

# ESPERION CODE OF PROFESSIONAL AND ETHICAL CONDUCT



# Table of Contents

## **3 Introduction**

- 3 Welcome from the President and CEO
- 4 Our Core Values
- 4 Purpose and Scope
- 5 Your Responsibilities as a Colleague
- 6 Additional Responsibilities of Supervisors
- 7 Esperion's Legal, Ethics and Compliance Program

## **8 Our Commitment to Our Colleagues**

- 9 Non-discrimination and Anti-harassment
- 10 Safe and Healthy Work Environment

## **11 Our Culture of Speaking Up**

- 11 Seeking Guidance
- 12 Guide to Ethical Decision-Making
- 13 Reporting Concerns
- 15 Reporting Accounting, Securities Law, and Similar Concerns
- 16 No Retaliation
- 17 Cooperation

## **18 Our Commitment to Conducting Business Ethically**

- 19 Anti-bribery/Anti-corruption
- 21 Antitrust and Competition Laws
- 22 Safety and Quality of Our Products
- 23 Third Parties
- 24 Environmental Commitments
- 25 Promotional and Non-Promotional Interactions with HCPs
- 26 Interactions with Advocacy Organizations

27	Political Activities
28	Complying with Import and Export Control Laws
29	Conduct of Research
30	Accuracy and Retention of Records
31	Social Media
<b>33</b>	<b>Our Commitment to Data Protection</b>
34	Data Privacy and Information Security
35	Protection and Acceptable Use of Esperion’s Assets
36	Human Subject Protection & Privacy
37	Confidential Information
<b>38</b>	<b>Our Commitment to Financial Integrity</b>
39	Public Disclosures
40	Insider Trading
42	Transparency
<b>43</b>	<b>Our Commitment to Avoiding Conflicts of Interest</b>
44	Conflicts of Interest
46	Gifts, Business Meals, and Other Hospitality
48	Personal Relationships
49	Board Memberships and Speaking Engagements
<b>50</b>	<b>Waivers and Amendments</b>
<b>51</b>	<b>Acknowledgment and Signature</b>
<b>52</b>	<b>Glossary</b>

## INTRODUCTION

### Welcome from the President and CEO

Dear Colleague:

At Esperion, we believe a company can succeed in today's highly competitive market only through a commitment to rock-solid values and ethical conduct, which is why we've adopted these principles as the foundation of our culture. Our reputation and continued success are dependent on our ability to earn the trust and respect of our stakeholders; patients and healthcare communities expect nothing less.

The Esperion Code of Professional and Ethical Conduct (the "Code") is a reaffirmation of our commitment to conducting our business ethically and to observing applicable laws, rules, and regulations. This is a responsibility that I take personally, and I expect every colleague and director to ensure that his or her behavior protects and promotes both the letter of the Code and its spirit of ethical conduct. In supporting the Code, Esperion leadership should also be counted on to demonstrate a strong tone from the top and encourage a culture of speaking up when necessary.

Please read this Code carefully, and if you have any questions, please see your Supervisor, our General Counsel, or the Compliance Officer. Once you have read the Code and understand it, please use our learning management system ("Esperion University") to acknowledge your comprehension and agreement to follow the Code as a member of the Esperion team. You will be asked to recertify annually that you have complied with the Code and will continue to do so.

Each of us has an opportunity and an obligation to provide ethical leadership by example. We can demonstrate that leadership by being ethical in all that we do, whether it is a major business transaction or simply how we treat our colleagues each day. There's nothing better than working for a company where ethical conduct is expected and protected. All of us want to go to work each day knowing that what we are asked to do what is lawful, reputable, and safe. Our ability to provide life-changing medicines to our patients ultimately depends on our ability to conduct ourselves honestly and ethically.

As you go through your Esperion journey, remember to apply the Code principles, and speak up if you see anything that you feel may compromise our integrity.

Thank you for your commitment to Esperion, our healthcare community, and our patients!

Sincerely,



Sheldon L. Koenig  
*President and Chief Executive Officer*

## OUR CORE VALUES

### Patients

The patient is at the center of every decision we make at Esperion, and we are committed to delivering innovative medicines that improve those lives we serve.

### Integrity

We are committed to honesty, quality, and transparency. We build trust by doing the right thing. We are accountable to each other, patients, customers, and our shareholders.

### Accountability

We take full ownership of our actions. We hold ourselves and each other to the highest level of professional planning, execution, and delivery of the objectives to fulfill our mission.

### Collaboration

We are a high-performing team that leverages our diversity and resources by partnering across business functions to build a supportive environment where we can achieve our goals.

### Passion

We nurture ideas, inspire excellence, and find creative ways to eliminate obstacles for cultivating growth. We generate excitement for those we work with and serve.

### People

We foster an inclusive environment that respects the different skills, experiences, and diverse backgrounds of our colleagues. We strive to attract talent that optimizes our culture, empowers us to achieve our mission, and creates opportunities for growth.

## PURPOSE AND SCOPE

Esperion Therapeutics, Inc. (“Esperion” or the “Company”) established this Code, which has been adopted by the Company’s Board of Directors, to aid the Company’s directors, officers, and Colleagues in making ethical and legal decisions when conducting the Company’s business and performing their day-to-day duties.

The Board of Directors has delegated responsibility for administering and interpreting the Code to the Compliance Officer.

The Company expects all Colleagues to exercise reasonable judgment when conducting the Company’s business. The Company encourages its directors, officers, and Colleagues to refer to this Code frequently to ensure that they are acting within both the letter and the spirit of this Code. The Company also understands that this Code will not address every situation you may encounter or every concern you may have about conducting the Company’s business ethically and legally. You are expected to speak up if you have concerns, questions, or need guidance.

## YOUR RESPONSIBILITIES AS A COLLEAGE

### Conducting Business with Integrity:

How we achieve our goals and milestones matters. While it is important to achieve our annual corporate, departmental, and individual goals, it is equally important that

our behaviors are reflective of the Esperion Core Values and ethical culture. We call this our Ethics Competency.

Our Ethics Competency builds on the Esperion Values and requires that each

Colleagues apply high ethical standards aligned with this Code when making decisions and taking actions. Under this competency, the expectation is that you will:

- Achieve goals and milestones by exhibiting behaviors consistent with the Esperion Core Values, the

principles in this Code, and other compliance mandates

- Be accountable for modeling ethical behaviors and communicating with integrity
- Complete assigned training to ensure your understanding of evolving requirements

**By conducting business with integrity as outlined in this Ethics Competency, your actions will set the proper tone and will maintain our reputation for trustworthiness while driving our long-term, sustainable success. Remember to always seek timely guidance if you have doubts or concerns.**

**How we conduct business and achieve our goals and milestones matters!**

#### **YOUR RESPONSIBILITIES AS A COLLEAGUE**

- Read, understand, and comply with this Code and Esperion policies and procedures as you conduct Company business
- Participate in training sessions as offered by the Company to stay up to date about Company rules and guidelines
- Apply this Code and its principles to your daily activities and conduct business professionally and with integrity
- Speak up and report possible or actual violations of this Code or any company policy
- Cooperate with any investigation of any reported violations of this Code or any company policy
- Respect other Colleagues and third parties with whom we interact
- Involve Legal, Ethics and Compliance (LE&C) whenever you are unsure of what to do or if you have questions about policy, ethics, compliance issues, or applicable law

*Immediately disclose to LE&C if you are (or become) currently on an Exclusion or Debarment List or otherwise ineligible to participate in federal healthcare programs or are involved in an investigation, litigation, or have been*

*convicted of a criminal offense that could lead to being on an Exclusion or Debarment List.*

**Exclusion and Debarment Lists refer to:**

- U.S. Department of Health & Human Services Office of Inspector General

HHS-OIG) List of Excluded Individuals/Entities (LEIE)

- U.S. Food and Drug Administration (FDA) Debarment List (Drug Product Applications)
- U.S. General Services Administration (GSA) System for Award Management (SAM)

**Additional Responsibilities of Supervisors:**

Promote a culture of conducting business with integrity and guide your team on how to conduct business ethically and legally

- Live the Code and lead by example
- Drive the completion of required training
- Report any potential or actual violations of this Code or other misconduct to LE&C promptly
- Ensure that your team is aware of how to report any concerns and knows there will be no retaliation for reporting potential or actual violations in good faith
- Foster an environment aligned with our Core Values

**ESPERION'S LEGAL, ETHICS AND COMPLIANCE PROGRAM**

In accordance with guidance from government authorities, such as HHS-OIG, Esperion has established an effective compliance program, under the auspices of the LE&C group, that has the full support and commitment of executive management and the Board of Directors. Esperion's compliance program is designed to support legal and ethical conduct throughout the Company. The Compliance Officer oversees the LE&C group, which partners with Colleagues to establish and enforce standards to mitigate risk areas. The LE&C program addresses the following elements:

1. Compliance Officer and Compliance Committee
2. Written Standards (this Code and related policies / SOPs)
3. Training, education & continuing guidance
4. Third Party due diligence & oversight
5. Effective lines of communication / confidential reporting (Ethics Hotline)
6. Auditing & monitoring
7. Investigations and corrective & preventive actions (CAPAs)

***“HHS-OIG” refers to the Department of Health & Human Services, Office of Inspector General. HHS-OIG issued the OIG Compliance Program Guidance for Pharmaceutical Manufacturers in 2003 which underpins Esperion’s LE&C program.***

LE&C will take reasonable steps to monitor compliance with the Code. The Compliance Officer shall provide periodic reports to the Board of Directors on the LE&C program to assist the Board in meeting its responsibility for overseeing the Company’s compliance program.

**Q: If a Colleague violates this Code, what are the possible ramifications?**

A: Disciplinary measures for violations of the Code will be determined in the Company’s sole discretion and may include, but are not limited to, counseling, written warnings, or suspension with or without pay, up to and including termination of employment.

***While LE&C is Esperion’s point of contact for compliance matters, all Colleagues remain accountable for conducting business ethically and compliantly.***

# OUR COMMITMENT TO OUR COLLEAGUES

Our Colleague Handbook, issued by Human Resources, contains other policies that affect your employment. Please ensure that you are familiar with the policies in the Handbook as well.

## NON-DISCRIMINATION AND ANTI-HARRASSMENT

We value each Colleague's unique and diverse talents, skills, and perspectives and appreciate everyone's contributions to our success. We do not tolerate harassment or discrimination on any basis including: religion, race, color, national origin, age, sex, sexual orientation, sexual identity, pregnancy, childbirth or a related medical condition, physical or mental disability, arrest record, genetic information, or any other category protected by law. Prohibited discrimination or harassment can take many forms including:

- **Physical activities** such as unwanted touching or hugging, standing too close, or blocking someone's path
- **Verbal activities** such as making derogatory statements, crude jokes, or slurs—even a comment or joke that you may think is innocent can be unwelcome or offensive to others
- **Visual activities** such as displaying obscene pictures, gestures, or screensavers

These provisions apply to interactions with Colleagues, customers, contractors, suppliers, and applicants for employment as well as any other interactions where Colleagues represent the Company.

In order to provide equal employment and advancement opportunities to all Colleagues and applicants for employment, employment decisions at Esperion will be based on merit, qualifications, and abilities.

***Supervisors have a heightened responsibility to create and maintain a bias-free environment***

**Q: My functional area is interviewing candidates to fill a new position. I overheard my hiring manager say, "The last candidate would have been perfect if she was not pregnant." Should this incident be reported?**

**A:** Yes. The incident should be reported to HR to allow for an evaluation of the facts and any necessary corrective actions.

**Q: What is harassment?**

**A:** Harassment is unwelcome and offensive conduct directed towards someone in a protected class that may interfere with a person's ability to perform his or her work.

**Harassment does not require intent to offend. Inappropriate conduct meant as a joke, a prank, or even a compliment can lead or contribute to harassment.**

## SAFE AND HEALTHY WORK ENVIRONMENT

Providing a safe and healthy workplace for Colleagues and others working in or visiting our Headquarters is important to us. You are responsible for making safety a priority and should:

- Participate in safety training
- Follow applicable safety standards
- Promptly report safety concerns
- Know the health and safety rules for your site or area, including emergency response plans

A safe workplace is one that is also free of aggression and violence. You should immediately report offensive, threatening, or violent behavior, whether verbal or physical. Violent or threatening acts are not permitted and will not be tolerated.

If you have ideas, concerns, or suggestions for improving safety in the workplace, please speak up through our various communication channels, such as your supervisor or the Ethics Hotline.

**Q: Should I report every accident arising out of and in the course of conducting my job even if the injury is minor?**

**A:** Yes. You should promptly report all accidents and related injuries, even minor ones, to your supervisor and Human Resources. Sometimes seemingly minor injuries can result in serious health consequences. Reporting a workplace-related injury is necessary to safeguard life and health, comply with applicable laws, and initiate insurance and workers' compensation benefit procedures as applicable.

**Q: A reporter came to our Headquarters today. Although the reporter was not an expected visitor, a Colleague let her in anyway and allowed the reporter to walk around our facility unattended. Was this appropriate?**

**A:** No. You should not open our Headquarters' doors to strangers unless they have a legal right to be on our premises (e.g. government inspector). All appropriate visitors, regardless of who they are or who they are there to see, must sign-in at the front door, and be accompanied by a Colleague at all times during their visit. Also remember that no indoor photography of our office space by a visitor is permissible.

***Whether you are working in the office or at home, always take steps to make sure the equipment you are using is safe and meets your needs.***

# OUR CULTURE OF SPEAKING UP

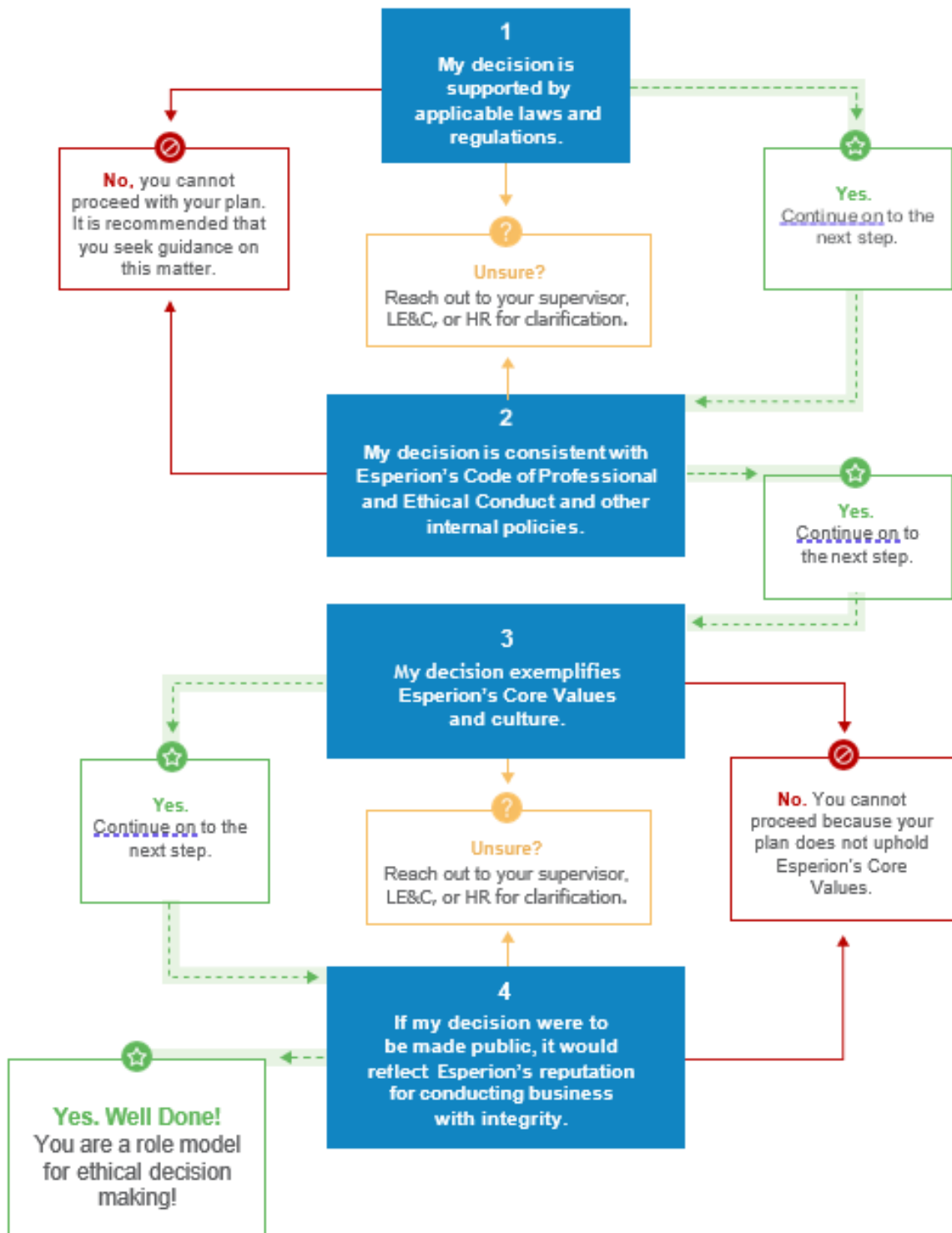
## Seeking Guidance

Open communication is vital to the success of our Company. We are committed to maintaining a work environment where people can ask questions, voice concerns, and make appropriate suggestions regarding business practices. Always seek guidance if you are unsure about what to do in a particular situation or have questions about law, policy, or something just does not feel right.

Be forthcoming and proactive by speaking with your supervisor, LE&C, or Human Resources.

Questions to LE&C can be submitted by email to:  
[compliance@esperion.com](mailto:compliance@esperion.com)

## GUIDE TO ETHICAL DECISION MAKING



## REPORTING CONCERNS

We expect you to be alert, attentive, and to speak up if you suspect that this Code, policies, or laws are being violated. We support anyone who makes a report in good faith and provide many options for speaking up:

- **Emailing our third-party hotline** vendor at [reports@lighthouse-services.com](mailto:reports@lighthouse-services.com) (NOTE: If contacting our vendor via email, you must include Esperion's name with your report)
- **Calling the Ethics Hotline** at 833-390-0022 – that is available 24/7/365; translators are also available to assist you
- **Submitting a concern through our Web Tool** at: <http://www.lighthouse-services.com/esperion>
- **Contacting the Compliance Officer**, by phone, email, or writing c/o Esperion Therapeutics, Inc., 3891 Ranchero Drive, Suite 150, Ann Arbor, MI, 48108
- **Contacting Human Resources** or any Executive Team member with whom you are comfortable speaking

When reporting suspected violations, we encourage Colleagues to identify themselves in order to facilitate our ability to take appropriate steps to address the report, including conducting any appropriate investigation. However, we also recognize that some Colleagues may feel more comfortable reporting a suspected violation anonymously and you may do so, unless restricted by local law.

If you choose to identify yourself, every effort will be made to protect your identity if requested. In some instances, however, it may not be possible to keep your identity confidential because of the nature of the investigation, the demands of conducting a thorough investigation, or certain legal requirements.

Intentionally making a false report is prohibited. If it is determined that a report was not made in good faith, the Company will take appropriate disciplinary action.

## REPORTING CONCERNS

### Q: Will my manager find out that I have filed a complaint?

A: If requested, Esperion will make every reasonable effort to protect your anonymity, and your report will be shared only with those who need to know in order to investigate it. It may not, however, always be possible to keep your identity confidential if, for example, any of the following occur:

- The investigation relates to an area or project that is solely your responsibility
- You are one of a small number of people who know certain facts
- It is obvious from the details of the report who originated the complaint
- It is necessary to investigate your complaint (e.g. if you allege your manager has sexually harassed you)

Also, in some cases, Esperion may be required by law to reveal your identity.

**Raising a concern in “good faith” means that you have a genuine belief that something is wrong, have provided honest and accurate information even if you are later proven to be mistaken and are not using the process for improper purposes.**

### Q: If I file a report anonymously, how will I know if it was addressed?

A: If you opt to file a report anonymously, you will receive a case number and call-back date which will allow you to follow up on your report. We may have questions for you and will provide them to the Ethics Hotline vendor in order to maintain your anonymity. When you check back with the Ethics Hotline vendor, they will pose the questions to you and record your responses. Additionally, you may inquire about the status of your report by contacting the Ethics Hotline vendor.

**Colleagues who raise concerns help the Company identify and address problems proactively.**

## REPORTING ACCOUNTING, SECURITIES LAW, AND SIMILAR CONCERNS

Colleagues may raise complaints about accounting, internal controls, or auditing matters to the Audit Committee of the Board of Directors.

To raise a question or concern to the Audit Committee, you have the following options:

- **Writing the Chairperson of the Audit Committee** c/o Esperion Therapeutics, Inc., 3891 Rancho Drive, Suite 150, Ann Arbor, MI 48108
- **Emailing our third-party hotline vendor** at [reports@lighthouse-services.com](mailto:reports@lighthouse-services.com) (NOTE: If contacting our vendor via email, you must include our company's name with your report so that it can be assigned to Esperion)
- **Calling the Ethics Hotline** at 833-390-0022 – a line answered by our third-party hotline vendor that is available 24/7/365; language translators are also available to assist you
- **Submitting a concern through our Web Tool** at: [www.lighthouse-services.com/esperion](http://www.lighthouse-services.com/esperion)
- **Writing the Compliance Officer**, c/o Esperion Therapeutics, Inc., 3891 Rancho Drive, Suite 150, Ann Arbor, MI 48108

**If you submit a question or concern through one of these channels, it will be forwarded to the Chair of the Audit Committee.**

## NO RETALIATION

We will not tolerate retaliation against any Colleague for raising a question or concern in good faith or participating in an investigation. If you believe that you or others have been retaliated against, you should report this behavior to your supervisor, Human Resources, or LE&C. Any person who participates in any such retaliation is subject to disciplinary action, including termination of employment.

**Q: What happens if I speak up and it turns out that there really wasn't anything wrong?**

**A:** Nothing will happen to you or your employment status. It is always the right choice to speak up and report possible misconduct based upon honest and accurate information. If an investigation later demonstrates that the concern was not substantiated, there will never be any retaliation for a report made in good faith.

**Q: I witnessed a Colleague deliberately violate a policy but am afraid of retaliation if I report it. What should I do?**

**A:** We stand behind our policy prohibiting retaliation when you report this misconduct. It is important to raise any concerns about retaliation so that we can take appropriate steps to enforce our policy.

**The fact that a Colleague has raised a concern in good faith, or has provided information in an investigation, cannot be a basis for denial of benefits, termination, demotion, suspension, threats, harassment, or discrimination.**

## COOPERATION

Colleagues are required to fully cooperate with the Company in any investigation or litigation of a potential violation of this Code, any Company policy or procedure, or any applicable law, rule or regulation.

**Q: What if I am contacted at home by a government representative who asks to speak with me and seeks information? Must I fully cooperate on the spot?**

**A:** If you are approached at home or elsewhere, you should request a business card from the government representative and ask to reschedule the meeting until you have discussed it with the Company. You should then contact LE&C immediately. Esperion will cooperate with government authorities by seeking to understand the request and responding accordingly. The reason we ask that you contact us is because a non-routine inquiry from a government representative may present the risk of civil or criminal liability for you and/or the Company.

**“Full cooperation” in a Company investigation or litigation means you are forthcoming with truthful information and available as necessary for meetings and calls.**

# OUR COMMITMENT TO CONDUCTING BUSINESS ETHICALLY

Ethical behavior goes beyond simply complying with laws and regulations. Our commitment to conducting business ethically means doing the right thing, regardless of the situation or circumstances. This fosters a culture of integrity that resonates both internally with our Colleagues and externally with HCPs, payors, regulatory bodies, and ultimately patients and caregivers.

The responsibility of doing business ethically is not tied to a particular job title or role in the organization. Every Esperion Colleague in every role should strive to always conduct themselves with integrity.

## ANTI-BRIBERY/ANTI-CORRUPTION

As an ethical organization, we do not permit or condone the use of bribes, kickbacks, or other transfers of value to improperly influence any Government Official, Commercial Customer, or Healthcare Professionals (HCP) in order to obtain or retain business, or to illegally advance Esperion's commercial interests. Accordingly, no Colleague or Third Party acting on Esperion's behalf shall offer, give, solicit, or receive any money or other item of value for any improper purpose, such as gaining an improper advantage in a commercial arrangement or obtaining government action to benefit the Company.

To comply with our commitment against bribery and corrupt business practices, Esperion has implemented certain controls including:

- Assessing healthcare compliance risks annually Risk-ranking Third Parties
- Requiring a "needs assessment" or business justification form for arrangements with HCPs, Healthcare Organizations ("HCOs"), and high-risk vendors
- Implementing a process to determine fair market value
- Conducting checks against sanctions, exclusion, or debarment lists
- Ensuring that Third Parties have similar policies, trainings, and controls to prevent bribery and corrupt practices
- Confirming services are legitimate and well documented
- Making payments to the Third Party named in the contract and in the country where the services are performed
- Requiring that subcontractors be identified, disclosed, vetted, and held to these same standards
- Monitoring the performance and conducting periodic audits of the Third Party
- There are many laws that address the issue of corrupt business practices. Following is a brief overview of the main laws relevant to our industry:

**Anti-kickback Statute ("AKS"):** The purpose of the AKS is to protect federal healthcare programs from fraud and abuse. Specifically, AKS prohibits offering, paying, soliciting, or receiving remuneration that is intended to induce or reward an individual's decision to recommend, prescribe, use, refer, or purchase a product or service that is reimbursed in whole or in part by a federal healthcare program. "Remuneration" is broadly defined to apply to anything of value that is provided directly or indirectly, overtly or covertly whether in cash or in-kind. To mitigate this risk, we structure our transactions and arrangements to comply with as many elements as possible of the federal "safe harbors," which are provisions in the law that protect specific activities or conduct from AKS liability.

While there may be many legitimate purposes for entering into an arrangement with an HCP, customer, or other Third Party related to products that are covered by federal healthcare programs, if at least one purpose of the arrangement is to induce or reward the generation of such business for our company, the AKS may be violated.

## ANTI-BRIBERY/ANTI-CORRUPTION

**Foreign Corrupt Practices Act (“FCPA”):** This law makes it illegal for any U.S. individual or company doing business abroad from authorizing, offering or paying money or anything of value, directly or indirectly, to any foreign official or employee, political party, or candidate for public office for the purpose of obtaining or maintaining business or for any other improper business advantage. The FCPA also requires that our books and records accurately reflect all transactions.

**Q: My job requires that I travel abroad for work. If something is considered a “customary courtesy” in one country but may be viewed as a bribe in another, may I provide a small gift in the country where it is customary?**

**A:** No. Customary traditions, including gift giving, do not supersede Esperion’s policies, procedures, or this Code.

**Q: What are examples of prohibited remuneration?**

**A:** An example is providing an HCP with free nursing services that confer a benefit on the HCP in exchange for prescriptions. Another example would be making a donation to a government official’s favorite charitable organization to secure a favorable formulary decision by the government hospital where the government official works.

**Q: Isn’t a bribe or kickback always a bag of money?**

**A:** No, a bribe or kickback can take many forms, such as gifts, lavish meals, services, employment opportunities, charitable contributions, trips/ vacations, consulting agreements, and entertainment. A kickback may also be disguised through an inflated contract or invoice allowing for a partial return of payment outside of the contract as a reward for awarding the business.

**Did you know that in addition to the federal AKS, most states and other jurisdictions (such as the UK) have implemented their own anti-kickback or anti-bribery laws?**

We must be alert to interactions with government officials since they may have a dual role as both customers and regulators of our products. Remember that you cannot use Third Parties to indirectly provide bribes or kickbacks.

**Government Officials:** In addition to political parties and employees of government agencies and departments, Government Officials may include HCPs who are practicing or affiliated with public hospitals (e.g. Veterans’ Administration)

**A “facilitating payment” is a payment to expedite or secure the performance of a routine governmental action by a foreign official, political party, or party official. These payments may sometimes be referred to as “grease” payments for non-discretionary governmental actions (e.g., obtaining a permit, providing phone service, processing a visa or work order). We prohibit the use of facilitating payments.**

## ANTITRUST AND COMPETITION LAWS

Antitrust and competition laws promote fair competition and protect consumers from unfair business practices. These laws frequently address areas such as illegal agreements between competitors aimed at preventing or restricting free competition, price fixing and unfair trade practices.

We comply with applicable antitrust and competition laws and deal fairly with customers, suppliers, competitors and other Third Parties. This means that we do not take unfair advantage through manipulation, concealment, or misrepresentation of key facts, or other unfair practices.

Importantly, it is never permissible to enter into an agreement, whether written or verbal, with a supplier, customer, or competitor to:

- Fix prices
- Carve up territories, markets, or customers
- Rig bids
- Block new entrants to a market Boycott a customer or supplier Restrict production, sales, or output
- Bundle or tie two separate products together
- Gain an unfair advantage through concealment, misrepresentation, or manipulation of material facts

**Q: You are approached by a competitor with a product in the same therapeutic class to discuss an arrangement whereby both companies can increase market share through setting similar price points and eliminating overlapping markets. Can you engage in this discussion?**

**A:** No. It is against Esperion's policy to collude with others to artificially set pricing or take actions that will exclude rivals from access to customers or suppliers or engage in pricing practices that would harm customers. You should clearly and firmly refuse to participate in this discussion and promptly report the matter to LE&C.

**Q: My friend works for our competitor. May I discuss how to handle pricing strategies with payers with her?**

**A:** No. Whether in a business or social setting, pricing strategies and other confidential and competitively sensitive information may not be the topic of conversation with friends.

***We must consistently treat our customers, suppliers, competitors, and other Third Parties fairly.***

## SAFETY & QUALITY OF OUR PRODUCTS

**Quality is in all we do because all we do is for our patients. Esperion’s passion for quality is an integral part of our company culture and is embedded in every aspect of our organization. We are committed to applying the highest quality standards to develop and deliver safe, effective pharmaceutical products that significantly improve the quality of life for the patients and clinical trial participants we serve.**

As a manufacturer of pharmaceutical products, we have ethical, scientific, and legal responsibilities to collect, assess, and report relevant information regarding the safety and quality of our products to regulatory agencies. You play a key role in ensuring Esperion meets its commitment by:

- Reporting an adverse event (“AE”), product quality complaint (“PQC”), or other special situation involving our products within 24 hours of becoming aware of the AE, PQC, or other special situation as required by Esperion policy

The information we collect is used to safeguard the well-being of patients using our products. Therefore, we make sure to share data regarding AEs and PQCs with patients, HCPs, and regulatory authorities, as well as use it to continually improve the safety and quality of our products.

**Q. At a family reunion, my grandmother mentioned she experiences minor abdominal discomfort while taking an Esperion product. I know that abdominal discomfort is a known AE included in the product’s package insert. Because this is a known adverse event, I don’t need to report this, correct?**

**A:** You are mistaken. You must report your grandmother’s complaint of experiencing minor abdominal discomfort while using our product. It is a common misperception that an AE listed in a product’s package insert does not need to be reported, but this is not the case. Additionally, the AE must be reported even if you are told that it is “minor” or unrelated to taking the Esperion product. AEs are required to be reported because the incidence rate of known adverse events must be continually assessed to ensure patient safety. Be sure to make this report within 24 hours of learning of the AE.

There are many ways you can learn about an adverse event and/or product quality complaint including: interactions with HCPs, phone calls, internet websites, blogs, publications, congresses, clinical trials, meetings, as well as social settings such as casual conversations with family members and friends.

**Any event involving known or suspected counterfeiting of, or tampering with, our products is a PQC that should be reported. Products that are fraudulently mislabeled or tampered with can potentially harm patients as well as the Company’s reputation.**

**Did you know?**

**“Lack of Effect” is both an AE and PQC that must be reported.**

## THIRD PARTIES

We select our Third Parties carefully and thoughtfully since they play an important role in our success. Our approach is to work with Third Parties who are fair, ethical, and collaborative and who help us accomplish our mission, vision, and goals. To that end, we expect our Third Parties to share in our commitment to ethical business practices and to conduct themselves accordingly.

To help our Third Parties meet our expectations, we have established standards and requirements that are communicated contractually and through other means. Additionally, we conduct audits of and routinely monitor the performance of Third Parties.

### Q. Who is a Third Party?

A: Any entity or person who is not an Esperion Colleague and with whom Esperion has established a formal business relationship. Examples include suppliers, vendors, distributors, agents, consultants, temporary workers, contractors, and spokespeople.

***Only select reputable Third Parties who provide quality products or services at a fair price.***

## ENVIRONMENTAL COMMITMENTS

Esperion respects the communities where we live and work and promotes practices that protect the environment for the benefit of the health and safety of Colleagues, visitors to our Headquarters, and our community. As part of our effort to operate in an environmentally friendly manner, we are committed to:

- Complying with all applicable environmental, health, and safety laws and internal standards
- Assessing and understanding the environmental impact of our products and supporting efforts such as drug take-back programs
- Selecting Third Parties and business partners that are equally committed to safe, responsible, and environment-friendly operations
- Educating and encouraging Colleagues to work in a safe and environmentally responsible manner
- Fostering candid dialogue on environmental matters with internal and external stakeholders

**Q. My laptop battery no longer works and needs to be disposed of. Can I throw it away with my regular trash?**

**A:** No. We are committed to taking measures to protect our environment and need to follow appropriate waste disposal procedures for laptop batteries (and other equipment). Check your local recycling services to see if you can drop off your laptop battery. Sometimes local retailers, police or fire stations, or other public facilities will collect recyclables such as these batteries. You may also call the Esperion IT Helpdesk at 1-888-786-5884 for assistance. And remember that other items should be disposed of or recycled properly: confidential materials should always be shredded but other paper and plastic materials can be recycled.

**Promptly report any environmental incidents that you may encounter, including flooding or the presence of fumes or vapors.**

**We can all contribute to our environmental commitments by making small changes such as using recyclable cups for coffee and water.**

## PROMOTIONAL AND NON-PROMOTIONAL INTERACTIONS WITH HCPs

We are committed to discovering, developing, and marketing innovative and safe products and routinely engage with HCPs in the furtherance of these objectives. Colleagues interacting with HCPs must be aware of applicable laws, industry codes, and Company policies.

Interactions with HCPs may be promotional or non-promotional. Whether the activity is promotional or non-promotional, Colleagues must:

- Only use approved materials
- Provide information that is truthful, accurate, and non-misleading
- Never encourage, induce, or reward an HCP to recommend, prescribe, use, or purchase our products by promising or providing the HCP with impermissible items of value such as lavish meals or consulting arrangements

Promotional activities include advertising, such as direct-to-consumer, and marketing efforts by sales representatives directed to HCPs and other stakeholders about our products based upon the approved labeling. These activities must always serve a legitimate business purpose and should not interfere with an HCP's independent medical judgment. Colleagues authorized to engage in promotional activities with HCPs should:

- Never discuss using our products for off-label purposes
- Provide balanced information regarding the benefits and risks associated with our products
- Accurately record any interaction with an HCP including any approved items provided such as reprints or educational items (e.g., anatomical models, textbooks)

Non-promotional activities relate to the communication of disease state information, responding to an HCP's unsolicited request for medical information, clinical trial recruitment, and other scientific exchange.

### **Q: Who is considered a Healthcare Professional?**

**A:** Individuals (whether clinical or non-clinical), including without limitation, physicians, physician assistants, fellows, residents, nurses, nurse practitioners, advanced practice registered nurses, technicians, pharmacists, pharmacy technicians who directly or indirectly purchase, order, use, prescribe, recommend, or arrange for the purchase, use, prescription, or order of any Esperion product, or who have the ability to do so.

The Code on Interactions with Healthcare Professionals developed by the Pharmaceutical Research and Manufacturers of America (or the "PhRMA Code") PhRMA Code is an important industry code of conduct that establishes important guardrails for appropriate interactions with HCPs across a variety of activities. Some important topics include:

- Principles for providing occasional, incidental meals to HCPs as part of educational meetings

- Guidance on the appropriate educational items that may be provided to HCPs
- Rules for engaging HCPs as consultants or speakers, and more.

Esperion has developed its policies regarding appropriate interactions with HCPs to comply with the most recent version of the Code on Interactions with Healthcare Professionals developed by the Pharmaceutical Research and Manufacturers of America (PhRMA). We train our employees on these important principles and monitor for compliance.

## **INTERACTIONS WITH ADVOCACY ORGANIZATIONS**

Understanding the patient experience and their unique and evolving medical needs is essential to our success. One of the many ways we stay informed of patients' needs is through our relationships with patient advocacy organizations. Because these organizations can act as representatives for patients, they are subject to the laws, regulations, industry standards, and codes governing interactions with consumers and patients. Any information provided to patient advocacy organizations must be MLR-approved (internal process that ensures review of communications by Colleagues in the medical, legal and regulatory groups before such communications are used externally), truthful and accurate and easy to understand. We must respect the independence of the patient advocacy organization and provide appropriate support of their mission.

**Advocacy is designed to promote education, awareness, and access to treatments.**

**Q: The American Heart Association is sponsoring a 5K walk to promote healthy hearts. Esperion, along with other companies, has provided a modest amount of funding for the 5k walk. As part of this support, Esperion is permitted to set up a display table at the event with information about our company and products. Our sales representative is handing out water bottles to the participants. A participant shares their personal cholesterol concerns and asks whether Esperion's product would work for them. How should our Colleague respond?**

**A: Our Colleague may provide any materials that have been approved through the MLR process for patients. Regarding the specific question, we cannot provide medical advice to the participant. However, we can encourage them to speak to their physician about treatment options. If the participant is a physician, the same response is required. We cannot promote to physicians outside of our approved target list.**

## POLITICAL ACTIVITIES

We fully support your choice to be involved in civic, political, and community activities. Accordingly, you may contribute your personal time and financial support to these types of political engagements without interference from the Company.

If you will be compensated externally for such involvement, the activity must be disclosed to your supervisor and LE&C so that we can evaluate whether it creates a conflict of interest.

Colleagues are prohibited from providing or using Company funds or assets, such as office equipment, supplies, and/or office space, to benefit a political party, candidate, or campaign.

**Q: I know a U.S. senator who supports Esperion's interests. If I send a personal check to the senator's re-election campaign, can I get reimbursed from Esperion?**

**A:** No. While Colleagues are free to support any political representative(s) of their choice, Esperion will not reimburse any personal political contributions.

***If you are running a personal political campaign, you must disclose the activity to LE&C for evaluation as to whether a conflict of interest exists.***

## COMPLYING WITH IMPORT AND EXPORT CONTROL LAWS

Import/export control laws are complex and specific to each jurisdiction; they impact where and how we do business and with whom. When doing business globally, we must comply with these laws to avoid disruptions in our supply chain and research activities as well as to inform and guide our investments and other transactions. Failing to abide by these laws may subject Esperion to fines, loss of import/export privileges, and other penalties.

If your role requires you to engage in cross- border transactions, you must:

- Know where your Third Parties are located and if subcontracting is allowed, where their subcontractors may be located
- Understand any export/import controls and trade restrictions for the country, government, government official, entities, and individuals where and with whom you have business dealings
- Abide by U.S. anti-boycott laws and restrictions on doing business with certain foreign countries; these laws are designed to prevent the transfer of information, equipment, chemicals, software, or technology that could be used for harmful purposes such as to manufacture nuclear, chemical, or biological weapons

**Q: I just learned that our contract manufacturer purchases an excipient for our products from North Korea without our knowledge or consent. Is this a problem?**

**A:** Yes. Our supply chain is now linked to North Korea in violation of U.S. sanctions. You must report this situation immediately to LE&C for further handling.

**Q: A clinical trial site in the U.K. is using our equipment and wants to ship it back to us. Is this considered an import?**

**A:** Yes. If the clinical trial site ships the equipment back to the U.S., it becomes an import and is subject to import control laws.

**Q: I think import/export laws only apply to items and goods that are shipped internationally. Is that correct?**

**A:** No. Even items that are hand-carried across international borders are subject to import/export control laws.

**Questions regarding compliance import and export activities should be directed to Technical Operations and LE&C.**

## CONDUCT OF RESEARCH

We are committed to scientific excellence in pharmaceutical research and development. Our goal is to address serious unmet medical needs related to cardiovascular disease.

For pre-clinical trials, we conduct animal research responsibly and in a humane and ethical manner. All Esperion-sponsored studies are designed and conducted in accordance with applicable laws, regulations, and guidelines, as well as recognized ethical standards such as Good Laboratory Practice (GLP) and Good Clinical Practice (GCP) and under the oversight of an Independent Review Board (IRB) or Ethics Committee (EC). All clinical investigators are trained on the study protocol and applicable scientific and ethical standards.

We recognize the importance of making clinical studies and results available. Esperion is committed to the development of publications that report the results of Company-sponsored clinical research studies accurately and objectively, and to the disclosure of funding and editorial support. We follow applicable regulations by registering our trials and reporting their results on sites such as [clinicaltrials.gov](http://clinicaltrials.gov).

***We regularly monitor and audit clinical study sites, Third Parties, and processes related to our clinical trials.***

## ACCURACY AND RETENTION OF RECORDS

Conducting business with integrity requires us to manage our records responsibly. We rely upon business records to make important business decisions every day. Managing our records responsibly allows us to meet our financial, legal, and regulatory obligations which may include submitting records to government and regulatory agencies. Make sure that anything you document, or produce, is complete and accurate and fully discloses the true nature of the business transaction. All business records created as part of your responsibilities must be maintained in accordance with our policies, including complying with legal holds.

Remember, falsifying records or misrepresenting or omitting facts could constitute fraud and result in severe penalties for the Company. It can also lead to disciplinary action, up to and including termination of employment.

To meet these obligations, you are expected to:

- Retain records for the length of time required by our policies and applicable law
- Dispose of documents securely that are no longer needed or required to be kept
- Be mindful when creating new documents and ensure that any record we create is accurate and professional
- Never dispose of a document subject to a legal hold

### Q: What are some examples of business records?

A: A business record is a document that records a business dealing. Business records include meeting minutes, memoranda, employment contracts, and accounting source documents. It must be retrievable at a later date so that the business dealings can be accurately reviewed as required.

Business records could include:

- Strategic and business plans Timesheets
- Contracts Invoices Ledgers Clinical data
- Emails, text messages, and voicemails Regulatory filings
- Sales call records
- Product sample disbursement records Expense reports and required receipts Production and quality data Compensation records
- Performance evaluations Research results Training records
- Clinical safety/pharmacovigilance records

**You must be vigilant.  
The integrity and reliability of our records require all Colleagues to  
pay attention to details. Colleagues should promptly report any  
inaccurate, false, omitted, or misleading records.**

## SOCIAL MEDIA

Social media provides an outlet for creating and sharing user-generated content. We use social media platforms to help achieve our corporate objectives and recognize that Colleagues also spend time on social media for personal reasons. Social media offers a great forum for the exchange of ideas, but it also introduces risks and, accordingly, requires that we use it wisely and responsibly by following these principles:

### Ask Before Posting

What you post or share on social media not only affects you but could also affect our Company and other Colleagues. You are accountable for the content and communications that you (re)post and/or share. While including a neutral, passing reference to our Company, such as listing Esperion as your employer on LinkedIn®, is acceptable, be mindful of any limitations on what you share or post as outlined in our policies.

### Be Respectful of Others

You must be careful that what you are posting to social media does not violate Company policies or this Code. Avoid language and activities that offend, discriminate against, or intimidate others, and respect the privacy rights of others. You must also be respectful of our competitors. Any posts directly or indirectly referencing our competitors or their products are expressly prohibited.

### Be Accurate, Truthful, and Non-Misleading

If your personal post references our Company, you must clearly state that any opinions or comments are your own. Never state or imply that you are a spokesperson communicating on behalf of our Company or engage in other intentionally misleading actions, such as impersonating another Colleague. You are prohibited from posting anything that promotes our marketed or pipeline products or those of our competitors, as well as comments making claims about the safety or efficacy of any products.

### Use Good Judgment and Remember Your Responsibilities as a Colleague

Technological advancements continue to make it easier to share content and ideas on social media platforms. However, you must be careful to never disseminate any confidential or protected material online. You should never (re)post or share confidential information including:

- Corporate activities, such as mergers and acquisitions, before they are made public
- Company-created articles, policies, procedures, and other documents
- Photos from meetings, congresses, conferences, and seminars
- Information related to the results of clinical trials or other research and development efforts

**Also, remember that you have a responsibility to report AEs, PQCs and special situations, including those you see posted online.**

## SOCIAL MEDIA

**Q: Can I create a social media post about Esperion on my personal social media account?**

**A:** Maybe. Personal posts on social media must not include references to our products (including opinions regarding their safety or efficacy), or any material not approved for release to the public, including confidential company information, or make disparaging or defamatory statements about others. If you are unsure if the information you would like to share would violate Company policy, you should reach out to LE&C for clarification.

Any personal posts referencing our Company must include a disclaimer that mentions your relationship to Esperion and explains that the statements or opinions expressed are your own and do not necessarily represent those of Esperion.

**Q: A Colleague posted an offensive, sexual comment about me on his personal social media page. Is my co-worker allowed to do that?**

**A:** No. Colleagues' use of social media, even on personal accounts, is expected to comply with our Company policies including those prohibiting discriminatory, harassing, intimidating, or offensive comments and actions.

**Q: I saw someone posting inaccurate information about our products and speaking ill of our Company. Can I create an anonymous account to defend us against this misinformation?**

**A:** No, you should not respond to the comment either anonymously or in your own name and may not set up an account for this purpose. While as an Esperion Colleague it may be difficult not to respond to inflammatory or instigating comments, only authorized Colleagues can do so. You should contact Corporate Communications and Investor Relations and make them aware of the problematic post.

***Under no circumstances should you post confidential Company information to social media platforms.***

# OUR COMMITMENT TO DATA PROTECTION

## DATA PRIVACY AND INFORMATION SECURITY

Data are at the core of everything we do. We create or receive vast amounts of data every day. Regardless of the classification or sensitivity, we must protect all data generated or entrusted to us by Colleagues, HCPs, clinical trial participants, and any Third Parties, and use it only for authorized purposes.

Esperion takes seriously its legal and regulatory obligations to protect the privacy of individuals. Accordingly, all Colleagues must comply with Esperion's privacy policies and procedures and:

- Collect and use only the minimum amount of personal data necessary to achieve the stated business purposes, and retain the data only as long as necessary to achieve those business purposes or as allowed by applicable law or regulation
- Protect personal data and process them only within the boundaries of applicable laws and regulations of the jurisdictions in which personal data are collected and used
- Handle personally identifiable information ("PII") in accordance with its nature and sensitivity. For example, medical or health information should be protected with more stringent safeguards than an individual's email address
- Protect against inadvertent or unauthorized disclosure of confidential data as well as take reasonable precautions to prevent them from getting into the hands of unintended recipients
- Report any loss, misuse, unauthorized access or unauthorized modification of personal data within the possession or control of the Company or Third Parties
- Follow Company guidelines for handling and destroying personal data
- Be sure to read and understand our data privacy and security policies and always secure, protect, and use data in accordance with their requirements

**If you have any questions regarding data privacy or information security, please reach out to the Compliance Officer.**

**Q: What are some examples of highly sensitive PII?**

**A:** Examples of highly sensitive PII include:

- Birthdate
- Credit card information
- National identification number (e.g., social security number and passport number)
- Health insurance number

**Did you know that our generation creates over 2.5 quintillion bytes of data daily?**

## PROTECTION AND ACCEPTABLE USE OF ESPERION'S ASSETS

Colleagues are expected to protect the Company's assets that are entrusted to them. Esperion provides equipment, computer software and hardware, and other assets to assist Colleagues in their day-to-day functions. These assets are to be used for legitimate business purposes in serving the interests of the Company, patients, and other stakeholders.

If Esperion's assets, data, or systems are lost, stolen, or used inappropriately, we may be exposed to substantial security, regulatory, and reputational risk. To ensure the security of Esperion's assets, you must:

- Use only authorized software, devices (including cell phones), and systems
- Secure your passwords and do not share them except for a valid business reason (such as Esperion technical support) after which they must be changed as soon as practical
- Share Company confidential information only with authorized parties and only by using Company- approved technologies

Except where mandated by law, you are not guaranteed personal privacy for information sent to/from or stored in Company systems. Subject to local law, all documents, including electronic communications, are subject to review at any time to address business or legal requirements.

**Remember: Use Company assets as intended, protect them as you would your own, and report any instances of theft, misuse, or fraud**

**Q: What are examples of Esperion's computer assets?**

**A:** Esperion's computer assets include:

- Laptops and tablets
- Operating systems
- Network accounts including electronic mail, web browsing software, and file transfer protocols
- Computer files and programs

**Protect your password(s) and ensure the physical security of information or hardware that is assigned to you.**

## HUMAN SUBJECT PROTECTION & PRIVACY

We respect the rights, safety, and well-being of all clinical trial research participants and protect them from exposure to unnecessary risks. We are committed to:

- Informing participants of the nature and purpose of the research and obtaining informed consent for their involvement in any clinical trial
- Conducting all clinical trials under the supervision of an IRB or EC, as appropriate, and in accordance with GCP and International Conference on Harmonisation of Technical Requirements for Registration of Pharmaceuticals for Human Use (ICH)
- Carefully recording and storing all data generated by clinical trials in compliance with applicable data protection laws
- Registering covered clinical trials and reporting results on public sites (e.g. [clinicaltrials.gov](http://clinicaltrials.gov))

We recognize that information about and access to clinical trial data are valuable for the advancement of public health and science and that greater transparency of clinical trial data promotes better health worldwide.

**Clinical trial data includes sensitive personal information and access to them is strictly limited. Please contact LE&C or your supervisor before accessing, disclosing and/or sharing any clinical trial data outside of the clinical trial protocol.**

## CONFIDENTIAL INFORMATION

Company confidential information means any confidential or proprietary information or trade secrets that are not generally or publicly known, or that has independent economic or competitive value for the Company.

Esperion Colleagues are prohibited from disclosing or distributing Company confidential information, except when disclosure is permitted by an authorized representative of the Company, or when required by applicable law, rule or regulation. Disclosure of confidential information may also be required as part of an applicable legal proceeding such as a subpoena.

Confidential information may only be used for legitimate company purposes, and Colleagues may only have access to confidential information during their tenure with the organization and as required by their job function. Such confidential information includes, but is not limited to, the following examples:

- Financial information (including stock trading) Marketing strategies
- Pending projects or proposals
- Proprietary production processes
- Research and development strategies
- Scientific data related to product development
- Scientific formulas
- Technological data (including prototypes and test results)
- Copyrights Patents
- Policies and procedures
- Brand names and logos

Additionally, if a Colleague is subject to any confidentiality, non-compete, or non-solicitation agreements with their previous employer, they must inform Human Resources and comply with those commitments.

**Q: I just came from another organization, and I have some really great strategic product intelligence documentation. Can I leverage it in my new role?**

**A:** If the product intelligence documentation is from a previous employer, you are not allowed to bring it to or use it at Esperion.

**“Confidential information” includes all non-public information that might be of use to competitors or harmful to the Company or its customers if disclosed.**

While in the office, take time to store sensitive documents and computer media in locked cabinets. Make sure to physically secure all laptops in a locked cabinet or with security cables and lock your workstation when you step away.

When working remotely, keep your workspace clean and free of confidential information that may be viewable to others. Avoid public Wi-Fi connections and make sure to connect to the Company Virtual Private Network (VPN). The handling of Company confidential information

should always be aligned with our Company's policies and procedures, including our protection and acceptable use of assets policy.

# OUR COMMITMENT TO FINANCIAL INTEGRITY

## PUBLIC DISCLOSURES

Esperion is committed to providing its stockholders with complete and accurate information about its financial condition and results of operations as required by the securities laws of the United States. This includes filing fair, timely, and understandable disclosures, reports, and documents with the Securities and Exchange Commission, as well as with public earnings releases and similar public communications. The Company will issue press releases from time to time to disclose information that is material, important, or of use to the public. Press releases may contain forward-looking statements that are made pursuant to the safe harbor provisions of the federal securities laws.

Colleagues who are responsible for these filings, disclosures, and communications must use good judgment and perform their responsibilities honestly, ethically, and objectively in order to fulfill this commitment to quality public disclosures.

### Did You Know?

Communications about our Company must be approved in advance before they can be circulated externally. To find out more about communicating on behalf of Esperion, contact Corporate Communications or Investor Relations.

***We ensure that communications about our Company are accurate, complete, and timely and that confidential information is protected from unauthorized disclosure.***

If you are authorized to communicate on the Company's behalf (for example, representing Esperion through a speaking engagement or releasing a publication that relates to our Company), pre-clearance is required, and you can never use or share confidential information.

## INSIDER TRADING

Esperion respects your right to invest and encourages you to be a stockholder of Esperion, yet it is important that your investment activities comply with the law and avoid any appearance of impropriety. Accordingly, material, non-public information (“inside information”) about Esperion or its Third Parties may not be used by you or your family to buy, sell or hold securities. You are also prohibited from sharing inside information about Esperion or Third Parties with family, friends, or any other Third Parties that could influence investment decisions.

Since you will likely have access to material, non-public information about the Company and Third Parties, you must comply with our Insider Trading Policy and procedures. Examples of material, non- public information include:

- projections of future earnings or losses, or other earnings guidance results of clinical trials
- pending or proposed mergers, acquisitions, tender offers, joint ventures or dispositions of significant assets
- changes in management or the Board of Directors
- actual or threatened regulatory action, government investigation or litigation
- developments regarding products, customers, suppliers, orders, contracts or financing sources

Keep in mind that you should never use material, non-public information to:

- purchase, sell, or hold any type of security
- tip others who may trade securities while aware of such information

Please contact the Insider Trading Policy Officer if you have questions about our insider trading policy or procedures.

## INSIDER TRADING

### Q: What is “inside information”?

A: Inside information is information you know about or become aware of by virtue of being an employee of our Company and which is material and non-public.

### Q: Does Esperion’s Insider Trading Policy apply to trading in the securities of other companies?

A: Yes. For example, if you are working with a contract manufacturer and purchase their stock upon learning of their plans to expand their business, you could face insider trading charges if these plans were material and non-public.

### Q: Which family members are covered by Esperion’s Insider Trading policy?

A: Your spouse, significant other, or domestic partner; minor children; parent or other family member, in each case living in your household are covered.

### Q: What are examples of “material” information?

A: Examples include:

- Financial results
- Clinical trial results
- Regulatory decisions or actions
- Potential mergers, acquisitions, or alliances

**Do not trade in the securities of any publicly- held company (including Third Parties with whom Esperion conducts business) based on material, non- public information.**

“**Material**” information, as further defined in the glossary, is any information that a reasonable investor would consider important in making an investment decision (i.e., buy, sell, or hold securities).

“**Non-public**” information is Company confidential information that is not generally known to the public. Non-public information is deemed to be public one business day after it has been disclosed through a press release, filing with the SEC, analyst call, publication, or other public event.

## TRANSPARENCY

We are dedicated to open and transparent communications with our stakeholders. We recognize the importance of making clinical studies and results available. Esperion is committed to the development of publications that report the results of Company-sponsored clinical research studies accurately and objectively, and to the disclosure of funding and editorial support. We also register certain studies and post summary results on [clinicaltrials.gov](https://clinicaltrials.gov) as well as the European Union Drug Regulating Authorities Clinical Trials Database.

Additionally, we are dedicated to open and transparent communication about our products and how we market them—we work to ensure that all promotional materials and communications are honest, accurate, and balanced. Colleagues have a responsibility to follow federal, state, and local transparency laws. Transparency-related disclosures must:

- Be consistent with all legal and regulatory requirements
- Be accurate, truthful, and direct
- Provide information in a fair and balanced manner
- Only make claims that are properly substantiated

***We are dedicated to open and transparent communication about our products.***

Our commitment to transparency includes disclosing some transfers of value we make to HCPs. Remember you must report any transfers of value on your expense reports, such as meals with HCPs, in accordance with local laws.

# OUR COMMITMENT TO AVOIDING CONFLICTS OF INTEREST

## CONFLICTS OF INTEREST

A potential conflict of interest exists when an activity, relationship, or business arrangement presents the prospect of personal gain or benefit or makes it difficult to perform the responsibilities of your position objectively and/or effectively in Esperion's best interests.

You are responsible for disclosing situations that may create a conflict of interest and avoiding activities, arrangements, and relationships that could create, or appear to create, a conflict between the Company's interests and your personal interests.

While it's not possible to list every situation that could present a potential conflict, there are certain areas where conflicts are more likely to arise. Familiarizing yourself with these areas may help you to better identify, disclose, and resolve conflicts.

### Investments

A conflict can arise if you or a family member holds a financial interest in – or exercises control over – one of our suppliers, customers, or competitors. Additionally, the use of non-public information may present a conflict of interest if used to trade in securities as outlined in our insider trading policy.

### Outside Activities

A board directorship, advisory role with a company, university, or other organization, holding a second job, or pursuing an additional degree may pose a conflict if it competes with the work you do for the company or interferes with the time, talent, and energy you bring to your job.

### Personal Relationships

Potential conflicts can arise if you hire, manage, or conduct business with a relative or a close, personal friend.

### Outside Opportunities

Diverting opportunities discovered through the use of the Company's property or information, or as a result of your position with the company is prohibited.

### Gifts

Gift-giving and receiving can also pose a conflict when doing so influences—or appears to influence— your decision-making.

**If you think you may have a potential conflict of interest, log the potential disclosure in Esperion University via Form to Record Conflicts of Interest**

## CONFLICTS OF INTEREST

**Q. I've been invited to speak at an industry conference that I think will benefit Esperion. In addition to a waiver of conference registration fees, the organizers have offered to pay me a small honorarium and to pay for my travel and hotel expenses. May I accept their offer?**

**A.** You may not accept money for speaking at a conference or meeting. However, if your manager determines that your attendance benefits Esperion, you may accept a waiver of conference fees. You may also accept incidental meals generally offered to attendees. Travel, hotel, and all other related expenses should be paid by Esperion.

In approved instances of outside employment, the Colleague is still bound by all confidentiality agreements with Esperion and all Esperion policies and procedures relating to confidential, proprietary and/or material non-public information. There may be additional requirements imposed depending upon your role and responsibilities and the nature of the outside employment. For example, if a medical science liaison is approved to work at a local pharmacy one weekend a month to maintain their pharmacist license, they will be instructed not engage in any "switching" practices.

**It is not always clear whether a situation is a conflict of interest. Therefore, any situation that could reasonably be expected to give rise to a conflict of interest – even if you are not sure whether it does – must be disclosed promptly to your LE&C business partner for evaluation of the facts and decision.**

**If approved, adequate safeguards will be established to protect all parties.**

## GIFTS, BUSINESS MEALS, AND OTHER HOSPITALITY

We recognize that under certain circumstances, the acceptance of a gift, business meal, or other hospitality may create goodwill, build business relationships, and be customary from a business perspective. However, acceptance of such an item may potentially create an actual or perceived conflict of interest and, in some instances, violate the law.

To keep our relationships with Third Parties fair and objective and to avoid potential or actual conflicts of interest, Colleagues should not accept a gift, business meal, or other hospitality that is intended or likely to be perceived as intended to influence Esperion's business decision(s). Colleagues are expected to exercise good judgment to avoid such situations and to follow the requirements below.

### Gifts

In the event a Third Party provides an unsolicited gift, a Colleague may accept it if it meets all of the following criteria:

- Not cash, a loan or a service, or other form of compensation
- Provided infrequently
- Non-extravagant in value

### Business Meals and Other Hospitality

Colleagues may accept a business meal or other hospitality, such as tickets to an event or outing, from any Third Party conducting or seeking to do business with Esperion if they are:

- Accompanied by an educational or business event/ discussion
- Occasional and modest in value as per Esperion policy
- Provided in the ordinary course of business

**Q. I am meeting with a potential supplier in a country where it is both typical and expected for suppliers to give their potential customers gifts and to provide a business meal. Because this is a customary practice, refusing the gift would embarrass the Company and/or be disrespectful to the gift giver. Am I allowed to accept this customary gift as well as the meal?**

**A.** If the cultural courtesy gift meets our criteria, you may keep it. If the gift does not meet our criteria and it would be disrespectful to refuse the gift, accept it and then discuss options with your supervisor.

Likewise, if the business meal meets our criteria, you may participate in the meal.

**If a gift that does not comply with our policy must be accepted to preserve a relationship or is impractical to return, you may accept it as Company property and leave it at our Headquarters, share it with co-workers if possible (such as a perishable fruit basket) or donate it to charity. You should inform your supervisor of the gift.**

## and your plan to address it.

### GIFTS, BUSINESS MEALS, AND OTHER HOSPITALITY

#### CASE STUDY:

A vendor has offered Dave, an Esperion Colleague, one ticket to accompany the vendor to a regular season NHL game. Before accepting, Dave asked his supervisor for guidance. Dave's supervisor considered the following factors in determining whether Dave could accept the ticket:

1. will there be an opportunity to discuss business with the vendor during the event?
2. would accepting the vendor's invitation improperly influence Dave's business decisions?
3. is the hospitality event modest and occasional?

Dave's supervisor analyzed the situation as follows:

- A one-time, unsolicited ticket to a regular season game is occasional
- The offer does not include any extra ticket(s) for a guest(s)
- Tickets to playoff games, including quarterfinal and semi-final matches, may be permissible, but would require further scrutiny internally to determine whether the tickets are modest in value
- Tickets to finals and championship games (e.g., World Series, Super Bowl, Stanley Cup Finals) would not be modest, and Dave would not be able to accept them

Since the one ticket was for a regular season game, the vendor planned on attending the game with Dave to speak about their business relationship, and the event was modest, Dave could accept the ticket this time. Dave's supervisor reminded Dave that the ticket cannot influence his business decision. If the vendor offered Dave a ticket to one or more future games, the offer would need to be assessed again under these criteria.

## PERSONAL RELATIONSHIPS

Due to the potential for perceived or actual conflicts, such as favoritism or personal conflicts from outside the work environment, which can be carried into the daily working relationship, the Esperion will not hire relatives of persons currently employed by Esperion.

- Esperion use the term “relatives” to refer to any person who has a relation by blood or marriage within the third degree with our employee We also include people who live together in a domestic partnership or children who were adopted. This includes: parents, step-parents, grandparents, in-laws, spouses or domestic partners, children, step-children, adoptive children, grandchildren, siblings, uncles, aunts, nieces and nephews
- If you become involved in a romantic or other personal relationship that may create a conflict of interest, you must inform your supervisor and Human Resources promptly so that the Company can evaluate and address the circumstances.

**Q: During the course of a project that I led for Esperion, I have become attracted to one of my subordinates and would like to date him. Is this permissible?**

**A:** If a supervisor wishes to date or have a romantic or other personal relationship with a Colleague (including a contractor, vendor, or temporary employee) who is in their reporting line or whose compensation, performance evaluation and/or career advancement the supervisor may influence, the supervisor must disclose the situation to Human Resources. In this case, HR may decide to change the reporting relationship.

***Hiring relatives is a prohibited conflict of interest.***

## BOARD MEMBERSHIP AND SPEAKING ENGAGEMENTS

Some activities—such as serving on a board of directors or speaking at a conference—may present a potential conflict of interest. Serving in either capacity can present a conflict of interest if the role:

- Conflicts with your Esperion role and/or responsibilities
- Competes or conflicts with Esperion goals and objectives Harms Esperion's reputation
- Involves the use of Esperion's resources and/or confidential or proprietary information
- Involves soliciting funds from Esperion

Before accepting membership on any board or a speaking engagement, you must disclose and discuss the opportunity with your supervisor and LE&C business partner. It is important to understand your legal responsibilities and avoid activities that carry the potential for distraction and a conflict of interest.

**Q: Can I serve on a board of a local nonprofit that provides healthcare resources to those in need?**

**A:** Maybe. Board service and other roles with external organizations may present conflicts of interest, depending on the circumstances. Please disclose and discuss the situation with your supervisor and LE&C business partner.

**For any speaking engagement, your content and talking points must be approved through our Corporate Communications process.**

## **WAIVERS AND AMENDMENTS**

No waiver of any provisions of the Code for the benefit of a director or an executive officer (which includes, without limitation, for purposes of this Code, the Company's principal executive, financial and accounting officers) shall be effective unless (i) approved by the Board of Directors or, if permitted, a committee thereof, and (ii) if applicable, such waiver is promptly disclosed to the Company's stockholders in accordance with applicable U.S. securities laws and/or the rules and regulations of the exchange or system on which the Company's shares are traded or quoted, as the case may be.

Any waivers of the Code for other employees may be made by the Compliance Officer, the Board of Directors or, if permitted, a committee thereof.

All amendments to the Code must be approved by the Board of Directors or a committee thereof and, if applicable, must be promptly disclosed to the Company's stockholders in accordance with applicable United States securities laws and/or the rules and regulations of the exchange or system on which the Company's shares are traded or quoted, as the case may be.

**Updated April 2025**

## ACKNOWLEDGEMENT AND SIGNATURE

Doing business with integrity is at the foundation of everything we do. Your commitment to this standard begins with applying this Code to your daily actions and decisions. As part of this commitment, you must complete the following acknowledgment in Esperion University annually.

### I hereby acknowledge:

- I have read and understood Esperion Therapeutics, Inc.'s Code of Professional and Ethical Conduct (the "Code")
- I will abide by the standards of conduct contained in the Code and in Company policies
- I know how to seek guidance if I have questions regarding this Code or if I am in doubt as to the proper course of conduct
- I will speak up, using the resources listed in the Code if I become aware of possible violations of Esperion's Code, policies, or the law
- I will report any concerns regarding a conflict or perceived conflict of interest upon becoming aware of the conflict
- I will cooperate in internal and external audits and investigations by fully and truthfully providing information and by preserving all materials that might be relevant

## GLOSSARY

**Adverse Event (AE)** Any untoward medicinal occurrence in a patient or clinical study subject which may or may not have a causal relationship with this treatment. An adverse event may be any unfavorable and unintended sign (such as an abnormal laboratory finding), symptom, or disease temporally associated with the use of a medicinal product, whether or not it is considered causally related to the medicinal product.

**Anti-kickback Statute (AKS)** The AKS is a US criminal statute prohibiting remuneration (in any form, directly or indirectly) made purposefully to induce or reward the referral or generation of federal healthcare business. The AKS addresses not only the offer or payment of anything of value for patient referrals, but also the offer or payment of anything of value in return for purchasing, leasing, ordering, arranging for, or recommending the purchase, lease, or ordering of any item or service reimbursable in whole or part by a federal healthcare program. The statute applies equally to the solicitation or acceptance of prohibited remuneration.

**Colleague** An individual employed at-will by Esperion Therapeutics, Inc. Colleagues do not include Third Parties.

**Commercial Customer** A direct or indirect purchaser (e.g. wholesaler, distributor, pharmacy benefit manager [PBM]) or payor (e.g. Aetna).

**Legal, Ethics & Compliance (LE&C)** An Esperion corporate group comprised of ethics and compliance.

**Facilitating Payment** A payment to expedite or secure the performance of a routine governmental action by a foreign official, political party, or party official.

**Healthcare Organization (HCO)** An entity, such as an academic medical center, hospital, or physician practice, that provides healthcare to patients. An HCO directly or indirectly purchases, orders, uses, recommends, or arranges for the purchase, use, prescription, or order of, any Esperion product, or has the ability to do so.

**Healthcare Professional (HCP)** An individual (whether clinical or non-clinical), including without limitation, physicians, physician assistants, fellows, residents, nurses, nurse practitioners, advanced practice registered nurses, technicians, pharmacists, pharmacy technicians who directly or indirectly purchase, order, use, prescribe, recommend, or arrange for the purchase, use, prescription, or order any Esperion product, or who have the ability to do so.

**Material Information** about the Company is “material” if it could reasonably be expected to affect the investment or voting decisions of a stockholder or investor, or if the disclosure of the information could reasonably be expected to significantly alter the total mix of information in the marketplace about the Company. In simple terms, material information is any type of information that could reasonably be expected to affect the market price of Esperion’s securities. Both positive and negative information may be material.

**Medical, Legal & Regulatory (MLR)** An Esperion cross-functional group comprised of individuals from Medical Affairs, Legal, and Regulatory Affairs responsible for reviewing promotional and non-promotional materials before use.

**Price fixing** An agreement (written, verbal, or inferred from conduct) among competitors that raises, lowers, or stabilizes prices or competitive terms. Illegal price fixing occurs whenever two or more competitors agree to take actions that have the effect of raising, lowering or stabilizing the price of any product or service without any legitimate justification.

**Product Quality Complaint (PQC)** Any communication that alleges deficiencies, including dissatisfaction with an Esperion product, as a result of manufacturing, packaging or distribution. PQCs may call into question the identity, strength, quality, potency, or purity of an Esperion marketed product, and/or whether the product was subject to any tampering, diversion and/or counterfeiting. This includes all components distributed with the drug such as packaging, drug containers/bottles, labeling, package inserts, etc. This does not include medical information requests, wholesaler or distributor damage complaints, misuse of product, or adverse events.

**Remuneration** The transfer of anything of value that is provided directly or indirectly, overtly or covertly, in cash or in-kind.

**Special Situation** Special safety topics or areas of interest that do not have to involve an Adverse Event including off-label use, medication errors or potential errors, reports of use in pregnancy/lactation, drug exposure in utero via maternal or paternal drug use, counterfeit product, and occupational exposure.

**Third Parties** Contractors, consultants, vendors, suppliers, or temporary workers providing services to or working on behalf of Esperion.