

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAN ELLER,
Plaintiff,
v.
VISTAGEN THERAPEUTICS, INC., et al.,
Defendants.

Case No. [26-cv-00427-RS](#)

**ORDER GRANTING MOTION TO
APPOINT LEAD PLAINTIFF AND
LEAD COUNSEL**

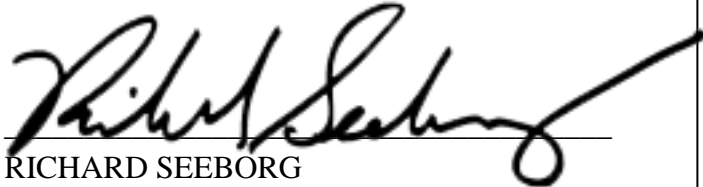
The previously submitted motion of Eric Weinberger to be appointed as Lead Plaintiff in this matter, and for approval of his selection of Levi & Korsinsky, LLP as Lead Counsel for the Class is granted. Weinberger timely filed his motion for lead plaintiff, stating he suffered approximately \$1,042,021.69 pursuant to Section 21D of the Securities Exchange Act of 1934 (“Exchange Act”) in financial losses in connection with his purchase of Vistagen Therapeutics, Inc. common stock during the alleged Class Period. Two other persons filed motions to be appointed as lead plaintiff, but have since stated they do not oppose Weinberger’s motion given his showing that he is the movant with the “largest financial interest in the relief sought by the class,” who is therefore entitled to a “presumption” that he or she is the “most adequate plaintiff” to serve as the lead plaintiff. See 15 U.S.C. § 78u-4(a)(3)(B)(iii).

Weinberger has made an adequate showing that he is a proper lead plaintiff and that Levi & Korsinsky is qualified to serve as lead counsel. Weinberger’s motion (Dkt. No. 14) is therefore

1 granted, and the competing motions (Dkt. Nos. 17 and 21) are denied.

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3 **IT IS SO ORDERED.**

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5 Dated: April 16, 2026



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7 RICHARD SEEBORG
Chief United States District Judge

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