

# EXHIBIT 10

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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.

\* \* \* \* \*

The remote video deposition of  
MARK JENNINGS, as corporate  
representative of LP IND, LLC, taken  
via Zoom web conference on October 9,  
2025, commencing at approximately  
1:33 p.m. EST

Job No. MDLG7641090-2

1 A The safety manager at LP's name is  
2 Jared Leathers.

3 Q Leathers, like the fabric, but with an  
4 S at the end?

5 A Yep.

6 Q Does --

7 Here. Let me bring up my exhibit.  
8 Sorry.

9 What's LP's understanding of the fact  
10 that OPMS is marketed as a, quote, unquote,  
11 botanical specimen -- specimen?

12 A LP is in no way involved with the  
13 marketing, labeling, packaging, or distribution  
14 of -- of the OPMS-branded products. So --

15 Q So what --

16 A -- it doesn't know anything about this.

17 Q To LP's understanding, what is a  
18 botanical specimen?

19 MS. PAYTON:

20 Object to the form.

21 A It's a plant or part of a plant.

22 MR. COWGILL:

23 Q How are botanical specimens used?

24 A How? I mean, they can be used as  
25 foods. They can be used as supplements. They

1 manufacturing spec that LP's supposed to follow?

2 A No.

3 Q So the specs we talked about with  
4 regards to testing and the process, that's always  
5 been consistent, always been the same?

6 A Yes.

7 Q Has LP had any role with regards to the  
8 directions, warnings, and disclaimers for OPMS  
9 products?

10 A No.

11 Q Does LP have an understanding that its  
12 extracts are ultimately going into OPMS products  
13 that are used for human consumption?

14 A Yes.

15 Q Does LP consider OPMS kratom to be a  
16 dietary supplement?

17 A No.

18 Q What does LP consider OPMS kratom to  
19 be?

20 A A food product.

21 Q What's the basis for that?

22 A Evaluations done by regulatory  
23 attorneys.

24 Q Is that the only basis?

25 A Yeah.

1 classification there.

2 Q So this isn't referring to a dietary  
3 supplement. This is referring to a dietary  
4 ingredient. Does that change your understanding  
5 at all?

6 A No. I'm -- I've used dietary  
7 supplement and dietary ingredient kind of  
8 interchangeably.

9 Q Do you have any knowledge of kratom  
10 being marketed in the United States before  
11 October 15th, 1994?

12 A No, not personally.

13 Q Does LP have any knowledge?

14 A No.

15 Q It guess on to say, "Furthermore, based  
16 on FDA's review of the publicly available  
17 information regarding kratom, there does not  
18 appear to be a history of use or other evidence  
19 of safety establishing that kratom will be  
20 reasonably expected to be safe as a dietary  
21 ingredient."

22 Does that raise any concern for you?

23 A Not really.

24 Q Why not?

25 A Because, again, they're classifying it