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20 **UNITED STATES DISTRICT COURT**
 21 **CENTRAL DISTRICT OF CALIFORNIA**
 22 **(WESTERN DIVISION)**

23 ChromaDex, Inc.,
 24 Plaintiff,
 25 v.
 26 Elysium Health, Inc.,
 27 Defendant.

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

**JOINT STIPULATION TO REQUEST THE
 COURT MODIFY THE SCHEDULING
 ORDER**

Judge: Hon. Cormac J. Carney

28 Elysium Health, Inc.,
 Counterclaimant,
 v.
 ChromaDex, Inc.,
 Counter-Defendant.

Discovery Cut-Off: December 21, 2018
 Pretrial Conference: March 25, 2019
 Trial: April 2, 2018

1 **WHEREAS**, on December 29, 2016, ChromaDex, Inc. (“ChromaDex”) initiated
2 this action against Elysium Health, Inc. (“Elysium”);

3 **WHEREAS**, on January 25, 2017, Elysium filed counterclaims against
4 ChromaDex;

5 **WHEREAS**, both parties have amended their pleadings several times during the
6 course of this action;

7 **WHEREAS**, on March 30, 2018, the Court amended the scheduling order and
8 extended the case schedule and trial by three months to accommodate additional
9 discovery related to the Third Amended Counterclaims filed by Elysium the same day,
10 [Dkt. 99];

11 **WHEREAS**, on July 24, 2018, the Court amended the scheduling order and
12 extended the case schedule and trial by three months to accommodate additional
13 discovery related to the Fourth Amended Complaint filed by ChromaDex on June 29,
14 2018, [Dkt. 114];

15 **WHEREAS**, since the Court last amended the scheduling order, ChromaDex
16 asserts that it has learned additional information through discovery that it seeks to
17 incorporate into a Fifth Amended Complaint containing additional claims against
18 Elysium and a new defendant, Mark Morris, an individual;

19 **WHEREAS**, Elysium does not oppose ChromaDex’s Motion for Leave to File
20 Fifth Amended Complaint, filed on November 8, 2018, [Dkt. 146];

21 **WHEREAS**, under the current Second Amended Scheduling Order, [Dkt. 114],
22 all discovery between the parties must be completed by December 21, 2018, and trial is
23 scheduled to begin on April 2, 2019;

24 **WHEREAS**, the parties have consulted and agreed that there is good cause
25 under Federal Rule of Civil Procedure 16(b) for an extension of the applicable deadlines
26 in this action to allow for additional discovery into the claims and defenses arising from
27 the proposed Fifth Amended Complaint and to eliminate any prejudice to the newly
28 added defendant;

1 **WHEREAS**, to allow for that additional discovery, the parties have agreed to
2 jointly request that the Court consent to a three-month extension of all applicable
3 deadlines in this action, including trial, under Rule 16(b);

4 **NOW, THEREFORE**, ChromaDex and Elysium, by and through their counsel
5 of record, hereby jointly request that this Court find good cause to amend the Scheduling
6 Order, instruct that all discovery shall be completed on or near April 5, 2019, set jury
7 trial to begin, based on the Court’s availability, on or near July 9, 2019, and modify all
8 other applicable Court deadlines to conform with those amended dates.

9 The parties expressly reserve all other rights and remedies with respect to the
10 pleadings in this action.

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12
13 Dated: November 8, 2018

COOLEY LLP

/s/ Barrett J. Anderson

Barrett J. Anderson

Attorneys for Plaintiff and Counter-
Defendant ChromaDex, Inc.

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18 *The filer, Barrett J. Anderson, attests that the other signatory listed, on whose
19 behalf the filing is submitted, concurs in the filing’s content and has authorized the
20 filing.*

21 Dated: November 8, 2018

BAKER & HOSTETLER LLP

/s/ Kristin L. Keranen

Kristin L. Keranen

Attorneys for Defendant and
Counterclaimant Elysium Health, Inc.