

# Exhibit 8

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

CHROMADEx, INC.,	)	
	)	
	)	
Plaintiff,	)	
	)	Case No. SACV 16-02277-CJC
	)	
vs.	)	
	)	
ELYSIUM HEALTH, INC.,	)	
and MARK MORRIS,	)	
	)	
Defendant.	)	
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ELYSIUM HEALTH, INC.,	)	
	)	
Counterclaimant,	)	
	)	
vs.	)	
	)	
CHROMADEx, INC.,	)	
	)	
Counter-Defendant.	)	
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HIGHLY CONFIDENTIAL

DEPOSITION OF

RYAN DELLINGER, Ph.D.

NEW YORK, NEW YORK

APRIL 4, 2019

Reported by:  
VICTORIA RUSSO  
REGISTRATION No. 2347397  
No. 19-76233

HIGHLY CONFIDENTIAL TRANSCRIPT

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 CHROMADEx, INC., )  
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Video Deposition of RYAN DELLINGER, PhD,  
 taken on behalf of the Plaintiff, held at the offices  
 of Cooley, LLP, 550 West 34 Street, New York,  
 New York 10001, at 9:24 a.m., on Thursday, April 4,  
 2019, before Victoria Russo.

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03:39 1 Q. So if you flip back to the front page,  
2 Number 2, description of services, it says "provider  
3 is to conduct a critical evaluation of the ptero pure  
4 R self-determined GRAS dossier that was prepared by  
03:39 5 AIB, MR Life Sciences, Inc. on May 23, 2011 to ensure  
6 that the current applicable FDA safety standard has  
7 been fulfilled."

8 Is that referencing the GRAS dossier  
9 that we looked at in Exhibit 222?

03:40 10 A. Yes.

11 Q. If you look at the very last sentence  
12 of that paragraph it says "the subject safety  
13 assessment will specifically address whether or not  
14 the safety and FDA regulatory landscape has changed  
03:40 15 sufficiently to warrant conducting a new updated GRAS  
16 determination."

17 A. I'm sorry you lost me where that is.

18 Q. I'm sorry, it's the last sentence of  
19 the paragraph under description of services.

03:40 20 A. Okay. Subject, safety assessment.

21 Q. Um-hum.

22 A. Okay.

23 Q. Did Elysium retain GRAS Associates to  
24 review the ptero pure GRAS report to determine if it  
03:40 25 needed to be updated?

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03:40 1 A. This is what this document is saying.  
2 Again, I remember just the overall purpose of the  
3 work was to, you know, make sure there was no holes  
4 when we went for our combined NDI.

03:41 5 Q. It says under that paragraph, it says  
6 "upon completion, provider will issue a written  
7 report containing the findings from the designated  
8 evaluation to company."

9 Are you aware if a written report was  
03:41 10 ever prepared by GRAS Associates?

11 A. I don't recall.

12 Q. Have you ever seen a written report  
13 from GRAS Associates?

14 A. I don't recall.

03:41 15 Q. Do you know if GRAS Associates  
16 determined that the ptero pure GRAS dossier was  
17 sufficient under the FDA safety standard?

18 A. I don't recall that. What I remember  
19 is were -- we abandoned this idea because of what  
03:41 20 they're saying here in the -- the August 17, 2016  
21 final GRAS substances or something like that. The  
22 guidance, there was the guidance and that's what we  
23 were trying to get -- to understand better and how  
24 that had changed and, specifically, in the guidance  
03:41 25 they said it was fine to get an NDI on a molecule

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03:41 1 that is nature identical and synthetic as long as it  
2 is a vitamin. So no problem with NR but it was very  
3 unclear if ptero would ever be eligible for an NDI  
4 because of the guidance and that's what we're looking  
03:42 5 for because it -- it was going to be nature identical  
6 and synthetic but because there was a plant secondary  
7 metabolite, that appeared not to be covered.

8 Of course, it was in FDA language so we  
9 asked an expert to please translate. I mean that  
03:42 10 was, effectively, what was going on and I remember  
11 that and they told us that it would be very difficult  
12 to probably get an NDI on ptero because of that new  
13 guidance and we could fight the good fight maybe and  
14 get guidance changed or not do that.

03:42 15 so I remember the outcome but I don't  
16 remember seeing the report or um, I don't remember  
17 seeing the report.

18 Q. Do you remember when it was decided to  
19 abandon updating the ptero pure GRAS report?

03:43 20 A. I don't remember when and it was,  
21 again, to try to go to an NDI was what we abandoned.

22 Q. Has Basis received an NDI?

23 A. We -- we're no longer pursuing an NDI  
24 for a combination, for the reasons I just stated. I  
03:43 25 remember the purpose. I'm trying to be helpful.

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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 16th day of April, 2019.



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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