CITRUS RESEARCH AND DEVELOPMENT FOUNDATION, INC.

Minutes of Executive Committee Meeting

Thursday, August 28, 2025

A meeting of the Executive Committee of the Citrus Research and Development Foundation, Inc. was held on Thursday, August 28, 2025, in the Ben Hill Griffin Conference Room, CREC, Lake Alfred, Florida and by Zoom as well as in person. The meeting was called to order at 10:30 AM by Chair Morgan Porter. Roll was called and a quorum was present. Executive Committee members present were Rick Dantzler, John Davis, George Hamner, Ron Mahan, Morgan Porter, and Joby Sherrod. Board members Matt Machata, Trevor Murphy, Sara Spinosa, and Board Emeritus John Updike were also present, and Dr. Jim Graham, Brandon Page, and Audrey Nowicki.

Ms. Porter, taking the agenda in different order while there was a quorum, asked Mr. Machata to give his Research Management Committee report.

Mr. Machata reported the committee recommended approval of the CRAFT proposal received in response to the large-scale field trials RFP and moved for funding. The motion was seconded by Mr. Hamner and passed unanimously.

Mr. Machata also said the committee heard a presentation by Dr. Nabil Killiny on RNA treatments. He is to follow up with the EPA to learn what the regulatory path is.

Ms. Porter then asked Mr. Mahan to report on the financial statements, audit, and tax return. Mr. Mahan summarized the July financial summary, noting nothing extraordinary since this was the first month of the year, and moved to approve the July financial statements. The motion was seconded by Mr. Sherrod and passed unanimously.

Mr. Mahan noted the audit report was presented to the Board earlier in the week, that he has reviewed it, and moved to approve the June 30, 2025 Audit Report. Mr. Dantzler noted that during the presentation on Tuesday, the auditor, Mr. Sal Tropea of Bunting, Tripp & Ingley, LLC, reported that CRDF had a clean audit report, free of material misstatement, clean opinion, clean report, so they found the financial affairs of CRDF in good order across the board. He and Mr. Mahan recognized the efforts of Staff. The motion was seconded by Mr. Sherrod and passed unanimously.

Mr. Mahan reported that he reviewed the tax return, and it fairly represented CRDF's position for tax purposes as a non-profit and moved that the tax return be accepted, approved, and submitted. The motion was seconded by Mr. Sherrod and passed unanimously.

Ms. Porter moved to Item F on the agenda, the discussion of the project manager contract provisions and application thereof in light of litigation filed in federal court in Palm Beach County, Florida. She noted that CRDF is a neutral research organization and supports growers and them being able to be competitive in the marketplace. She then asked Mr. Dantzler to outline the issue.

Mr. Dantzler said he spent a lot of time speaking with UF attorney Mike Ford and confirmed that having a closed session meeting of the Executive Committee is allowed in this instance since it stems from litigation filed in federal court even though it does not involve CRDF. He then discussed the contract which CRDF has with its Project Managers and noted that board members might suggest amendments to it after discussing the matter in issue today if the board felt that was necessary.

Dantzler then shared the timeline and mentioned the events and court documents which had given rise to the matter on the agenda for today. He noted that Dr. Graham had submitted a Declaration in Support of TJ's Motion for Temporary Injunction, which was attached as an Exhibit. Since the Motion would have the effect of preventing Rectify from being sold, it had attracted the attention of some number of growers and board members. Also, Dantzler noted that Dr. Graham commented on the efficacy of the products in the Declaration, and since CRDF had funded numerous projects regarding same, it had raised a concern that some growers might conclude Dr. Graham was speaking on behalf of CRDF given his long-standing connection with us.

He then walked the board through instances of how CRDF had tried to remain neutral. Next, he shared that he and Mr. Ford thought there would be nothing improper about the board commenting on the prudence of Dr. Graham having done this, but they believed it would be imprudent for CRDF to impose sanctions because it could have the effect of jeopardizing our neutrality. Dantzler noted that he and Mr. Ford concluded that Dr. Graham had gotten himself into this "mess," and that it was up to him to decide how to handle it, that it would not be CRDF's place to tell him that unless he withdraws his motion he would be terminated or something of that nature. One of the reasons for this is Dantzler reported there was nothing in the contract that prevented Dr. Graham from serving as an expert witness. He then shared what he believed Dr. Graham intended to say as an expert witness based on what was included in the Declaration. He then invited Dr. Graham to correct anything he said during his remarks. Because the board didn't have a quorum two days ago, the matter was now before the board again.

With that Ms. Porter gave Dr. Graham the floor for comments.

Dr. Graham thanked the board for its concern and attendance and reminded everyone that he serves growers as a consultant and has for many years. He said he didn't really disagree with anything Mr. Dantzler had said and agreed that all lawsuits were "messes," so he appreciated everyone being there and listening to what he had to say.

He noted that he had worked with clients as they used both products to gain as much knowledge as he could on efficacy to be gained by using them. He also said that of the $1.7 billion dollars spent from 2005 to present on HLB research, only one therapy had ever worked to control the bacterium in the tree. That turned out to be something that we all discovered was absolutely essential for a therapy to work. He held that any other therapy that comes along will be held to that standard now. That's a new standard that has been established by the control of the bacteria not only in the top of the tree, which is the obvious, but the unobvious, and that is the control of the bacterium in the root system, demonstrated or documented by Dr. Ute Albrecht's data that she collected and shared with him. He said that in 2022, when Hurricane Ian called through, trees did not incur the 40% loss of roots like what happened when Hurricane Irma came through because of the technology from TJ Biotech. Also, they did not suffer economic death if not physical death like what happened with Irma.

He stated that TJ's technology was an innovation and has received IP protection by the patent because of the acidification of the OTC, which facilitates its uptake and distribution in the tree, and the stabilization of the OTC so it doesn't start breaking down as quickly if it weren't acidified. That, plus the Flex-Inject system which made the labor affordable, resulted in the injection of millions of trees at the time when they were in a very vulnerable stage, preventing the loss of roots like what was seen after Irma. In other words, there was no need for recuperation/recovery of these roots. So, without this technology he stated that we wouldn't be here today discussing this, we'd be talking about other unfortunate things.

He said the purity of product and its impact on the tree has been a concern to him and to Dr. Albrecht and others, not the concern of bacterial resistance, that bacterial resistance turns out to be not as high a problem or risk. He spoke of phytotoxicity and how he believes pharmaceutical grade OTC is different than technical grade. He stated that purity is important on phytotoxicity but might not be evident in a single season, but that the history of antibiotic use shows that in the past when these discoveries of acidification were not used, after a period of time in South Africa and Asia when they deployed this therapy that the trees started showing phytotoxicity and that is damage that caused them to start declining. He said he has seen autopsies of trees that were injected over a few years' time, noting instances of damage that he and Dr. Albrecht have seen. Because of this, he believes it is imprudent to underestimate the potential for phytotoxicity and would err on the side of preferring to inject trees with a purer product to the extent possible. He also said that the adjuvant can cause phytotoxicity, which explains the interest in the industry in shifting to citric acid. He didn't comment on whether this should happen but reiterated that because of concern over the cumulative damage of phytotoxicity, he supports using the purer product.

He then said he wasn't aware of Dr. Albrecht's data referenced by Mr. Machata in the earlier meeting because he wasn't at Expo, which would have informed his decision to be an expert

witness. He doesn't really think he should take sides between researchers with differing data but suspects he will be asked about it in court.

He ended by saying he was here for the best interest of the citrus industry. He said he now understands he underestimated the level of concern his action would cause and that he may not have had all the knowledge when he made the decision, and that he was listening carefully today.

Ms. Porter thanked Dr. Graham for his remarks and noted the lack of a 40% decline of roots after the hurricane compared to previous years. She then said she would have guessed that more of Product B would have gone out. Dr. Graham's response was unclear, but it seemed to confirm that root decline did not occur and said he believed his clients would confirm that.

Ms. Porter then commented that Dr. Graham was aware of our thoughts and asked if board members had anything else to share. Mr. Machata then asked about the nature of his involvement in the case. Dr. Graham said he had spoken to the TJ lawyer the day before, and suspected he would be involved in the hearing, and would be looking at AgroSource's response to the lawsuit and hearing. He wasn't certain what the issues would be but suspected they would be the patent infringement itself and the efficacy of the products and the comparison of same. He noted that he was not a patent expert so he probably could not comment beyond what was in the Declaration. He then noted he didn't think it was prudent for him to say one researcher was better or more correct than the other, that he shouldn't pick sides.

Mr. Updike asked if Syngenta differentiated between products in its root mass study. Dr. Graham said a high percentage of the trees tested were protected with the AgroSource product, but sales records would have to be checked to know, but the use of these products saved the industry – this technology came at the time we needed it the most, and that it was not a technology developed within a CRDF project.

Ms. Porter said she was beyond grateful for TJ Biotech and all the development they did and understood supporting the company that developed it, that before she came back to McKenna Bros. she spent time battling the generic or competitor world. It was her job, but noted she had no 'bacon' to save and could not afford one of the products, to which Dr. Graham responded that he knew TJ's present price structure was more expensive and not likely to change for the time being, but that he had asked TJ to consider it; TJ said he would, but Dr. Graham doesn't think it will, which was verified with TJ counsel yesterday.

Mr. Sherrod noted we all knew this confrontation between the companies was coming, we just didn't know when. We have always supported both. Speaking to the growers, the issue that comes to the top is concern for losing a competitive or second product in the marketplace. He has less concern for Dr. Graham's participation in the lawsuit. The overarching idea is about paying more

for the product. That may be inevitable. Is the product better? He's not sure how that comes into play in infringement, but that he wasn't aware of the false advertising claim.

Mr. Machata then commented on where he thought Dr. Graham would most likely be used, that it would probably be efficacy, and that his concern was that the products weren't that much different and had advised growers accordingly. Even though Dr. Graham was not doing this in his role with CRDF, he had talked to Matt Joyner about it who thought it would give CRDF and UF a black eye, that it put us in a bad spot.

Dr. Graham commented that he believes the purity of the product reduces the risk of tree health.

There was discussion about whether which product was used was reported on CRAFT projects, which it is.

Ms. Porter then told Dr. Graham he was huge asset to CRDF, noting his connections with Brazil and work in citrus, and that it would be his decision on how to move forward. She told Dr. Graham the decision was solely on him and that we would respect whatever decision he made.

Dr. Graham noted that he should have discussed it with Rick or the Board first.

Ms. Porter said the industry was looking forward, not on past decisions, to which Dr. Graham said growers are excited because they just might turn a profit this year.

Mr. Dantzler noted for the record that Mr. Hamner wanted him to share that he thought Dr. Graham had made a mistake in doing this, but that he thought CRDF should stay out of it to the extent they could and let Jim decide how he wanted to deal with it.

Mr. Dantzler then asked if the board wanted him to look at the contract with the PMs to prevent this situation from occurring again. Mr. Mahan commented that the contract already said Dr. Graham was an independent contractor, so Mr. Dantzler went through the provisions of the contract … independent contractor … binding actions … not joint venture or partnership between consultant and CRDF…not an employee of the Foundation.

Mr. Machata noted that if we lose a product in the market, it will have a negative impact on the perception of CRDF and growers, to which Dr. Graham asked if he wanted him to withdraw from the lawsuit, but that he thought the cow was already out of the barn, it was already in the court record.

Ms. Porter said to Dr. Graham there is more to come, that you will be asked to address data and efficacy.

Dr. Graham said his position is out there, and that he was not aware of a presentation (not clear which one) at Expo until he saw it in the data.

Mr. Updike asked Dr. Graham if he would have taken a different position if he had heard all three presentations, to which Dr. Graham said he would have, if he had seen the data, that he just saw the data yesterday from Brandon. He then noted a recent conversation he had had with Dr. Albrecht about the damage she has seen to trees, and that the potential for damage (phytotoxicity) is ongoing.

Mr. Machata said we don't have any studies on that yet. We practice neutrality on all sides.

Dr. Graham said he would probably meet with Mr. Dantzler after the meeting. Mr. Machata told Dr. Graham that until we know your decision, he didn't think the board could make a decision.

Speaking to Dr. Graham, Ms. Porter said she didn't want to sway him if he had already made his decision, telling him to make his decision and we would accept and respect it.

In closing, Dr. Graham thanked Ms. Porter for the two meetings to discuss the matter. He said that he decided to become an expert witness the Tuesday before Expo, but that he was not working for CRDF in doing so and that he was doing what he thought was best for the industry.

Meeting was adjourned at 11:30 AM.