

EXHIBIT 11

02/23/2026

Kathleen Moller vs Martian Sales, Inc., et al.

Ronald Wharton, M.D.

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
Civil Action No. 2:24-CV-228-WBV-DPC

KATHLEEN MOLLER,

Plaintiff,

vs.

MARTIAN SALES, INC.; JOPEN, LLC;
JOHNSON FOODS, LLC; LP IND., LLC;
CAG HOLDINGS, LLC; RMH HOLDINGS, INC.;
ABC INSURANCE COMPANY and John Does 1-4,
Defendants.

ORAL AND VIDEOTAPED DEPOSITION OF
RONALD WHARTON, M.D.

VIA ZOOM

Monday, February 23, 2026

10:00 a.m.

REPORTED STENOGRAPHICALLY BY:

Jennifer Miller, RMR, CRR, CCR-NJ,
CCR-WA, CCR-NM, CALIFORNIA CSR#14652
Notary Public: NJ, NY, PA, DE

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1 large amounts of patients with different
2 comorbidities, that we have a patient who had
3 sudden death with no real plausible other
4 explanation, based on my experience as a
5 cardiologist.

6 Don't forget. Ms. Moller was
7 not my patient. That's all I am saying, that
8 there is a signal in the cardiology literature
9 that is growing that suggests that there is a
10 disproportionate amount of sudden cardiac death
11 relative to the amount of kratom that has been
12 out there that is coming -- that is coming out,
13 that is emerging in the cardiology literature.

14 That's what I'm saying.

15 Q. That summarizes your opinion right
16 there?

17 A. I think so, yeah.

18 Q. Okay. So you cannot say within a
19 reasonable degree of medical certainty that in
20 this case kratom caused Ms. Moller's death,
21 correct?

22 A. I have every reason to believe that
23 it did because of lack of anything else on the
24 pathology that would have done so.

25 Again, people don't die for no

1 reason. She had no anatomic reason for sudden
2 death. They didn't have a bleed in her brain.
3 She didn't have coronary artery disease. She
4 didn't have a heart attack. She didn't have a
5 stroke. She didn't have trauma. She didn't
6 have a chronic metabolic process like cirrhosis
7 or end-stage renal disease.

8 She died from something. And
9 arrhythmias are the perfect crime because they
10 don't leave a trace.

11 She had a drug that can cause
12 primary ventricular arrhythmias, which is still
13 very, very possible. The Krantz report is --
14 demonstrates, yes, no perfect cause, but
15 clearly an association between primary
16 ventricular arrhythmias.

17 In addition, we know that it can
18 prolong the QT interval. In most patients, it
19 does not. But she had three other substances
20 on board which can act synergistically.

21 Q. But my question is a little bit more
22 specific. I hear you that there is a signal in
23 the literature that is associating kratom use
24 with cardiac event.

25 We agree on that, correct?