

EXHIBIT 3

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

KATHLEEN MOLLER

Plaintiff

CIVIL ACTION

V.

NO. 24-0228-WBV-DPC

MARTIAN SALES, INC., ET AL.

Defendants

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REMOTE VIDEO-RECORDED EXPERT DEPOSITION OF
MARILYN A. HUESTIS, PHD

Tuesday, January 20, 2026
9:32 AM Eastern Standard Time

Job No. MDLG7824902

Reported by: Denise Dobner Vickery, CRR, RMR

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1 A. No, because the kratom concentration
2 is so low and it's a concentration within the
3 dosing that I did in live human beings who had no
4 adverse effects and went back to work or school.

5 And it's also far below what NMS
6 Labs in their recent paper says, if it's less than
7 1000 nanograms per mill, mitragynine, it's
8 unlikely to be the cause of death.

9 Q. And I apologize if you didn't
10 understand the question, but I was really trying
11 to focus in on what you just were explaining.
12 That you had concerns about the extent of testing
13 done. That sometimes just the test is only for
14 kratom.

15 And so in this case, when you
16 reviewed the toxicology, did you have that
17 concern? That the scope or extent of the testing
18 that was done, was it broad enough or did you have
19 concerns that it was not broad enough?

20 A. It --

21 MS. CONGER: Object to form.

22 THE WITNESS: Okay. I think
23 it could have been broader. It did not
24 include at all novel psychoactive

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1 A. Yes.

2 Q. You refer specifically to kratom
3 leaf powder.

4 However, there's various
5 formulations of kratom, right?

6 A. Yes.

7 Q. What are those formulations?

8 A. Well, they're multiple, but the ones
9 I'm most familiar with is the kratom -- dried
10 kratom leaf powder, the extract, and the isolate.

11 I am very aware that there are
12 synthetic 7-hydroxymitragynine products that are
13 on the market now and they are not from the
14 natural tree. They're synthesized and they're
15 very potent. The 7-hydroxymitragynine is very
16 potent, and I know that the FDA recently had a
17 public notification about 7-hydroxy being a real
18 problem.

19 Q. What are your concerns with
20 7-hydroxymitragynine specifically?

21 A. So mitragynine is a partial agonist
22 at the mu receptor, the mu opioid receptor, and it
23 works through a different mechanism where it does
24 not recruit the beta-arrestin pathway. The