

EXHIBIT 11

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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
PEYTON PALAIO, taken via
Zoom web conference on October 9,
2025, commencing at approximately
10:02 a.m. EST

Job No. MDLG7641090-1

1 past and talked a good bit about this.

2 Q So what's the basis for your belief
3 that kratom is a food?

4 A The opinion of attorneys, legal
5 opinion.

6 Q That's the only basis?

7 A I mean, legal analysis would dictate or
8 determine what regulatory category it would fall
9 into.

10 Q So the only basis for your opinion that
11 kratom was a food is advice of counsel?

12 A That's my own opinion as well.

13 Q And you have that opinion through
14 advice of counsel or independent of counsel?

15 A Independent as well.

16 Q So what's the basis for your
17 independent opinion that kratom is a food?

18 A Well, I think different information
19 that I can find or that I've learned from and
20 just how food products are presented into market.
21 There's not some complex equation that I use.
22 It's just my general understanding.

23 Q What's the type of information you've
24 taken in for that conclusion?

25 A Generally, I suppose, without --