

- 2 • CDXCA_00429951
- 3 • CDXCA_00429957
- 4 • CDXCA_00429955
- 5 • CDXCA_00429954
- 6 • CDXCA_00429943
- 7 • CDXCA_00429952
- 8 • CDXCA_00429953
- 9 • CDXCA_00429718
- 10 • CDXCA_00008673
- 11 • CDXCA_00047340
- 12 • CDXCA_00008471
- 13 • CDXCA_00008475
- 14 • CDXCA_00008496
- 15 • CDXCA_00008508
- 16 • CDXCA_00008533
- 17 • CDXCA_00008604
- 18 • CDXCA_00008653
- 19 • CDXCA_00008672
- 20 • CDXCA_00008683
- 21 • CDXCA_00008700
- 22 • CDXCA_00008788
- 23 • CDXCA_00008876
- 24 • CDXCA_00008878
- 25 • CDXCA_00008903
- 26 • CDXCA_00008919
- 27 • CDXCA_00009098
- 28 • CDXCA_00024271

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- 1 • CDXCA_00027271
- 2 • CDXCA_00027271
- 3 • CDXCA_00027279
- 4 • CDXCA_00027383
- 5 • CDXCA_00027542
- 6 • CDXCA_00027585
- 7 • CDXCA_00027740
- 8 • CDXCA_00047391
- 9 • CDXCA_00047958
- 10 • CDXCA_00052193
- 11 • CDXCA_00059152
- 12 • CDXCA_00053217
- 13 • CDXCA_00053298
- 14 • CDXCA_00053764
- 15 • CDXCA_00054597
- 16 • CDXCA_00055065
- 17 • CDXCA_00055656
- 18 • CDXCA_00055669
- 19 • CDXCA_00062195
- 20 • CDXCA_00062202
- 21 • CDXCA_00070003
- 22 • CDXCA_00076712
- 23 • CDXCA_00079069
- 24 • CDXCA_00118906
- 25 • CDXCA_00119832
- 26 • CDXCA_00119851
- 27 • CDXCA_00119856
- 28 • CDXCA_00125845

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- 1 • CDXCA_00127999
- 2 • CDXCA_00130686
- 3 • CDXCA_00131219
- 4 • CDXCA_00195595
- 5 • CDXCA_00210959
- 6 • CDXCA_00211991
- 7 • CDXCA_00212020
- 8 • CDXCA_00214427
- 9 • CDXCA_00215191
- 10 • CDXCA_00221789
- 11 • CDXCA_00228738
- 12 • CDXCA_00229393
- 13 • CDXCA_00237081
- 14 • CDXCA_00262712
- 15 • CDXCA_00262716
- 16 • CDXCA_00262820
- 17 • CDXCA_00275590
- 18 • CDXCA_00276188
- 19 • CDXCA_00276219
- 20 • CDXCA_00809604
- 21 • CDXCA_00429813
- 22 • CDXCA_00429960
- 23 • CDXCA_00429963
- 24 • CDXCA_00429961
- 25 • CDXCA_00429753
- 26 • CDXCA_00429964
- 27 • CDXCA_00429959
- 28 • CDXCA_00429962

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**CHROMADEx's AMENDED AND SUPP. RESPONSES
TO ELYSIUM'S 2ND SET OF INTERROGATORIES
SACV 16-2277-CJC (DFMx)**

14.

- 1 • CDXCA_00429966
- 2 • CDXCA_00274379
- 3 • CDXCA_00276241
- 4 • CDXCA_00008479
- 5 • CDXCA_00008479
- 6 • CDXCA_00262845
- 7 • CDXCA_00008505
- 8 • CDXCA_00008506
- 9 • CDXCA_00008570
- 10 • CDXCA_00008590
- 11 • CDXCA_00257300
- 12 • CDXCA_00262827
- 13 • CDXCA_00262823
- 14 • CDXCA_00262835
- 15 • CDXCA_00262861
- 16 • CDXCA_00262825
- 17 • CDXCA_00262829
- 18 • CDXCA_00008674
- 19 • CDXCA_00262851
- 20 • CDXCA_00008682
- 21 • CDXCA_00262830
- 22 • CDXCA_00008787
- 23 • CDXCA_00276207
- 24 • CDXCA_00262855
- 25 • CDXCA_00276243
- 26 • CDXCA_00276211
- 27 • CDXCA_00262837
- 28 • CDXCA_00262849

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- 1 • CDXCA_00262847
- 2 • CDXCA_00274379
- 3 • CDXCA_00276207
- 4 • CDXCA_00429638

5 **AMENDED RESPONSE TO INTERROGATORY NO. 12:**

6 Plaintiff objects to the Interrogatory as vague, ambiguous, and not reasonably
7 specific insofar as it requests a description of Plaintiff’s “channels of distribution.”
8 Plaintiff further objects to the extent the Interrogatory seeks information that is publicly
9 available. Plaintiff will not undertake an obligation to investigate or discover
10 information or materials from third parties or services, or from public sources, both of
11 which are equally accessible to Defendant. Plaintiff also objects to the Interrogatory as
12 overly burdensome to the extent it requests information created before June 1, 2013 and
13 after February 28, 2018. Plaintiff also objects to the Interrogatory to the extent it seeks
14 information that is not relevant to any party’s claims or defenses. Plaintiff also objects
15 to the Interrogatory insofar as it seeks information protected by the attorney work-
16 product doctrine.

17 Subject to and without waiving any of its objections, Plaintiff responds that, on
18 March 12, 2017, ChromaDex acquired a direct-to-consumer internet based selling
19 business model when it acquired all outstanding shares of Healthspan Research, LLC.
20 Plaintiff further responds that Plaintiff has conducted a reasonable search for documents
21 responsive to this Interrogatory and pursuant to Federal Rule of Civil Procedure 33(d),
22 Plaintiff incorporates by reference its Amended Supplemental and Second
23 Supplemental Responses to Interrogatory Nos. 1 and 9, and the document beginning at
24 the Bates number CDXCA_00449733, which has already been produced by Plaintiff in
25 this action, and which were identified pursuant to a reasonable search for documents
26 responsive to this Interrogatory. Plaintiff further responds with the following
27 information regarding its NR customers’ “channels of distribution” which was
28 collected pursuant to a reasonable investigation, and which is herewith designated

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1 “CONFIDENTIAL” under the Protective Order entered in this action (Dkt. 180):

Party	Channel
4Excelsior (aka Excelsior Nutrition, Inc.) (CMO for Asia Capital Resources Holdings Ltd. and Brain Forza)	CMO
5 Linx Enterprises Inc.	MLM
Adept Life Science, LLC (CMO for Evolved Organics, LLC)	CMO
Advanced Rejuvenation Institute	Unknown
Alivebynature, Inc.	Internet
AlternaScript, LLC	Internet
7 Archon Vitamin Corporation (CMO for Specialty Nutrition Group)	CMO
8 Archway Apothecary	Compound Pharmacy
9 Asia Capital Resources Holdings Ltd. (aka Vitascell.com)	International/Internet
Barology Bar LLC	Internet
10 BPI Sports	Natural & Specialty/Internet
Brain Forza	Internet
11 Capstone Nutrition (CMO for MusclePharm and Specialty Nutrition Group)	CMO
12 Central Drug	Compound Pharmacy
Coast Compounding Pharmacy	Compound pharmacy
13 College Pharmacy	Compound Pharmacy
Comind Yang	International/internet
14 Complementary Compounding Services	Compound pharmacy
Doctor’s Best Inc.	Internet/specialty
15 Dr. David Peretz (aka Tasty Tubes Factory, LLC)	Unknown
Elysium Health, Inc.	Internet
16 Evolved Organics, LLC	Internet
Factors Group of Nutritional Companies, Inc.	Specialty/Internet
17 Global Radiant Health	Unknown
18 Golden Hippo Media (formerly, Living Cell Research and Whole Body Research)	Internet
Hayden Pharmaceuticals	Compound Pharmacy
19 Healthspan Research LLC	Internet
Healthy Directions, LLC	Specialty/Internet
20 High Performance Nutrition LLC (aka HPN)	Internet
Ignite Health, Inc.	Internet
21 Innocutis Holdings, LLC	Unknown
22 Innovations 4 Health LLC	Internet
The International Eye Wellness Institute, Inc.	Unknown
23 Jarrow Formulas, Inc.	Natural & Specialty/Internet
Jay Cutler Elite	Internet
24 JW Nutritional LLC (CMO for Vorlo, Inc.)	CMO
Leonardi Medical Institute	Internet
25 Lief Organics (CMO for Medici Pharmaceutical, Inc., Leonardi Medical Institute, Healthspan Research LLC)	CMO
26 Life In Balance Health LLC (aka Nutranatomy)	Internet
MAAC10	Internet
27 Manhattan Drug Co. (CMO for Life Extension)	EXHIBIT 22
Medici Pharmaceutical, Inc.	Internet
28 Metabolic Code Enterprises, Inc.	Unknown Page 332

Party	Channel
MitoCore	Personal use
Multivitamin Direct	Internet
Musclepharm Corporation	Internet/Specialty
Myolibria	Unknown
Natural Alternatives International	CMO
Natural Factors	International Natural & Specialty
Natural Vitamins Laboratory Inc. (CMO for Smart City)	International
Nature's Value (CMO for Life Extension)	CMO
Nectar7 LLC	Internet
Nexgen Pharma (aka Vitaceutical Labs) (CMO for CVS Pharmacy, Inc.)	CMO
NIG Europe Ltd. (CMO for Ignite Health, Inc.)	CMO
Nordic Clinical, Inc.	Mail Order
Novo Nordisk A/S	Unknown
Nutra Solutions USA (CMO for Vitamonk)	CMO
Nutri-Force Nutrition	CMO
Opko Health, Inc.	Unknown
Partell Pharmacy	Compound Pharmacy
PCCA	Compound pharmacy
PD Labs	Compound Pharmacy
Pharma Science Nutrients, Inc. (CDI)	Unknown
Pharmacy Innovations	Compound Pharmacy
Pretiva, LLC	Internet
Procter and Gamble Co.	Research samples
ProHealth, Inc.	Internet
ProTec Laboratories	CMO
Quality Supplements and Vitamins, Inc. (aka Life Extension)	Mail Order
Radishing Medical LLC (aka TreatMNT)	Natural & Specialty
Rejuvenation Therapeutics Corp.	Internet
SBC Intercontinental, Inc.	Compound Pharmacy
Shenzhen Longerlive Technology Co.	International
Signature Supplements	Compound Pharmacy
SK Labs	CMO
SM Empreendimentos Farmaceuticos Ltda (aka Fagron)	Compound Pharmacy/Brazil
Sovereign Natural Health	Compound pharmacy
Specialty Compounding	Compound Pharmacy
Specialty Nutrition Group, Inc. (related to General Nutrition Centers, Inc.)	Natural & Specialty
Starr Holdings, Ltd.	Unknown
Super Pharmacy	Compound Pharmacy
Surecare Specialty Pharmacy	Compound Pharmacy
Suzi Alter	Internet
Thorne Research, Inc.	Practitioner
Threshold Enterprises	Natural & Specialty/Internet
Thrive Now Health LLC	Internet
Tishcon Corp.(CMO for Healthy Directions and Elysium Health)	CMO
Tranquil Healing Center	Unknown
Uckele Health & Nutrition	Int

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Party	Channel
VitaCell International Co., Ltd.	Internet
Vitaquest International LLC (formerly Garden State Nutritional) (CMO for Nordic Clinical)	CMO
Venom Marketing LLC (formerly Nutrition & Beauty)	Mail Order
Vitamonk LLC	Internet
Vorlo, Inc. (aka Per Vitam)	Internet
Watson's The Chemist, Ltd.	Retail drug/Pharmacy chain
West Lindfield Pharmacy	Compound Pharmacy

INTERROGATORY NO. 12:

Provide an accounting sufficient to show the profitability of ChromaDex's sales of nicotinamide riboside on a monthly basis, including but not limited to:

- a. payments or expenditures made by ChromaDex for the manufacturing of nicotinamide riboside on a monthly basis, including the identity of any manufacturer(s), total payments paid or expenditures incurred, and total quantity of nicotinamide riboside corresponding to such payments or expenditures;
- b. payments by ChromaDex for licensing any patent covering ChromaDex's use, manufacturing or sale of nicotinamide riboside on a monthly basis, including the identity of the licensor(s), total paid to the licensor(s), and, if applicable, total quantity of nicotinamide riboside corresponding to each payment;
- c. sales and marketing expenses per month, and identify the portion attributable to nicotinamide riboside; and
- d. payments received by ChromaDex for the purchase of nicotinamide riboside on a monthly basis, including the identity of the purchaser(s), total payments received, and total quantity of nicotinamide riboside sold.

RESPONSE TO INTERROGATORY NO. 13:

Plaintiff objects to this Request on the grounds that it seeks information that is not relevant to this litigation because ChromaDex's marketing and the sales of ingredients other than NIAGEN are not related to the claims or defenses of any party in this litigation, and the cost of marketing NR is not related to the claims or defenses of any party in this litigation. Plaintiff objects to the Interrogatory as vague, ambiguous,

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1 and not reasonably specific insofar as it requests information concerning “payments
2 received by ChromaDex for the purchase of nicotinamide riboside.” Plaintiff objects to
3 the Interrogatory as overly burdensome to the extent it requests information created
4 before June 1, 2013 and after February 28, 2018. Plaintiff also objects to the
5 Interrogatory to the extent it seeks discovery of information protected by the attorney
6 work-product doctrine.

7 Subject to and without waiving any of its objections, pursuant to Federal Rule of
8 Civil Procedure 33(d), Plaintiff has conducted a reasonable search for documents
9 responsive to this Interrogatory, and responds that the answer to the Interrogatory can
10 be derived by examining the documents beginning at the following Bates numbers
11 already produced by Plaintiff in this action:

- 12 • CDXCA_00429638
- 13 • CDXCA_00205594
- 14 • CDXCA_00222594
- 15 • CDXCA_00258740
- 16 • CDXCA_00224519
- 17 • CDXCA_00167182
- 18 • CDXCA_00165109
- 19 • CDXCA_00164368
- 20 • CDXCA_00163869
- 21 • CDXCA_00163788
- 22 • CDXCA_00430067
- 23 • CDXCA_00081714
- 24 • CDXCA_00430064
- 25 • CDXCA_00102233
- 26 • CDXCA_00101014
- 27 • CDXCA_00100754
- 28 • CDXCA_00100532

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**CHROMADDEX’S AMENDED AND SUPP. RESPONSES
TO ELYSIUM’S 2ND SET OF INTERROGATORIES
SACV 16-2277-CJC (DFMx)**

- 1 • CDXCA_00141076
- 2 • CDXCA_00161193
- 3 • CDXCA_00163814
- 4 • CDXCA_00160612
- 5 • CDXCA_00160609
- 6 • CDXCA_00419910
- 7 • CDXCA_00419915
- 8 • CDXCA_00419935
- 9 • CDXCA_00419964
- 10 • CDXCA_00419999

11 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 14:**

12 Plaintiff incorporates by reference its General Responses and General Objections
13 stated above, as well as its prior responses to Interrogatory No. 14.

14 Subject to and without waiving any of its objections, pursuant to Federal Rule of
15 Civil Procedure 33(d), Plaintiff hereby supplements its response to Interrogatory No.
16 14 to include the documents beginning at the following Bates numbers already produced
17 by Plaintiff in this action, which were identified pursuant to a reasonable search for
18 documents responsive to this Interrogatory:

- 19 • CDXCA_00449753
- 20 • CDXCA_00449733
- 21 • CDXCA_00438053
- 22 • CDXCA_00438051
- 23 • CDXCA_00438049
- 24 • CDXCA_00438045
- 25 • CDXCA_00438055
- 26 • CDXCA_00438072
- 27 • CDXCA_00438073
- 28 • CDXCA_00438047

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- 1 • CDXCA_00438066
- 2 • CDXCA_00438063
- 3 • CDXCA_00438060
- 4 • CDXCA_00438069
- 5 • CDXCA_00160609
- 6 • CDXCA_00438074

7 **INTERROGATORY NO. 13:**

8 Describe all advertising campaigns for nicotinamide riboside undertaken by
9 ChromaDex, if any, and state how much ChromaDex has spent on such campaign(s).

10 **RESPONSE TO INTERROGATORY NO. 15:**

11 Plaintiff objects to the Interrogatory as overbroad and unduly burdensome to the
12 extent it requests a description of “all” advertising campaigns for nicotinamide riboside.
13 Plaintiff objects to the Interrogatory as vague, ambiguous, and not reasonably specific
14 insofar as it requests information regarding “advertising campaigns for nicotinamide
15 riboside.” Plaintiff also objects to the Interrogatory as overly burdensome to the extent
16 it requests information created before June 1, 2013 and after February 28, 2018. Plaintiff
17 also objects to this Request on the grounds that it seeks information that is not relevant
18 to this litigation because the cost of marketing NR is not related to the claims or defenses
19 of any party in this litigation. Plaintiff further objects on the grounds that the
20 Interrogatory is not proportional to the needs of the case considering (1) the marginal
21 importance of the information to the claims and defenses in this litigation and (2) the
22 substantial cost to respond to the Interrogatory balanced against the amount in
23 controversy. Plaintiff objects to this Interrogatory to the extent it seeks discovery of
24 information or documents protected by the attorney work-product doctrine.

25 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 16:**

26 Plaintiff incorporates by reference its General Responses and General Objections
27 stated above, as well as its prior responses to Interrogatory No. 15. Plaintiff further
28 objects to the extent the Interrogatory seeks a description of information publicly

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1 available. Plaintiff will not undertake an obligation to “describe” information or
2 materials that can be found in public sources which are equally accessible to Defendant.

3 Subject to and without waiving any of its objections, pursuant to Federal Rule
4 of Civil Procedure 33(d), Plaintiff hereby supplements its response to Interrogatory
5 No. 15 to include the documents beginning at the following Bates numbers already
6 produced by Plaintiff in this action, which were identified pursuant to a reasonable
7 search for documents responsive to this Interrogatory:

- 8 • CDXCA_00449753
- 9 • CDXCA_00313215
- 10 • CDXCA_00176123
- 11 • CDXCA_00243026
- 12 • CDXCA_00243026
- 13 • CDXCA_00275759
- 14 • CDXCA_00251546
- 15 • CDXCA_00249875
- 16 • CDXCA_00029376
- 17 • CDXCA_00092764
- 18 • CDXCA_00056098

19
20 Dated: February 19, 2019

COOLEY LLP
BARRETT J. ANDERSON (318539)

21
22
23 /s/ Barrett J. Anderson
Barrett J. Anderson

24 *Attorneys for Plaintiff and Counter-*
25 *Defendant ChromaDex, Inc.*

26
27 **EXHIBIT 22**

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28
23. CHROMADDEX’S AMENDED AND SUPP. RESPONSES
TO ELYSIUM’S 2ND SET OF INTERROGATORIES
SACV 16-2277-CJC (DFMx)

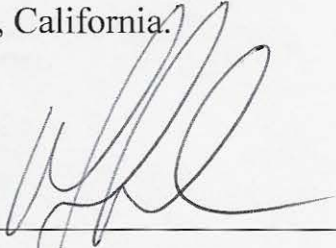
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VERIFICATION – ChromaDex, Inc.

I, the undersigned, declare:

I am employed by ChromaDex, Inc. (“ChromaDex”) as the General Counsel and Corporate Secretary. I am authorized to make this verification on ChromaDex’s behalf. I have read the foregoing “ChromaDex, Inc.’s Amended and Supplemental Responses to Elysium Health, Inc.’s Second Set of Interrogatories” and know its contents. On the matters to which I have personal knowledge, I certify or declare that the matters stated are true and correct to the best of my abilities. On the matters to which I do not have personal knowledge, I am informed and believe and on that ground certify or declare that the matters stated are true and correct to the best of my abilities.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed by me on this 19th day of February, 2019 in Los Angeles, California.



Sign Name

Mark Friedman

Print Name

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