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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

CHROMADEX, INC.,

Plaintiff,

v.

ELYSIUM HEALTH, INC., and MARK MORRIS,

Defendants.

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

SUPPLEMENTAL JURY INSTRUCTION

ELYSIUM HEALTH, INC.,

Counterclaimant,

v.

CHROMADEX, INC.,

Counter-Defendant.

COURT'S SUPPLEMENTAL INSTRUCTION NO. 1

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3 You have requested a readback of the testimony of Frank Jaksch. Please
4 understand that all readbacks run the risk of distorting the trial because of overemphasis
5 of one portion of testimony. You will be required to hear all of Mr. Jaksch's testimony,
6 including both direct and cross-examination, to avoid the risk that you might miss a
7 portion bearing on your judgment of his credibility. The court reporter's transcript is not
8 evidence, just a record of what the testimony was, and since nothing is perfect and the
9 transcript could possibly contain errors, your recollections and understandings of the
10 testimony itself rather than the transcript is the evidence on which you must make your
11 decision. Further, the transcript cannot reflect matters of demeanor, tone of voice, and
12 other aspects of the live testimony you heard, which may affect what you judge to be
13 credible. Finally, the testimony that will be read back to you cannot be considered in
14 isolation, but must be considered in the context of all the evidence presented, both
15 testimony and exhibits, in the exercise of your judgment.

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