



**IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE**

GYNECONCEPTS, INC., a Delaware corporation, )  
 )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 4820-CC  
 )  
 )  
 NICHOLAS KIM, )  
 )  
 POPULATION BIOSCIENCES, LLC )  
 a Delaware limited liability company, and )  
 QUATERNION INVESTMENTS, LLC, )  
 a Delaware limited liability company, )  
 )  
 Defendants. )

**FINAL ORDER**

WHEREAS, trial was held in this matter on June 1 and June 2, 2010;

WHEREAS, after trial, the Court issued its ruling on the record in favor of plaintiff for the reasons set forth therein and entered an implementing order dated July 12, 2010; and

WHEREAS, the Court issued a letter ruling dated August 17, 2010 (“August Ruling”) on the remaining issues in the case related to damages.

The Court hereby implements its August Ruling and orders as follows:

1. Judgment is rendered in favor of plaintiff and against defendants;
2. Plaintiff is awarded damages in the sum of \$1,181,708 plus pre-judgment interest at the legal rate as set forth in paragraph 3.
3. No interest is awarded on the amount (\$173,000) still owed by GyneConcepts to its counsel. Plaintiff is awarded pre-judgment interest at the legal rate as follows: (1) on \$750,000 from March 1, 2010; (2) on \$215,000 from the dates payments were made to

Quaternion as set forth in JX 146; and (3) on \$43,708 from the date of the last payment for flights and hotel fees incurred for trips to Raleigh, North Carolina, as set forth on JX 146, which date is February 19, 2008. Pre-judgment interest at the legal rate on the \$215,000 paid to Quaternion runs from the dates of payments as set forth on JX 146 at GYN0001530.

A handwritten signature in cursive script that reads "William B. Chandler III". The signature is written in black ink and is positioned above a horizontal line.

Chancellor