

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

SUPREME COURT CASE NO: **S282521**

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EPICENTRX, INC., TONY REID, BRYAN ORONSKY, FRANCK  
BRINKHAUS, SCOTT CAROEN, MEAGHAN STIRN, RAJAN  
KUMAR, INTERWEST PARTNERS VIII, AND KHALED NASR,

**Petitioners,**

v.

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SAN DIEGO,

**Respondent.**

EPIRX, L.P.,

**Real Party in Interest.**

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**NOTICE OF ERRATA TO PETITION FOR REVIEW**  
**REQUEST FOR IMMEDIATE STAY**

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San Diego County Superior Court Case No. 37-2022-00015228-CU-BT-CTL

Hon. Timothy Taylor, Dept C-72, Phone No. (619) 450-7072

Critical Date: October 31, 2023

Request For Stay: (1) Grant review of the decision in this action, consolidate it with this Court's review in *Gerro v. Blockfi Lending LLC*, No. B307156, 2022 WL 2128000 (Cal. Ct. App. June 14, 2022), *review granted* (Sept. 14, 2022), and stay this action pending *Gerro's* disposition, or, (2) grant review of the decision in this action and stay this action pending *Gerro's* disposition

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Clint D. Robison (SBN 158834); Angeli C. Aragon (SBN 176142)

O'HAGAN MEYER

21650 Oxnard Street, Suite 530, Woodland Hills, CA 91367

Phone: (213) 306-1610; Fax: (213) 306-1615

[crobison@ohaganmeyer.com](mailto:crobison@ohaganmeyer.com); [aaragon@ohaganmeyer.com](mailto:aaragon@ohaganmeyer.com)

Attorneys for Petitioners, EpicentRx, Inc., Tony Reid, Bryan Oronsky,  
Franck Brinkhaus, Scott Caroén, Meaghan Stirn, and Rajan Kumar

## **NOTICE OF ERRATA**

TO THE HONORABLE CHIEF JUSTICE OF THE  
SUPREME COURT OF CALIFORNIA, AND TO THE COURT'S  
HONORABLE ASSOCIATE JUSTICES

Defendants and Petitioners EPICENTRX, INC.  
("EpicentRx"), and TONY REID, BRYAN ORONSKY, FRANCK  
BRINKHAUS, SCOTT CAROEN, MEAGHAN STIRN, and  
RAJAN KUMAR (collectively "the Individual Defendants")  
(EpicentRx and the Individual Defendants, collectively,  
"Petitioners"), respectfully submit this Notice of Errata to their  
Petition for Review filed with this Court on October 31, 2023.

Due to an oversight, the following information was omitted  
from the cover of the Petition for Review:

- San Diego County Superior Court, Department  
C-72 Phone Number - (619) 450-7072
- Critical Date: October 31, 2023
- Reason for Request for Immediate Stay:  
Petitioners respectfully request that this Court  
either (1) grant review of the decision in this  
action, consolidate it with this Court's review in  
[Gerro v. Blockfi Lending LLC, No. B307156,](#)  
[2022 WL 2128000](#) (Cal. Ct. App. June 14, 2022),  
*review granted* (Sept. 14, 2022), place a stay of

this action pending *Gerro's* disposition, or, in the alternative, (2) grant review of the decision in this action and stay this action pending *Gerro's* disposition.

As noted in the Petition for Review, absent a stay of this action pending *Gerro's* disposition, Petitioners will be forced to litigate this case in the California Superior Court, depriving them of their right to have their claims litigated in the Delaware Chancery Court pursuant to the contractual forum selection clause.

Dated: October 31, 2023      O'HAGAN MEYER

/s/ Angeli C. Aragon  
Clint D. Robison  
Angeli C. Aragon  
Attorneys for Petitioners,  
EPICENTRX, INC., TONY REID,  
BRYAN ORONSKY, FRANCK  
BRINKHAUS, SCOTT CAROEN,  
MEAGHAN STIRN, RAJAN  
KUMAR

**Proof of Service**

EPICENTRx, Inc., et al., v. The Superior Court of the State of  
California for the County of San Diego

Case No: D081670

I am a citizen of the United States, over 18 years of age,  
and not a party to this matter. My office address is: O'HAGAN  
MEYER, 21650 Oxnard Street, Suite 530, Woodland Hills,  
California 91367.

On October 31, 2023, I served true copies of the within  
NOTICE OF ERRATA TO PETITION FOR REVIEW; REQUEST  
FOR IMMEDIATE STAY on the Respondent and the real parties  
in interest in this proceeding as follows:

SEE ATTACHED SERVICE LIST

I am familiar with my firm's practice for collecting and  
processing documents for mailing and/or electronic service. Under  
that practice, any copies placed in the mail would be deposited  
with the service carrier that day in the ordinary course of  
business. I declare under penalty of perjury under the laws of the  
State of California that the foregoing is true and correct.

Executed on October 31, 2023, County of Los Angeles,  
California.

/s/ Angeli C. Aragon  
Angeli C. Aragon

**Service List**

**Via Electronic Service**

Steven C. Shuman, Esq. Merlene Fletcher ENGSTROM, LIPSCOMB & LACK 10100 Santa Monica Boulevard, 12th Floor Los Angeles, California 90067 Telephone: (310) 552-3800 sshuman@elllaw.com <a href="mailto:mfletcher@elllaw.com">mfletcher@elllaw.com</a>	Attorneys for Real Party In Interest EpiRx, L.P.
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Shannon M. Eagan, Esq. Angela L. Dunning, Esq. Rebecca L. Tarneja, Esq. COOLEY LLP 3175 Hanover Street Palo Alto, CA 94304-1130 Telephone: (650) 843-5909 seagan@cooley.com adunning@cooley.com <a href="mailto:rtarneja@cooley.com">rtarneja@cooley.com</a>	Attorneys for InterWest Partners VIII and Khaled Nasr
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**STATE OF CALIFORNIA**  
Supreme Court of California

***PROOF OF SERVICE***

**STATE OF CALIFORNIA**  
Supreme Court of California

Case Name: **EpicientRx, Inc. et al. v. The Superior Court of San Diego County/EpiRx, L.P.**

Case Number: **S282521**

Lower Court Case Number:

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My email address used to e-serve: **aaragon@ohaganmeyer.com**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
NOTICE OF ERRATA	Notice of Errata v 2

Service Recipients:

Person Served	Email Address	Type	Date / Time
Angeli Aragon O'Hagan Meyer 176142	aaragon@ohaganmeyer.com	e-Serve	10/31/2023 7:06:49 PM
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Steven Shuman  82828	sshuman@elllaw.com	e-Serve	10/31/2023 7:06:49 PM
Merlene Fletcher  169497	mfletcher@elllaw.com	e-Serve	10/31/2023 7:06:49 PM
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Todd Boock  181933	todd@bnsklaw.com	e-Serve	10/31/2023 7:06:49 PM

This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

10/31/2023

Date

/s/Angeli Aragon

Signature

Aragon, Angeli (176142)

Last Name, First Name (PNum)

O'Hagan Meyer

Law Firm