

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NANJING NUTRABUILDING
BIOTECH CO., LTD,

Plaintiff,

vs.

Case No. 5:25-cv-00271-

JGB-SPX

Hon. Jesus Bernal

BONERGE LIFESCIENCE (HUNAN) CO.,
LTD, and DOES 1-9 INCLUSIVE,
Defendants.

The Videotaped Deposition of MATTHEW PETERSON
Taken Via Zoom Videoconference
Commencing at 10:00 a.m. CT
Thursday, February 26, 2026
Before Carolyn Grittini, CSR-3381

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17 **Appearing on behalf of the Defendants.**

19 **ALSO PRESENT:**

20 **Bailey Wellman, Videographer**

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1 Via Zoom

2 Thursday, February 26, 2026

3 10:00 a.m.

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5
6 VIDEO TECHNICIAN: Good morning. We are
7 now on the record at ten a.m. Central Time on
8 Thursday, February 26th, 2026. This begins the
9 videotaped deposition of Matt Peterson, for Nature's
10 Fusions, LLC, taken in the matter of Nanjing
11 Nutrabuilding Biotech Company, LTD versus Bonerge
12 Lifescience (Hunan) Company, LTD, case number
13 5:25-cv-00271-JGB-SPX. My name is Bailey Wellman.
14 I'm your remote videographer today. Our court
15 reporter is Carolyn Grittini. We are both
16 representing Fortz Legal Support.

17 Counsel, will you please state your name
18 and whom you represent? Afterwards our court reporter
19 will swear in the witness.

20 MR. NIELSEN: Sure. Mark Nielsen. I
21 represent the plaintiff, Nanjing Nutrabuilding Biotech
22 Company, Limited, may refer to them as NNB for short.
23 I am from law firm of Scheef & Stone. S-C-H-E-E-F &
24 Stone, S-T-O-N-E.

25 MR. CHEN: This is Hau Chen. I'm

1 representing defendant, Bonerge Lifescience (Hunan)
2 Corporate, Limited. I'm counsel of record. I'm with
3 the law firm of Scienbizip, S-C-I-E-N-B-I-Z-I-P. I'm
4 also here representing the deponent, Mr. Peterson.

5 MATTHEW PETERSON,

6 Was thereupon called as a witness herein, and after
7 having first been duly sworn to testify to the truth,
8 the whole truth and nothing but the truth, was
9 examined and testified as follows:

10 MR. NIELSEN: Good morning, Mr. Peterson.

11 Thank you for making the time today.

12 EXAMINATION

13 BY MR. NIELSEN:

14 Q. Before we get started with the actual questions, have
15 you had your deposition taken any time before today?

16 A. No.

17 Q. So I definitely want to run through some of the
18 basics. I will be asking questions and your counsel,
19 Mr. Chen, may object to some of my questions, but his
20 objections, unless he specifically instructs you not
21 to answer a question, you will still need to answer my
22 questions even if he objects. So you may hear him say
23 or me say you can answer. If he instructs you not to
24 answer a question, that's a different thing and we'll
25 cross that bridge if and when we get there. Do you

1 understand that so far?

2 A. Yes.

3 Q. And because this is being recorded by a court
4 reporter, head nods, gestures that we would typically
5 use in ordinary conversation cannot be recorded, so
6 please do your best to give yes or no or I don't know
7 or whatever the answer might be so that they can be
8 transcribed. Is that okay?

9 A. Yeah, that makes sense.

10 Q. And this can happen in person but I think it's a
11 little more susceptible to happening in a remote
12 deposition; let's both try to do our best not to
13 interrupt each other. You may know the answer to a
14 question before I finish or I may start asking another
15 question before you finish, and it's not intentional,
16 it's just we're kind of getting going and you know and
17 I know kind of where things are headed, but let's just
18 do our best to make sure we don't interrupt because
19 that becomes very difficult for the court reporter.
20 Okay?

21 A. Yeah, that makes a lot of sense.

22 Q. During the deposition I may mark, that's a technical
23 term, I may mark some exits, and those exhibits will
24 be projected onto the screen so you can see them and
25 we can hand over control to you so you can scroll

1 through the exhibits as it may be necessary, so just
2 letting you know that that will happen today as well.
3 And the only other sort of basic thing is if you need
4 a break for any reason, restroom break, a stretch,
5 we'll take breaks anyways, but if you're just dying,
6 as long as I'm not right in the middle of a question
7 or a series of two or three questions, we'll
8 definitely just go off the record and use the
9 restroom, whatever it is you need to do, and we'll
10 probably take a little bit of a longer break maybe
11 around lunchtime, you can refuel and whatnot. I don't
12 know how long this will go today but I'm pretty sure
13 we're going to get past lunch. Does that all sound
14 okay?

15 A. Yeah, that sounds totally fine with me.

16 Q. Good.

17 MR. CHEN: Mark?

18 MR. NIELSEN: Yeah.

19 MR. CHEN: Just a quick note on the
20 exhibits, I understand you're going to use the exhibit
21 display to do the exhibits, is there any chance you
22 think the system would allow us, let's just say, to
23 download exhibits on the computer so we can possibly
24 even just review it on a standalone computer, do you
25 know?

1 MR. NIELSEN: That's a question for Miss
2 Wellman, but I'm pretty sure they're downloadable in
3 the chat.

4 MR. CHEN: Right, if you can maybe put it
5 up in the chat, we can download that, that would be
6 appreciated it. I'm sure the witness can also
7 download them in the computer he's using for this
8 deposition.

9 MR. NIELSEN: Sure. Miss Wellman?

10 VIDEO TECHNICIAN: Yes, as we go, I can
11 drop them in the chat, so as you pull them up, I'll
12 drop the PDF and then also pull them up on the share
13 screen.

14 MR. NIELSEN: So just go into the chat and
15 you can download and whatnot. But they'll be on the
16 screen, and Mr. Peterson, I'll hand him control unless
17 it's somebody where I need to navigate to a specific
18 spot, but generally, he can review the documents on
19 the screen and it works pretty well. But good point,
20 exhibits will be in the chat for downloading if
21 needed. Okay.

22 Q. So Mr. Peterson, can you state your full name for the
23 record, please?

24 A. Matthew Clark Peterson.

25 Q. Where are you located today? Let's start with the

1 city.

2 A. Orem, Utah.

3 Q. Are you in your office?

4 A. No, I'm at my brother's house because it's the only
5 quiet place I could go.

6 Q. Thank you I appreciate that. And you understand
7 you're represented by counsel for your deposition
8 today; is that correct?

9 A. Yeah.

10 Q. And that would be Mr. Chen?

11 A. Yeah.

12 Q. And is anyone else with you in the room today?

13 A. No, I came here so I could be alone.

14 Q. And that's fine, thank you. Let's put up Tab 1, and
15 we'll mark that as Exhibit 1 for the record, and I'll
16 just represent that this is a copy of the complete
17 subpoena that was originally served on Nature's
18 Fusions back in October. And you can always feel free
19 to hand off control, Miss Wellman, to the witness.

20 And one housekeeping matter, Hau, is it
21 okay as plaintiff if we start at Exhibit 1, and as
22 defendant, when you do depositions or what have you, you
23 start add, say, 501, is that okay?

24 MR. CHEN: Yeah, I think that's -- I
25 appreciate that. I think that's a better way of

1 managing exhibits for deposition.

2 MR. NIELSEN: Absolutely.

3 MR. CHEN: You'll have to probably remind
4 me, I think later when we're starting party
5 depositions, but I can (unintelligible), yes.

6 MR. NIELSEN: Fair enough.

7 Q. Mr. Peterson -- and feel free, I think you should have
8 control if you want to zip around through this, I'm
9 not going to really zero in on any super specific
10 questions, but if you need a moment and you just want
11 to scroll through this exhibit on your screen, or if
12 you've downloaded it, my initial question is going to
13 be, have you seen this document before today?

14 VIDEO TECHNICIAN: To take control, you'll
15 click once inside the document from the share screen
16 and then you should be able to scroll on your own.
17 And then for downloading from the chat, when you go to
18 download, just make sure you're saving it to a folder
19 and you know how to get that folder where that folder
20 is located, and then as we go on, they'll continue to
21 download to that same folder that you direct in Zoom
22 to download it to.

23 MR. CHEN: Just so, Mr. Peterson, I always
24 find it easy just to download it to the desktop,
25 assuming your desktop is not super crowded.

1 THE WITNESS: It's a brand new computer,
2 there's nothing on it except Zoom. Okay.

3 BY MR. NIELSEN:

4 Q. So Mr. Peterson, have you seen -- you can keep
5 scrolling through it, take your time.

6 A. Yes.

7 Q. So you have seen this document before today?

8 A. Yes.

9 Q. Did you review this document to prepare for your
10 deposition today?

11 A. Yes.

12 MR. CHEN: So Mr. Peterson, again, just
13 so -- give me a minute to raise an objection. I'm
14 just going to object and caution the witness not to
15 disclose attorney-client privileged communication.
16 Otherwise, you may answer the questions by Mr.
17 Nielsen.

18 BY MR. NIELSEN:

19 Q. The simple question was not asking for attorney-client
20 communication, it was asking if you reviewed this
21 document in preparation for your deposition today.

22 A. Me and Mr. Chen reviewed a variety of documents and
23 papers.

24 Q. And was this one of them?

25 A. Yes.

1 Q. And do you understand today that you are testifying as
2 a representative of Nature's Fusions, LLC?

3 A. Yes.

4 Q. And is it your understanding that there are a series
5 of topics that were part of the subpoena that were the
6 topics that my client, we intended to focus on in our
7 deposition today?

8 A. Yes.

9 Q. And is it your understanding that you are the only
10 representative of Nature's Fusions who will be
11 testifying in regard to this subpoena?

12 A. Yes.

13 Q. And certainly I do not want you to reveal any
14 attorney-client communications, but it sounds like you
15 did some preparation in advance of the deposition
16 today, would that be correct?

17 A. Yes.

18 Q. Do you feel like you're adequately prepared to testify
19 on the topics that were listed in this subpoena?

20 A. Yes.

21 Q. Other than speaking with counsel, did you speak with
22 any other non-attorneys to prepare for today's
23 deposition?

24 A. No.

25 Q. So you didn't speak with anybody at Nature's Fusions,

1 LLC in preparation for today's deposition?

2 A. No.

Redacted

11 Q. And do you have any materials with you today other
12 than the computer you're using to do the remote
13 deposition?

14 A. No.

15 Q. What is your title or position with Nature's Fusions,
16 LLC?

17 A. I'm one of the -- I'm the founder.

18 Q. Do you have a title like president or CFO or anything
19 like that?

20 A. CMO.

21 Q. CMO, would that be marketing?

22 A. Yeah.

23 Q. Any other titles, treasurer, secretary, director,
24 anything like that?

25 A. No, just usually go by marketing.

1 Q. And Mr. Peterson, do you know who is my client,
2 Nanjing Nutrabuilding Biotech Company, Limited or NNB
3 for short?

4 A. I do know who they are.

5 Q. Do you recall when you first learned about just the
6 existence of NNB?

7 A. I don't know the exact date or time frame. It might
8 have been a trade show or researching online. It
9 would have been a few years ago probably sometime.

10 Q. Do you -- strike that.

11 Were you the first person at Nature's
12 Fusions who became aware of NNB?

13 A. I wouldn't know. I haven't asked anybody else.

14 Q. Do you recall -- strike that.

15 Do you recall what trade show you may have
16 been at when you first learned that NNB was out there?

17 MR. CHEN: Objection, outside the scope.

18 BY MR. NIELSEN:

19 Q. You can answer.

20 A. I go to lots of trade shows, so like I go to Expo West
21 and Supply Side, and I don't know which one it would
22 be. It would have been -- I mean, I'm guessing it
23 would have just been one of the trade shows that I
24 attend, like three or four of them a year.

25 Q. And which trade shows would those be?

1 A. I attend Expo West, Newtopia Now, Supply Side.

2 Q. Does Supply Side, does that have an east and a west or
3 is it just Supply Side?

4 A. I just go to the one in Las Vegas, Supply Side West or
5 Supply Side Global. There's like 10,000 companies at
6 it.

7 Q. And have you attended, we'll start with Expo West, is
8 that an annual trade show?

9 MR. CHEN: Objection, outside the scope.

10 BY MR. NIELSEN:

11 Q. You can answer.

12 A. Yeah, it is.

13 Q. Do you recall how far back you have been attending
14 Expo West? More than five years? Less than five
15 years?

16 A. More than five years.

17 Q. And is Nutopia Now, is that N-U-T-O-P-I-A?

18 A. N-E-W-T-O-P-I-A.

19 Q. Is that an annual trade show, Newtopia Now?

20 A. Yeah.

21 Q. And have you been attending Newtopia Now for five
22 years or more?

23 A. Well, they just changed the name. Well, that's a new
24 trade show. Last year or the year before was the
25 first year.

1 Q. And Expo -- strike that.

2 Supply Side, let's talk about the Las Vegas
3 version of that trade show. Is that an annual trade
4 show in Las Vegas that's once a year?

5 A. Yeah.

6 Q. And do you recall how long you've been attending the
7 Supply Side show in Vegas? Is it more than five
8 years?

9 A. No. I went last year and I think I went like ten
10 years ago for a couple hours.

11 Q. Do other people from Nature's Fusions attend these
12 shows as well?

13 MR. CHEN: Objection, outside the scope.

14 BY MR. NIELSEN:

15 Q. You can answer.

16 A. Expo West and Newtopia Now are shows that we have our
17 own booth at, so we don't go around the show, we just
18 present our magnesium products and things like that.
19 Supply Side is -- just Randy went last year for the
20 first time.

21 Q. Referring to Supply Side specifically, did other
22 people from Nature's Fusions go to Supply Side any
23 time prior to last year?

24 A. No. Just the one that I said that I went for a couple
25 hours like ten years ago when we were just doing

essential oils.

Q. When you say last year, you're referring to 2025,
correct?

A. Yeah. Whatever the dates were last year.

Q. Is Nature's Fusions aware that NNB sells
Dihydroberberine?

A. Yeah, it's on the subpoena.

Q. When did Nature's Fusions first become aware that NNB
sells Dihydroberberine?

A. I wouldn't be able to give you a date. Sometime
probably -- I'm not the one that's in charge of the
sourcing, so I don't know exactly when we would have
become aware of that.

Q. And for you personally, do you know when you first
became aware of NNB selling Dihydroberberine?

A. Probably sometime in the last couple of years.

Q. Do you remember the context where you first became
aware of NNB selling Dihydroberberine?

A. It probably had to do with the other companies that
were selling it on Amazon that were using the -- I
probably looked up the trademark that some of the
companies were using and noticed that it was NNB.

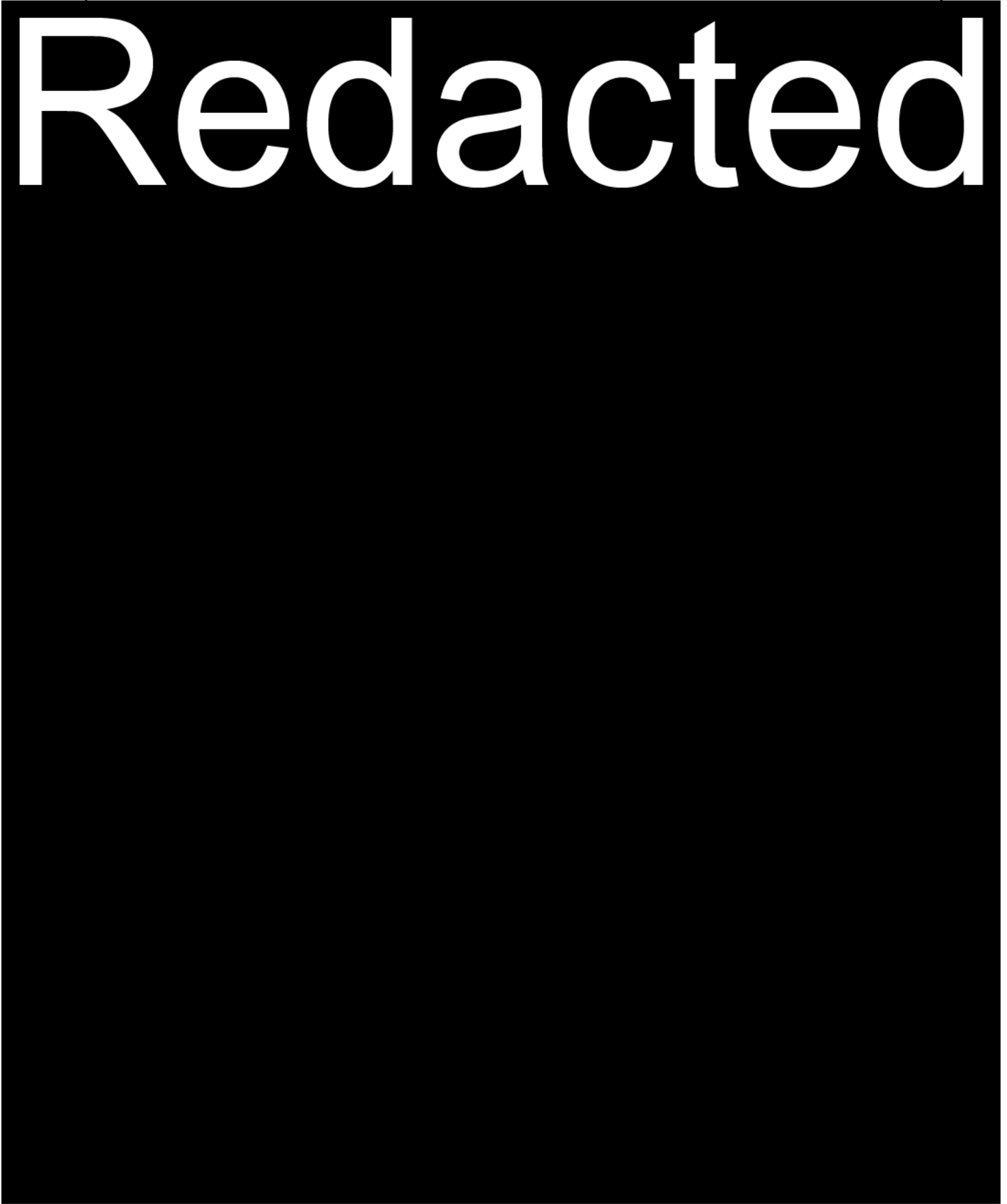
Q. And to the best of your ability, can you give me --
strike that.

Can you give me your best estimate of when

1 that may have happened, when you looked up these
2 trademarks -- or when you saw these companies and you
3 looked up the trademark and noticed it was NNB?

Redacted

Redacted



Redacted

2 A. That's -- what I remember is that I would have looked
3 up -- I would have seen the trademark on people's
4 bottles and wondered what that was.

5 Q. And which trademark are you referring to that you
6 looked up?

7 A. Is it called Glucovantage maybe?

8 Q. Does Nature's Fusions understand that there's a patent
9 infringement lawsuit pending between NNB and Bonerge
10 or Bonerge, B-O-N-E-R-G-E, Bonerge Lifescience
11 (Hunan), H-U-N-A-N, Co, C-O, Limited, I'm doing that
12 for the court reporter, sorry, Mr. Peterson. But does
13 Nature's Fusions understand that there's a patent
14 infringement lawsuit pending between NNB and Bonerge
15 regarding Dihydroberberine, just as a general matter?

16 A. Yeah, I became aware of it with -- I think I became
17 aware of it with the subpoena.

18 Q. Was Nature's Fusions aware of the litigation, the
19 patent litigation between NNB and Bonerge prior to the
20 service of the subpoena that we're here for today?

21 A. I don't believe so. I'm pretty sure I looked at the
22 subpoena and I saw the litigation on it.

23 MR. NIELSEN: And Miss Wellman, you can
24 take this exhibit down. Thank you.

Redacted

Redacted

9 Q. And has Nature's Fusions -- and I'm referring to the
10 company at large because this is a corporate
11 representative deposition -- but has Nature's Fusions
12 studied the patent that's being asserted against
13 Bonerge, which I'll represent for the record is U.S.
14 Patent 10,278,961? Has anyone at Nature's Fusions
15 looked at or reviewed that patent since you became
16 aware of the litigation?

17 A. Yes.

18 Q. Do you know who at Nature's Fusions reviewed it?

19 A. I read it.

20 Q. Do you recall approximately when you read it?

21 A. I think I read it when I got an e-mail from one of
22 NNB's counsel.

23 Q. And would that have been in November of 2024, the
24 e-mail that you're referring to from NNB's counsel?

25 A. I'd probably have to look at the date of the e-mail to

1 verify it.

2 Q. We'll circle back to that because we'll probably get
3 there before too long. And just for housekeeping, if
4 I refer to the 961 patent today, can we agree that I'm
5 referring to the NNB patent where the last three
6 numbers are 961? Will that work for you?

7 A. Yeah, if we're just referring to one patent.

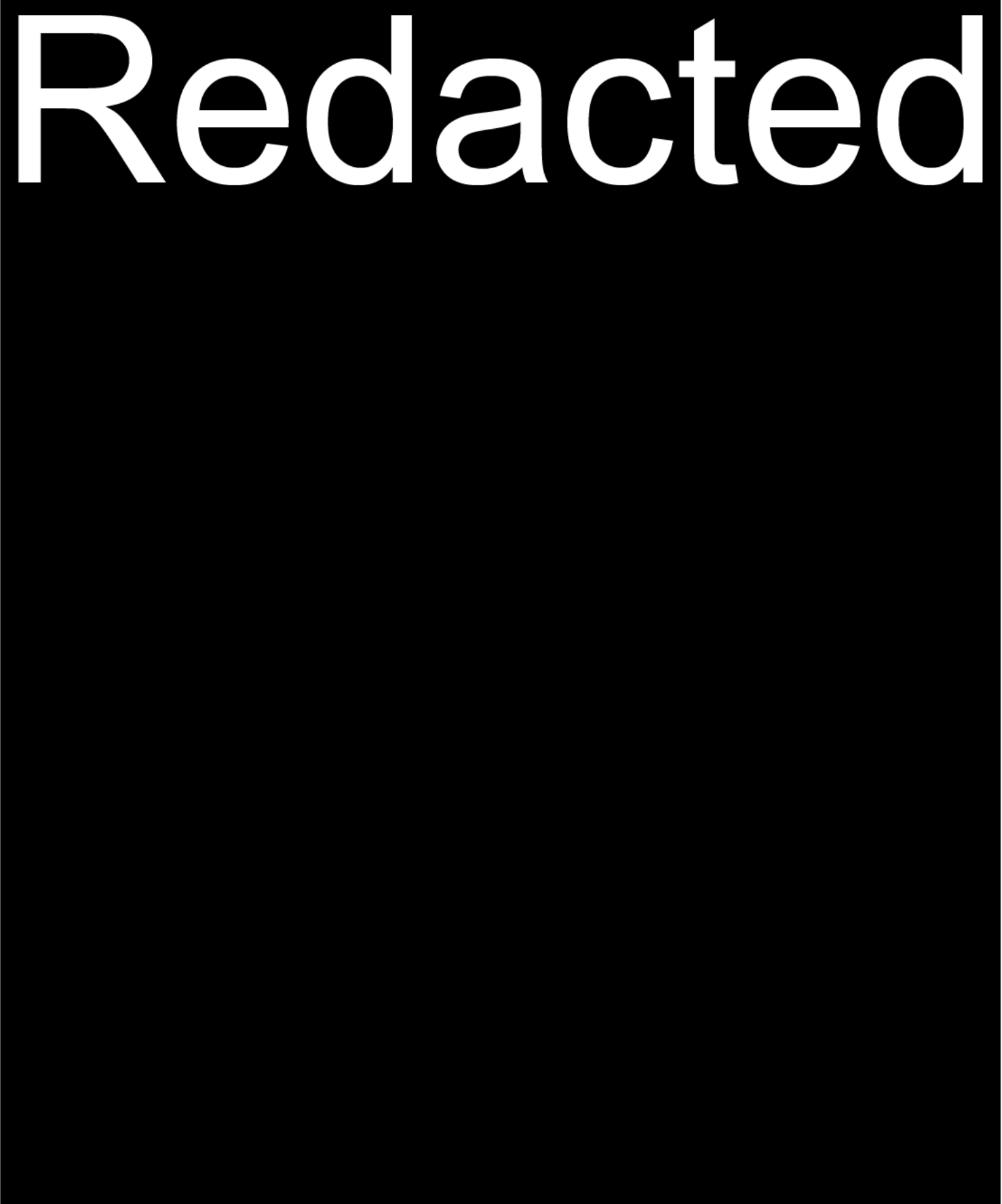
8 Q. If we refer to any other patents, I'll give you the
9 full number but, for NNB's patent, I may refer to it
10 as the 961 patent. I just want to make sure we're all
11 on the same page.

Redacted

Redacted



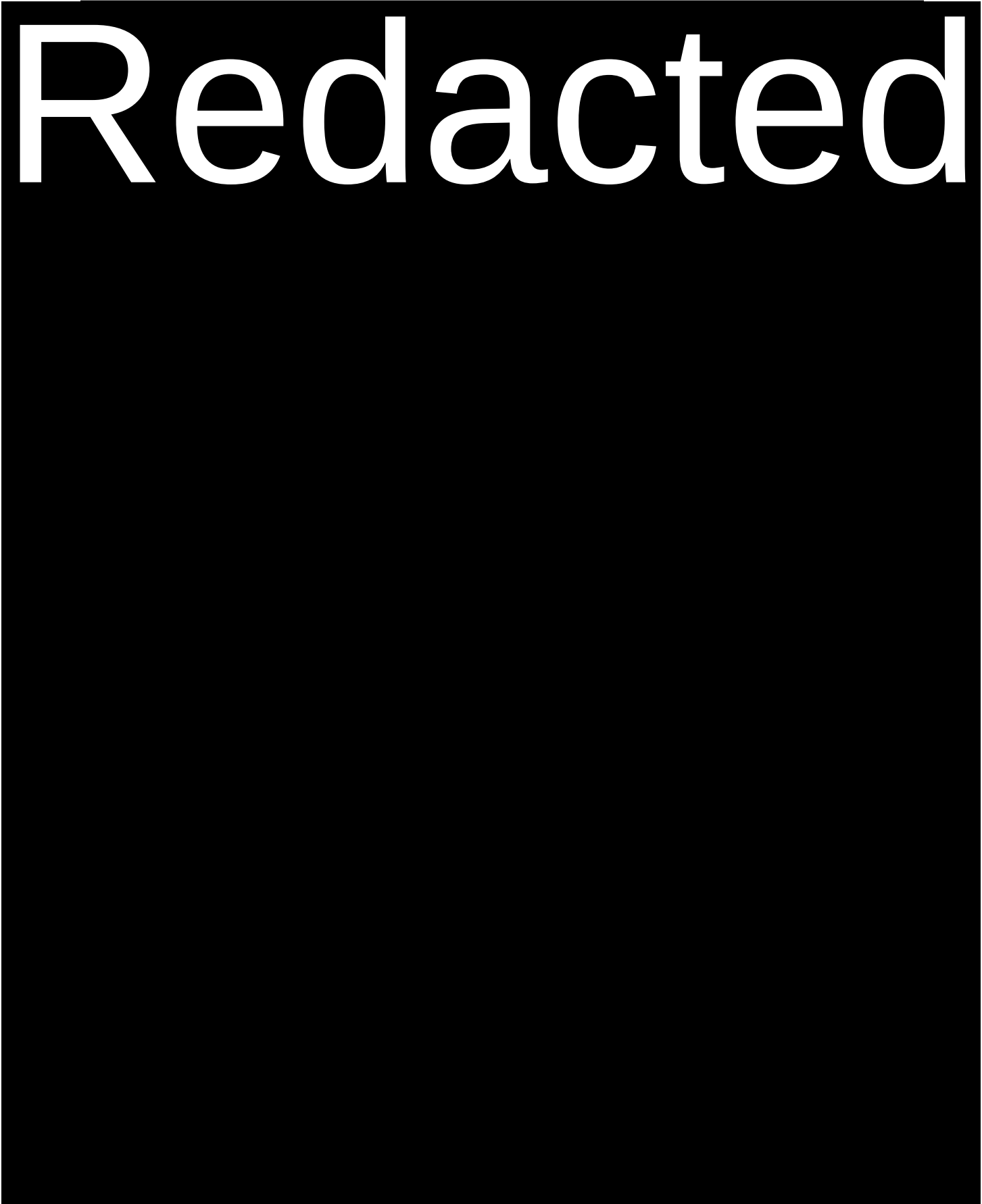
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21 Q. Just a couple general housekeeping questions that I
22 would need to go through. Mr. Peterson, can you just
23 walk us through your just education levels? Maybe
24 just start with high school, the high school you
25 graduated from and the year and college and any

1 postgraduate things you may have done.

2 A. I went to Wheeling High School, and I went to BYU and
3 I studied business and I started my company with my
4 brothers while we were in school.

5 Q. What year did you graduate from Wheeling High School?

6 MR. CHEN: Objection.

7 BY MR. NIELSEN:

8 Q. You can answer.

9 A. 2008.

10 Q. And what year did you graduate from BYU?

11 A. 2013.

12 Q. And at some point while you were in college, you and
13 your brothers started Nature's Fusions and that's been
14 what you've been doing since that time?

15 A. Yeah.

16 Q. And in terms of Nature's Fusions, have you always been
17 focused on the marketing side of the business?

18 A. No. Like the first like ten years, I was just in
19 charge of running the machines and the production.
20 Maybe eight to ten years or so.

21 Q. And after that eight to ten years, did you then pivot
22 to focus more on the marketing side of things?

23 A. Yeah.

24 MR. NIELSEN: Let's put up Tab 19 and mark
25 that as Exhibit 2.

1 Q. I'll represent that this is document number NF 462,
2 and I think you'll recognize it as an org chart. Just
3 have a few questions about this. Feel free to study
4 it and let me know when you're ready.
5 A. I'm ready.

Redacted

Redacted

Redacted



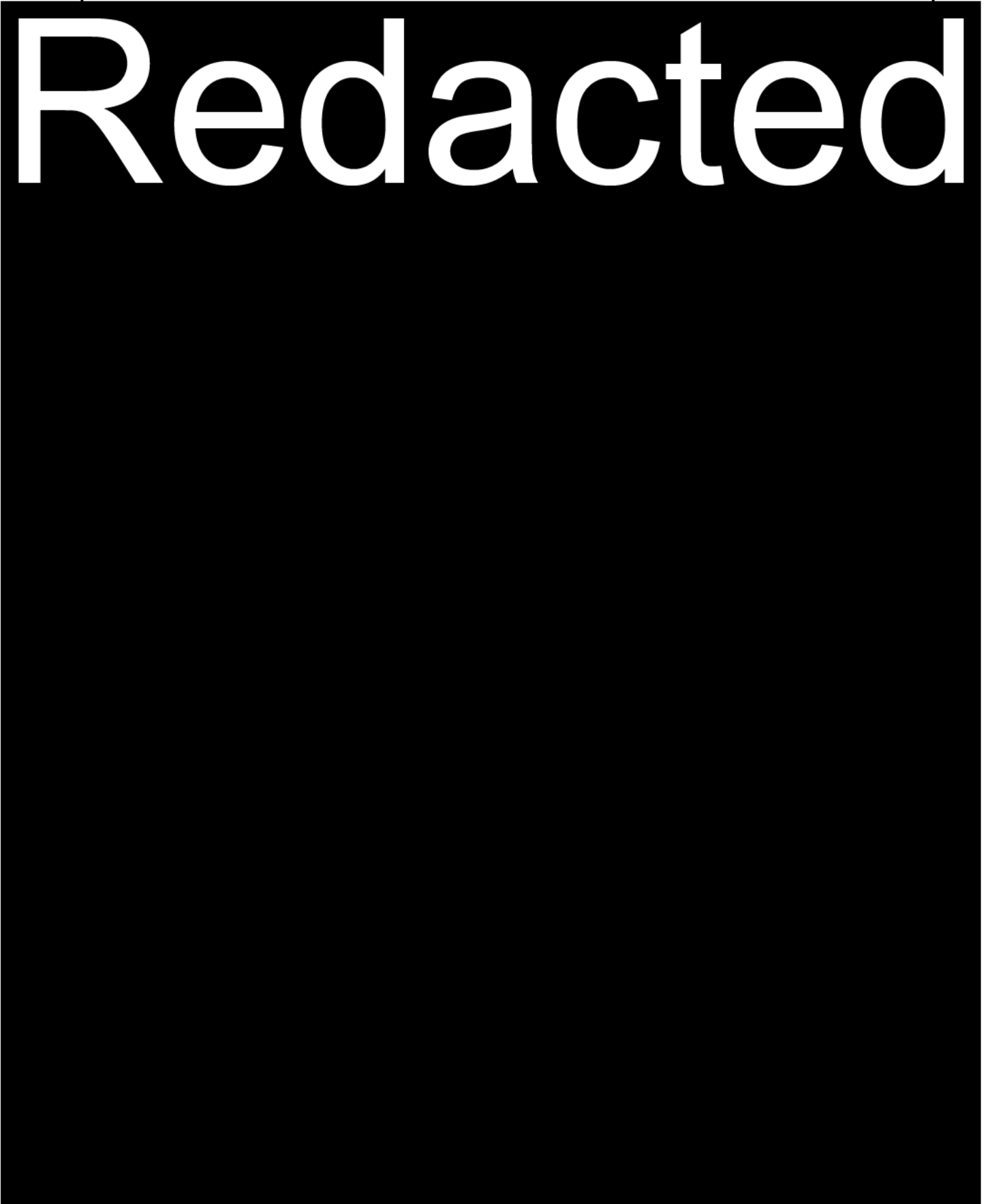
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18 MR. NIELSEN: We can take down this
19 exhibit. Thank you. Let's put up Tab 3, please, and
20 we'll mark that as Exhibit 3. And I will just
21 represent for the record while that's coming up that
22 this is a printout from the Utah State Government,
23 it's a business registration document, like kind of
24 from the Secretary of State. When that comes up, feel
25 free to take a look at it, Mr. Peterson, I just want

1 to run through a few questions on it. Is it really
2 blank? There we go. I got nervous there for a
3 minute.

4 Q. Yeah, just take a look at it and let me know when
5 you're ready.

6 A. I'm ready.

7 Q. Okay. Does this appear to be a, just an informational
8 document from the government of the state of Utah?

9 MR. CHEN: Objection.

10 A. I mean, I can't validate that it's real, but it
11 appears to be accurate.

12 BY MR. NIELSEN:

13 Q. And if you look at the information on the form, you
14 see it says Entity Name - Nature's Fusions, LLC. Do
15 you see that?

16 A. Yeah.

17 Q. And that's the formal name of your company?

18 A. Yeah.

19 Q. And was the company formed, if you look over those
20 dates in the top box on the right side, Formation
21 Date, in approximately February of 2010?

22 A. I think so. I wasn't living in the country at the
23 time but I think so.

24 Q. Did you start working for Nature's Fusions from its
25 inception?

1 A. No.

2 Q. When did you begin working for Nature's Fusions?

3 MR. CHEN: Objection, relevance.

4 BY MR. NIELSEN:

5 Q. You can answer.

6 A. In 2011.

7 Q. And if you drop down in that third box where it says
8 Principal Information, do you see that?

9 A. Yeah.

10 Q. And Christopher James Peterson, is that your brother?

11 A. Yeah.

12 Q. And you mentioned Lori Ann Peterson is your mother,
13 correct?

14 A. Yeah.

15 Q. And you're the third, Matthew Clark Peterson, the
16 third person on that list, correct?

17 A. Yeah.

Redacted

Redacted

7 MR. NIELSEN: You can take this exhibit
8 down. Thank you. Let's put up Tab 6 and we'll mark
9 that as Exhibit 4. And I'll represent for the record,
10 this is documents in the lower right corner of the
11 document you may see numbers, this is NNB 95 through
12 105, and this is a copy of the 961 patent.

13 Q. Feel free to take a look at it, Mr. Peterson.

14 A. Okay.

15 Q. Did you review this document in preparation for
16 today's deposition?

17 A. I did look over it a little bit.

18 Q. And do you remember which portions you may have looked
19 at as part of your review?

20 A. The claims.

21 Q. Does Nature's Fusions own any patents?

22 A. No.

23 Q. Was there a particular item or concept you were
24 thinking about when you were reviewing the claims to
25 prepare for today?

1 MR. CHEN: Objection. I'm just going to
2 caution the witness not to disclose any
3 attorney-client -- privileged attorney-client
4 communications, but you may answer to the extent not
5 revealing what you discussed with your attorney.

6 MR. NIELSEN: Not looking for
7 communications with counsel.

8 MR. CHEN: Understood.

9 A. Like not anything specific, just the claims.

10 BY MR. NIELSEN:

11 Q. And I believe you mentioned earlier today that the
12 first time you may have become aware of this patent
13 was when NNB's counsel sent Nature's Fusions a letter
14 toward the end of 2024; would that be right?

15 A. Yeah.

16 Q. And was yourself or anyone else at Nature's Fusions
17 aware of this patent prior to NNB's counsel sending
18 you that letter back in November of 2024?

19 A. No.

20 Q. How would you describe your level of familiarity with
21 patents in general? I mean, are you very familiar
22 with what patents are and how they're set up or not
23 much?

24 A. I would say I have a general understanding of patents,
25 like that the claims are what's important and just

1 like the specific verbiage, like exactly what it says
2 is what it covers.

3 Q. And without disclosing any conversations with, whether
4 it was Mr. Chen or another lawyer, where did you
5 obtain those understandings of kind of the claims or
6 what's important and the specific verbiage is what the
7 patent covers, how did you learn that? And let me add
8 one more detail. I do not want attorney-client
9 privileged communications. If it was a conversation
10 with attorney, I would probably just say that and
11 stop, nothing else, no details.

12 MR. CHEN: Counsel, I think to the extent
13 Mr. Peterson's knowledge of claims (unintelligible) a
14 patent document, assuming he didn't obtain that from
15 counsel, I think you can just ask him a yes or no
16 question and I can allow him to answer yes or no.

17 MR. NIELSEN: Well, okay, fine. So strike
18 my previous question.

19 Q. In terms of your understanding that the claims are
20 what's important in a patent and that the specific
21 verbiage really describes what the patent covers, did
22 you glean that understanding or those understandings
23 through communications with counsel? Just yes or no,
24 nothing else.

25 A. Yes.

1 Q. Did you glean those understandings through anything
2 other than communications with counsel?

3 A. No. Glean as in understand at all? I mean, like,
4 I've Googled patents, but pretty much all of my
5 understanding comes from counsel.

6 MR. CHEN: Mr. Peterson, I just remind you,
7 you're supposed to be yes or no answer. Be cautious
8 not to discuss any communications or contents of the
9 communication you had with counsel, whether it's me or
10 other attorneys you have consulted on patent matters.

11 THE WITNESS: Okay.

12 BY MR. NIELSEN:

13 Q. For the time being, that is sufficient. Are there
14 other people at Nature's Fusions who are familiar with
15 U.S. patents?

16 A. No, I wouldn't say so.

17 MR. NIELSEN: We can take this exhibit down
18 for now.

19 MR. CHEN: Mr. Nielsen we've been going
20 about hour and 15 minutes, do you think we could
21 probably take a short break?

22 MR. NIELSEN: Yep, good time to do it.
23 Let's go off the record maybe ten minutes, stretch our
24 legs and whatever else.

25 VIDEO TECHNICIAN: Off the record at 11:13

1 a.m.

2 (Off the record) .

3 VIDEO TECHNICIAN: We are back on the
4 record at 11:24 a.m.

5 BY MR. NIELSEN:

6 Q. Mr. Peterson, did you have any conversations with your
7 counsel while we were on the break? I don't want the
8 substance but just a yes or no?

9 A. Yes.

10 MR. NIELSEN: Let's put up Tab 7, please.

11 Q. And Mr. Peterson, we'll mark this as Exhibit 5, and
12 I'll represent for the record, this is document NNB
13 110 through 111, and Mr. Peterson, please feel free to
14 review it and let me know when you are ready.

15 A. Yeah, I'm ready.

16 Q. Have you seen this document before today, Mr.
17 Peterson?

18 A. It's not one that has our number on it, or does it?
19 But yeah, it looks familiar.

20 Q. And did you review this particular document in
21 preparation for today's deposition?

22 A. No.

23 Q. And do you see that this is a letter dated November
24 4th, 2024?

25 A. Yeah.

1 Q. And in referring to the letter from NNB's counsel
2 earlier today, does this refresh your recollection as
3 to when that letter was -- the approximate time when
4 it was received by Nature's Fusions?

5 A. Like when I got this letter?

6 Q. Exactly.

7 A. Yeah, it would have been around this time.

8 Q. And the letter was addressed to Mr. Randy Carr; that's
9 your supply chain person, correct?

10 A. Yeah.

11 Q. And did Mr. Carr bring this letter to you more or less
12 upon receipt?

13 A. I don't remember like the specifics, but most likely.

14 Q. So at some point either right at or shortly after
15 receipt of this letter, Mr. Carr would have notified
16 the owners of Nature's Fusions or at least one of you;
17 would that be correct?

18 A. He most likely would have brought me the letter or he
19 would have forwarded me an e-mail. I don't remember
20 which.

21 Q. And do you see in the second paragraph of the letter
22 under Patent Information, that there was a reference
23 to U.S. patent number 10,278,961?

24 A. Yeah.

25 Q. And is it your understanding that that's the same

1 patent that is being asserted by NNB in the case
2 against Bonerge?

3 A. Yeah.

4 Q. And so what did Nature's Fusions do, like upon receipt
5 of this letter when it came to your attention, what
6 did you do?

7 A. I wrote back saying that we weren't infringing.

8 Q. And was that the product of any analysis?

9 MR. CHEN: Objection, vague.

10 BY MR. NIELSEN:

11 Q. You can answer.

12 A. Yeah.

13 Q. Whose analysis?

14 A. My analysis.

15 Q. Anyone else's?

16 A. No.

Redacted

Redacted

13 MR. NIELSEN: We can take this letter down.
14 Thank you. Let's put up Tab 8 and we'll mark that as
15 Exhibit 6.

16 Q. And again, Mr. Peterson, feel free to scroll through
17 the exhibit and familiarize yourself with it and let
18 me know when you are ready.

19 A. Yeah, I'm ready.

20 Q. And Mr. Peterson, other than the -- let's just start
21 with the e-mail at the first page of the letter, which
22 I'll represent for the record is NNB 112 to 114 of the
23 document numbers. Let's just start at the first page
24 of the exhibit. Do you recognize this as an e-mail
25 that you sent to Shawna Bates, S-H-A-W-N-A, Bates,

1 B-A-T-E-S?

2 A. Yeah.

3 Q. And the date is November 6, 2024, correct?

4 A. Yeah.

Redacted

19 Did you review this e-mail that you sent to
20 Shawna Bates in preparation for this deposition today?

21 A. Yes.

22 Q. In the first paragraph of your e-mail to Miss Bates,
23 you indicated in the first sentence, second line: I
24 work closely with a U.S. patent lawyer -- et cetera.
25 Do you see that?

1 A. Yeah.

2 Q. What U.S. patent lawyer were you referring to in this
3 e-mail?

4 A. The one that's helping with a pending patent that we
5 have.

6 Q. Does that patent lawyer have a name?

7 A. Yes, but I don't remember it.

8 Q. Is he or she with a firm?

9 A. Yeah.

10 Q. Do you remember the name of the firm?

11 A. I would have to look it up.

12 Q. At this time, Nature's Fusions does not own any
13 patents; is that correct?

14 A. Yeah, that's correct. We don't.

15 Q. Is there an application process going on right now for
16 some patents?

17 MR. CHEN: Objection, vague. Asked and
18 answered.

19 BY MR. NIELSEN:

20 Q. You can answer.

21 A. We have a patent pending.

22 Q. Did you have a patent pending on November 6, 2024?

23 A. Yeah.

24 Q. And in the next sentence of paragraph one, you say,
25 quote: "With several patents pending of our own, our

1 legal counsel and I have extensive experience
2 navigating patent coverage, protection, infringement,
3 and non-infringement considerations." Do you see
4 that?

5 A. Yeah.

6 Q. At that time, November 6, 2024, did Nature's Fusions
7 have several patents pending of our own?

8 A. Like the one patent in multiple countries. So yes.

9 Q. Okay. And you said, our legal counsel and I have
10 extensive experience . . . Do you see that?

11 A. Yeah.

12 Q. While I appreciate that your legal counsel may have
13 extensive experience navigating patent coverage,
14 protection, infringement and non-infringement, in
15 November of 2024, did you have extensive experience
16 navigating patent coverage, protection, infringement
17 and non-infringement considerations?

18 MR. CHEN: Objection. Go ahead.

19 A. I wouldn't say I'm a professional. Obviously, I rely
20 on my legal counsel.

21 BY MR. NIELSEN:

22 Q. Did you not write in this letter to Miss Bates or this
23 e-mail to Miss Bates that you have extensive
24 experience navigating patent coverage, protection,
25 infringement and non-infringement considerations?

1 MR. CHEN: Objection, argumentative.

2 BY MR. NIELSEN:

3 Q. You can answer.

4 A. I think that combined, our legal counsel and I.

5 Q. But it would not be accurate to say as of November of
6 2024, that you personally had extensive experience
7 navigating patent coverage, protection, infringement
8 and non-infringement considerations, correct?

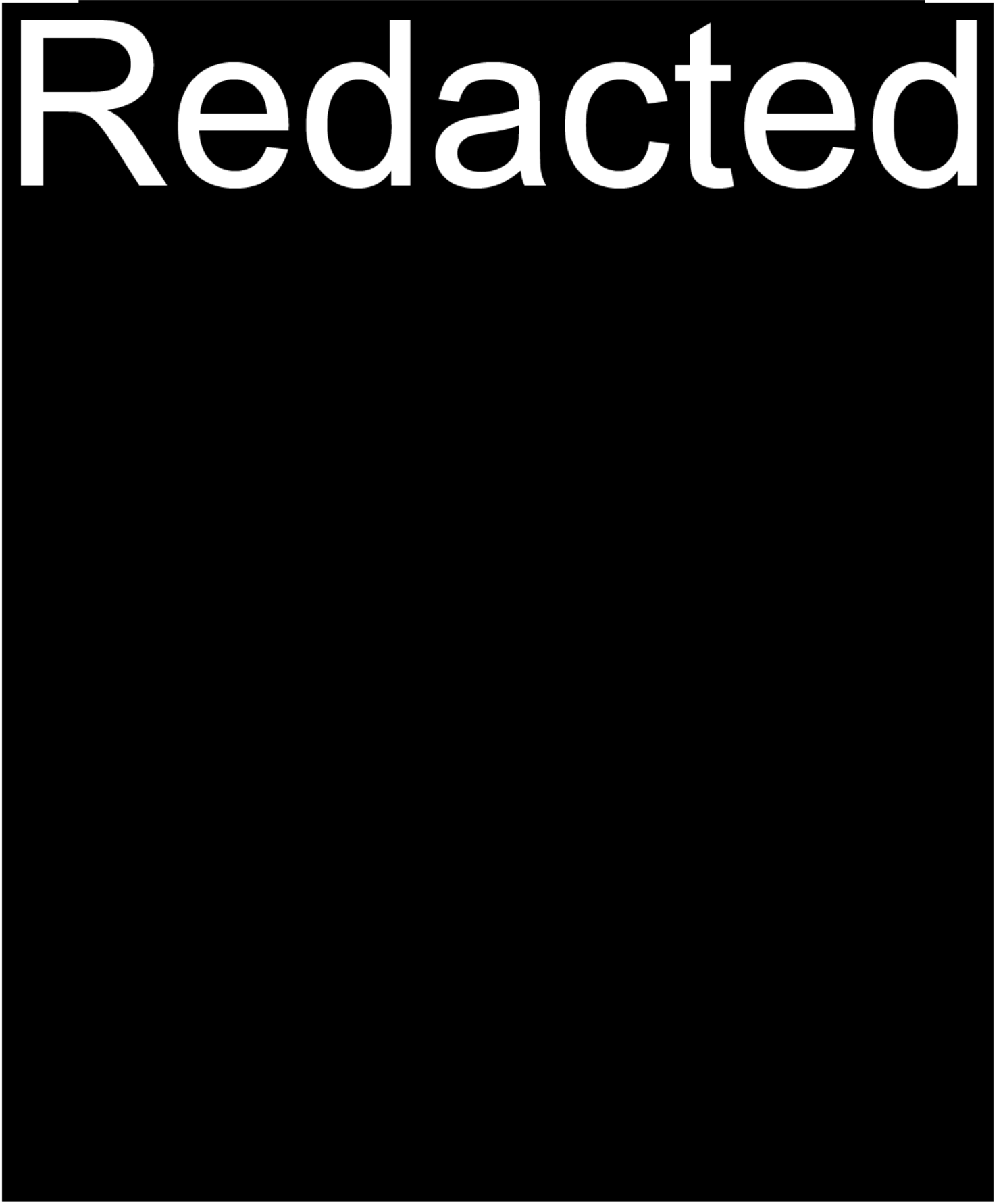
9 A. Yeah, I wouldn't say that I'm a patent lawyer, you
10 know, a professional with patents. I would say that I
11 rely on legal counsel.

12 Q. I understand that. My question is simply, it would
13 not be accurate for you to represent that you have
14 extensive experience, you personally have extensive
15 experience navigating patent coverage, protection,
16 infringement and non-infringement considerations as of
17 November of 2024, correct?

18 A. Correct.

Redacted

Redacted



Redacted

8 MR. NIELSEN: You can take this exhibit
9 down. Thank you.

10 Q. And in that e-mail we were just looking at, did you
11 personally prepare the text that was ultimately sent
12 to Miss Bates in that response e-mail?

13 A. Yeah, I did.

14 Q. Let's put up Tab 9, and we'll mark that as Exhibit 7.
15 And I'll represent for the record that this is
16 document NNB 166 to NNB 169, and it is also Exhibit 20
17 to the complaint in the underlying action. And again,
18 Mr. Peterson, feel free to scroll through this and let
19 me know when you're ready.

20 A. I'm ready.

21 Q. Do you recognize this as a page from Nature's Fusions'
22 website back in November of 2024?

23 MR. CHEN: Objection.

24 BY MR. NIELSEN:

25 Q. You can answer.

1 A. We don't archive our pages, so I wouldn't be able to
2 validate that.

3 Q. Do you see in the upper left that there's a date
4 indicated on the exhibit?

5 A. Yeah.

6 Q. Is it your general understanding that oftentimes when
7 web pages are printed, that the browser will put a
8 date on the document on the date of printing?

9 A. That's one way to get a date on the paper.

10 Q. Sure. Do you have any reason to believe that this
11 wasn't printed out on November 21st, 2024?

12 A. No, I don't have a reason to believe that it wasn't, I
13 just don't have any way to validate it.

14 Q. Fair enough. And does this appear to be an image of
15 Nature's Fusions' Dihydroberberine-containing product,
16 at least as of late 2024?

17 MR. CHEN: Objection. Vague.

18 BY MR. NIELSEN:

19 Q. You can answer.

20 A. Yeah, it appears to be an image of -- a mock of a
21 product from Nutri that has this date on this paper.

22 Q. What is Nutri, N-U-T-R-I?

23 A. Nutri is the brand, our dietary supplement brand.

Redacted

Redacted



1 Q. So back to the exhibit, including the image on the
2 screen, so you're saying that that image there is just
3 a mockup of a bottle, it's not an actual photograph of
4 the bottle per se?

5 A. Yeah, that's just a mockup. That's just a digital
6 creation.

7 Q. And the digital creation on the website as of November
8 21, 2024 here, shows a bottle of Dihydroberberine, 200
9 milligrams per serving. Do you see that?

10 A. Yeah.

11 MR. CHEN: Objection.

12 BY MR. NIELSEN:

13 Q. And this bottle, this mockup of this bottle shows that
14 there are 60 capsules in the bottle; is that correct?

15 A. Yeah.

16 Q. And one of the stated uses for what's in the mockup,
17 in the bottle is blood sugar control. Do you see
18 that?

19 MR. CHEN: Objection.

20 BY MR. NIELSEN:

21 Q. You can answer.

22 A. I see that the word "blood sugar control" is on the
23 screen.

24 Q. It's on the mockup of the bottle of Dihydroberberine
25 more accurately, correct?

1 A. It's one of the listed words on the bottle.

2 Q. Was this bottle that was mocked up on the website, if
3 someone ordered, like if you scroll down to the --
4 strike my question.

5 If you scroll down a little -- yeah, that's
6 fine, if you scroll down, a person could order, at
7 that time, could have ordered the Dihydroberberine
8 from Nature's Fusions' website, correct?

9 A. Correct.

10 Q. Where it says "add to cart" right there, do you see
11 that?

12 A. Yeah.

13 Q. So if a person ordered a bottle of 200 milligrams per
14 serving of Dihydroberberine as shown on this web page,
15 would the bottle they have received appear the same as
16 the bottle that's shown in the mockup?

17 A. Not in this case.

18 Q. And why not?

19 A. Because this was just a draft mockup.

20 Q. How do you know that?

Redacted

24 Q. So would it be accurate to say that you're -- strike
25 that.

Redacted

6 MR. CHEN: Objection.

7 BY MR. NIELSEN:

8 Q. You can answer.

Redacted

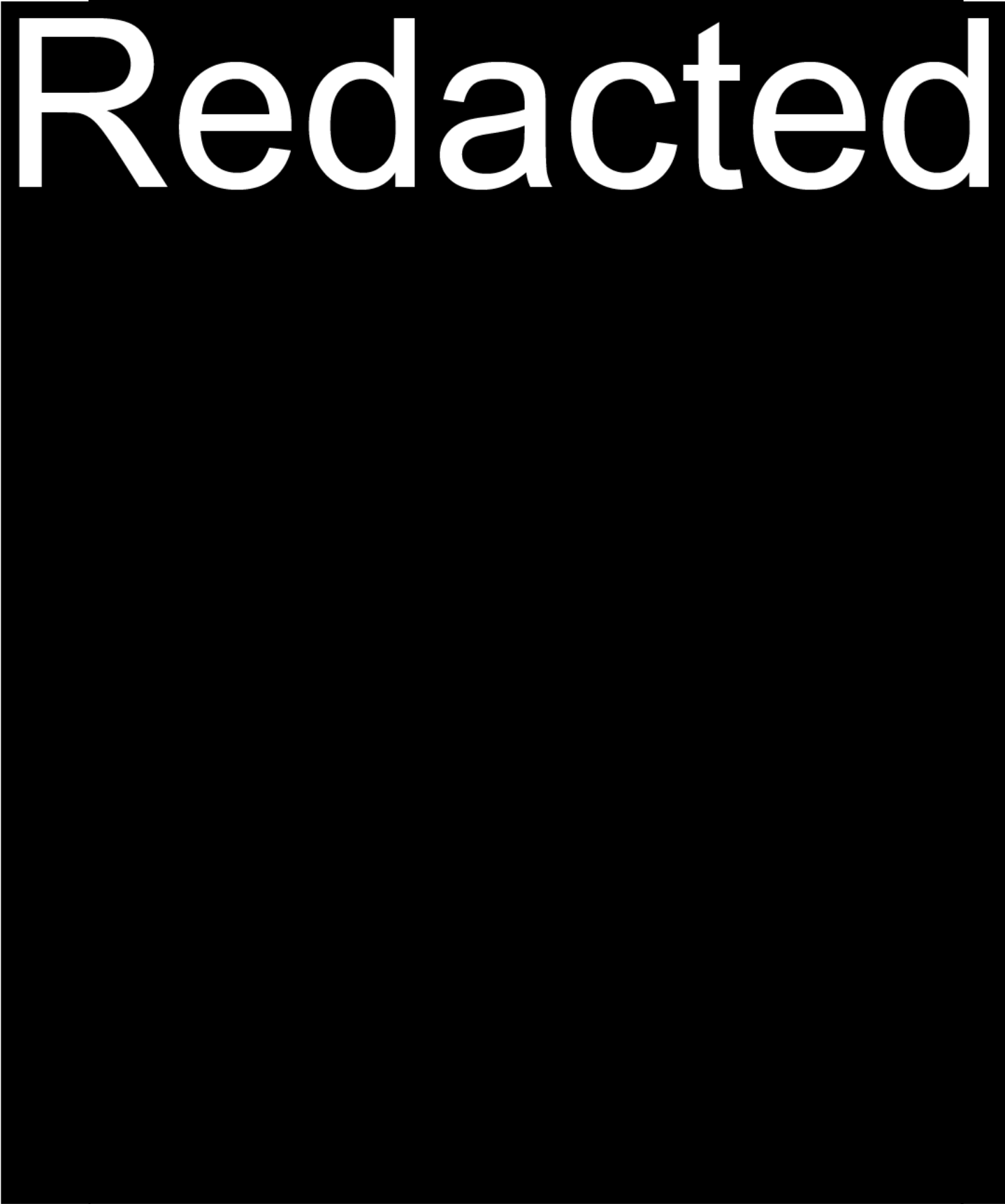
17 MR. CHEN: Objection.

18 BY MR. NIELSEN:

19 Q. What would that be?

Redacted

Redacted



1 Q. Does Dihydroberberine provide blood sugar control?

2 MR. CHEN: Objection.

3 BY MR. NIELSEN:

4 Q. You can answer.

5 A. It's my understanding that if, like a normal
6 ingredient like Berberine can do something, then when
7 you have a more bioavailable version of that
8 ingredient, that it can also do it but more
9 effectively.

10 Q. So is that a more scientific way of saying that
11 Dihydroberberine provides blood sugar control?

12 A. That's just a basic statement saying whatever
13 Berberine can do, then it makes sense that
14 Dihydroberberine can do it as well.

Redacted

24 MR. NIELSEN: Miss Reporter, could I have
25 that question back, please?

Redacted

7 BY MR. NIELSEN:

8 Q. I don't think you answered that question, Mr.
9 Peterson, can you answer that question, please?

10 MR. CHEN: Objection.

11 A. I think, based on like my scientific understanding, I
12 wouldn't necessarily be able to say if that's true.

13 BY MR. NIELSEN:

14 Q. Did you not just say a moment ago that more or less
15 whatever Berberine can do, Dihydroberberine can also
16 do?

17 A. That's generally true when it comes to something that
18 that's more bioavailable. That's usually our
19 baseline.

20 Q. Apologies, I was interrupting you, my apologies. Go
21 ahead.

22 A. Yeah, that's generally true, but, you know, I would
23 have to look at some -- I would have to look at some
24 studies to validate that.

Redacted

Redacted

Redacted

6 Q. Fair enough. And just for reference, can you
7 scroll -- do you see a price, I think it's buried
8 under the header on page 2, it's up in the upper left
9 there. Yeah, is that 34.99, is that your standard
10 price on your website?

11 A. Yeah.

12 MR. CHEN: Objection.

13 BY MR. NIELSEN:

14 Q. So has that price been consistent throughout your
15 dealings, Nature's Fusions' dealings in
16 Dihydroberberine?

17 MR. CHEN: Objection.

18 BY MR. NIELSEN:

19 Q. You can answer.

20 A. No. Like, the price on Amazon has fluctuated.

21 Q. Okay. But on your website, on the Nature's Fusions'
22 website, the price has been listed at 34.99 for a 200
23 milligram -- for a bottle of 60 capsules of 200
24 milligrams of Dihydroberberine, is that the product
25 we're seeing on the screen, Exhibit 7; is that fair?

1 A. I would have to go to my website right now to check.

2 Q. Fair enough.

3 MR. NIELSEN: We can take this exhibit
4 down. Thank you. Let's put up Tab 10 and we'll mark
5 that as Exhibit 8, and I will represent as that's
6 going up, that this is document number in the upper
7 right NNB 170 through 172. And I will further
8 represent it's also a November 21st, 2024 printout of
9 what we were just looking at in Exhibit 7, except we
10 toggled the image to a different image.

11 Q. Does that look right, Mr. Peterson, that this is the
12 same web page as we were just looking at but we just
13 moved it to a different image or mockup?

14 A. Yeah, it's just a draft mockup, but yeah.

15 Q. And as we're looking at this, the image of the bottle
16 that we're seeing on the screen here on NNB 170, it
17 almost looks like there's a shadow on the bottle. Is
18 that a graphic design or are you sure this is not a
19 photograph?

20 A. Well, if you were to go to every single product on our
21 website, they all have the identical shadow.

22 Q. Fair enough. Thank you. And on the image of the
23 bottle -- and if you can't read it, you can probably
24 increase the size of the image. About halfway down
25 that big block of text, other ingredients, suggested

1 use, do you see where it says "promotes"?
2 A. Yeah.
3 Q. And that first item after "promotes", it says "healthy
4 metabolism". Do you see that?
5 A. Yeah.
6 Q. What is healthy metabolism referring to?

Redacted

22 BY MR. NIELSEN:
23 Q. But what I'm saying is in terms of what healthy
24 metabolism could encompass, you mentioned burns fat,
25 how your body deals with food and energy. Under the

1 umbrella of healthy metabolism, would glucose
2 metabolism be included?

3 A. I'm not entirely sure scientifically, but there's lots
4 of umbrella pieces that someone could speculate could
5 be included. That could include almost anything under
6 metabolism.

7 Q. Sure. But the question is, would glucose metabolism
8 be included under healthy metabolism?

9 MR. CHEN: Objection, asked and answered.

10 MR. NIELSEN: It wasn't answered. Go
11 ahead.

12 A. I don't know.

13 MR. NIELSEN: We can take this exhibit
14 down. Let's put up Tab 11 and mark that as Exhibit 9,
15 please. I'll represent for the record, this is
16 documents NNB 710 through 712, 716 through 718 and 722
17 to 724.

18 Q. And again, Mr. Peterson, feel free to scroll through
19 it if it's helpful at all. I will note that we
20 toggled through a few of the different images, but
21 it's really the same web page, just with a few
22 different images shown, but scroll through it and let
23 me know when you're ready.

24 A. Yeah, I'm ready.

25 Q. Preliminary question, did you review Nature's Fusions'

1 website as part of your preparation for today's
2 deposition.

3 A. No.

4 Q. Not even as to the Dihydroberberine pages?

5 A. No, I didn't look at it.

6 Q. Does this appear to be Nature's Fusions' website, the
7 Dihydroberberine page with the date in the upper left
8 of September 11th, 2025?

9 A. Once again, I can't like validate that exact date, but
10 yeah, it appears to be.

Redacted

16 Q. And the cost shown on the web page as of that
17 September 11, 2025 date, for that product would be
18 24.99; is that correct?

19 A. Yeah, for the 100 milligram.

20 Q. And clearly with the add to cart button, someone could
21 in theory buy this product from your website as of
22 that time?

23 A. Yeah.

Redacted

Redacted

9 MR. NIELSEN: Let's put this exhibit aside,
10 you can take this down, and let's pull up Tab 12 and
11 mark that as Exhibit 10. And I will represent for the
12 record that this is documents NNB 713 through 715, 718
13 through 721 and 725 through 727.

14 Q. And again, just to assist you, Mr. Peterson, this is a
15 page from Nature's Fusions' website, and it's the same
16 one three times and we're just moving the image
17 through the selections on the website. So take a look
18 and let me know when you're ready.

19 A. I'm ready.

20 Q. Now again, realizing that you may not be able to
21 validate this as of the exact date, does this appear
22 to be an image of the Dihydroberberine 200 milligram
23 product from Nature's Fusions' website in September of
24 2025?

25 A. Yeah.

1 Q. And the price of this product through your website at
2 that time was 34.99 per bottle, correct?

3 A. Yeah.

4 Q. And do you see that the mockup of the bottle shows as
5 the second potential use healthy metabolism?

6 A. I see healthy metabolism is listed on the bottle.

7 Q. Thank you, yes. And so at some point there was a
8 change from the earlier mockup that we looked at where
9 it said "blood sugar control" was removed and "healthy
10 metabolism" was added; would you agree with that?

Redacted

Redacted

Redacted

Redacted

12 MR. NIELSEN: Okay. Let's put up Tab 13
13 and we'll mark that as Exhibit 11.

14 Q. And again, same thing, feel free to take a pass
15 through the exhibit and let me know when you are
16 ready.

17 MR. CHEN: Counsel, I would just note Tab
18 13 is not in the chat room yet.

19 VIDEO TECHNICIAN: Sorry about that. I
20 forgot to hit send. It's uploading now.

21 MR. CHEN: Thank you.

22 A. Okay.

23 BY MR. NIELSEN:

24 Q. Would you agree that this is a printout of Nature's
25 Fusions' Amazon page for 200 milligram

1 Dihydroberberine as of September of 2025?

2 A. Yeah, same as usual, as long as it can be validated,
3 then yeah.

4 Q. And this is for 200 milligrams, 60 capsules, correct?

5 A. Yeah.

6 Q. And the price shown at least on this listing at that
7 time was \$26.54 for that bottle, correct?

8 A. For this subscribe and save option, yeah.

9 Q. For the subscribe and save option. Interesting. One
10 time purchase was 29.49; is that correct?

11 A. Yeah.

12 Q. Are those the current prices on Amazon for this
13 product whether it's subscribe and save or one-time
14 purchase?

15 A. I would have to go and check.

Redacted

Redacted

Redacted

6 Q. And Nature's Fusions has continued to sell
7 Dihydroberberine-containing products on Amazon since
8 it received the letter from Miss Bates in November of
9 2024, correct?

10 A. Yeah.

11 Q. And those sales, like the product on the screen, these
12 are capsules containing Dihydroberberine, a
13 formulation, correct?

14 A. Yeah.

15 Q. And the product shown on the screen, that is a capsule
16 that would have 200 milligrams of Dihydroberberine in
17 it, correct?

18 A. Yeah.

19 MR. NIELSEN: Let's take this down. Let's
20 go off the record for a break.

21 VIDEO TECHNICIAN: Off the record at 12:30.
22 (Off the record).

23 VIDEO TECHNICIAN: We are back on the
24 record at 12:43.

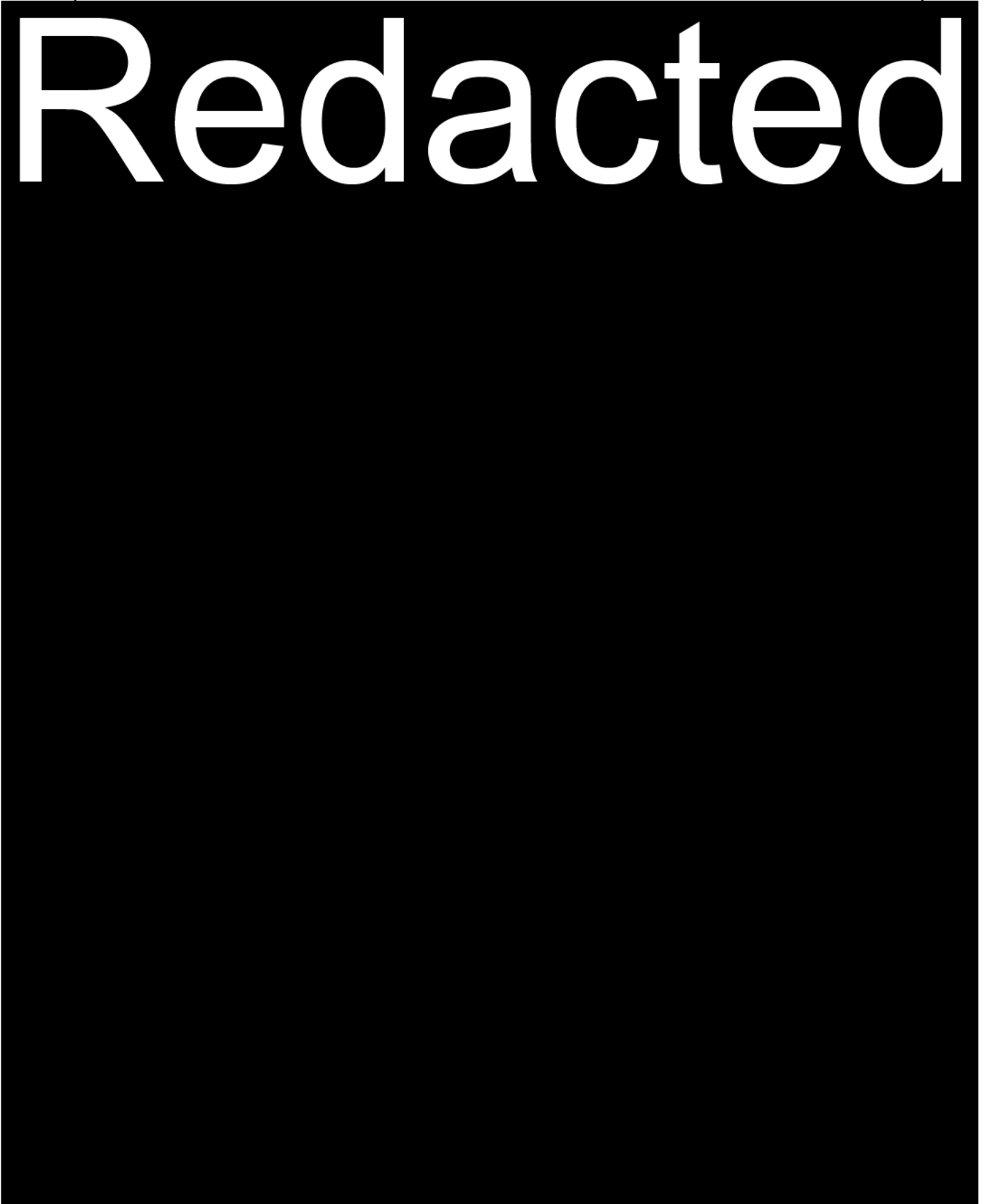
25 MR. NIELSEN: Let's put up -- strike that.

Redacted

Redacted

Redacted

Redacted



Redacted

8 MR. NIELSEN: Let's put up Tab 31, and I'll
9 represent for the record that this is Nature's Fusions
10 NF 432, and we'll mark this as Exhibit 12. And I will
11 further represent for the record I may have -- it's in
12 Excel, I may have just changed the column widths a
13 little bit to make it easier to read, but this is the
14 document y'all produced to us. So when that comes
15 up --

16 MR. CHEN: What's the exhibit number again?

17 MR. NIELSEN: 432. I guess the formatting
18 didn't hold, so if you need to --

19 MR. CHEN: No, no, I was asking what the
20 Exhibit Number is.

21 MR. NIELSEN: Exhibit 12.

22 Q. And Mr. Peterson, feel free to, yeah, stretch out the
23 column S, that's kind of one of the key ones there.
24 But take a look at this and let me know when you're
25 ready.

1 A. Does it go further? No. Okay.

2 Q. And is this a document you reviewed in preparation for
3 your deposition today?

4 A. No. I've never seen it before.

Redacted

Redacted

Redacted



Redacted

Redacted

5 MR. NIELSEN: Let's take this one down and
6 let's put up Tab 32, which I'll represent for the
7 record is document NF 433, and this is another Excel.
8 It's possible I may have truncated these to limit how
9 far something would go across the screen, but I'm not
10 going to ask you about things that aren't being shown
11 anyway. If I didn't say, we'll mark this as Exhibit
12 13.

13 Q. Same thing, feel free to scan through this document
14 and let me know when you're ready.

15 A. Yeah. So you're saying this was a piece of a document
16 that we gave you guys that you guys edited?

17 Q. Let me look, to be fair, because I really didn't
18 remove anything, I only -- it didn't even kinda show
19 up in this version, I just stretched out a couple
20 columns a little bit so you could see it better.

21 A. Maybe this report just doesn't show COGS and all of
22 the other things; maybe it just shows you page views
23 and totals.

24 Q. I'm pulling up the original original as we speak. No,
25 this is all it shows. It only goes out to that column

1 V.
2 A. Okay.
3 Q. I think I know what you're talking about, and we will
4 get there, but these look like more gross sales. So

Redacted

Redacted

11 A. Yeah, it was few months ago when you guys asked for,
12 like whatever the date the subpoena was, and then when
13 we started working with Mr. Chen and then he asked me
14 to run the reports. So it would have been in that,
15 like, one- to two-month time span.

16 Q. Do you recall if it was before or after Thanksgiving
17 last year?

18 A. I do remember that we talked, I talked to Mr. Chen
19 around Thanksgiving. I do not remember if I pulled
20 them before or after Thanksgiving, though.

21 Q. Perhaps right around that time period?

Redacted

Redacted

8 Q. Did you look at any sales information to prepare for
9 today's deposition?

10 A. Just what we had provided previously.

11 Q. Did you provide any other sales information for
12 production in response to the subpoena other than
13 Amazon?

14 A. So I don't know like exactly which documents were
15 provided because we just provided like everything.
16 Like I provided everything that had the word
17 "Dihydroberberine" on it. So I don't know exactly
18 which documents.

Redacted

Redacted

1 MR. NIELSEN: Let's put up -- we can take
2 this down. Thank you so much. And let's put up Tab
3 33 and mark that as Exhibit 14, and I'll represent for
4 the record that this is document Nature's Fusions 461,
5 and this might take a while to load, it's a biggie,
6 and just so it's clear for the record, when Mr.
7 Peterson sees this, he might recognize that he
8 potentially ran a report of all the sales of all
9 products for all time for whatever the date span was
10 on Amazon; I specifically carved out just the
11 Dihydroberberine. The other stuff doesn't matter. So
12 this is a report from NF 461, but I've excised only
13 the Dihydroberberine. And then at the bottom, all the
14 way at the bottom, I've done a summation of a couple
15 of the columns.

16 Q. Feel free to look through this, familiarize yourself
17 with it, and when you're ready, just let me know.

18 A. Probably really, really big.

19 Q. It was ginormous before I excised all the other stuff.
20 So I don't know how well ginormous works for the
21 transcript, but that's the word I'm using.

22 A. Okay. Yeah.

23 Q. In column A, you can see some dates as well, correct?

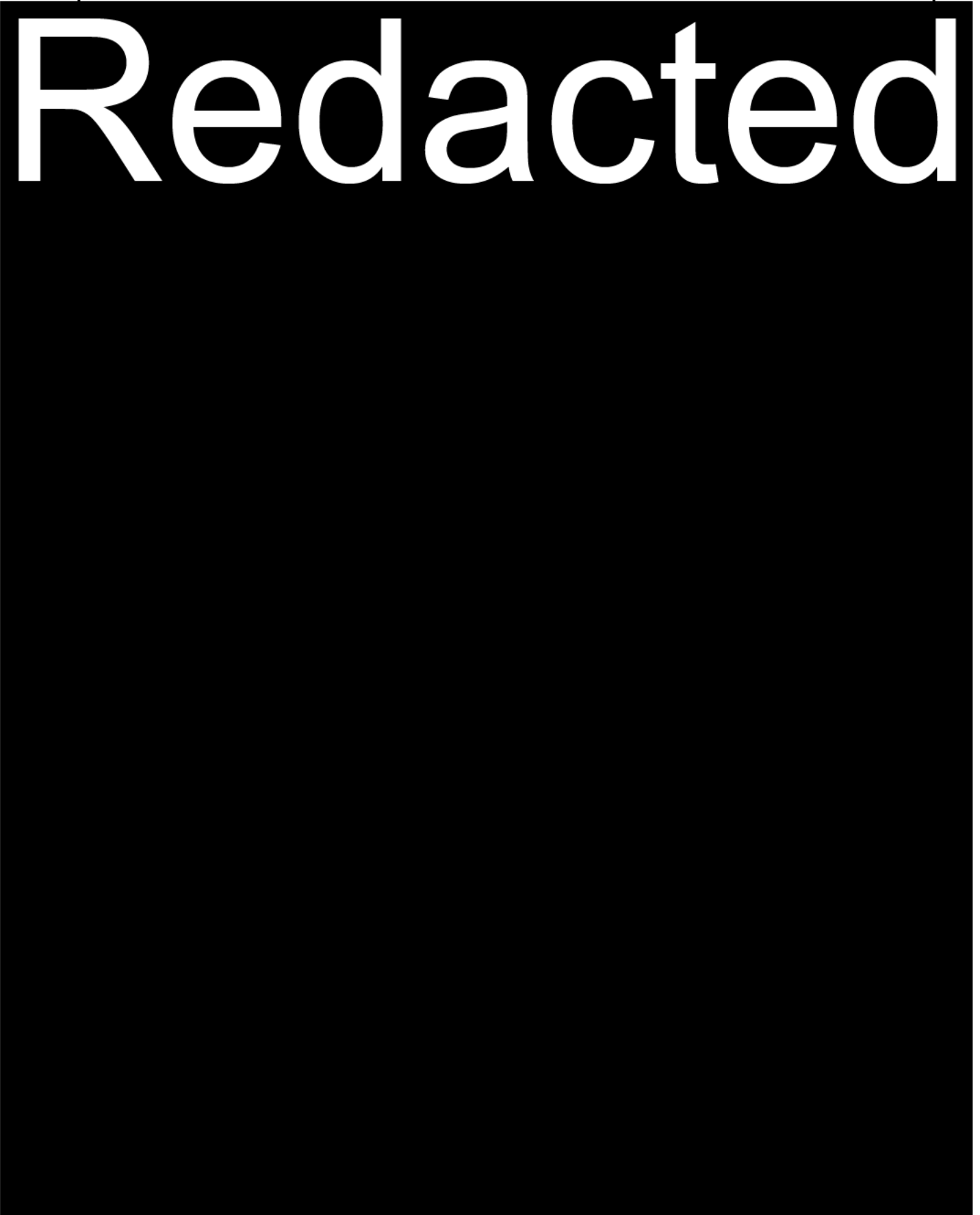
24 A. Yeah, looks like December 2nd.

25 Q. And is this a report or part of a report that you ran

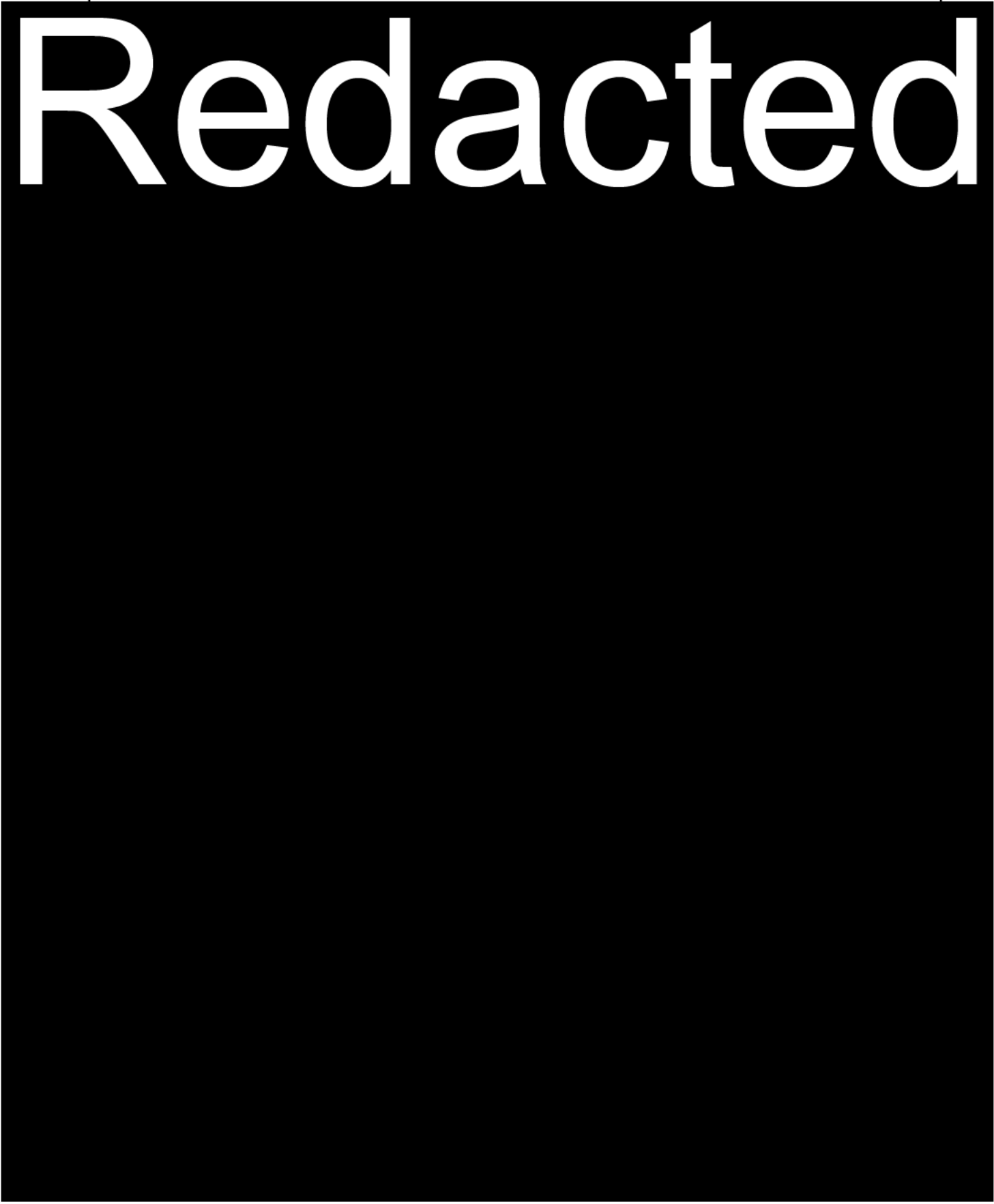
1 from Nature's Fusions' Seller Central account on
2 Amazon?
3 A. Yeah.

Redacted

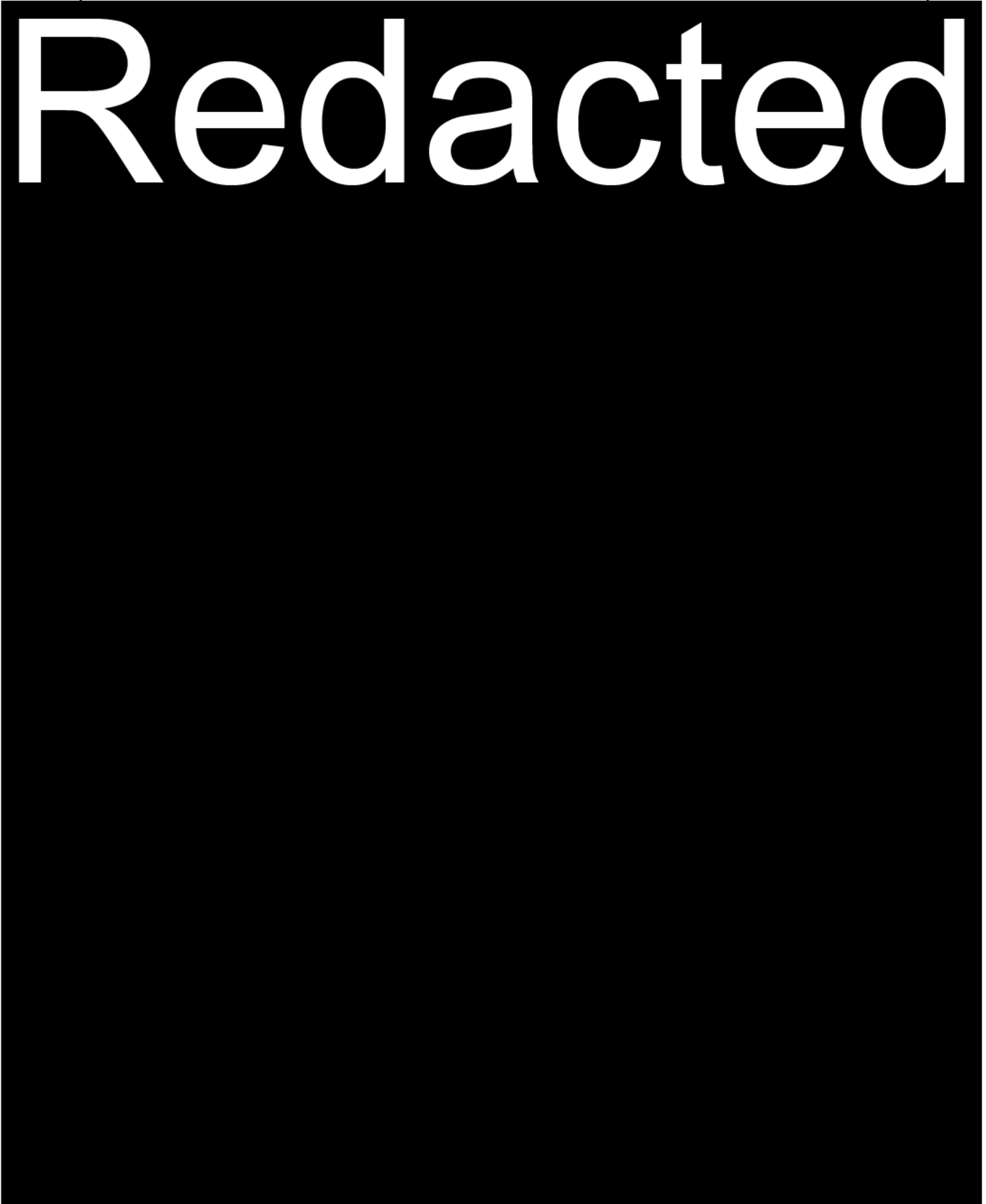
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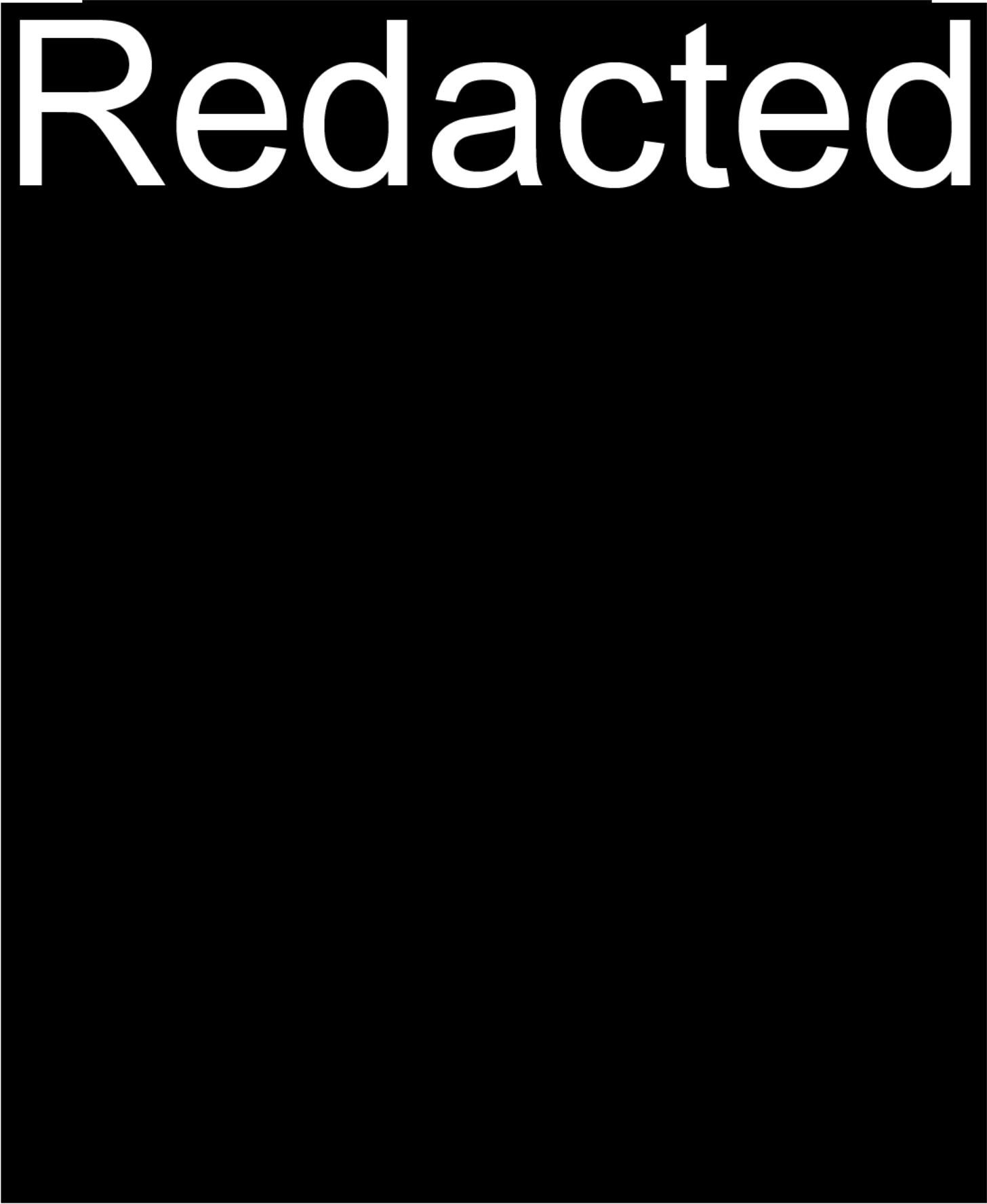
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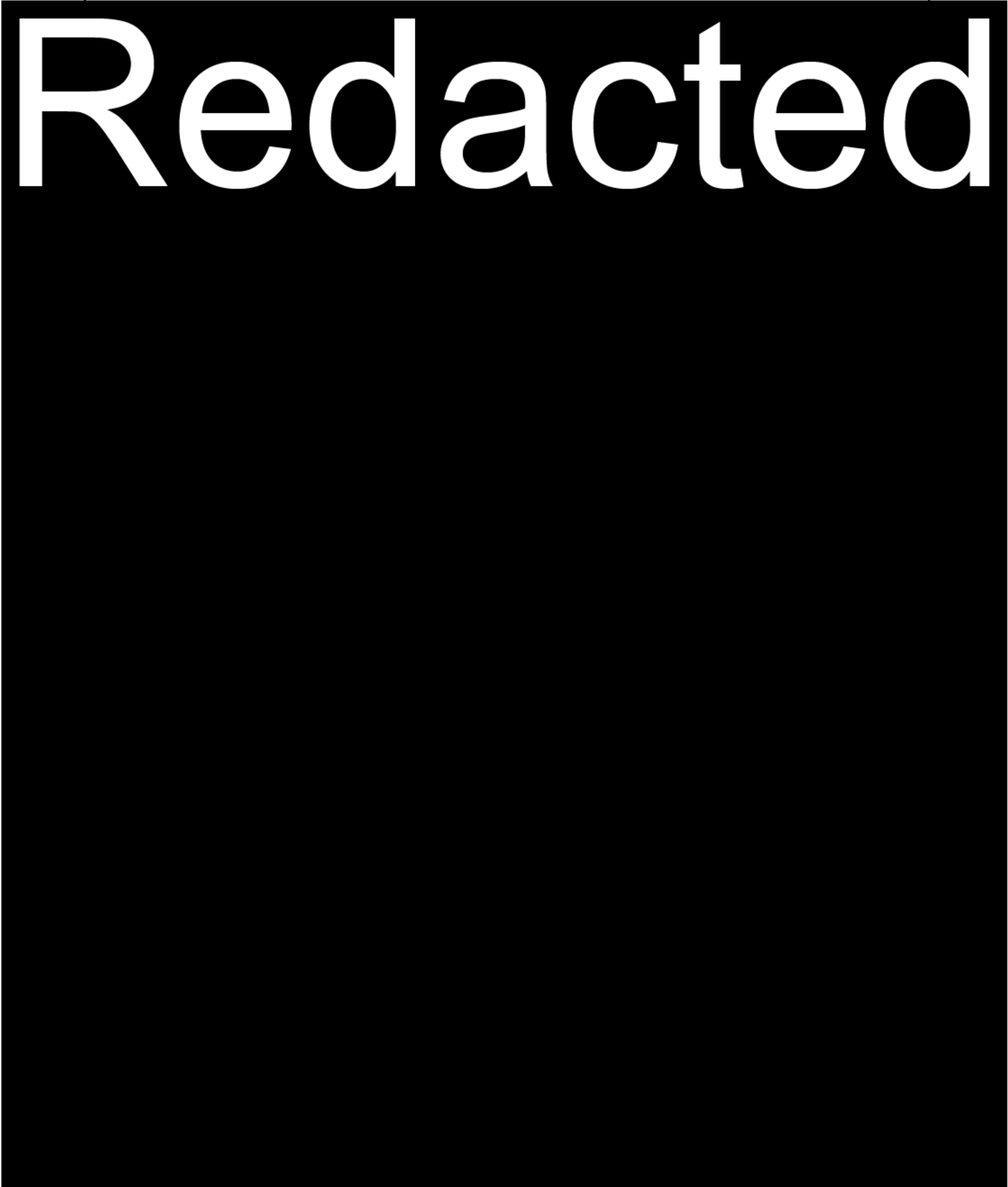
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12 MR. NIELSEN: I think this is a good time
13 to stop. Let's take a longer break, a lunch break.
14 Mr. Peterson, would you like to do like a half hour,
15 you can stretch, get some lunch, clear your mind for a
16 few minutes? We've still got some stuff to do here
17 today, but I'm trying to hustle through it, so I want
18 to keep you energized as much as possible. So is that
19 workable come back at 2:00 Central, 1:00 Mountain?

20 VIDEO TECHNICIAN: Off the record at 1:27
21 p.m.

22 (Off the record).

23 VIDEO TECHNICIAN: Back on the record at
24 2:04 p.m.

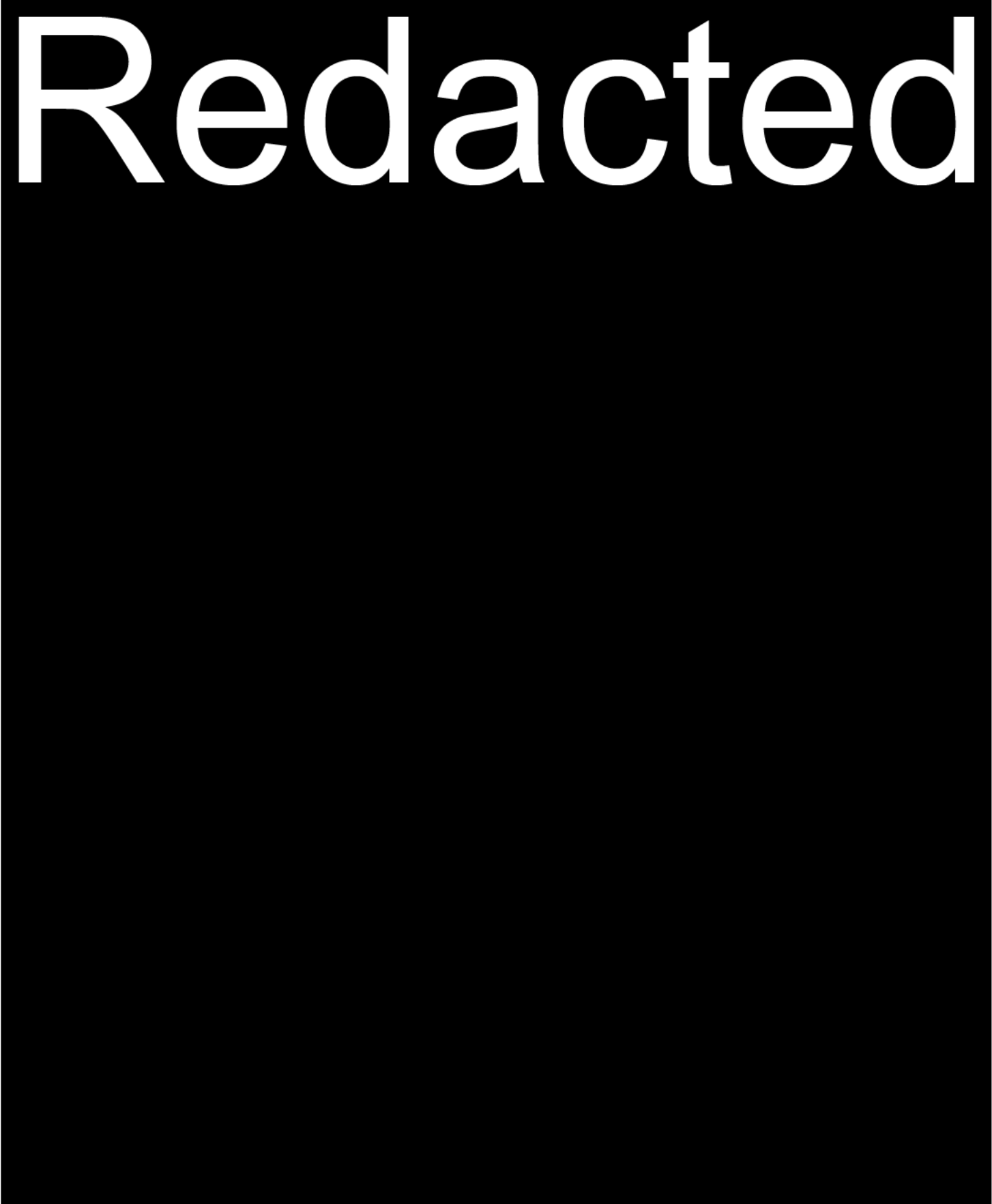
25 MR. NIELSEN: So let's put up, and Miss

1 Wellman, you should have this by now, it would be Tab
2 34, it's documents NF 434 to 435, and let's mark that
3 as Exhibit 15, please.

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Redacted

20 MR. NIELSEN: Very good. We can take down
21 this exhibit, thank you. And let's put up Tab 35 and
22 mark that as Exhibit 16. And as that's getting done,
23 I'll represent for the record, Tab 35 is document NF
24 439 to 440 and this is the SKU economics for the 200
25 milligram version.

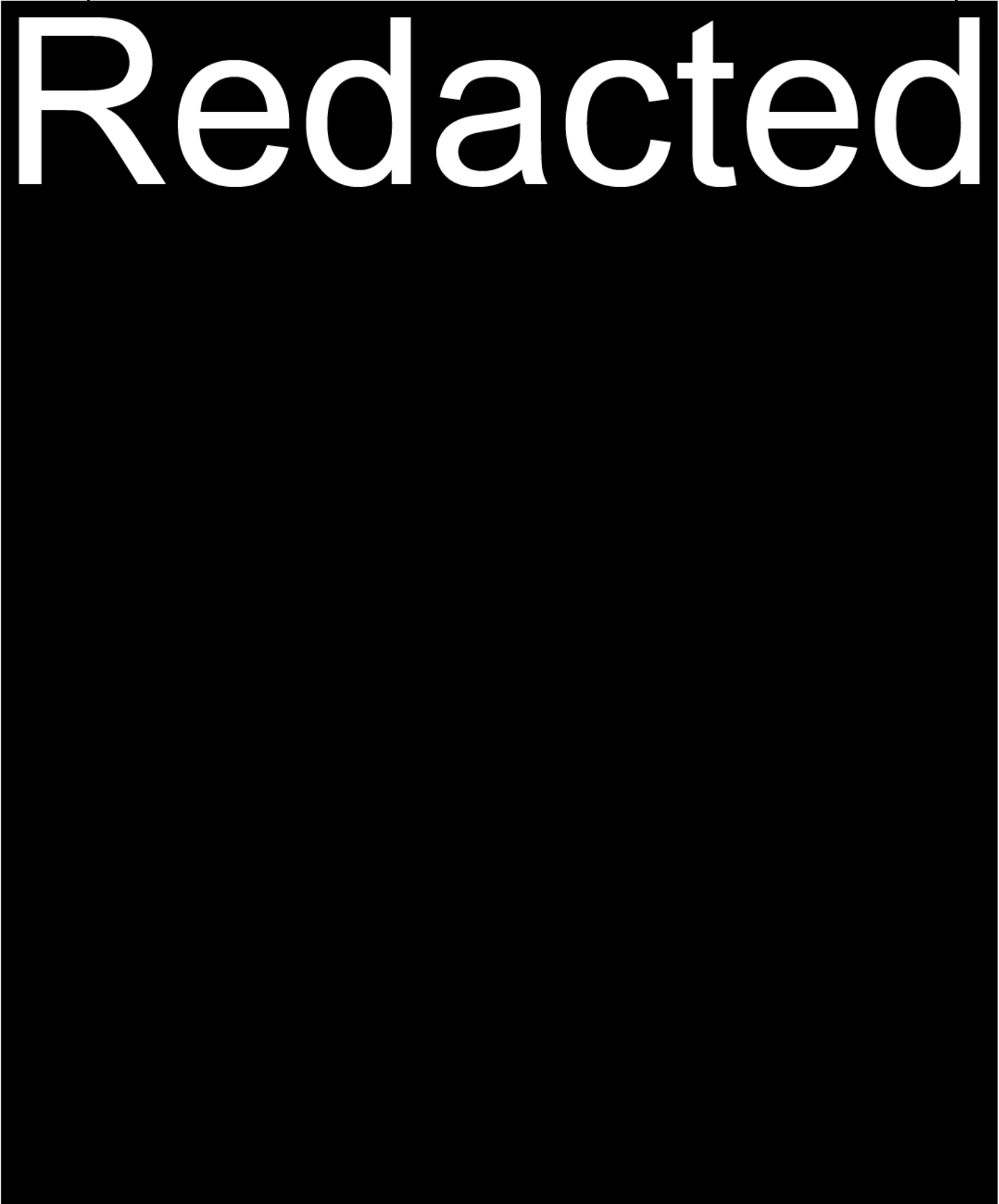
- 1 Q. So again, Mr. Peterson, feel free to peruse the
2 document and let me know when you're ready.
3 A. I'm ready.

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Redacted

12 Q. Yeah, we'll circle back on the sort of additional
13 costs issue probably when we get to the end of the
14 depo, we'll at least try to figure out a way we can
15 get that without having to kind of resume the depo at
16 a future date, but we'll cross that bridge when we get
17 there.

18 We can take this exhibit down, thank you
19 for pointing out that these reports were available. I
20 didn't have them as exhibits originally but that was
21 very helpful.

22 A. Uh-hum. Yeah, I don't want to come back.

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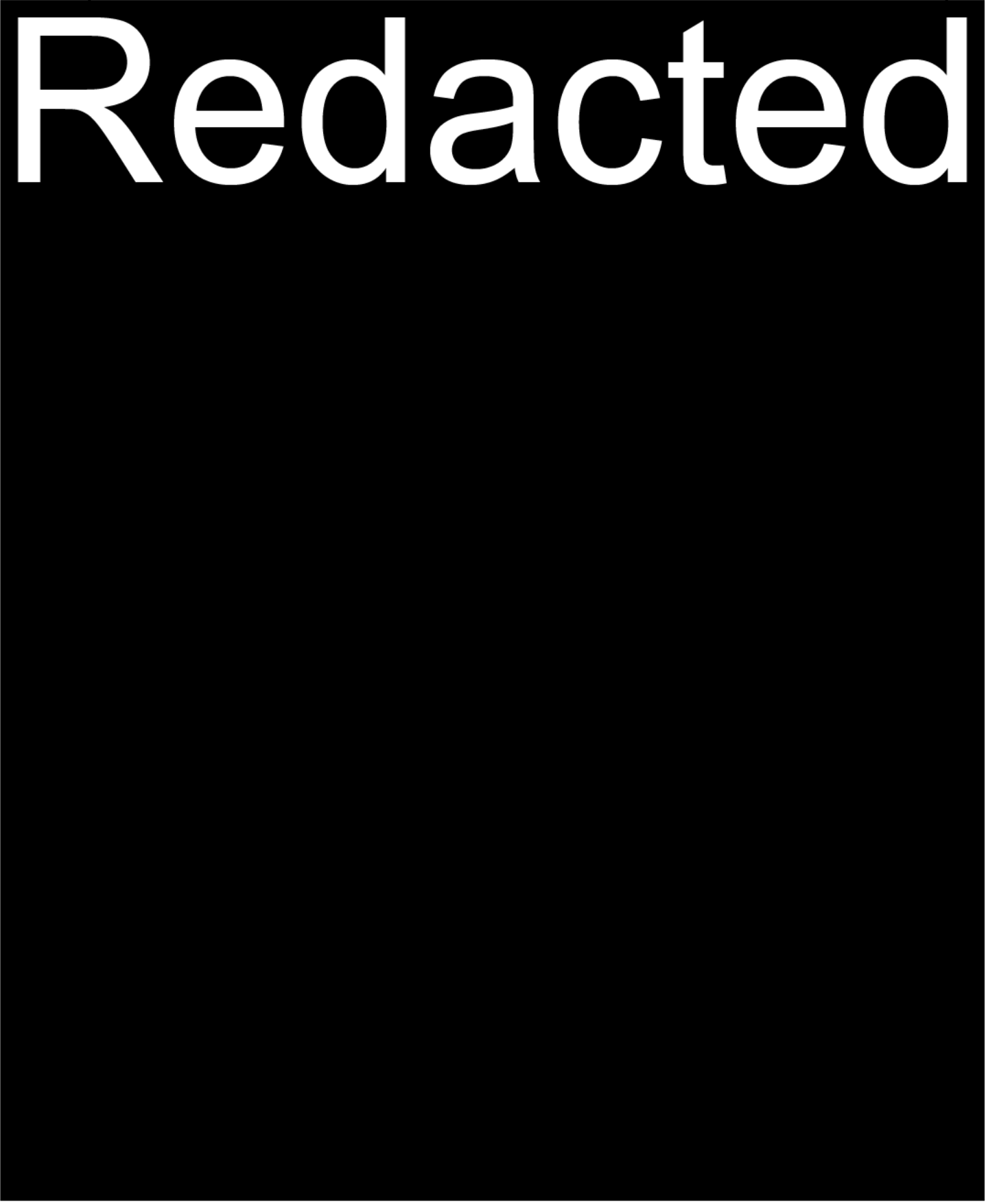
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19 MR. NIELSEN: So let's put up Tab 15,
20 please. Tab 15, and we will mark that as Exhibit 17.
21 And while this goes up, I'll just represent for the
22 record that this is documents NF 46 through NF 61.
23 Q. And again, Mr. Peterson, feel free to peruse this. I
24 will have a few targeted questions for you.
25 A. 16 pages? How long is this?

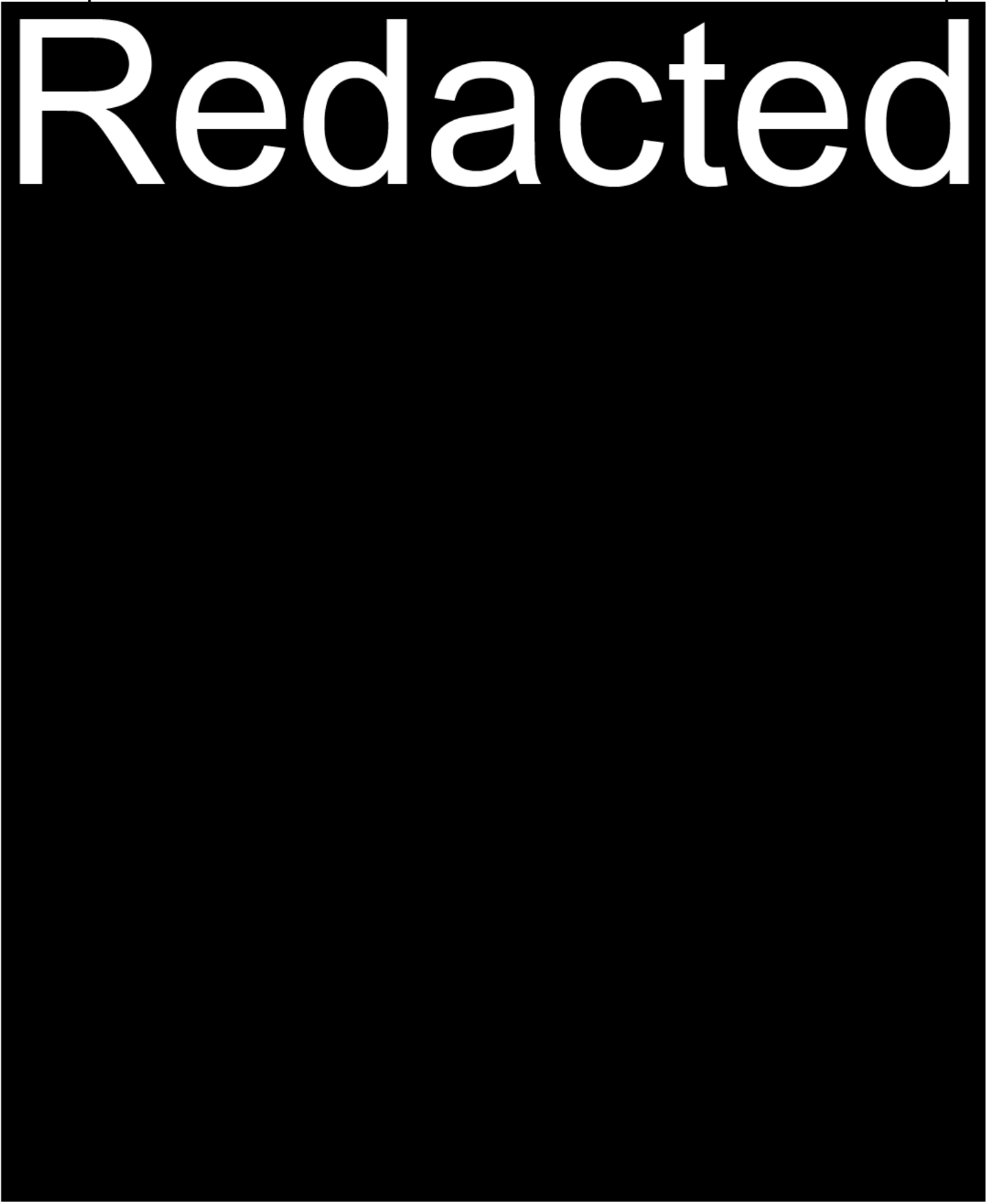
- 1 Q. It's a long e-mail thread.
- 2 A. Okay, I've gone through it.

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12 MR. NIELSEN: We can take down this
13 exhibit. Thank you. Let's put up Tab 16 and we will
14 mark that as Exhibit 18. And for the record, this is
15 a series of documents NF 43, 78, 138, 147, 148, 219,
16 220, 290, 325, 323, 349, 365, 366, 426 and 431.

17 Q. And again, Mr. Peterson, feel free to peruse this.
18 The reason I did it this way, I try to be fairly
19 sequential with purchase orders and invoices so we
20 kinda roll through them all in one batch, but take a
21 look at them and let me know when you are ready.

22 MR. NIELSEN: Are we good? Did anything
23 freeze up or everything is okay? We just lost Mr.
24 Peterson.

25 MR. CHEN: Looks like it.

1 MR. NIELSEN: Hold on for a second. He's
2 coming back. Mr. Peterson, we lost you for two
3 seconds there.

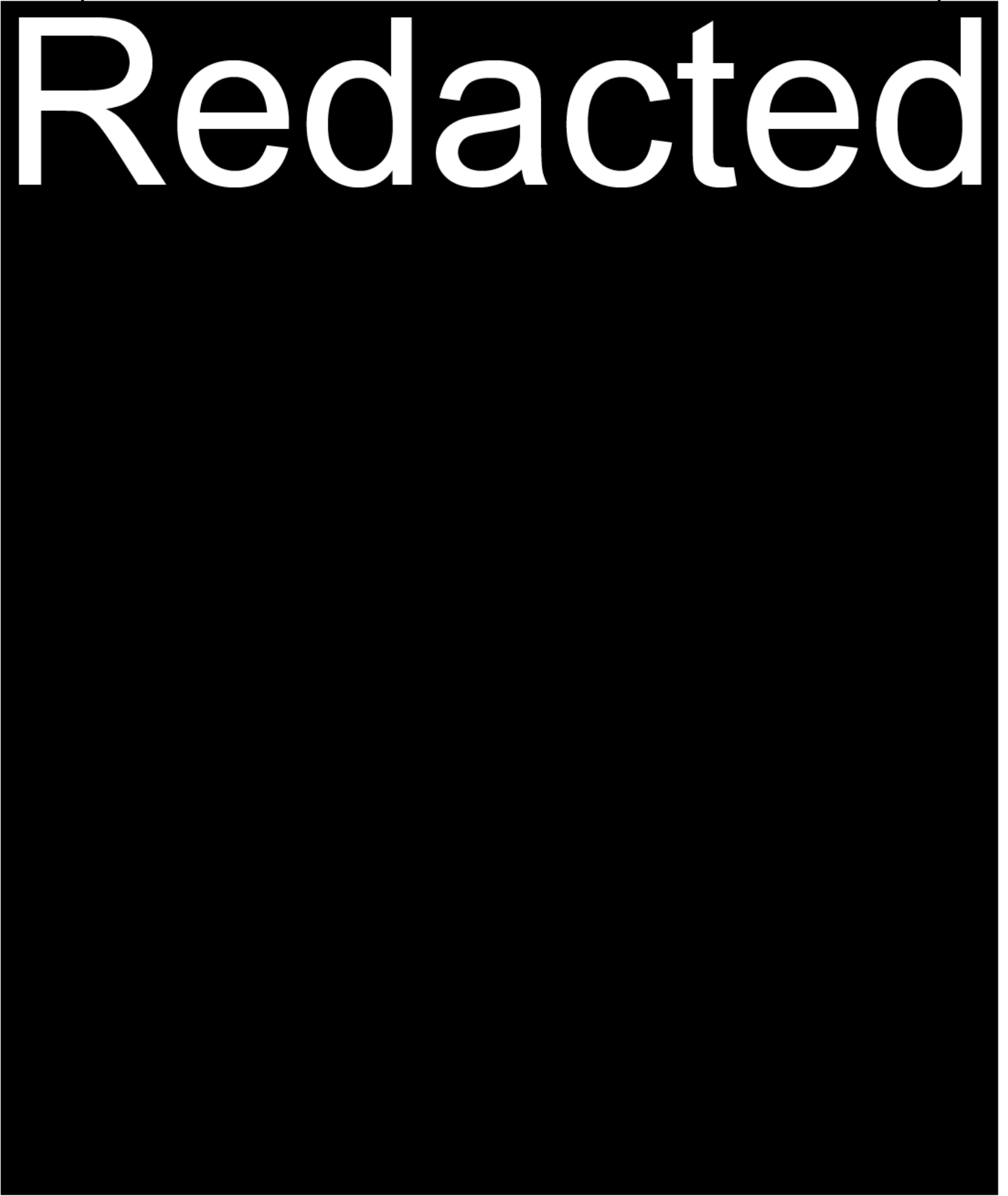
4 THE WITNESS: Yeah, I am back. I kept
5 asking why the screen was freezing.

6 MR. CHEN: Mark, just so I am clear on my
7 record, this is Exhibit 18?

8 MR. NIELSEN: Yeah, this is 18, yes.

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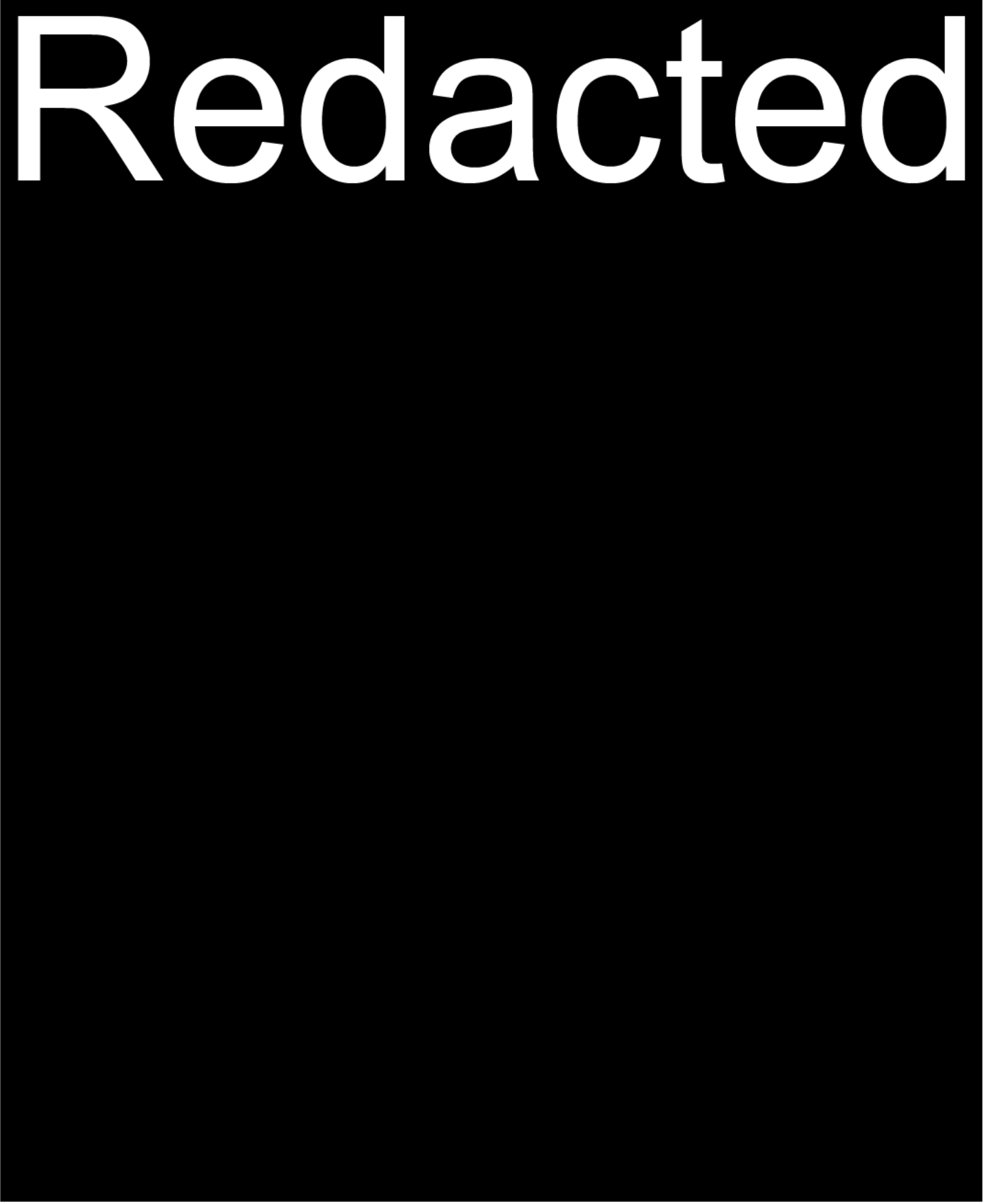
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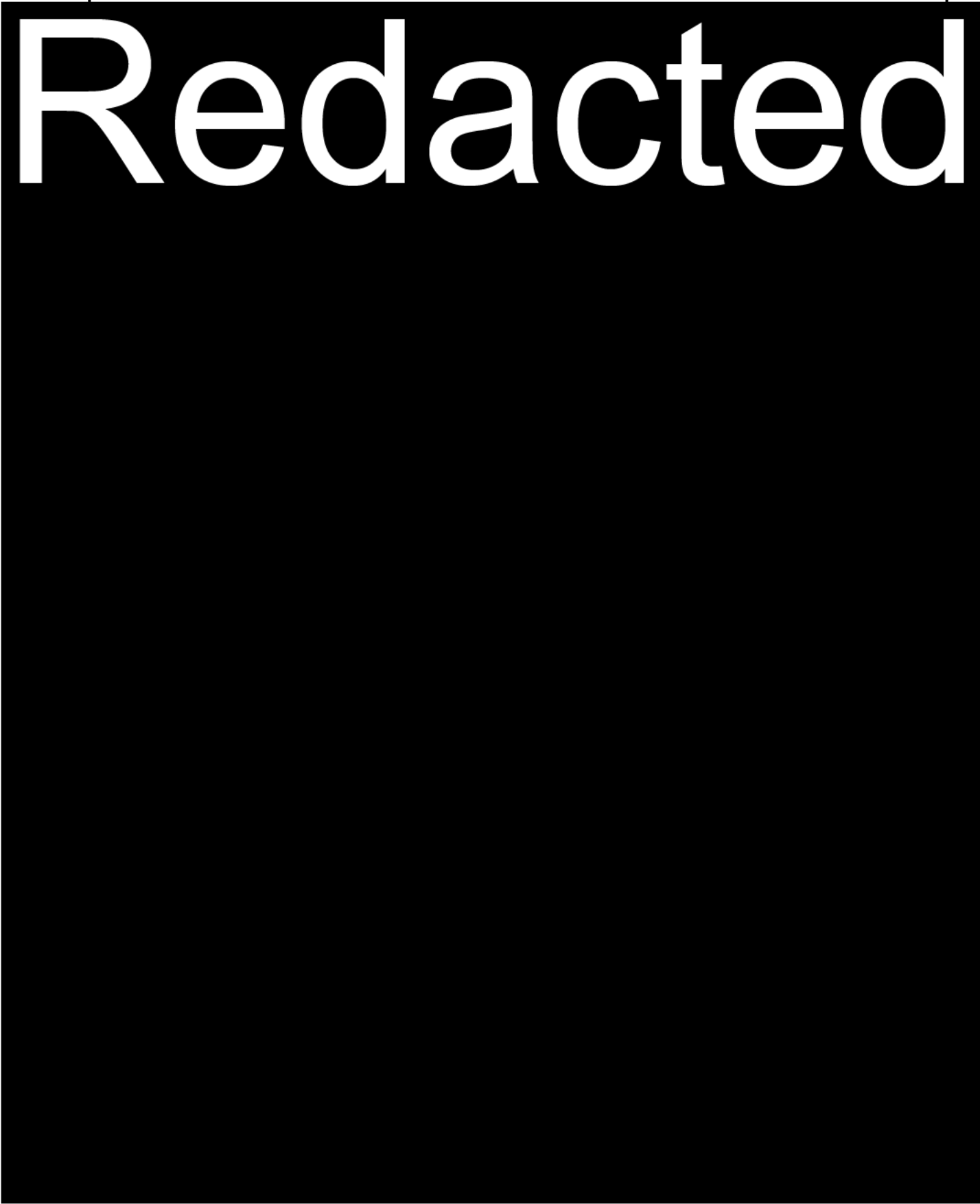
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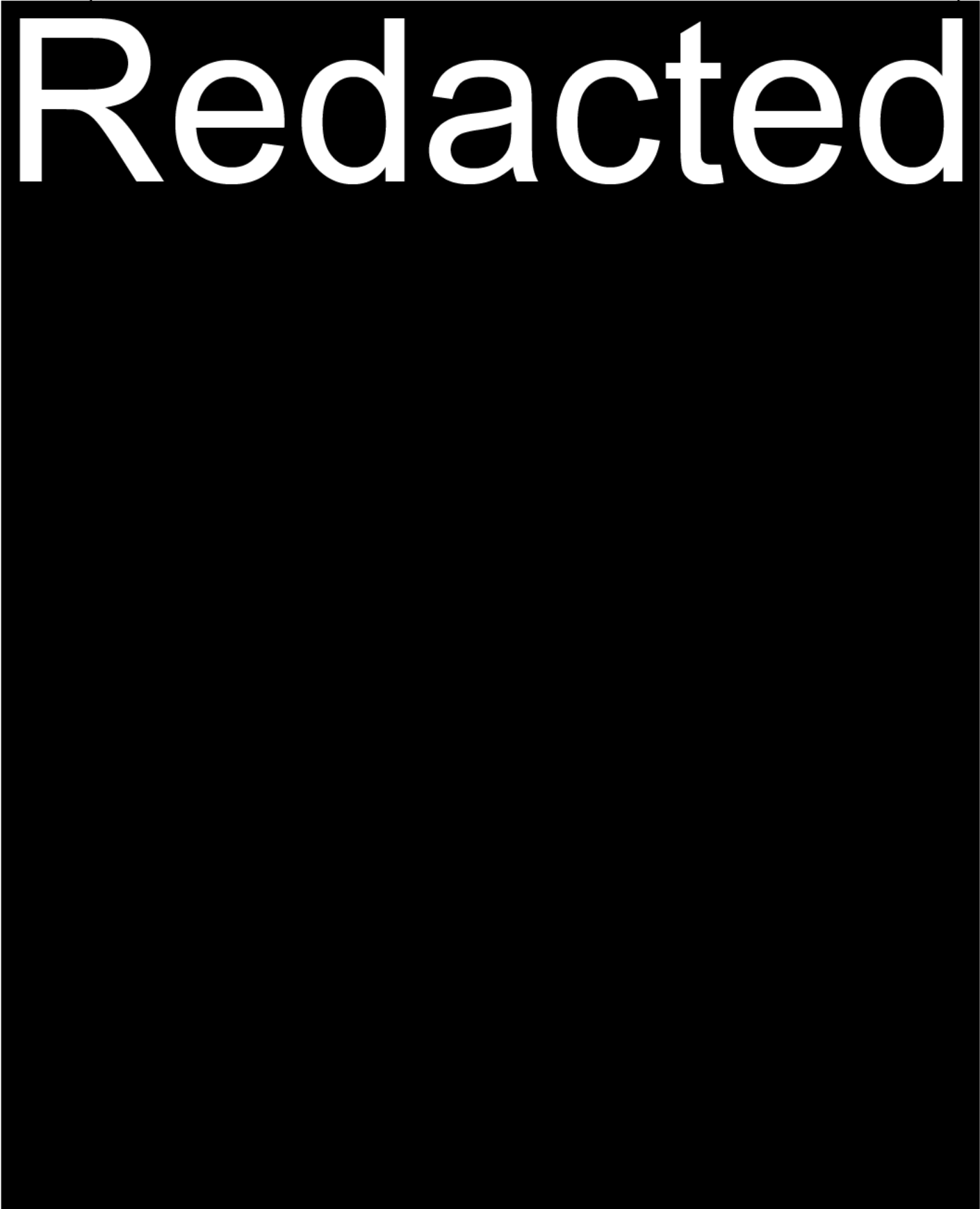


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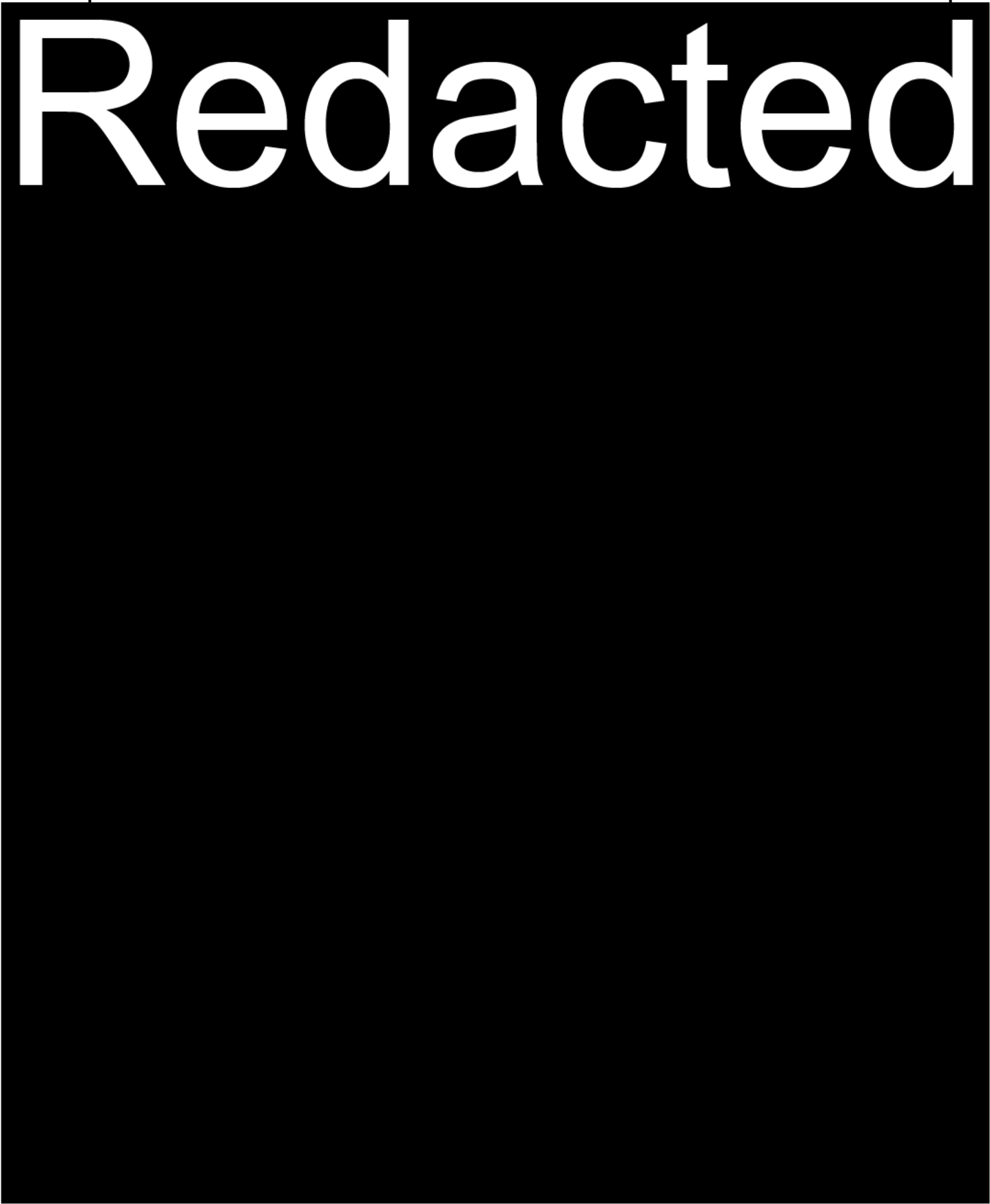


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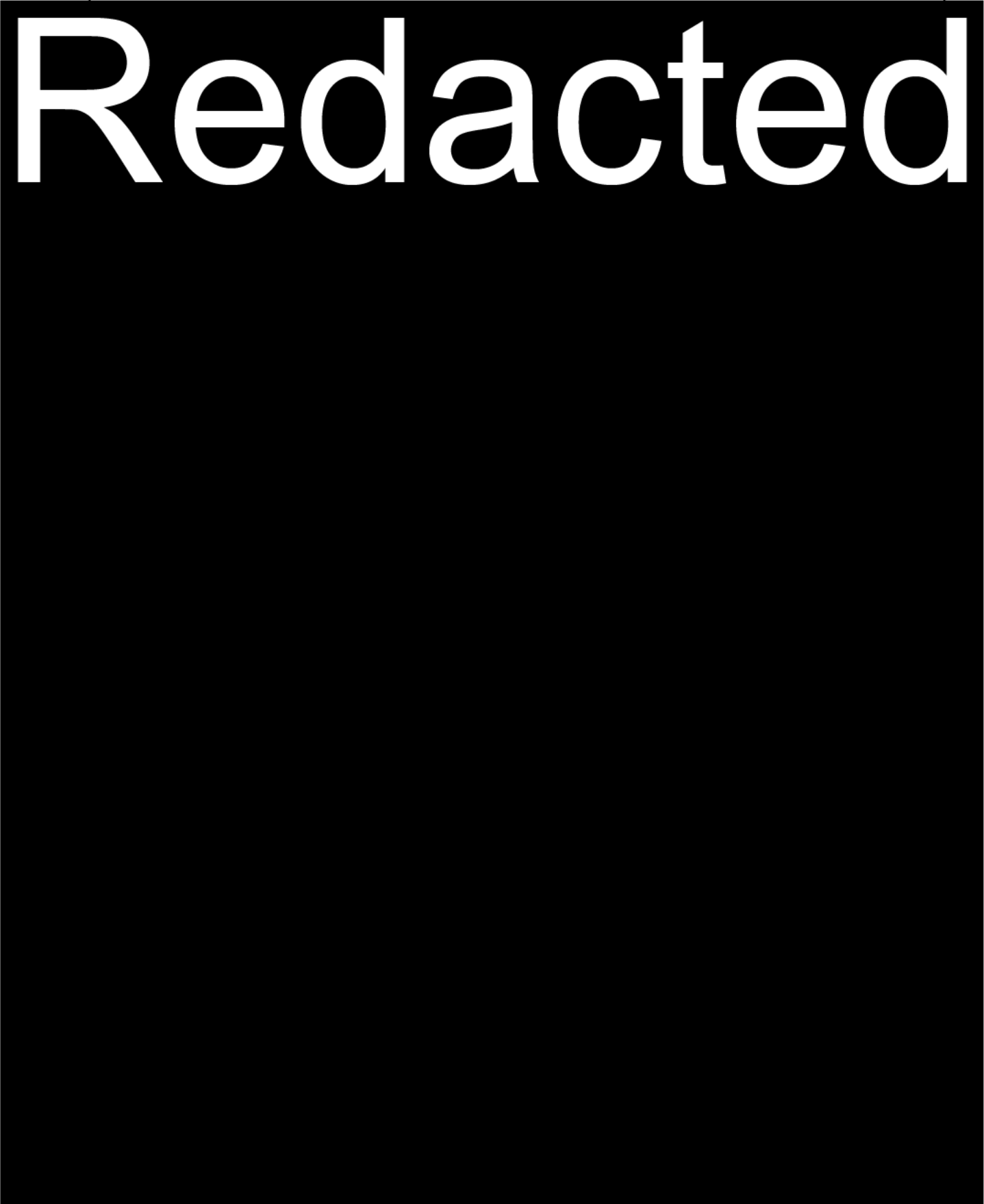


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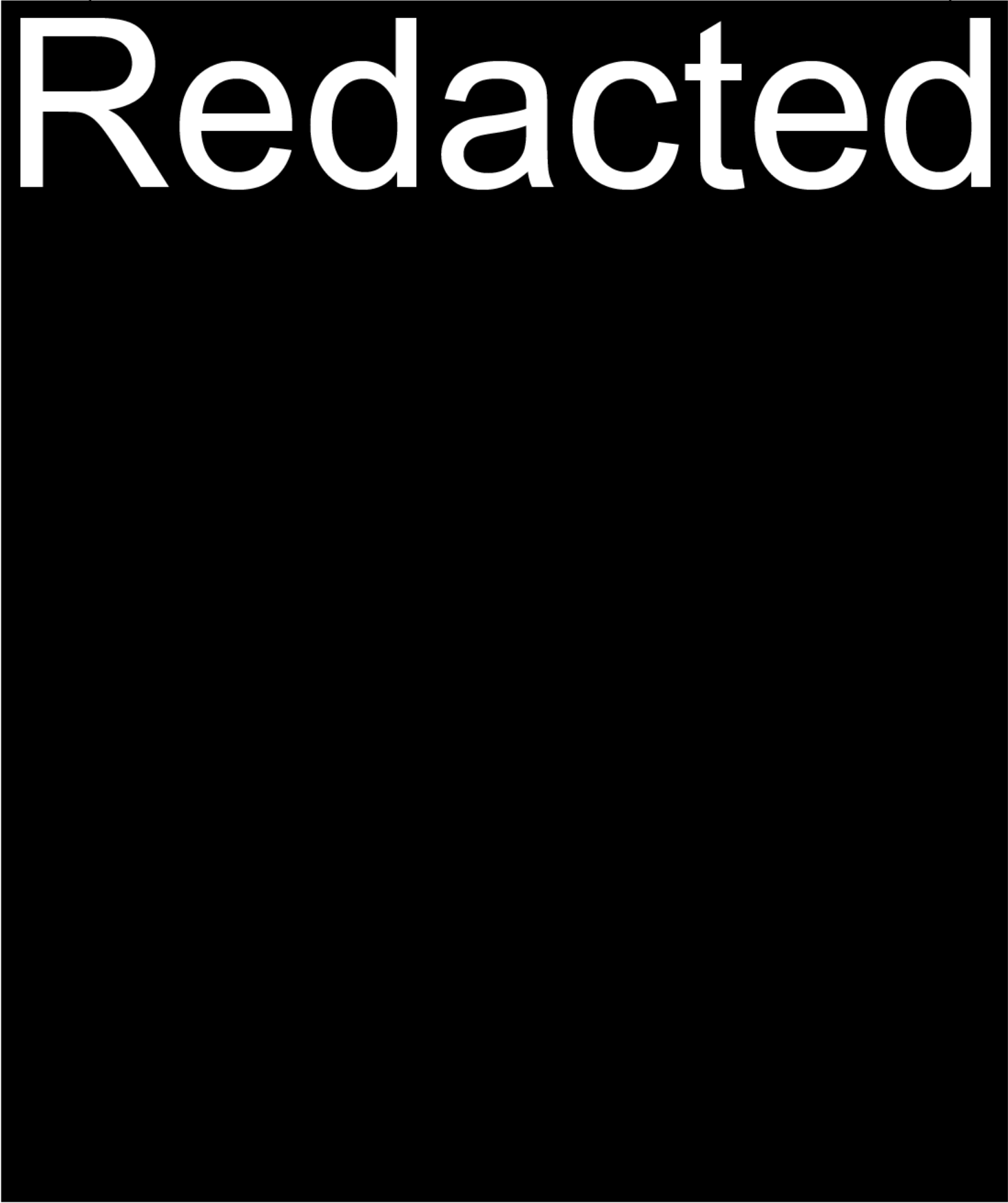
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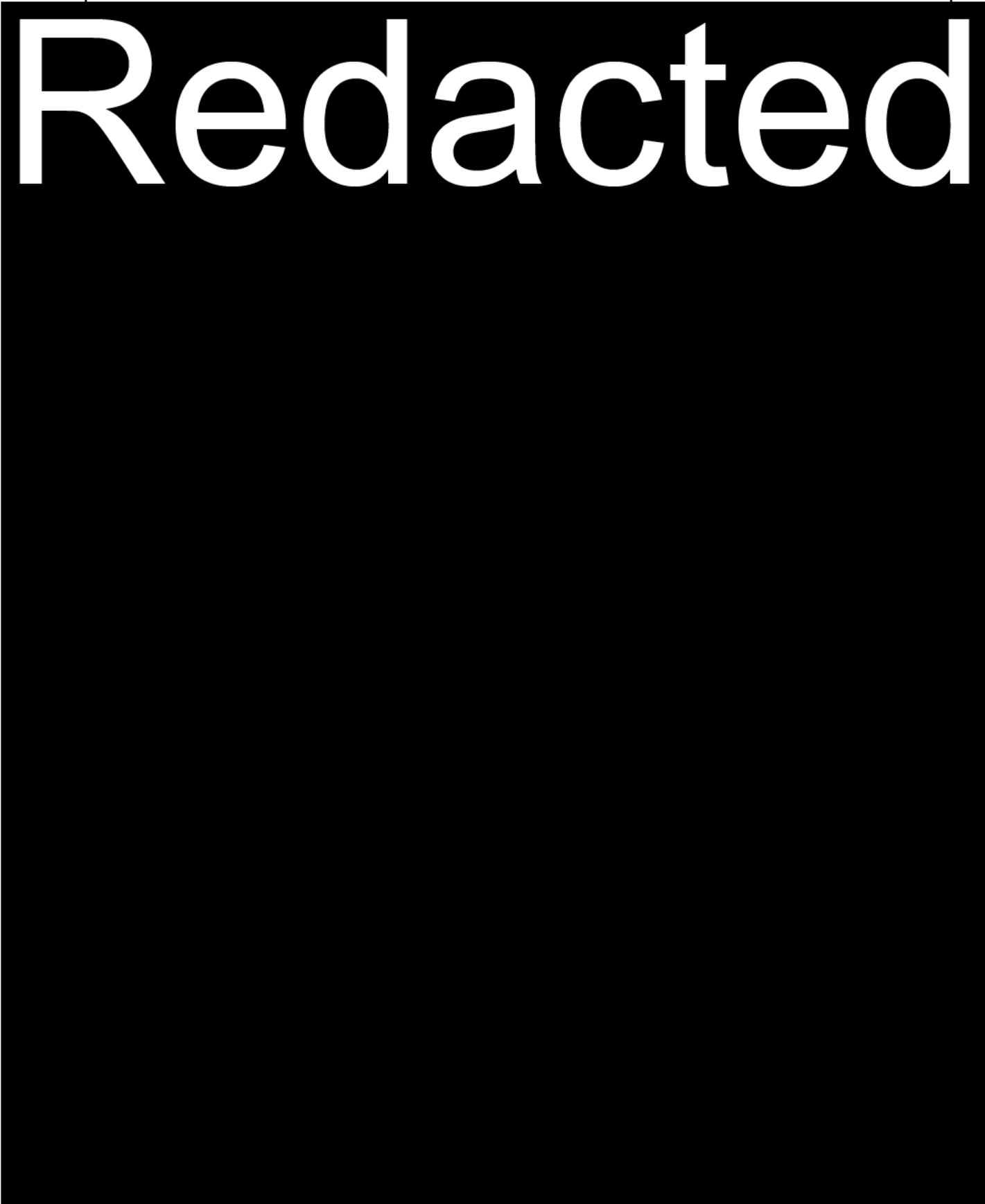
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18 MR. NIELSEN: We can take this exhibit
19 down. Thank you. Let's put up Tab 17 and we'll mark
20 that as Exhibit 19, and while that's coming up, let me
21 represent for the record that these are a series of
22 labels for Nature's Fusions Dihydroberberine products
23 and the numbers are NF 80, 81, 141, 199, 215 and 350.
24 Q. So feel free to peruse these and let me know when you
25 are ready.

1 A. Okay.

Redacted

Redacted

Redacted

Redacted

3 MR. CHEN: Objection, asked and answered.

4 BY MR. NIELSEN:

5 Q. So healthy metabolism does not include glucose
6 metabolism?

7 MR. CHEN: Objection.

8 A. Healthy metabolism I would say refers to a wide
9 variety of things. I can't scientifically specify
10 every single thing that it includes and if it does or
11 doesn't.

12 BY MR. NIELSEN:

13 Q. Okay. But you're sure glucose metabolism is not a
14 part of it?

15 MR. CHEN: Objection, asked and answered.

16 A. So I can't say either way, like yes, it is, no, it's
17 not, based on my full understanding of -- I mean, I
18 could say anything is or anything isn't.

19 BY MR. NIELSEN:

20 Q. So would it be accurate to say that as we sit here
21 today, you cannot definitively state whether glucose
22 metabolism is or is not within the scope of healthy
23 metabolism?

24 A. I would say I don't have the scientific background to
25 validate that statement or not.

1 MR. NIELSEN: Let's take this exhibit down.

2 MR. CHEN: Counsel, I think we're hitting
3 an hour mark, maybe we should take a short break.

4 MR. NIELSEN: Sure, let's do ten minutes,
5 come back at -- ten minutes.

6 VIDEO TECHNICIAN: Off the record at 3:23
7 p.m.

8 (Off the record).

9 VIDEO TECHNICIAN: We're back on the record
10 at 3:33 p.m.

11 MR. NIELSEN: Let's put up Tab 18 and we'll
12 mark that as Exhibit 20, and I'll represent for the
13 record that this is documents NF 143 to 144.

14 VIDEO TECHNICIAN: Sorry, one moment. Here
15 we go.

16 Q. Feel free to peruse this document.

17 A. Okay.

Redacted

Redacted

18 MR. NIELSEN: We can take this exhibit
19 down. Let's go to Tab 20, which I'll represent is an
20 e-mail thread and it is document NF 159 to 156 and
21 we'll mark that as Exhibit 21.
22 Q. And again, feel free to take a spin through the
23 thread.
24 A. Okay.
25 Q. And is this an e-mail thread that came from Nature's

1 Fusions' Outlook files?

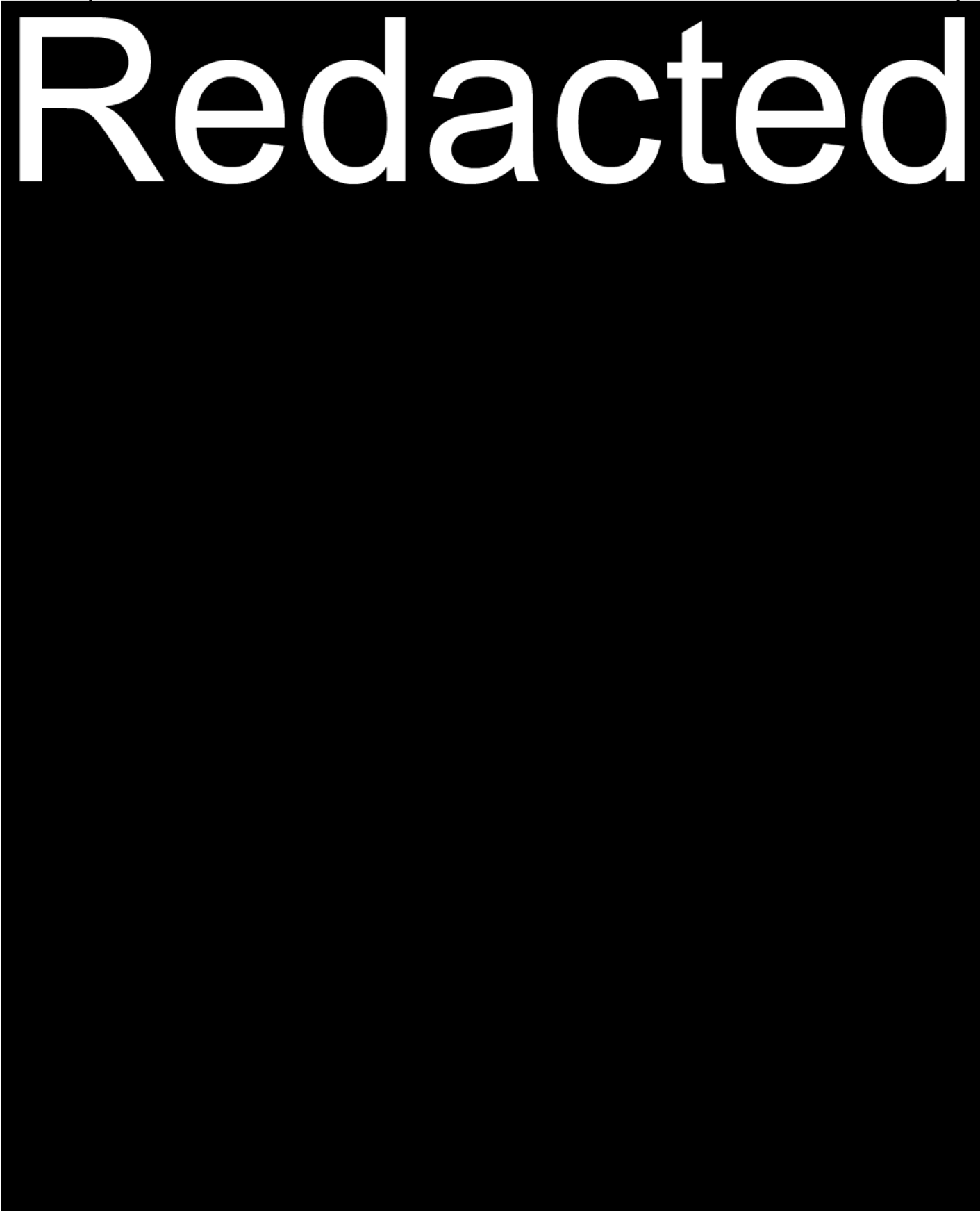
2 A. Yeah.

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Redacted

Redacted



Redacted

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14 MR. CHEN: Objection, lack of foundation.

15 A. I wouldn't have any way to know that.

16 MR. NIELSEN: You can take this exhibit
17 down. Thank you. Let's put up Tab 21 and mark that
18 as Exhibit 22. I'll represent for the record this is
19 document NF 200 to 202.

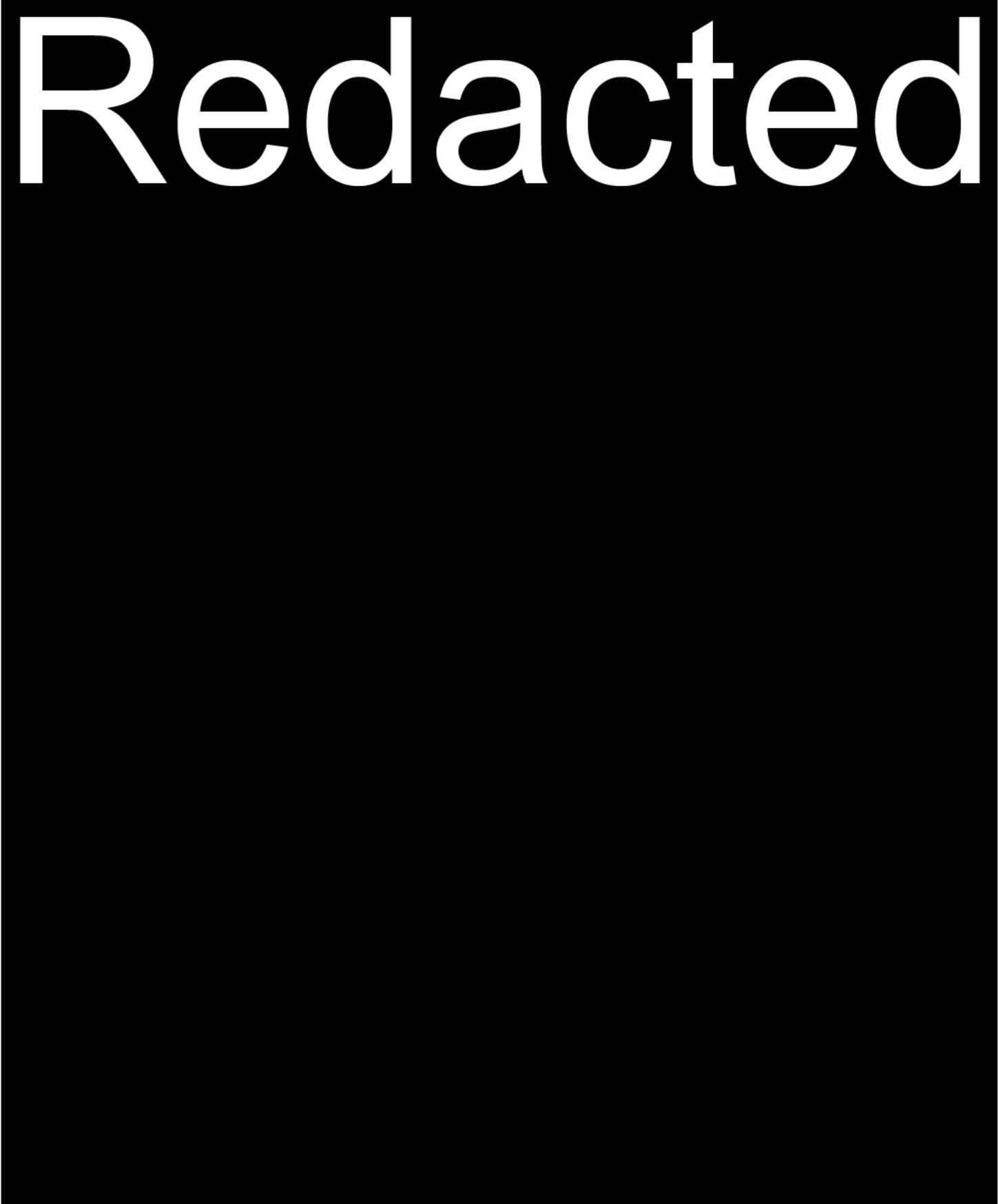
20 Q. And feel free to review this and let me know when
21 you're ready.

22 A. Okay.

23 Q. And this is e-mail thread from Nature's Fusions'
24 Outlook files, correct?

25 A. Yeah.

Redacted



Redacted

1 A. Yeah.

2 MR. NIELSEN: We can take this exhibit
3 down. Thank you. Let's mark as -- let's put up Tab
4 22 and mark that as Exhibit 23. And I'll represent
5 for the record that this is an e-mail thread about
6 numbers NF 228 to 248.

7 Q. And Mr. Peterson, of course, feel free to peruse this
8 e-mail thread and let me know when you're ready.

9 A. Sorry, there's a lot of pages on this one.

10 Q. Yes.

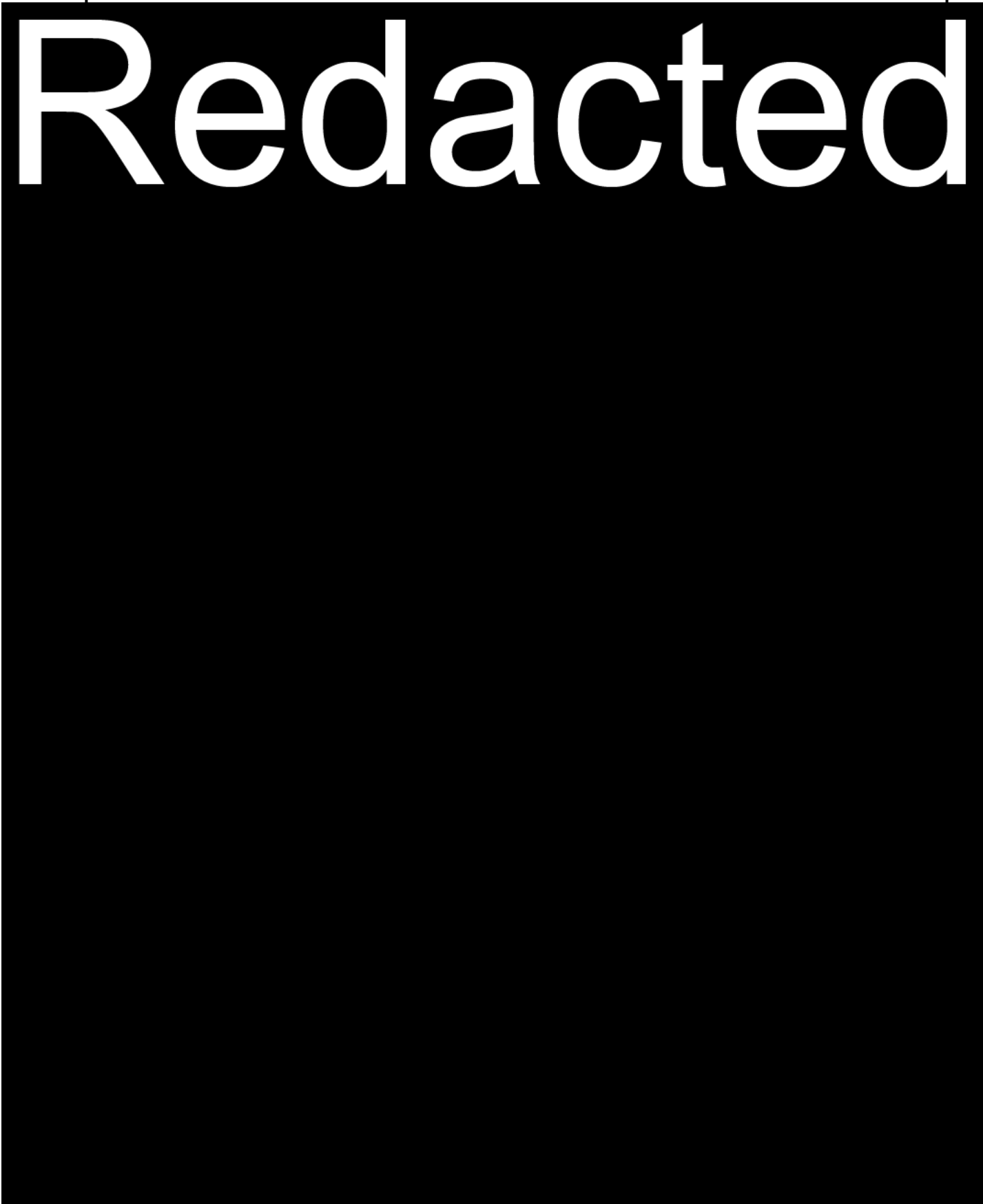
11 A. Should have started from the bottom. Okay.

12 Q. And is this e-mail thread something from Nature's
13 Fusions' company Outlook files?

14 A. Yeah.

Redacted

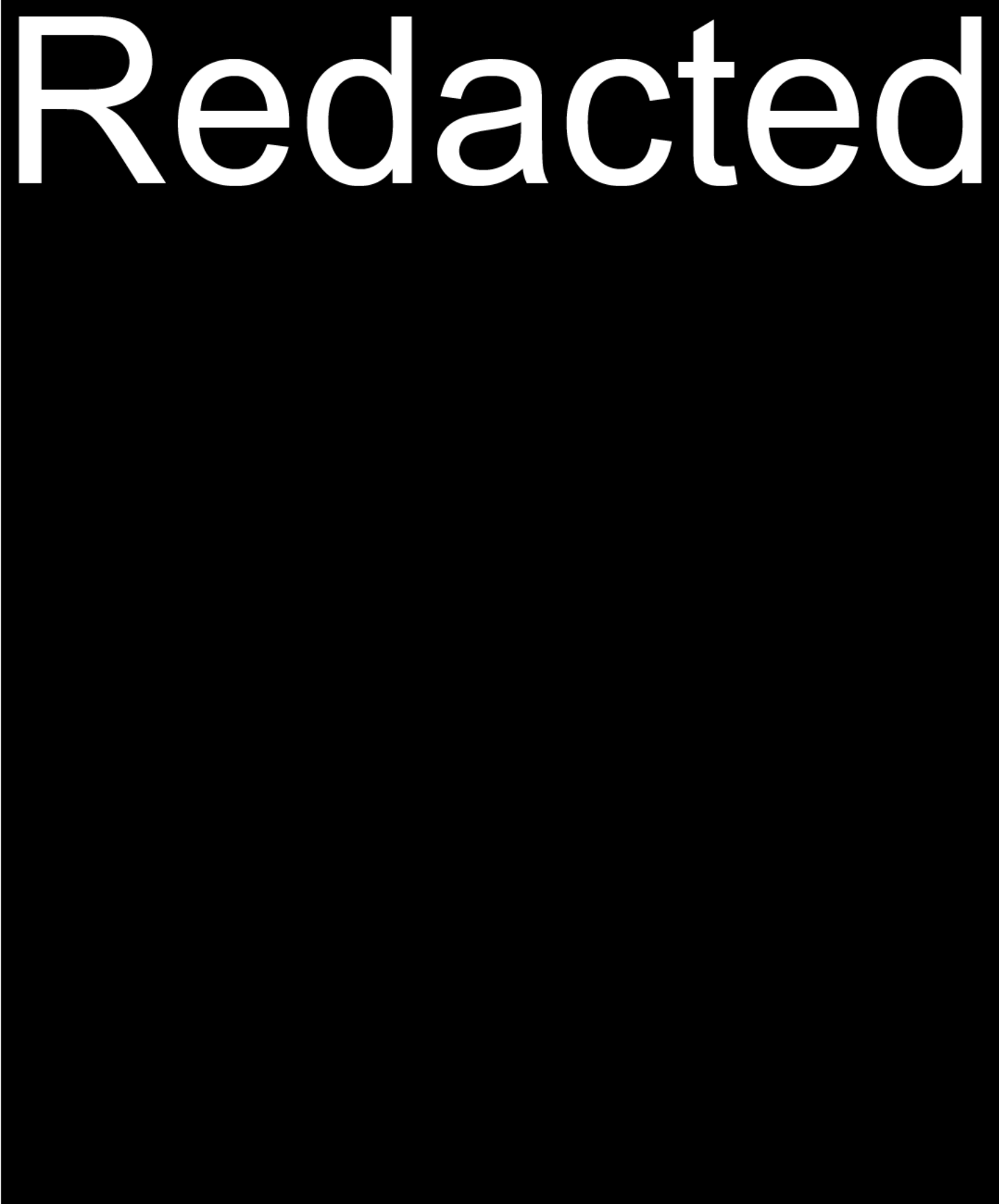
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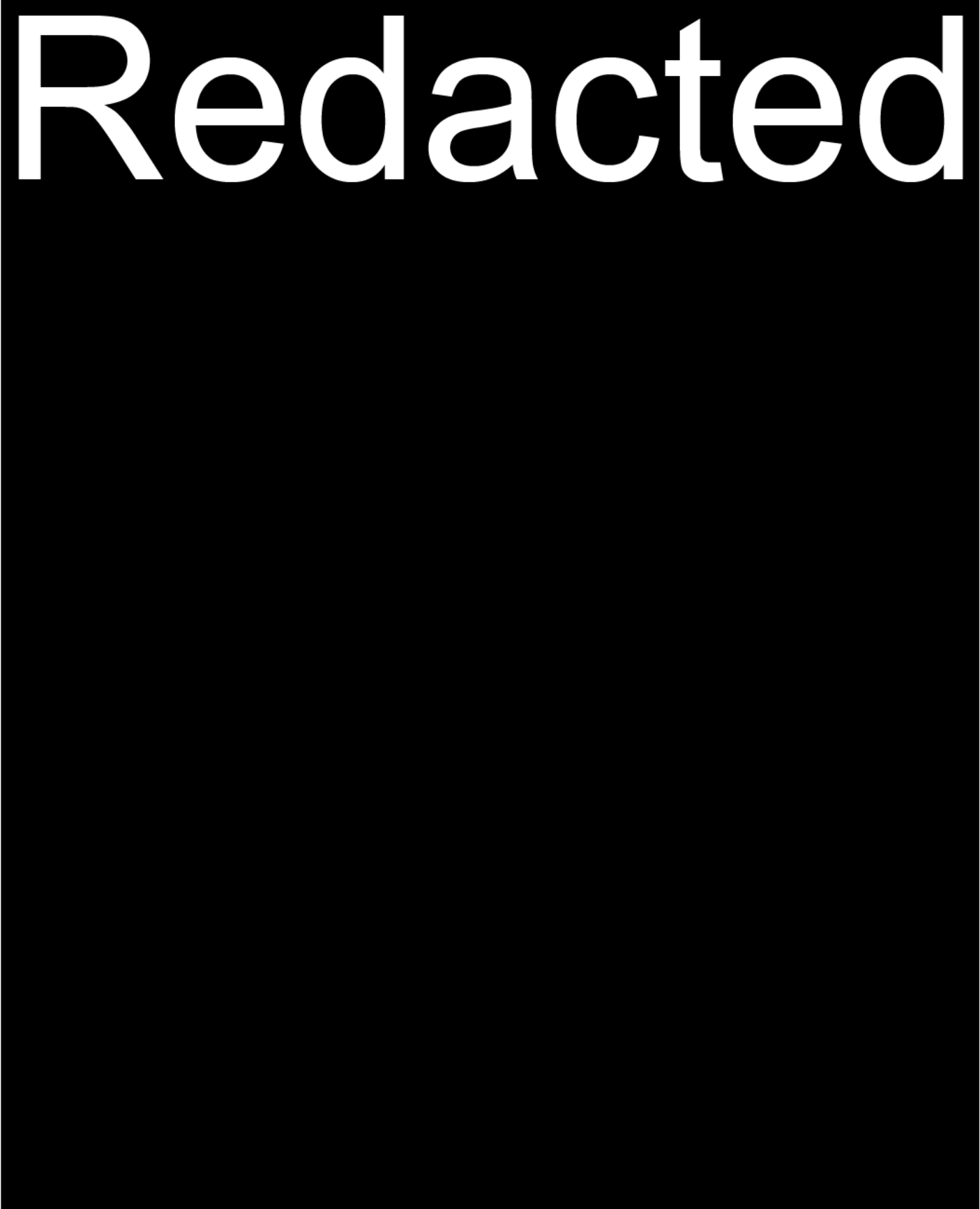


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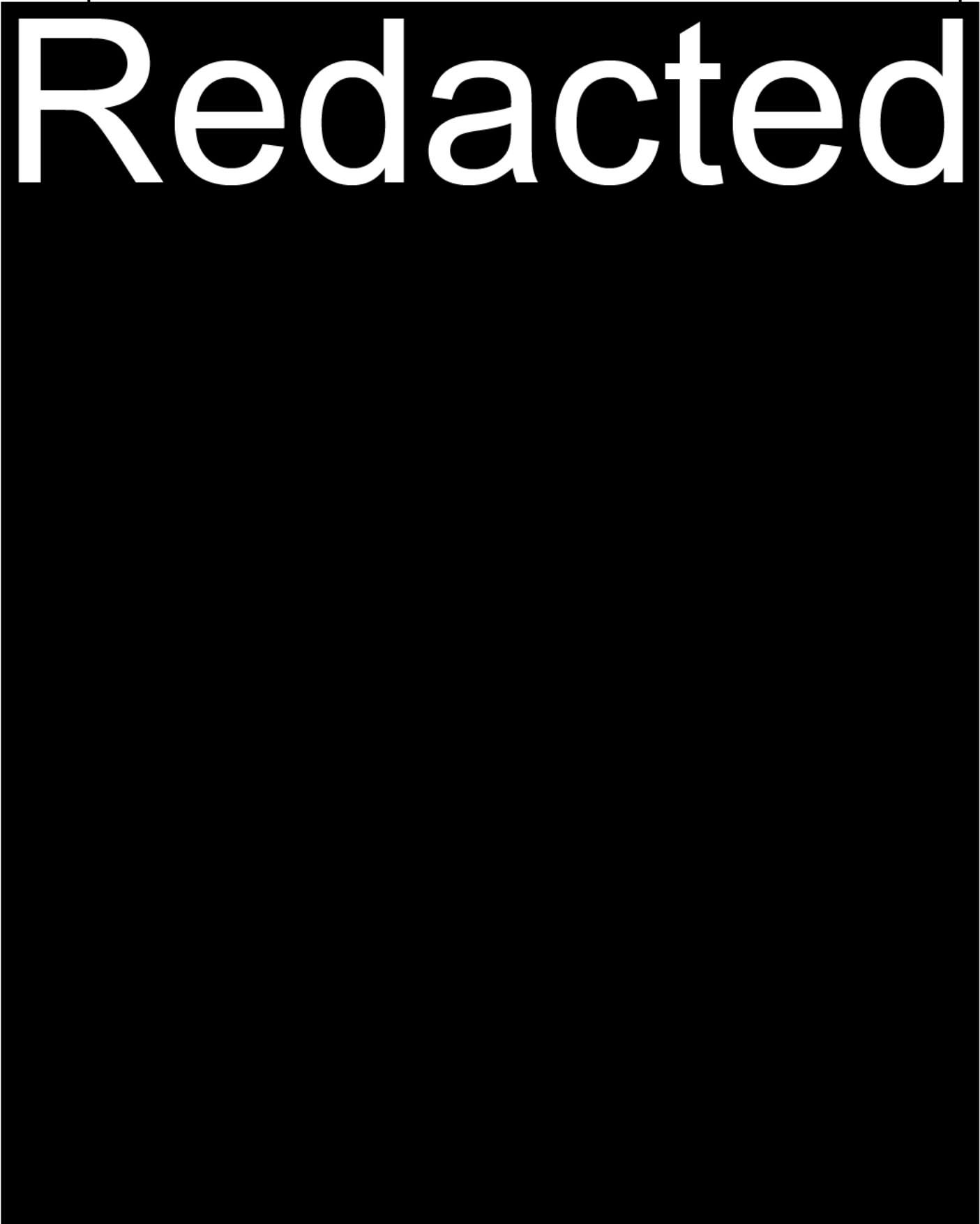
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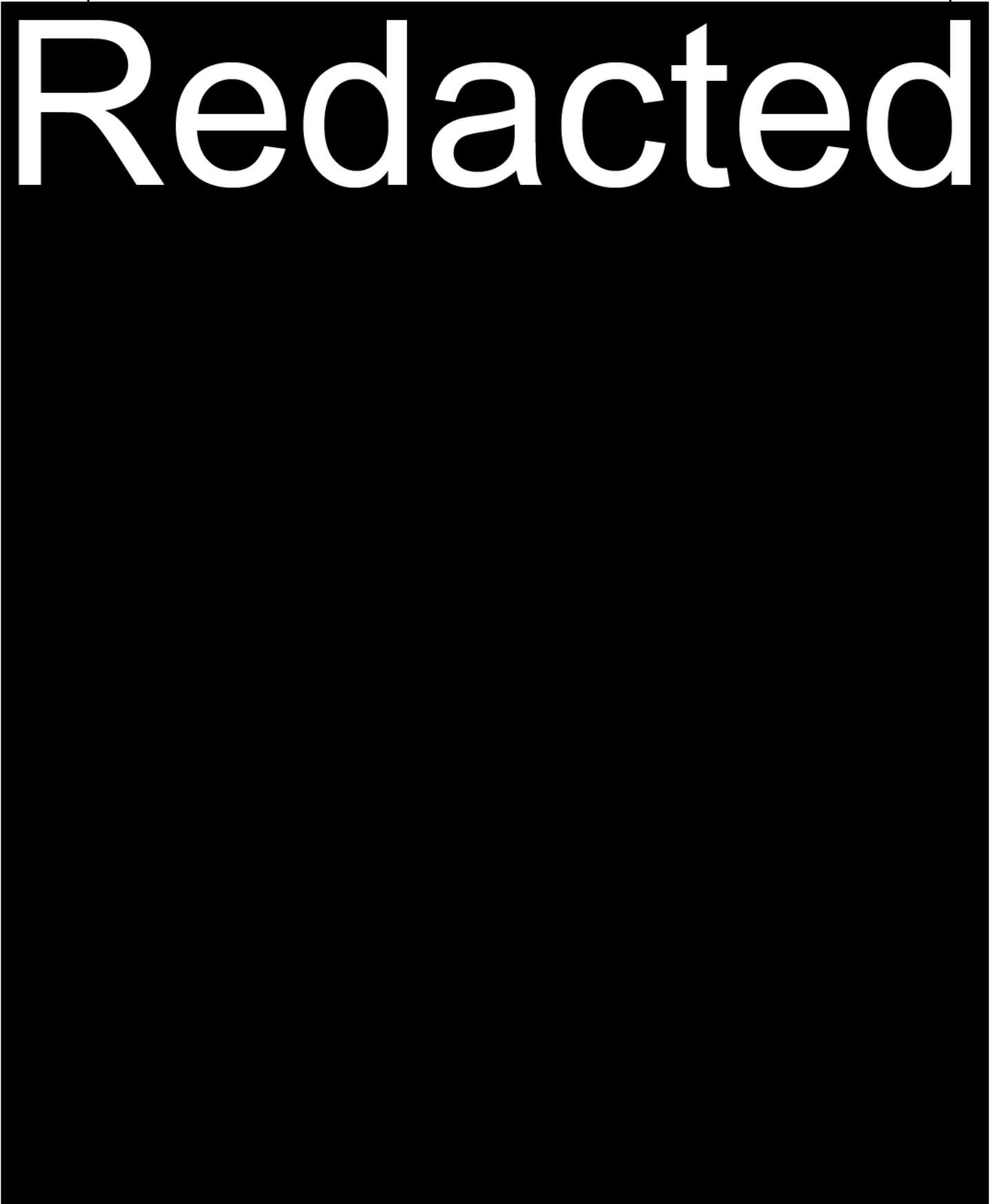
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20 MR. NIELSEN: Let's put up Tab 23 and mark
21 that as Exhibit 24, please. I'll represent for the
22 record this is NF 275 to NF 288.

23 Q. And again, I don't know if it's more helpful to start
24 at the chronological beginning, but feel free to
25 review this and we'll jump around with a few

1 questions.

2 A. Okay.

3 Q. Okay, great. First question is, is this e-mail thread
4 from Nature's Fusions' company Outlook files?

5 A. Yeah.

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Redacted

2 Q. Does the address 2049 South Hellman, H-E-L-L-M-A-N,
3 Avenue in Ontario, California ring a bell to you?

4 A. No. Like I don't order our shipping trucks. Like I
5 never (inaudible) a shipping label before.

6 MR. NIELSEN: We can take this exhibit
7 down. Thank you. Let's put up Tab 24 and mark that
8 as Exhibit 25, please. I'll represent for the record
9 this is documents NF 301 to 305.

10 Q. Again, as usual, feel free to peruse it and let me
11 know when you're ready.

12 A. Okay.

13 Q. Is this e-mail thread from Nature's Fusions' company
14 Outlook files?

15 A. Yeah.

Redacted

Redacted

Redacted

Redacted

3 MR. NIELSEN: We can take this down. Thank
4 you.

5 Q. Prior to your receiving the e-mail -- strike that.

6 Prior to Nature's Fusions receiving the
7 letter from Miss Bates in early November of 2024, was
8 Nature's Fusions aware that NNB had made allegations
9 of patent infringement regarding Dihydroberberine
10 against Bonerge directly? So prior to the time you
11 got your letter, were you aware that Bonerge had been
12 accused?

13 A. No, I wasn't aware and I don't know the dates of the
14 accusals or anything that has to do with Bonerge.

15 Q. So prior to your receiving your letter, you had no
16 idea that there was an issue?

17 A. That's correct.

18 MR. NIELSEN: Let's put up Tab 25 and mark
19 that as Exhibit 26.

20 Q. Same thing, feel free to peruse the exhibit and let me
21 know when you're ready.

22 MR. CHEN: Mark, I think we've been going
23 for about an hour, I know you have an exhibit
24 outstanding, so maybe once you're done with the
25 exhibit, we should take a break.

1 MR. NIELSEN: Sure. Let's work through
2 this exhibit if that's all right.

3 MR. CHEN: That's what I was suggesting.

4 MR. NIELSEN: I'll represent for the
5 record, if I didn't already, that this exhibit is NF
6 308 to 313.

7 A. Okay.

8 Q. So on this one, let's work our way up from the bottom
9 if you would be so kind. So the beginning of this
10 e-mail thread on November 5th, would you agree that
11 this is an e-mail forwarding a letter regarding
12 Nature's Fusions' infringement of patent rights from
13 Angela Walker and Shawna Bates to Randy at Nature's
14 Fusions?

15 A. Yeah, it's regarding potential infringement rights.

16 Q. And that date of that was, it was sent on November
17 5th, 2024 at 2:50 p.m. Do you see that?

18 A. Yeah.

19 Q. So if we work our way up the thread, the next e-mail
20 is November 5th, 2024 at 6:08 p.m. from you to Miss
21 Walker and Miss Bates. Do you see that?

22 A. Yeah.

Redacted

Redacted

8 Q. And then in the next paragraph you said: "No
9 infringement of patent rights has occurred." Do you
10 see that?

11 A. Yeah.

12 Q. What was your basis for saying that less than four
13 hours after receiving the letter from Miss Walker?

14 A. I probably would have opened it up, saw that it said
15 that the basis was a method of managing blood glucose,
16 I looked at my label, we weren't infringing on that
17 claim and so I said we aren't infringing.

18 Q. Do you think Dihydroberberine is incapable of
19 managing -- of affecting blood glucose levels?

20 MR. CHEN: Objection.

21 A. I would say that Dihydroberberine has a wide variety
22 of uses that encompasses many aspects of the human
23 body.

24 BY MR. NIELSEN:

25 Q. Would one of those include affecting glucose

1 metabolism?

2 MR. CHEN: Objection.

3 A. I wouldn't have a scientific background to validate
4 that.

5 BY MR. NIELSEN:

6 Q. How did you respond to the letter and say there was no
7 infringement then?

8 MR. CHEN: Objection, asked and answered.

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Redacted

6 MR. NIELSEN: Let's go off the record.
7 Take a short break. I don't have a ton more and I
8 have a pretty hard stop coming up, so let's make it
9 fairly quick break, like eight minutes. Is that okay?

10 VIDEO TECHNICIAN: Off the record at 4:57.

11 (Off the record).

12 VIDEO TECHNICIAN: Back on the record at
13 5:05 p.m.

14 MR. NIELSEN: If we could, let's put up Tab
15 29, and we'll mark that as Exhibit 27. And I will
16 represent for the record that this is documents NF 436
17 through 438 and also 441.

18 Q. And feel free to take a spin through these, Mr.
19 Peterson.

20 A. Yeah, I'm good.

21 Q. Are these documents from Nature's Fusions' company
22 files? I mean they're maintained there or saved
23 there?

24 A. Yeah, if these are ones that we provided, then yeah.

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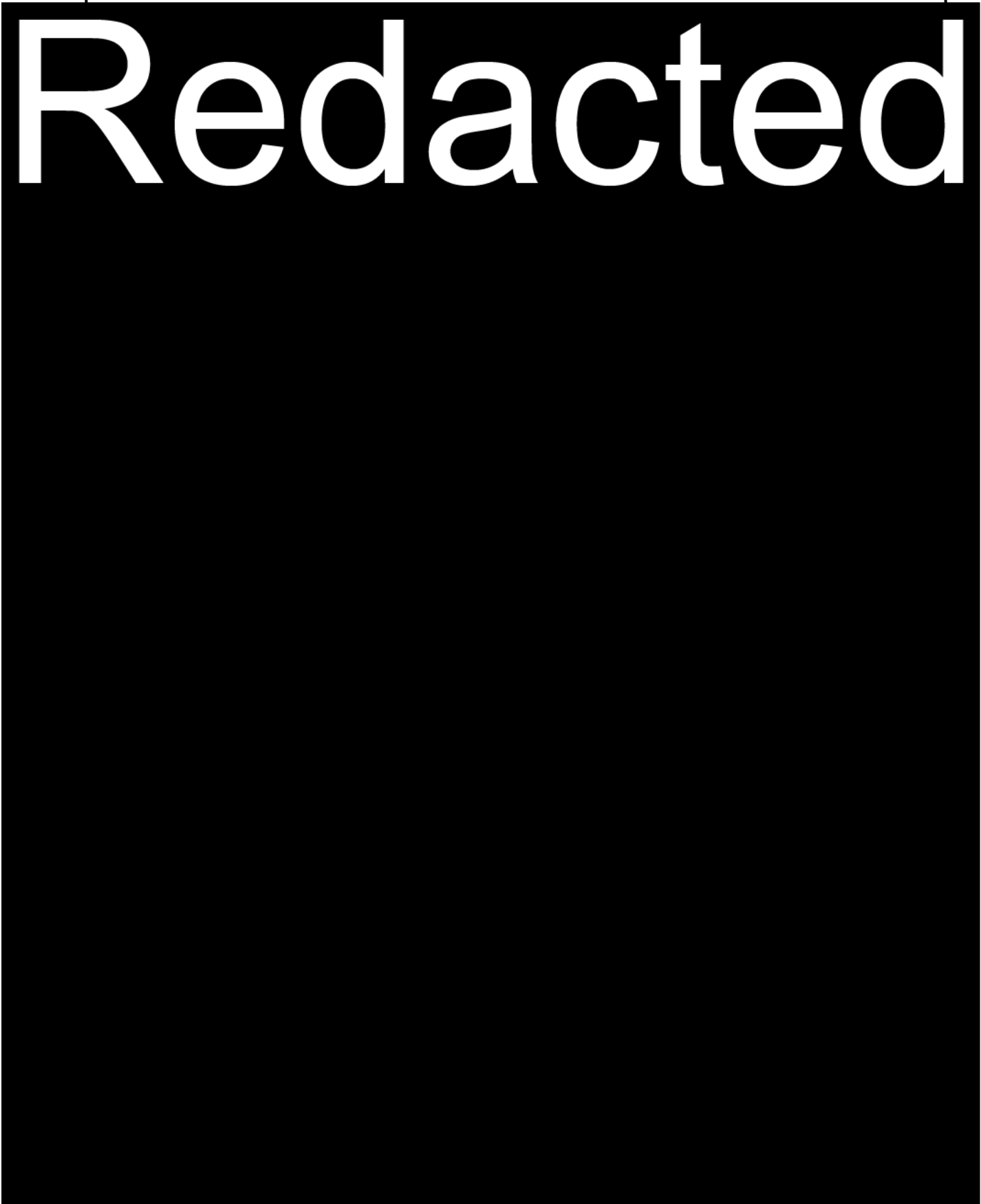
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23 MR. NIELSEN: We can take this exhibit
24 down. Thank you.

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12 BY MR. NIELSEN:

13 Q. As best as you know, did you tell the truth in all
14 your answers today?

15 A. Yeah.

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9

(Off the record at 5:21 p.m.)

10

(Signature of the witness was requested.)

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1 NANJING NUTRABUILDING

2 BIOTECH CO., LTD

3 Plaintiff,

4 vs.

Case No. 5:25-cv-00271-

5 JGB-SPX

6 BONERGE LIFESCIENCE (HUNAN)

7 CO., LTD, ET AL

8 Defendants.

9 _____ /

10
11
12 VERIFICATION OF DEPONENT

13
14 I, Matthew Peterson, having read the
15 foregoing deposition consisting of my testimony at
16 the aforementioned time and place, do hereby attest
17 to the correctness and truthfulness of the
18 transcript.

19
20 _____
21 Matthew Peterson

22 Dated:

ERRATA SHEET

PAGE	LINE	CORRECTION
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CERTIFICATE OF NOTARY

STATE OF MICHIGAN)

) SS

COUNTY OF OAKLAND)

I, CAROLYN GRITTINI, certify that this deposition was taken before me on the date hereinbefore set forth; that the foregoing questions and answers were recorded by me stenographically and reduced to computer transcription; that this is a true, full and correct transcript of my stenographic notes so taken; and that I am not related to, nor of counsel to, either party nor interested in the event of this cause.

Carolyn Grittini

CAROLYN GRITTINI, CSR-3381

Notary Public,

Oakland County, Michigan

My Commission expires: July 15, 2029



Home / Supplements / Nutri Dihydroberberine+ Supplement With Ceylon Cinnamon 200mg – 60 Capsules

Matt Peterson 02/26/26

EXHIBIT

7



Rewards Program

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\$34.77

1



ADD TO CART

Description

Reviews

60 capsules per bottle

Each capsule contains 200mg Dihydroberberine and 400mg Organic Ceylon Ceylon Extract

Product Benefits:

- **PREMIUM QUALITY INGREDIENTS:** Our Premium Dihydroberberine with Organic Ceylon Cinnamon is crafted with the highest quality products. Each serving provides a potent dosage of 200mg to ensure maximum effectiveness.
- **60 DIHYDROBERBERINE CAPSULES:** 60 Day Supply, Take 1 daily – 200mg Dihydroberberine with 400mg Organic Ceylon Ceylon.
- **Metabolic Support***

Directions: Take one capsule daily.

3rd party Lab Tested in the USA: We have our own FDA registered Food-Grade facility in the USA. All our products are 3rd-Party tested to guarantee purity. **Satisfaction Guaranteed:** At Nutri we guarantee almost everything Forever.

*These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease

Related products



Rewards Program

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**CHONDROITIN COMPLETE JOINT
COMPLEX W/ MSM+ 3025 MG –
120 COUNT**

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Add to cart

**4/8 G UNFLAVORED POWDER –
360 G TUB**

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**MESOZEAXANTHIN VISION
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\$39.99

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Nature's Fusions was founded in 2009 by brothers David and CJ Peterson. What began as a small essential oil distribution company for family and friends, quickly grew to what it is today – a leading provider of 100% pure, natural, and authentic essential oils and other all-natural products. Whether you're new to essential oils or a seasoned aficionado, we're here to assist you on your journey to optimal wellness.

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Matt Peterson 02/26/26

EXHIBIT

15

1/2

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NNB Exh. 2148, p. 198
Redacted Version of Exh. 2126

NF00434

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Redacted Version of Exh. 2126

NF00435

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EXHIBIT

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ATTORNEYS' EYES ONLY

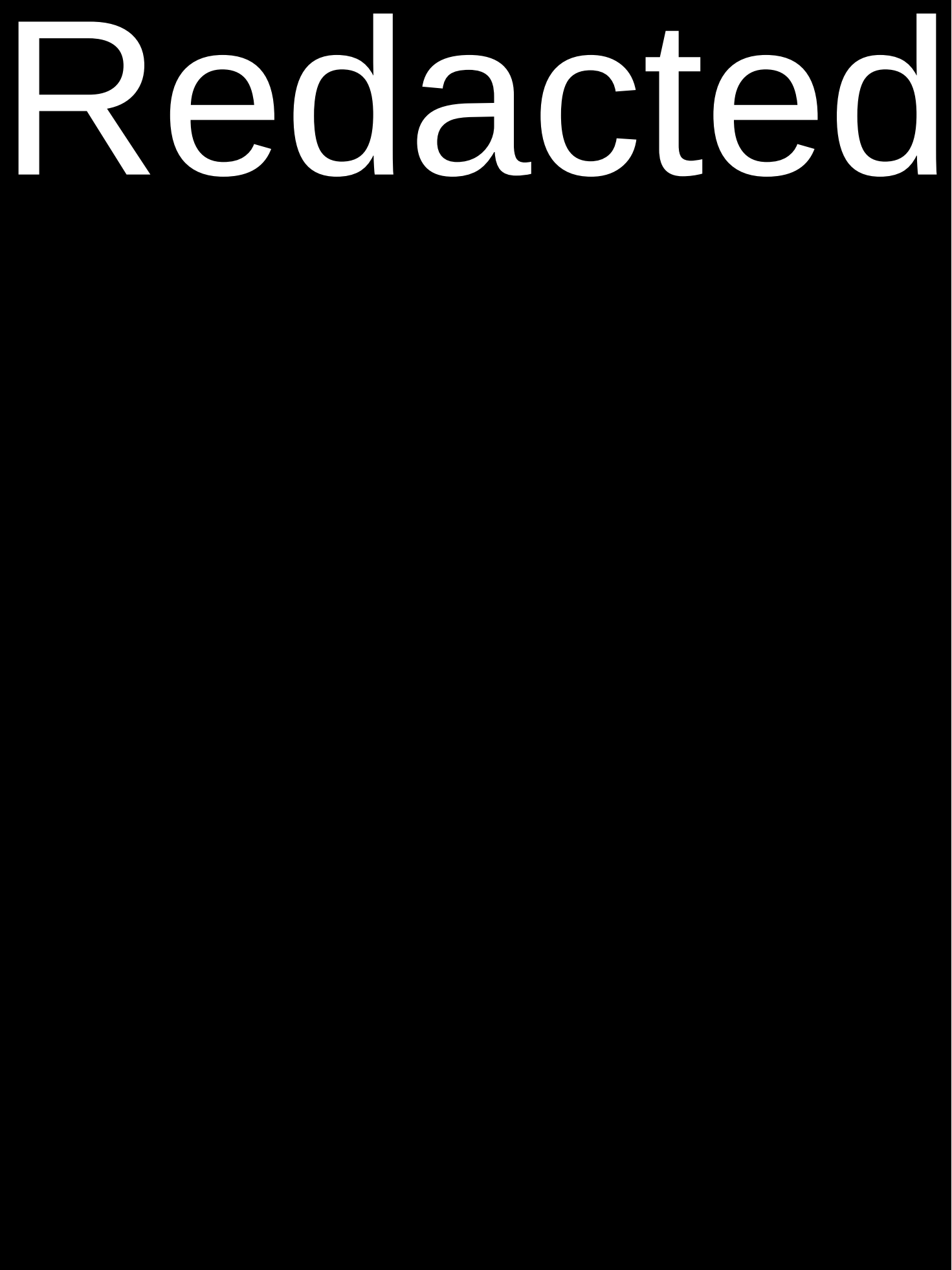
NNB Exh. 2148, p. 209
Redacted Version of Exh. 2126

NF00290

Redacted

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REDACTED VERSION

HIGHLY CONFIDENTIAL –
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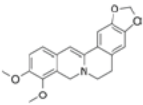
NNB Exh. 2148, p. 213
Redacted Version of Exh. 2126

NF00365

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*These statements have not been evaluated by the FDA. This product is not intended to diagnose, treat, cure or prevent any disease.



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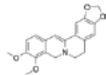


Rev.D237

nutri
by Nature's Fusions

5x More Bioavailable**
DIHYDROBERBERINE+
Ceylon Cinnamon

200 MG
per serving




WEIGHT LOSS
BLOOD SUGAR CONTROL
CARDIOVASCULAR SUPPORT

Supplement Facts

Serving Size: 1 Capsule
Servings Per Container: 60

	Amount Per Serving	% Daily Value
Dihydroberberine (DHB)	200 mg	†
Cinnamon Ceylon Extract (<i>Cinnamomum verum</i>)	400 mg	†

† Daily Value not established.

Other Ingredients: Vegetable Cellulose (capsule).
Suggested Use: Take one capsule daily. Store in a cool, dry place.
Caution: For adults only. Consult physician if pregnant/nursing, taking medication, or have a medical condition. Keep out of reach of children.
Promotes: Healthy Metabolism* Healthy Antioxidant Levels*
Insulin Sensitivity* Lipid Regulation* Mitochondrial Health*
Cognitive Protection* Endothelial Function* Liver Health*
Healthy Inflammation Levels*

nutri Live Better Longer

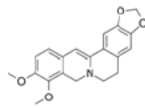
Manufactured by
Nature's Fusions
Orem, Utah 84057
www.naturesfusions.com

60

Dietary Supplement
VEGAN CAPSULES



HOME OF THE FOREVER GUARANTEE
ANYONE CAN RETURN ANY PRODUCT, FOR ANY REASON, FOREVER
**5x more bioavailable than berberine



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Rev.D237

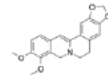
nutri
by Nature's Fusions

5x More Bioavailable**

**DIHYDRO
BERBERINE+**
Ceylon Cinnamon

200 MG
per serving

**WEIGHT LOSS
BLOOD SUGAR CONTROL
CARDIOVASCULAR SUPPORT**



Supplement Facts

Serving Size: 1 Capsule
Servings Per Container: 60

	Amount Per Serving	% Daily Value
Dihydroberberine (DHB)	200 mg	†
Cinnamon Ceylon Extract (<i>Cinnamomum verum</i>)	400 mg	†

† Daily Value not established.

Other Ingredients: Vegetable Cellulose (capsule).

Suggested Use: Take one capsule daily. Store in a cool, dry place.
Caution: For adults only. Consult physician if pregnant/nursing, taking medication, or have a medical condition. Keep out of reach of children.

Promotes: Healthy Metabolism* Healthy Antioxidant Levels*
Insulin Sensitivity* Lipid Regulation* Mitochondrial Health*
Cognitive Protection* Endothelial Function* Liver Health*
Healthy Inflammation Levels*

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60 Dietary Supplement
VEGAN CAPSULES



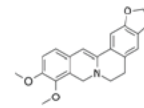
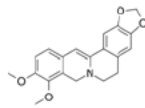
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REDACTED VERSION

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NNB Exh. 2148, p. 218
Redacted Version of Exh. 2126

NF00081



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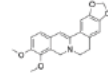
Rev.D352

nutri
by Nature's Fusions

CEYLON CINNAMON
**DIHYDRO
BERBERINE+**
5x More Bioavailable**

200 MG
per serving

WEIGHT LOSS
BLOOD SUGAR CONTROL
CARDIOVASCULAR SUPPORT



Supplement Facts		
Serving Size: 1 Capsule		
Servings Per Container: 45		
	Amount Per Serving	% Daily Value
Dihydroberberine (DHB)	200 mg	†
Organic Cinnamon Ceylon Extract (<i>Cinnamomum verum</i>)	400 mg	†

† Daily Value not established.

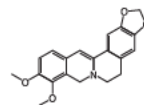
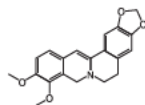
Other Ingredients: Vegetable Cellulose (capsule).
Suggested Use: Take one capsule daily. Store in a cool, dry place.
Caution: For adults only. Consult physician if pregnant/nursing, taking medication, or have a medical condition. Keep out of reach of children.
Promotes: Healthy Metabolism* Healthy Antioxidant Levels*
Insulin Sensitivity* Lipid Regulation* Mitochondrial Health*
Cognitive Protection* Endothelial Function* Liver Health*
Healthy Inflammation Levels*

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45 Dietary Supplement
VEGAN CAPSULES

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**5x more bioavailable than berberine



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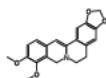
Rev.E099

nutri
by Nature's Fusions

CEYLON CINNAMON
**DIHYDRO
BERBERINE+**
5x More Bioavailable**

200 MG
per serving

**WEIGHT LOSS
BLOOD SUGAR CONTROL
CARDIOVASCULAR SUPPORT**



Supplement Facts

Serving Size: 1 Capsule
Servings Per Container: 60

	Amount Per Serving	% Daily Value
Dihydroberberine (DHB)	200 mg	†
Organic Cinnamon Ceylon Extract (<i>Cinnamomum verum</i>)	400 mg	†

† Daily Value not established.

Other Ingredients: Vegetable Cellulose (capsule).
Suggested Use: Take one capsule daily. Store in a cool, dry place.
Caution: For adults only. Consult physician if pregnant/nursing, taking medication, or have a medical condition. Keep out of reach of children.
Promotes: Healthy Metabolism* Healthy Antioxidant Levels*
Insulin Sensitivity* Lipid Regulation* Mitochondrial Health*
Cognitive Protection* Endothelial Function* Liver Health*
Healthy Inflammation Levels*

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60 Dietary Supplement
VEGAN CAPSULES



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**5x more bioavailable than berberine

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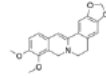
Rev.D352

nutri
by Nature's Fusions

CEYLON CINNAMON
**DIHYDRO
BERBERINE+**
5x More Bioavailable**

200 MG
per serving

**WEIGHT LOSS
BLOOD SUGAR CONTROL
CARDIOVASCULAR SUPPORT**



Supplement Facts

Serving Size: 1 Capsule
Servings Per Container: 40

	Amount Per Serving	% Daily Value
Dihydroberberine (DHB)	200 mg	†
Organic Cinnamon Ceylon Extract (<i>Cinnamomum verum</i>)	350 mg	†

† Daily Value not established.

Other Ingredients: Vegetable Cellulose (capsule).

Suggested Use: Take one capsule daily. Store in a cool, dry place.

Caution: For adults only. Consult physician if pregnant/nursing, taking medication, or have a medical condition. Keep out of reach of children.

**Promotes: Healthy Metabolism* Healthy Antioxidant Levels*
Insulin Sensitivity* Lipid Regulation* Mitochondrial Health*
Cognitive Protection* Endothelial Function* Liver Health*
Healthy Inflammation Levels***

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40 Dietary Supplement
VEGAN CAPSULES

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NNB Exh. 2148, p. 221
Redacted Version of Exh. 2126 **NF00215**

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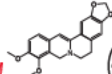
CEYLON CINNAMON

DIHYDRO BERBERINE+

5x More Bioavailable**

200 MG Extra Strength

WEIGHT LOSS
HEALTHY METABOLISM
CARDIOVASCULAR SUPPORT



Supplement Facts

Serving Size: 1 Capsule
Servings Per Container: 60

	Amount Per Serving	% DV
Dihydroberberine (DHB)	200 mg	†
Organic Cinnamon Ceylon Extract (<i>Cinnamomum verum</i>)	200 mg	†

† Daily Value not established.

Other Ingredients: Vegetable Cellulose (capsule), Rice Extract Blend (rice bran extract, rice hulls, gum arabic, sunflower oil).

Suggested Use: Take one capsule daily. Store in a cool, dry place.

Caution: For adults only. Consult physician if pregnant/nursing, taking medication, or have a medical condition. Keep out of reach of children.

WHY DHB?

Dihydroberberine is 5x more bioavailable than berberine. Reach optimal results with lower doses while still benefitting from ceylon cinnamon. Support Healthy Metabolism, Cardiovascular Health, Healthy Inflammation Levels, and Neuroprotection.*



WHY NUTRI?

At Nutri we believe in making the highest quality and most effective products on the market, so that you can be confident that you're getting the best of the best.

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60 Dietary Supplement
VEGAN CAPSULES



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**5x more bioavailable than berberine

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Rev.F070

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NNB Exh. 2148, p. 222
Redacted Version of Exh. 2126

NF00350