

VIA PHARMACEUTICALS, INC.

**POLICY AND PROCEDURES REGARDING STOCKHOLDER COMMUNICATIONS
WITH THE BOARD OF DIRECTORS**

Policy

Stockholders of VIA Pharmaceuticals, Inc. (the “**Company**”) may contact an individual director of the Company or the Board of Directors (the “**Board**”) as a group, or a specified Board committee or group, including the non-employee directors as a group.

Procedures for Stockholders to Communicate with the Board

Stockholders may use the following means to communicate with the Board or any director of the Company:

Mail: Attn: Board of Directors
 VIA Pharmaceuticals, Inc
 750 Battery Street, Suite 330
 San Francisco, CA 94111

Email: AskBoard@viapharmaceuticals.com

Each communication should specify the applicable addressee or addressees to be contacted as well as the general topic of the communication.

Procedures for Distributing Communications to the Board

The Company will initially receive and process communications before forwarding them to the addressee and may also refer communications to other departments within the Company. The Company generally will not forward to the directors a communication that is primarily commercial in nature, relates to an improper or irrelevant topic, or requests the Company’s general information.

Administration

The Nominating and Governance Committee shall administer this Policy in its sole discretion.

Approval and Amendment

The Nominating and Governance Committee unanimously approved this policy effective as of October 16, 2007, with such non-material modifications as may be approved by the proper officers of the Company. Any amendment or supplement to this policy may be approved at any time or from time to time by the Nominating and Governance Committee in its sole discretion.
