



March 13, 2018

Foundation Medicine and Guardant Health Agree to Resolve False Advertising Lawsuit

CAMBRIDGE, Mass. & REDWOOD CITY, Calif.--(BUSINESS WIRE)-- [Foundation Medicine, Inc.](#) (NASDAQ:FMI) and [Guardant Health, Inc.](#) announced an agreement to settle false advertising challenges that the companies had filed against each other under the Lanham Act related to advertising for their respective liquid genomic profiling assays. Under the terms of the settlement, the lawsuit and counterclaims will be dismissed with prejudice. The companies also agreed to create a rapid-resolution process in the event of further advertising-related disputes.

In conjunction with the settlement, the parties further agreed to establish a working group to explore the development of standard formulas and definitions for the validation of genomic profiling assays.

Guardant Health's CEO, Helmy Eltouky stated, "We are pleased to resolve this legal matter in a way that not only addresses our respective concerns about historical marketing practices but focuses on educating clinicians and improving patient care."

Foundation Medicine's CEO, Troy Cox, stated, "We're pleased with this settlement that enables both companies to focus on the needs of the oncology community."

About Guardant Health

Guardant Health is focused on conquering cancer by using its breakthrough blood-based assays, vast data sets, and advanced analytics. Using both molecular and digital tools, Guardant Health is addressing challenges across the cancer care continuum. The company has raised more than \$500 million from leading investors. Its first product, the Guardant360 assay, came to market in 2014, and is now widely ordered and commercially available in more than 30 countries. In 2016, it announced Project LUNAR, an effort to apply Guardant Health's technology platform to early detection, recurrence monitoring, and assessing minimal residual disease. Guardant Health and Guardant360 are registered trademarks of Guardant Health, Inc. Learn more at www.guardanthealth.com.

About Foundation Medicine

Foundation Medicine (NASDAQ:FMI) is a molecular information company dedicated to a transformation in cancer care in which treatment is informed by a deep understanding of the genomic changes that contribute to each patient's unique cancer. The company offers a full suite of comprehensive genomic profiling assays to identify the molecular alterations in a patient's cancer and match them with relevant targeted therapies, immunotherapies and clinical trials. Foundation Medicine's molecular information platform aims to improve day-to-day care for patients by serving the needs of clinicians, academic researchers and drug developers to help advance the science of molecular medicine in cancer. For more information, please visit <http://www.FoundationMedicine.com> or follow Foundation Medicine on Twitter (@FoundationATCG).

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