



Media Alert

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January 12, 2009

EMD Serono and Emmaus Medical Announce Promotional Rights Agreement for Zorbtive® in the United States

EMD Serono, Inc., an affiliate of Merck KGaA, Darmstadt Germany, and Emmaus Medical, Inc. announced today that they have entered into a promotional rights agreement of EMD Serono's product Zorbtive (somatropin (rDNA origin) for injection) for the treatment of short bowel syndrome in patients receiving specialized nutritional support. EMD Serono has granted Emmaus Medical the exclusive rights to detail and promote Zorbtive in the United States, but has retained all other rights.

"We are excited about the agreement with Emmaus Medical, which demonstrates our strong business development imperative to secure the right partnerships that ensure patients have access to high quality, novel medicines we have developed," said Bharat Tewarie, MD, Vice President, Head of Business Development, EMD Serono, Inc.

Zorbtive is the first medication approved by the Food and Drug Administration for the treatment of short bowel syndrome (SBS).

Emmaus Medical currently markets NutreStore™ (L-glutamine powder for oral solution) for the treatment of short bowel syndrome in patients receiving specialized nutritional support when used in conjunction with Zorbtive.

"We are confident that our expertise in understanding patients and prescribers gives us the opportunity to bring an outstanding product to people living with a rare condition, such as short bowel syndrome," said Yutaka Niihara, MD, President and CEO, Emmaus Medical. "We are pleased to work with EMD Serono to make this possible."

Under the promotional rights agreement, Emmaus Medical will build awareness and education among physicians and healthcare professionals experienced in the SBS diagnosis and management about Zorbtive used in conjunction with NutreStore and a

specialized diet tailored to meet a patient's specific needs as a treatment therapy for people living with short bowel syndrome who are receiving specialized nutritional support. This deal is an example of EMD Serono's business imperative to develop collaborations with companies such as Emmaus Medical that together are committed to improving the lives of people living with significant unmet medical needs.

Short bowel syndrome is a condition when two-thirds or more of a person's small intestine is removed or not functioning properly. The small intestine is an important part of a person's digestive system, absorbing almost 90% of the nutrients and fluids needed to sustain health and life. There are an estimated 15,000 to 20,000 people living with short bowel syndrome in the United States.

About EMD Serono, Inc.

EMD Serono, Inc, an affiliate of Merck KGaA Darmstadt, Germany, is a leader in the US biopharmaceutical arena, integrating cutting-edge science with unparalleled patient support systems to improve people's lives. The company has strong market positions in neurodegenerative diseases, with Rebif[®] (interferon beta-1a), as well as in endocrinology, with Saizen[®] (somatropin (rDNA origin) for injection), Serostim[®] (somatropin (rDNA origin) for injection) and Zorbtive[™] (somatropin (rDNA origin) for injection). EMD Serono is a leader in fertility treatments, with Gonal-f[®] (follitropin alpha for injection), Luveris[®] (lutropin alpha for injection) and Ovidrel[®] Prefilled Syringe (choriogonadotropin alpha injection).

For more information, please visit www.emdserono.com.

About Emmaus Medical, Inc.

Emmaus Medical, Inc. is a Torrance, California, private pharmaceutical company dedicated to developing and bringing to market new treatments for rare diseases and conditions. Emmaus Medical launched its first product, NutreStore[™] (L-glutamine powder for oral solution) in June 2008, and received exclusive rights to detail and promote Zorbtive[™] (somatropin (rDNA origin) for injection) in December 2008. Emmaus Medical is currently conducting clinical trials to investigate the safety and efficacy of oral L-glutamine for sickle cell disease. Emmaus Medical received FDA orphan drug designation and fast track designation for the sickle cell project.

For more information, please visit www.emmausmedical.com and www.nutrestore.com.