



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

D1 JASPER HOLDINGS LP, D1 SPV JL MASTER LP, JAY BLOCKER LTD., JAY DOMESTIC LLC, GCCU II LLC, TOCU XX LLC, OC II FIE VIII LP, JL SPV HOLDINGS, LLC, EMS JINV LLC, DISRUPTIVE TECHNOLOGY SOLUTIONS XIV, LLC, DISRUPTIVE TECHNOLOGY SOLUTIONS XVI, LLC–SERIES A, DISRUPTIVE TECHNOLOGY SOLUTIONS XVI, LLC–SERIES B, and DISRUPTIVE TECHNOLOGY SOLUTIONS XVI, LLC–SERIES C,

Plaintiffs,

v.

JUUL LABS, INC. and JL TAO LLC,

Defendants.

C.A. No. 2023-1060-NAC

**TRANSMITTAL AFFIDAVIT OF KIRK C. ANDERSEN  
IN SUPPORT OF DEFENDANTS’  
OPPOSITION TO PLAINTIFFS’ MOTION TO COMPEL**

STATE OF DELAWARE            )  
  ) SS.  
COUNTY OF NEW CASTLE    )

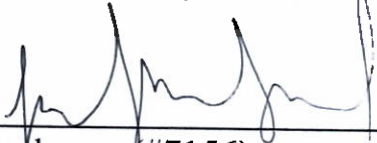
I, Kirk C. Andersen, being duly sworn, do hereby declare and say:

1. I am an attorney at the law firm of Morris, Nichols, Arsht & Tunnell LLP, counsel to Defendant Juul Labs, Inc. in the above-captioned action, and am admitted to practice before this Court.

2. I submit this affidavit in support of Defendants' Opposition to Plaintiffs' Motion to Compel. Attached as Exhibits 1-3 are, to the best of my knowledge and belief, true and correct copies of the following documents:

Exhibit No.	Description
1	Email from L. Bensman to N. Kovalenko et al., re D1 Jasper v. JLI – contemplated motion, dated March 22, 2024 [CONFIDENTIAL]
2	<i>In re Liquid. Of Indem. Ins. Corp., RRG</i> , C.A. No. 8601-VCZ (Del. Ch. Mar. 18, 2019) (ORDER)
3	<i>Logan v. Salix Pharms., Ltd.</i> , C.A. No. 2019-0059-SG (Del. Ch. Sept. 14, 2022) (TRANSCRIPT)


MORRIS, NICHOLS, ARSHT & TUNNELL LLP



Kirk C. Andersen (#7156)  
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Wilmington, Delaware 19801

*Attorney for Defendant Juul Labs, Inc.*

SWORN TO AND SUBSCRIBED  
before me this 9<sup>th</sup> day of April, 2024.

  
Notary Public



## CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2024, a copy of the foregoing *Transmittal Affidavit of Kirk C. Andersen in Support of Defendants' Opposition to Plaintiffs' Motion to Compel* was served by File & ServeXpress on the following attorneys of record:

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