

EXHIBIT 8

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

KATHLEEN MOLLER

vs.

NO: 24-0228-WBV-DPC

MARTIAN SALES, INC.;
JOPEN, LLC, a Texas
limited Liability company;
JOHNSON FOODS, LLC, a Wyoming
limited liability company;
CAG Holdings, LLC, a Wyoming
limited liability company;
RMH HOLDINGS, INC., a Wyoming
corporation, et al.

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The remote video deposition of
MARK REILLY, taken in his individual
capacity, via Zoom web conference
on October 8, 2025, commencing at
approximately 1:53 p.m. EST

Job No. MDLG7641076-2

1 A Plus there -- plus there are consumer
2 kratom protection acts in place in multiple
3 states, so they must be legal.

4 Q So you don't understand why the FDA
5 would be saying that there are no --

6 A There's consumer --

7 Q Let me -- let me finish.

8 A I know. I'm sorry. I apologize.

9 Q That's okay.

10 You don't know why the FDA would be
11 saying on its website that there are no
12 prescription or over-the-counter drug products
13 containing kratom or its known alkaloids that are
14 legally on the market in the US? You have no
15 idea why they're making that statement?

16 A Correct.

17 Q And, a little further below, it says
18 "kratom is not appropriate for use as a dietary
19 supplement."

20 Do you know what a dietary supplement
21 is, as defined by the FDA?

22 A Yes. It's an approved dietary
23 ingredient.

24 Q Okay. So you agree it's not an
25 approved dietary supplement, however.

1 Q No. No, you don't.

2 It says here "the FDA has determined
3 that kratom, when added to food, is an unsafe
4 food additive within the meaning of Section 409.
5 Food containing an unsafe food additive such as
6 kratom is adulterated" under this section that
7 they cite here. You understand that?

8 A I do.

9 Q Okay. Nonetheless, you -- your company
10 continues to sell this product on the open market
11 for human consumption.

12 A Yes.

13 Q It concludes by saying, "Therefore,
14 kratom is not lawfully marketed in the United
15 States as a drug product, a dietary supplement,
16 or a food additive in conventional food." You --
17 you understand that?

18 A Yes.

19 Q Okay. This came out on September 25th,
20 2025. This is the first time you're seeing this?

21 A Yes.

22 Q Okay. I'm going to set -- you know,
23 I'm going to attach this notice or whatever it's
24 called as an Exhibit Number 1 to this deposition.

25 (DEPOSITION EXHIBIT NUMBER 1