

Exhibit 53

**Redacted Version of Document
Proposed to be Filed Under Seal**

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

ChromaDex, Inc.,

Plaintiff,

v.

Elysium Health, Inc. and Mark
Morris,

Defendants.

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

Elysium Health, Inc.,

Counterclaimant,

v.

ChromaDex, Inc.,

Counter-Defendant.

EXPERT REPORT OF LANCE E. GUNDERSON

June 21, 2019

Date



Lance E. Gunderson

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

EXHIBIT 53

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ChromaDex's Trade Secrets Information at Issue

ChromaDex's Sales information, including the Ingredient Sales Spreadsheet	1
ChromaDex's NR [REDACTED] price paid to Grace	2
ChromaDex's research and development work regarding different salts for use in manufacturing NR	3
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Notes:

¹ ELY_0046025; ELY_0108750; ELY_0085617, Chat Nos. 4272, 15764, 55710, 55735.

² Deposition of Daniel Magda, December 13, 2018, pages 97-98, Deposition Exhibit 45 (ELY_0046699-700);

Deposition of Mark Morris, April 24, 2019, pages 291-292, Deposition Exhibit 204 at page 43 (ELY_0086517).

³ Deposition of [REDACTED] November 29, 2018, Deposition Exhibit 19 (ELY_0014923).

⁴ ELY_0107391.

ChromaDex's Trade Secrets, Confidential, and/or Proprietary Information at Issue ¹

Date(s)	Information	Document
Unknown		ELY_0032312, ELY_0032324
1/20/2014		CDXCA_00071552, CDXCA_00071573
6/12/2014		CDXCA_00071687, CDXCA_00071689
6/27/2014		ELY_0025263, ELY_0025279
4/17/2015		ELY_0022790, ELY_0022791, ELY_0022792, ELY_0022798, ELY_0022800, ELY_0022804
4/22/2015		ELY_0061092, ELY_0061094
6/30/2015		ELY_0029533, ELY_0029578
7/12/2015		ELY_0027213, ELY_0027256
7/12/2015		ELY_0027148, ELY_0027191
7/13/2015		ELY_0023479, ELY_0023522
7/13/2015		ELY_0032193, ELY_0032236
7/13/2015		ELY_0032238, ELY_0032281
July 15-18, 2015	Information regarding Live Cell's sales of NR-containing and other products and business strategies.	ELY_0108750
8/3/2015		ELY_0023570, ELY_0023616
8/4/2015		ELY_0027441, ELY_0027487
8/7/2015	Information regarding the identity of ChromaDex's business partner at General Nutrition Centers selling a product combining NIAGEN and pTeroPure.	ELY_0085617, Chat Nos. 15601-15603
8/26/2015		ELY_0023712, ELY_0023715
8/28/2015		ELY_0027681, ELY_0027682
~August 30, 2015	The amounts of Live Cell's NR purchases from ChromaDex.	ELY_0085617, Chat Nos. 55710, 55735
9/11/2015		ELY_0030960, ELY_0031006
9/11/2015		ELY_0032880, ELY_0032926
9/11/2015		ELY_0032948, ELY_0032994
9/16/2015		ELY_0033096, ELY_0033142
9/28/2015		ELY_0031168, ELY_0031213
9/28/2015		ELY_0031235, ELY_0031280
9/28/2015		ELY_0031101, ELY_0031146
9/29/2015		ELY_0024177, ELY_0024180
9/29/2015		ELY_0031302, ELY_0031347
9/29/2015		ELY_0033169, ELY_0033214
9/29/2015		ELY_0033236, ELY_0033281
9/29/2015		ELY_0061693, ELY_0061738
9/30/2015		ELY_0033303, ELY_0033348
10/2/2015		ELY_0031385, ELY_0031434
10/4/2015		ELY_0031466, ELY_0031511
10/4/2015		ELY_0061138, ELY_0061183
10/9/2015		CDXCA_00243552
10/13/2015		ELY_0013251, ELY_0013296
10/13/2015		ELY_0013402, ELY_0013447
10/13/2015		ELY_0024315, ELY_0024360
10/13/2015		ELY_0033404, ELY_0033449
10/13/2015		ELY_0061205, ELY_0061250
10/28/2015		ELY_0024551, ELY_0024596
10/28/2015		ELY_0024618, ELY_0024700

ChromaDex's Trade Secrets, Confidential, and/or Proprietary Information at Issue ¹

Date(s)	Information	Document
11/12/2015	Information regarding a Joint Development Agreement with a ChromaDex partner, including reasons the parties had for entering the agreement, the progress of related human studies, the amounts of milestone payments, the amounts of ingredients used in products, the nature of the exclusivity provided for in the agreement, and the length of negotiations.	ELY_0085617, Chat Nos. 15642 - 15643
11/25/2015		ELY_0029885, ELY_0029933
12/1/2015		ELY_0029981, ELY_0030030
12/9/2015	Information regarding ChromaDex's pTeroPure sales in specific channels.	ELY_0085617, Chat Nos. 15680 - 15681
12/15/2015		ELY_0029364, ELY_0029411
12/15/2015		ELY_0061894, ELY_0061940
12/24/2015		ELY_0056524, ELY_0056628
12/26/2015		ELY_0056635, ELY_0056681
1/5/2016		ELY_0033815, ELY_0033816
2/5/2016	Information regarding negotiations with Live Cell regarding NR sales and Live Cell business strategies.	CDXCA_00243792
2/11/2016		ELY_0056776, ELY_0056885
3/3/2016		ELY_0039807, ELY_0039942
3/3/2016		ELY_0040079, ELY_0040214
3/18/2016		ELY_0035066, ELY_0035067
3/24/2016		ELY_0035178, ELY_0035332
3/24/2016		ELY_0035341, ELY_0035495
4/5/2016	Information regarding ChromaDex's ingredient sales over time, business strategies over time, business models, marketing strategies, employee training, number of products containing ChromaDex ingredients on the market.	ELY_0094668, ELY_0094738, ELY_0094739
4/6/2016	Information regarding a ChromaDex marketing strategy.	ELY_0096172
4/7/2016	Information regarding ChromaDex business dealings, research and development, and staffing.	ELY_0096177
4/15/2016	Information regarding ChromaDex business dealings and marketing strategies.	ELY_0096180
4/26/2016	Information regarding the comparative chances of market success of ChromaDex customers.	ELY_0107581
4/28/2016	Information regarding ChromaDex business dealings.	CDXCA_00201415
4/29/2016	Information regarding ChromaDex business dealings.	ELY_0045814
5/4/2016	Information regarding ChromaDex's manufacturing capabilities for another precursor of NAD+, related intellectual property, and business strategies.	ELY_0045819
5/4/2016	Information regarding the production processes for NR and pterostilbene.	ELY_0045821
5/24/2016	Information regarding ChromaDex business opportunities.	ELY_0096181
5/29/2016	Live Cell's NR purchasing history, including dates, volumes, and prices.	ELY_0085617, Chat No. 15764.
5/29/2016	Information regarding ChromaDex business strategies.	ELY_0096183
5/30/2016	Live Cell's NR purchasing history, including dates, volumes, and prices.	ELY_0085617, Chat No. 4550
6/12/2016	Information regarding ChromaDex business dealings and opportunities.	ELY_0107587
6/14/2016	Information regarding ChromaDex's strategy for negotiations with Elysium.	ELY_0085617, Chat No. 4147
6/19/2016	Information regarding ChromaDex business strategies and research.	ELY_0094755, ELY_0094756

ChromaDex's Trade Secrets, Confidential, and/or Proprietary Information at Issue ¹

Date(s)	Information	Document
6/22/2016	Information regarding ChromaDex's possession of legal opinion regarding an NR patent.	ELY_0107359
6/22/2016	Information regarding the shelf life of NIAGEN and pTeroPure, a stability study conducted by another customer.	ELY_0085617, Chat Nos. 4175 - 4180
6/22/2016		ELY_0046687, ELY_0046688, ELY_0046689
6/23/2016	Information regarding ChromaDex business dealings and research and development.	ELY_0107391
6/23/2016	Information regarding ChromaDex business dealings and opportunities.	ELY_0096193
6/23/2016	Information regarding ChromaDex business dealings related to pterostilbene, intellectual property related to pterostilbene, and communications with attorneys concerning intellectual property related to pterostilbene.	ELY_0107542, ELY_0085617, Chat No. 4187
6/24/2016	Information regarding ChromaDex's legal and public relations fees incurred and strategy in response to a "short attack."	ELY_0085617, Chat No. 4191
Before 6/24/2016	The price ChromaDex paid to its contract manufacturer for NR on a per kilo basis.	Deposition of Daniel Magida, December 13, 2018, pages 97-98, Exhibit 45.
6/27/2016	Information regarding ChromaDex's sales to other customers, including volumes purchased and trends over time.	ELY_0085617, Chat No. 4225
6/28/2016	The price ChromaDex paid to its contract manufacturer for NR on a per kilo basis.	ELY_0085617, Chat No. 4243
6/28/2016	Stability data for NR.	ELY_0085617, Chat No. 4241
7/1/2016	Information regarding ChromaDex's NR sales to other customers, including volumes purchased.	ELY_0085617, Chat No. 4272
7/1/2016	Information regarding products being developed by ChromaDex customers.	ELY_0085617, Chat No. 4293
7/6/2016	Results from a ChromaDex study on the effects of NR on mice.	ELY_0107481
7/6/2016	Information regarding ChromaDex business dealings and strategies related to pharmaceutical endeavors.	ELY_0085617, Chat Nos. 4380 - 4312
7/7/2016	Information regarding ChromaDex's contractual relationship with its NR contract manufacturer.	ELY_0085617, Chat Nos. 4135 - 4136
7/11/2016	Information regarding ChromaDex business dealings and strategies related to pharmaceutical endeavors.	ELY_0085617, Chat No. 4353
7/12/2016	Information regarding ChromaDex business dealings and strategies related to pharmaceutical endeavors.	ELY_0085617, Chat Nos. 4029, 4363
7/18/2016		ELY_0046025
7/26/2016	Information regarding ChromaDex research and development with the University of Pennsylvania and intellectual property opportunities.	ELY_0085619, Chat No. 2841 - 2845
8/2/2016		ELY_0096268.0001
8/2/2016		ELY_53728, ELY_52729, ELY_0053730
8/11/2016	Information regarding ChromaDex's business strategies and regulatory efforts.	ELY_0085617, Chat Nos. 4101 - 4103
8/14/2016	Information regarding the potential costs, on a per kilogram basis, of independently manufacturing NR.	ELY_0010954
August 20, 2016, or before	Information concerning a NIAGEN customer's purchases, sales, and inventory.	ELY_0037294
8/28/2016		ELY_0094768, ELY_0037480
8/30/2016	Information regarding ChromaDex's research and development work on salts related to NR.	ELY_0014923
8/31/2016		ELY_0067662
8/31/2016		ELY_0051298, ELY_0051300

ChromaDex's Trade Secrets, Confidential, and/or Proprietary Information at Issue ¹

Date(s)	Information	Document
9/6/2016	Information regarding the manufacturing conditions of pTeroPure.	ELY_0085619, Chat Nos. 1548 - 1549
9/30/2016		ELY_0051954, ELY_0051954.0001, ELY_0051957
10/3/2016		ELY_0052076, ELY_0052077, ELY_0052098.0001
10/13/2016		ELY_0078080, ELY_0078089
10/17/2016		ELY_0081719, ELY_0081720
10/26/2016	Basis Investigator's Brochure.	ELY_0051546, ELY_0051547
10/28/2016		ELY_0087699, ELY_0087699.0002
Fall 2016	Information regarding the manufacturing conditions of NIAGEN.	ELY_0021625
11/8/2016		ELY_0078345, ELY_0078356
11/21/2016		ELY_0052030
11/21/2016		ELY_0002646
11/27/2016		ELY_0068120, ELY_0068121
11/28/2016		ELY_0008483, ELY_0008484
11/29/2016		ELY_0008558, ELY_0008559
12/13/2016	Information regarding ChromaDex's NIAGEN specifications and product testing.	ELY_0062737
12/19/2016	Information regarding ChromaDex business opportunities.	ELY_0096275
1/6/2017		ELY_0048358, ELY_0048359
1/6/2017		ELY_0048388, ELY_0048390
1/7/2017		ELY_0048419, ELY_0048421
3/15/2017		ELY_0088281, ELY_0088281.0002, ELY_0088282
3/24/2017	Basis Investigator's Brochure.	ELY_0087840
4/17/2017		ELY_0095894
4/25/2017		ELY_0088317, ELY_0088319.0001
5/11/2017	Information regarding ChromaDex's business dealings.	ELY_0014100
5/29/2017	Basis Investigator's Brochure.	ELY_0116669, ELY_0116670
7/7/2017		ELY_0096300.0001
7/11/2017		ELY_0069155, ELY_0069156
8/28/2017	Basis Investigator's Brochure.	ELY_0068051, ELY_0068053
8/29/2017	Basis Investigator's Brochure.	ELY_0088117, ELY_0088118
8/29/2017	Basis Investigator's Brochure.	ELY_0090348, ELY_0090349
8/29/2017		ELY_0090347, ELY_0090347.0002
9/7/2017		ELY_0047200, ELY_0047202, ELY_0086515
9/7/2017		ELY_0117126, ELY_0117279
10/3/2017		ELY_0116997
11/6/2017	pTeroPure GRAS Report.	ELY_0095853
11/9/2017	Basis Investigator's Brochure.	ELY_0088399, ELY_0088401
11/29/2019	Basis Investigator's Brochure.	ELY_0088183, ELY_0088185
12/5/2017	pTeroPure GRAS Report.	ELY_0117337
1/10/2018	Basis Investigator's Brochure.	ELY_0091919, ELY_0091921
1/11/2018	Basis Investigator's Brochure.	ELY_0073870, ELY_0073872
1/17/2018	pTeroPure GRAS Report.	ELY_0073919

Notes:

¹ ChromaDex, Inc.'s Amended and Supplemental Responses to Mark Morris's First Set of Interrogatories, June 21, 2019.