

EXHIBIT 14

2/25/2026

Kathleen Moller vs Martian Sales, Inc., et al.
Contains Confidential Portions

Michael DeFatta, M.D.

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

KATHLEEN MOLLER

Civil Action No.
2:24-cv-228-WBV-DPC

VS.

MARTIAN SALES, INC.;
JOPEN, LLC; JOHNSON
FOODS, LLC; RMH HOLDINGS,
INCL; ABC INSURANCE
COMPANY AND JOHN DOES 1-4

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A PORTION OF THIS TRANSCRIPT IS CONFIDENTIAL

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VIDEOTAPED DEPOSITION OF
MICHAEL DeFATTA, M.D.

February 25, 2026

Held at Jefferson Parish Coroner's Office
2018 8th Street
Harvey, Louisiana 70058

Reported stenographically by:
Rita A. DeRouen, CCR, RPR
(CCR #2014018)
(RPR #006908)

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1 over-the-counter medications?

2 A. Some of them, not all of them.

3 Q. There are different levels of panels
4 that you can -- that you can request, correct?

5 A. Oh, my God, yes. There's -- well, it
6 starts out with a basic panel, an expanded panel,
7 and an expert panel overall, and then you can add
8 on dozens of different types of things if you're
9 looking for it.

10 Q. And so to just help me have a baseline
11 understanding, it sounds like there's -- is it
12 fair to characterize it as three levels of an
13 introductory panel, you can choose basic,
14 expanded, or expert?

15 A. Correct.

16 Q. What is the difference between those
17 three, between basic, expanded, and expert?

18 A. Pretty much they all cover drugs of
19 abuse; however, when you start getting into the
20 expert panel, then we're looking at including the
21 synthetic cannabinoids, including the bath salts,
22 and including other drugs or therapy that they may
23 be on that we won't see on the expanded panel.

24 Q. When would you order an expert panel
25 instead of an expanded panel?

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1 piece of jewelry, a yellow metal ring with clear
2 stone, correct?

3 A. Correct.

4 Q. We'll talk more about Exhibit 2, but now
5 I'm going to hand you Exhibit 3.

6 A. Okay.

7 (Exhibit 3 was marked.)

8 BY MS. WHITEHEAD:

9 Q. This is a copy of the St. Tammany Parish
10 Sheriff's Office records that are related to the
11 incident report. On page 1 under Narrative, about
12 halfway down, there's a notation, "Mother is
13 nurse. Mother thinks it was possible food
14 poisoning."

15 Did I read that correctly?

16 A. I'm sure you did.

17 Q. Would you review the 9-1-1 narrative
18 prior to conducting an autopsy?

19 A. No.

20 Q. So you wouldn't have seen this prior to
21 your autopsy?

22 A. No. This is the first time I'm seeing
23 this.

24 Q. What would you do when conducting an
25 autopsy to test for a suspected case of food

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1 poisoning?

2 A. It would have shown up in toxicology.
3 We would have done blood cultures, probably a
4 respiratory viral panel as well, but mainly blood
5 cultures would have shown us something if this is
6 brought to my attention.

7 Q. In this case, was it brought to your
8 attention?

9 A. No.

10 Q. Were blood cultures taken?

11 A. No.

12 Q. Apologies, you spoke really fast.

13 A. I'm sorry.

14 Q. So what was the panel that you would
15 have ordered?

16 A. A respiratory viral panel to look for
17 anything from COVID, influenza, everything like
18 that. It would have been blood cultures as well
19 to look for food poisoning as well.

20 Q. And here the respiratory viral panel was
21 not ordered, correct?

22 A. Right, correct. All I can say is I know
23 Ms. Moller was probably upset, she was probably
24 going through anything and everything that could
25 have been to cause her death.

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1 You were never informed that Ms. Moller
2 had not been feeling well and was throwing up
3 prior to her death, correct?

4 A. Correct.

5 Q. Were you informed of Ms. Moller not
6 feeling well and throwing up prior to your
7 concluding on the cause of death?

8 A. No. It wouldn't have affected it.

9 Q. I'll draw your attention to page 14.
10 The middle of the page it states, "Inside the
11 bathroom, a Rouse's bag was located." And it
12 lists the items from that bag. One full bottle of
13 CVS-brand Daytime Cold & Flu Relief. One bottle
14 of Apetropics chewable CBD, Lion's Mane, and
15 Cordyceps gummies. One bottle of DG Health
16 Immediate Release Mucous Release. One bottle of
17 DG Health Naproxen Sodium. One bottle of Natrol
18 High-Caffeine Support Tablets. One open sealed
19 bag of Maeng Da brand kratom. One open sealed bag
20 of Maeng Da brand kratom. One unopened bottle of
21 Knob Creek whiskey.

22 Were you aware of any of those items
23 prior to conducting your autopsy?

24 A. No, I was not.

25 Q. Were you aware of these items being

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1 found on the scene prior to your selecting the
2 cause of death?

3 A. No, I was not.

4 Q. Would knowledge of any of these items
5 have caused you to order any additional panels
6 from NMS Labs?

7 A. No. Again, the expanded panel would
8 have covered it.

9 Q. Would the expanded panel have covered
10 the caffeine energy support tablets?

11 A. It does report caffeine, yes.

12 Q. Does it provide an amount of caffeine in
13 the system?

14 A. If we ask for it, yes.

15 Q. Was that asked for in this case?

16 A. Not in this case.

17 Q. And so caffeine was detected in the
18 NMS Labs reports for Ms. Moller, correct?

19 A. Right.

20 Q. But there's no finding of the level of
21 caffeine in her system; is that correct?

22 A. That is correct.

23 Q. Is that information that you wish you
24 had?

25 A. It might have helped, yes.

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1 Q. How might it have helped?

2 A. Just seeing how much she had in her, if
3 it was significant or not.

4 Q. We'll look at page 15 of Exhibit 3.
5 This is a crime scene sign-in sheet listing all
6 the people who were at the scene.

7 Is that what you believe it to be as
8 well?

9 A. Uh-huh.

10 Q. Is that a yes?

11 A. Yes. I'm sorry.

12 Q. Do you recall having any discussion with
13 any of the members from the fire department about
14 the scene of where Ms. Moller was discovered?

15 A. No, I had not.

16 Q. Did you have a discussion with any of
17 the individuals listed here from the St. Tammany
18 Parish Sheriff's Office?

19 A. No, I did not.

20 Q. On page 14, under the list it states,
21 "On June 26, 2024, at approximately 1625 hours,
22 Detective Krenwinkel received an email from Ana
23 Welch, the director of medical records with
24 St. Tammany Parish Coroner's Office, in reference
25 to the autopsy results of Harmony Moller."

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1 Black that was found. It was inside this bag.

2 Do you know what Zantrex Black is?

3 A. I do not.

4 Q. Would the expanded panel have picked up
5 weight-loss supplements?

6 A. Probably not. I'm not familiar with
7 Zantrex Black or what the chemical name of it is.

8 Q. If you had known that weight-loss
9 supplements had been found at the scene, would you
10 have ordered a different panel from NMS Labs?

11 A. It's possible.

12 Q. What different panel would you have
13 ordered?

14 A. Well, I would have consulted with NMS
15 first to see if this was something that needed to
16 be examined and, if it did, then I would have gone
17 ahead and ordered the panel for it.

18 Q. Did you consider the impact of any of
19 these supplements or over-the-counter medications
20 in Exhibit 8B in determining the cause of death?

21 A. I wasn't aware of them.

22 Q. I'm going to hand you what we're marking
23 as 8G.

24 (Exhibit 8G was marked.)

25

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1 ashwagandha?

2 A. Right.

3 Q. Is ashwagandha, would that have been
4 picked up in the NMS expanded panel?

5 A. It depends on what the chemical nature
6 is. I'm not familiar with ashwagandha. If I knew
7 the -- if you knew the chemical name, maybe we
8 could find out.

9 Q. To make sure I understand your
10 testimony, as you sit here today, you don't have
11 any familiarity with ashwagandha?

12 A. No.

13 Q. I'll hand you what we're marking as 8L.
14 (Exhibit 8L was marked.)

15 BY MS. WHITEHEAD:

16 Q. I'll represent to you that 8L is a
17 screenshot of the portion of the body cam video
18 that shows Harmony had Mini Thin pills in her
19 room.

20 I think you testified you did not review
21 the body cam footage in this case?

22 A. Correct.

23 Q. Are you familiar with Mini Thin pills?

24 A. No.

25 Q. Are you familiar with an energy

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1 coronary anomaly?

2 A. Just that any stimulant. It's a
3 stimulant by definition, so it's going to increase
4 the stimulation of the central nervous system,
5 it's going to cause euphoria, it's going to cause
6 physical -- an increase in your physical
7 abilities, it's going to cause alertness, it's
8 going to cause the heart rate to go up, blood
9 pressure to go up. It's just the definition.

10 Q. Why list mitragynine but not caffeine?
11 Caffeine is a stimulant too, correct?

12 A. It could have been. It could have been.

13 Q. And when you say "it could have been,"
14 it could have exacerbated Harmony Moller's
15 coronary anomaly?

16 A. It could have been an additive effect,
17 sure.

18 Q. Why did you choose to list mitragynine
19 but not caffeine?

20 A. It was a presumptive positive, it wasn't
21 confirmed.

22 Q. But you didn't order a test to confirm
23 it, correct?

24 A. No, I did not.

25 Q. Why?

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1 kratom?

2 MS. HICKMAN:

3 Objection; asked and answered just
4 now.

5 A. I do not.

6 BY MS. WHITEHEAD:

7 Q. Do you know whether Harmony ever
8 suffered any adverse effects from kratom?

9 A. I do not.

10 Q. Do you know when Harmony started using
11 kratom?

12 A. No.

13 Q. Do you know anything about the history
14 of Harmony's use of other drugs or alcohol?

15 A. No.

16 Q. Do you know whether Harmony used other
17 drugs?

18 A. No, I don't. None that showed up on her
19 tox.

20 Q. Do you know whether Harmony used
21 marijuana?

22 A. Yes.

23 MS. HICKMAN:

24 Objection; asked and answered.

25

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1 BY MS. WHITEHEAD:

2 Q. Do you know how often she smoked
3 marijuana?

4 A. No.

5 Q. Do you know what products she used that
6 had THC?

7 A. Huh-uh, no.

8 Q. Do you know if Harmony drank alcohol?

9 A. I believe I remember that in her
10 history. But her alcohol was negative.

11 Q. On Exhibit 2, if you'll look at page 24,
12 Ms. Moller was reaching out on March 17, 2023
13 asking for a copy of the autopsy and toxicology
14 report. She said it's been a while and it's
15 upsetting now to know what happened to her.

16 What is the average time to complete an
17 autopsy?

18 A. I'd say about three months. Given that
19 we had to send it to the DEA Lab, that's not a
20 speedy process.

21 Q. In Exhibit 2, if you'll look at page 33,
22 it's a letter dated May 2, 2024 from the Wagar
23 Hickman firm asking that the coroner's office,
24 "Please be advised that any kratom samples or
25 products received at your facility are crucial

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1 A. No.

2 Q. No.

3 In fact, when you take things like
4 Benadryl and promethazine, those are central
5 nervous system depressants, correct?

6 A. Diphenhydramine is definitely.
7 Phenergan is definitely a central nervous system
8 depressant.

9 Q. Right.

10 So while she may have had caffeine in
11 her system, we don't know that she did, do we?

12 A. No.

13 Q. And maybe, had you known that she had
14 those pills in her nightstand or in a bag or -- it
15 was in some way, shape, or form in possession of
16 diet pills that had caffeine in them or the
17 yohimbine substance in them, maybe you would have
18 tested for caffeine; that's fair, right?

19 A. Sure.

20 Q. Right.

21 But even if there were caffeine levels
22 in her system, would you have taken mitragynine
23 off?

24 A. No.

25 Q. Right.