

Out Exhibit #2  
3/11/24  
EJL/PM

**The People of the State of New York v. Quincy, et al.**

17-cv-124

**Verdict Form**

1. Did the Quincy Defendants support all of the Prevagen claims with “competent and reliable scientific evidence?”

\_\_\_ Yes  No

*If yes, you have completed the verdict form. Please sign your names on the last page and inform the marshal that you are ready to return to the courtroom. If no, continue to question 2.*

**CHARGE 1: New York General Business Law section 349**

2. Which of the Challenged statements were conveyed by one or more of the Quincy Defendants? Please write YES for all that apply.

- a. Prevagen improves memory Yes
- b. Prevagen is clinically shown to improve memory Yes
- c. Prevagen improves memory within 90 days Yes
- d. Prevagen is clinically shown to improve memory within 90 days Yes
- e. Prevagen reduces memory problems associated with aging Yes
- f. Prevagen is clinically shown to reduce memory problems associated with aging Yes
- g. Prevagen provides other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking Yes
- h. Prevagen is clinically shown to provide other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking Yes

*If you did not mark YES for any of the Challenged Statements, skip to CHARGE 2. If you marked YES for any of the Challenged Statements, continue to question 3.*

3. For the Challenged Statement(s) marked YES on question 2, did it lack support by "competent and reliable scientific evidence?" Please write YES for each that lacked such support.

- a. Prevagen improves memory Yes
- b. Prevagen is clinically shown to improve memory Yes
- c. Prevagen improves memory within 90 days Yes
- d. Prevagen is clinically shown to improve memory within 90 days Yes
- e. Prevagen reduces memory problems associated with aging Yes
- f. Prevagen is clinically shown to reduce memory problems associated with aging Yes
- g. Prevagen provides other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking Yes
- h. Prevagen is clinically shown to provide other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking Yes

*If you did not mark YES for any of the Challenged Statements, skip to **CHARGE 2**. If you marked YES for any of the Challenged Statements, continue to question 4.*

4. For the Challenged Statement(s) marked YES on question 3, was it materially misleading? Please mark YES for all that apply.

- a. Prevagen improves memory No
- b. Prevagen is clinically shown to improve memory No
- c. Prevagen improves memory within 90 days No
- d. Prevagen is clinically shown to improve memory within 90 days No
- e. Prevagen reduces memory problems associated with aging Yes
- f. Prevagen is clinically shown to reduce memory problems associated with aging Yes
- g. Prevagen provides other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking No



- h. Prevagen is clinically shown to provide other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking NO

*If you did not mark YES for any of the Challenged Statements, skip to CHARGE 2. If you marked YES for any of the Challenged Statements, continue to question 5.*

5. For the Challenged Statement(s) marked YES on question 4, was it consumer oriented? Please mark YES for all that apply.

- a. Prevagen improves memory YES
- b. Prevagen is clinically shown to improve memory YES
- c. Prevagen improves memory within 90 days YES
- d. Prevagen is clinically shown to improve memory within 90 days YES
- e. Prevagen reduces memory problems associated with aging YES
- f. Prevagen is clinically shown to reduce memory problems associated with aging YES
- g. Prevagen provides other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking YES
- h. Prevagen is clinically shown to provide other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking YES

*If you did not mark YES for any of the Challenged Statements, skip to CHARGE 2. If you marked YES for any of the Challenged Statements, continue to question 6.*

6. Did the Quincy Defendants act as a common enterprise for the Challenged Statement(s) marked YES on question 5?

Yes  No

*If yes, skip to charge 2. If no, continue to question 7.*

7. Which of the Quincy Defendants made the Challenged Statement(s) marked YES on question 5?

\_\_\_\_\_

**CHARGE 2: New York General Business Law section 350**

8. Which of the Challenged Statements were conveyed by one or more of the Quincy Defendants? Please write YES for all that apply.

- a. Prevagen improves memory yes
- b. Prevagen is clinically shown to improve memory yes
- c. Prevagen improves memory within 90 days yes
- d. Prevagen is clinically shown to improve memory within 90 days yes
- e. Prevagen reduces memory problems associated with aging yes
- f. Prevagen is clinically shown to reduce memory problems associated with aging yes
- g. Prevagen provides other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking yes
- h. Prevagen is clinically shown to provide other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking yes

*If you did not mark YES for any of the Challenged Statements, skip to CHARGE 3. If you marked YES for any of the Challenged Statements, continue to question 9.*

9. For the Challenged Statement(s) marked YES on question 8, did it lack support by "competent and reliable scientific evidence?" Please write YES for each that lacked such support.

- a. Prevagen improves memory yes
- b. Prevagen is clinically shown to improve memory yes
- c. Prevagen improves memory within 90 days yes
- d. Prevagen is clinically shown to improve memory within 90 days yes
- e. Prevagen reduces memory problems associated with aging yes
- f. Prevagen is clinically shown to reduce memory problems associated with aging yes



- g. Prevagen provides other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking yes
- h. Prevagen is clinically shown to provide other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking yes

*If you did not mark YES for any of the Challenged Statements, skip to CHARGE 3. If you marked YES for any of the Challenged Statements, continue to question 10.*

10. For the Challenged Statement(s) marked YES on question 9, was it materially misleading? Please mark YES for all that apply.

- a. Prevagen improves memory ~~yes~~ NO
- b. Prevagen is clinically shown to improve memory NO
- c. Prevagen improves memory within 90 days NO
- d. Prevagen is clinically shown to improve memory within 90 days NO
- e. Prevagen reduces memory problems associated with aging yes
- f. Prevagen is clinically shown to reduce memory problems associated with aging yes
- g. Prevagen provides other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking NO
- h. Prevagen is clinically shown to provide other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking NO

*If you did not mark YES for any of the Challenged Statements, skip to CHARGE 3. If you marked YES for any of the Challenged Statements, continue to question 11.*

11. For the Challenged Statement(s) marked YES on question 10, was it consumer-oriented? Please mark YES for all that apply.

- a. Prevagen improves memory \_\_\_\_\_
- b. Prevagen is clinically shown to improve memory \_\_\_\_\_
- c. Prevagen improves memory within 90 days \_\_\_\_\_
- d. Prevagen is clinically shown to improve memory within 90 days \_\_\_\_\_
- e. Prevagen reduces memory problems associated with aging yes

- f. Prevagen is clinically shown to reduce memory problems associated with aging  
yes
- g. Prevagen provides other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking \_\_\_\_\_
- h. Prevagen is clinically shown to provide other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking \_\_\_\_\_

*If you did not mark YES for any of the Challenged Statements, skip to CHARGE 3. If you marked YES for any of the Challenged Statements, continue to question 12.*

12. Did the Quincy Defendants act as a common enterprise for the Challenged Statement(s) marked YES on question 11?

Yes  No

*If yes, skip to charge 3. If no, continue to question 13.*

13. Which of the Quincy Defendants made the Challenged Statement(s) marked YES on question 11?

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**CHARGE 3: New York Executive Law Section 63(12)**

14. Which of the Challenged Statements were conveyed by one or more of the Quincy Defendants? Please write YES for all that apply.

- a. Prevagen improves memory yes
- b. Prevagen is clinically shown to improve memory yes
- c. Prevagen improves memory within 90 days yes
- d. Prevagen is clinically shown to improve memory within 90 days yes
- e. Prevagen reduces memory problems associated with aging yes
- f. Prevagen is clinically shown to reduce memory problems associated with aging yes
- g. Prevagen provides other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking yes
- h. Prevagen is clinically shown to provide other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking yes

*If you did not mark YES for any of the Challenged Statements, you have completed the verdict form. Please sign your names on the last page and inform the marshal that you are ready to return to the courtroom. If you marked YES for any of the Challenged Statements, continue to question 15.*

15. For the Challenged Statements (s) which you marked YES on question 14, was it repeated or persistent? Please mark YES for all that apply.

- a. Prevagen improves memory yes
- b. Prevagen is clinically shown to improve memory yes
- c. Prevagen improves memory within 90 days yes
- d. Prevagen is clinically shown to improve memory within 90 days yes
- e. Prevagen reduces memory problems associated with aging yes
- f. Prevagen is clinically shown to reduce memory problems associated with aging yes



- g. Prevagen provides other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking yes
- h. Prevagen is clinically shown to provide other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking yes

*If you did not mark YES for any of the Challenged Statements, you have completed the verdict form. Please sign your names on the last page and inform the marshal that you are ready to return to the courtroom. If you marked YES for any of the Challenged Statements, continue to question 16.*

16. For the Challenged Statements (s) marked YES on question 15, did it have the capacity or the tendency to deceive? Please mark YES for all that apply.

- a. Prevagen improves memory yes
- b. Prevagen is clinically shown to improve memory yes
- c. Prevagen improves memory within 90 days yes
- d. Prevagen is clinically shown to improve memory within 90 days yes
- e. Prevagen reduces memory problems associated with aging yes
- f. Prevagen is clinically shown to reduce memory problems associated with aging yes
- g. Prevagen provides other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking yes
- h. Prevagen is clinically shown to provide other cognitive benefits, including but not limited to healthy brain function, a sharper mind, and clearer thinking yes

*If you did not mark YES for any of the Challenged Statements, you have completed the verdict form. Please sign your names on the last page and inform the marshal that you are ready to return to the courtroom. If you marked YES for any of the Challenged Statements, continue to question 17.*

17. Did the Quincy Defendants act as a common enterprise for the Challenged Statement(s) marked YES in question 16?

YYes \_\_\_No



*If no, continue to question 18. If yes, you have completed the verdict form. Please sign your names on the last page and inform the marshal that you are ready to return to the courtroom.*

18. Which of the Quincy Defendants made the Challenged Statement(s) marked YES in question 16?

All Quincy Defendants, Quincy LLC, Quincy Bioscience  
MARK Underwood.

*Please sign on the next page.*

**YOU HAVE NOW COMPLETED YOUR DELIBERATIONS. SIGN THIS VERDICT FORM AND INFORM THE MARSHAL THAT YOU ARE READY TO RETURN TO THE COURTROOM.**

Shawn Charles

Destiny McNeal

Lisa Thompson

[Signature]

\_\_\_\_\_

[Signature]

[Signature]

Maui Rantou

[Signature]

DATE: 3-11-24