Notice of Plaintiffs' Proposed Voluntary Dismissal of Shareholder Derivative Actions

January 8, 2018

SALT LAKE CITY, Jan. 08, 2018 (GLOBE NEWSWIRE) -- This notice relates to a proposed voluntary dismissal by the plaintiffs in each of four pending shareholder derivative actions, and is being given pursuant to an order of The United States District Court for the District of Utah. The purpose of the notice is to advise LifeVantage shareholders that plaintiffs in the below-referenced actions wish to voluntarily dismiss their cases. Additional information on the actions and right to intervene may be found below.

THE SECURITIES CLASS ACTION

As previously reported, on September 15, 2016, a purported securities class action was filed in the United States District Court for the District of Utah, entitled *Zhang v. LifeVantage Corp.*, Case No. 2:16-cv-00968-BCW (D. Utah filed Sept. 15, 2016). In this action (later recaptioned as *In re LifeVantage Corp. Securities Litigation*), plaintiff alleged that the Company, its Chief Executive Officer and former Chief Financial Officer violated Sections 10(b) and 20(a) of the Securities Exchange Act of 1934, 15 U.S.C. §§ 78j(b), 78t(a), and Rule 10b-5, 17 C.F.R. § 240.10b-5, promulgated thereunder. On June 16, 2017, the Court granted defendants' motion to dismiss the amended complaint, without prejudice, and permitted lead plaintiffs to file a motion for leave to file a second amended complaint. On September 28, 2017, the Court denied lead plaintiffs' motion for leave to amend and entered final judgment in favor of LifeVantage and the other defendants and dismissing the case with prejudice. On October 17, 2017, the parties executed a stipulation whereby lead plaintiffs agreed not to take an appeal from the final judgment of dismissal in favor of defendants in exchange for mutual releases, without payment of any consideration by or on behalf of defendants. This case is now concluded.

THE SHAREHOLDER DERIVATIVE ACTIONS

Also, as previously reported, on October 11, 2016, two purported shareholder derivative actions were filed in the Third District Court of the State of Utah, Salt Lake County, entitled *Johnson v. Jensen*, Case No. 160906320 MI (Utah Dist. filed Oct. 11, 2016), and *Rupp v. Jensen*, Case No. 160906321 MI (Utah Dist. filed Oct. 11, 2016). In these actions (which are substantively identical), plaintiffs, purportedly on behalf of the Company, alleged that the Company's Chief Executive Officer, former Chief Financial Officer and members of the board of directors breached their fiduciary duties owed to the Company in connection with the matters alleged in the securities class action lawsuit noted above. On October 28, 2016, the Court entered an order consolidating the two actions under the *Johnson* case number, with the new caption *In re LifeVantage Corp. Derivative Litigation*. On January 10, 2017, the Court approved a stipulation between the parties providing that this action would be deferred (i.e., stayed) pending a ruling on defendants' then-anticipated motion to dismiss the amended complaint in the securities class action lawsuit noted above.

On January 30, 2017, another purported shareholder derivative action was filed in the United States District Court for the District of Utah, entitled *Hansen v. Jensen*, Case No. 2:17-cv-00075-DN (D. Utah filed Jan. 30, 2017). In this action, plaintiff, purportedly on behalf of the Company, alleged that the Company's Chief Executive Officer, former Chief Financial Officer and members of the board of directors violated Section 10(b) of the Securities Exchange Act of 1934, 15 U.S.C. § 78j(b), and breached their fiduciary duties owed to the Company in connection with the matters alleged in the securities class action lawsuit noted above. On March 30, 2017, the parties entered into a stipulation providing that this action would be stayed pending a ruling on defendants' motion to dismiss the amended complaint in the securities class action lawsuit noted above. On February 27, 2017, another purported shareholder derivative action was filed in the United States District Court for the District of Utah, entitled *Baker v. Jensen*, Case No. 2:17-cv-00141-PMW (D. Utah filed Feb. 27, 2017). Also, on April 24, 2017, another purported shareholder derivative action was filed in the United States District Court for the District of Utah, entitled *Infrizato v. Jensen*, Case No. 2:17-cv-00317-JNP (D. Utah filed Apr. 24, 2017). In these actions, plaintiffs, also purportedly on behalf of the Company, made similar allegations as the plaintiff in *Hansen v. Jensen*, described above. The parties in *Baker* and *Infrizato* similarly agreed to stays of those actions pending a ruling on defendants' motion to dismiss in the securities class action lawsuit noted above.

VOLUNTARY DISMISSAL OF THE SHAREHOLDER DERIVATIVE ACTIONS

Following and in light of the dismissal with prejudice of the securities class action lawsuit noted above, the Company requested that the plaintiffs in the shareholder derivative actions agree to dismiss their lawsuits voluntarily and without payment of any consideration by or on behalf of defendants or the Company. Thus, on October 31, 2017, the plaintiffs in *In re LifeVantage Corp. Derivative Litigation* stipulated to voluntary dismissal of their consolidated action without payment of any consideration by or on behalf of defendants or the Company. On November 17, 2017, the parties in *Infrizato*, *Hansen* and *Baker* stipulated to voluntary dismissal of those actions without payment of any consideration by or on behalf of defendants or the Company.

On November 27, 2017, the Court in *Infrizato* ordered, pursuant to Rule 23.1(c) of the Federal Rules of Civil Procedure, that the parties give notice to shareholders of the voluntary dismissal without prejudice of the *Infrizato* action before the *Infrizato* action could be dismissed. The Company also is providing notice hereto of the voluntary dismissal without prejudice of *In re LifeVantage Corp. Derivative Litigation*, the *Baker* action and the *Hansen* action.

THE RIGHT TO INTERVENE IN THE INFRIZATO ACTION

Any LifeVantage shareholder may seek to intervene as a plaintiff in the *Infrizato* action if he, she, or it (1) owns shares in LifeVantage and (2) wishes to pursue the claims in *Infrizato* or has any reason why any of the aforementioned actions should not be voluntarily dismissed without prejudice. All motions to intervene must be filed with the clerk of the court within thirty (30) days hereof. Every motion to intervene must contain: (1) the caption of the *Infrizato* action; (2) the intervenor's name, address and phone number; (3) proof or certification of the date the intervenor purchased LifeVantage stock; and (4) any supporting papers, including all documents and writings that the intervenor desires the Court to consider.

Any motions to intervene must be filed with the District Court at:
Clerk of Court
United States District Court for the District of Utah
Frank E. Moss U.S. Courthouse, Ste. 1.100
Salt Lake City, Utah 84101

A copy of any motion to intervene must also be mailed to:

Mike Brown Morales
Bleichmar Fonti & Auld LLP
111 South Main Street, Suite 2100
Salt Lake City, UT 84111-2176

John P. Stigi III
Sheppard, Mullin, Richter & Hampton, LLP
1901 Avenue of the Stars, Suite 1600
Los Angeles, CA 90067-6017

Attorneys for Defendants Darren Jensen, David S. Mancinelli, Dave Teole, Garry Mauro, George E. Metzger, Michael A. Beindorff, Richard Okumoto, Mark Jaggi, Raymond B. Greer, Vinayak R. Hegde and Darwin K. Lewis, and Nominal Defendant LifeVantage Corporation

Nelson Abbott
Abbott Law Firm
3651 North 100 East, Ste. 350
Provo, Utah 84604

Attorney for Plaintiff Michael Infrizato

About LifeVantage Corporation

LifeVantage Corporation is a science-based health, wellness and anti-aging company dedicated to helping people transform themselves internally and externally at a cellular level. Its scientifically-validated product lines include Protandim® NrG and NRF1 Synergizers, TrueScience® Anti-Aging Skin Care Regimen, PetandSmith, AXIO® Smart Energy and the Phyt4Q™Smart Weight Management SystemsLifeVantage (Nasdaq:LFVN) was founded in 2003 and is headquartered in Salt Lake City, Utah. For more information, visit www.lifevantage.com.

Primary Logo

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