

Laura Hartman 08/25/2020
BRANDON YOUNG vs WHOLE HEMP Company

1 DISTRICT COURT, EL PASO COUNTY,
STATE OF COLORADO

2
3 Case No. 2019cv32242, Division 9

4 DEPOSITION OF: LAURA HARTMAN - AUGUST 25, 2020

5 Plaintiff: BRANDON YOUNG, an individual,

6
7 v.

8 Defendants: WHOLE HEMP Company, LLC, d/b/a
9 FOLIUM BIOSCIENCES, a Colorado limited liability
company; and KASHIF SHAN, an individual

10

11 PURSUANT TO NOTICE, the remote deposition
12 of LAURA HARTMAN was taken via videoconference
13 on behalf of the Plaintiff, on July 29, 2020, at
10:04 a.m. before Karen Waters, Registered
14 Professional Reporter and Notary Public within
Colorado.

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A P P E A R A N C E S

For the Plaintiff:

DAVID OLSKY, ESQ. (via videoconference)
-and-
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For the Defendants in the Takio and Young cases:

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For the Defendants in the Ramos case:

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-and-
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Also Present:

Walt Mathern, the videographer.

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I N D E X

EXAMINATION OF LAURA HARTMAN: August 25, 2020	PAGE
By Mr. Olsky	6, 39, 48
By Mr. Bailey	29, 42, 49
By Ms. Houseal	42

DEPOSITION EXHIBITS:	INITIAL REFERENCE
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None were marked.

1 WHEREUPON, the following proceedings
2 were taken pursuant to the Colorado Rules of
3 Civil Procedure.

4 * * * * *

5 THE VIDEOGRAPHER: We are on the record.
6 Participants should be aware that this
7 proceeding is being recorded and, as such, all
8 conversations held will be recorded unless there
9 is a request and agreement to go off the record.

10 Private conversations and/or
11 attorney-client interaction should be held out
12 of the presence of the remote interface. For
13 the purpose of creating a witness-only video
14 recording, the witness is being spotlighted or
15 locked on all video screens while in speaker
16 view. We ask that the witness not remove the
17 spotlight setting during the deposition as it
18 may cause other participants to appear on the
19 final video rather than just the witness. For
20 anyone who doesn't want the witness's video to
21 take up the large part of your screen, you may
22 click the gallery view button in the upper right
23 corner of the remote depo interface.

24 This is the remote video-recorded
25 deposition of Laura Hartman being taken by

1 counsel for the plaintiff. Today is Tuesday,
2 August 25, 2020. The time now is 10:05 a.m.
3 Mountain Time, 4:05 UTC time.

4 We are here in the matters of Dale
5 Takio, et al., v. Whole Hemp Company, et al.;
6 Brandon Young v. Whole Hemp Company, et al.; and
7 Juanita Ramos v. Whole Hemp Company, et al.

8 My name is Walt Mathern, remote
9 video technician on behalf of USLegal Support
10 located at 1900 Grant Street, Denver, Colorado.

11 I am not related to any party in
12 this action, nor am I financially interested in
13 the outcome.

14 At this time will the reporter,
15 Karen Waters, on behalf of USLegal Support,
16 please enter the statement for remote
17 proceedings into the record.

18 THE COURT REPORTER: The attorneys
19 participating in this deposition acknowledge
20 that I am not physically present in the
21 deposition room and that I will be reporting
22 this deposition remotely. They further
23 acknowledge that in lieu of an oath administered
24 in person, the oath will be administered via
25 videoconference. The parties and their counsel

1 consent to this arrangement and waive any
2 objections to this manner of reporting.

3 Please indicate your agreement by
4 stating your name and your agreement on the
5 record.

6 MR. OLSKY: David Olksy of Fortis Law
7 Partners for the plaintiff. Agree.

8 MR. BAILEY: Justin Bailey, counsel for
9 defendant in the Ramos matter. Agree.

10 MS. HOUSEAL: Amanda Houseal, counsel
11 for Folium defendants in the Takio and Young
12 matters. Agree.

13 LAURA HARTMAN,
14 having been first duly sworn to state the whole
15 truth, testified as follows:

16 (Deponent's reply to oath: I swear.)

17 EXAMINATION

18 BY MR. OLSKY:

19 Q. Good morning, Ms. Hartman.

20 A. Hi.

21 Q. We are going to have a deposition today
22 where I'm going to ask some questions. Have you
23 ever been deposed before?

24 A. No.

25 Q. So I'm going to ask some questions and

1 **Q. Ms. Hartman, why did you leave your**
2 **position?**

3 A. The stress, the abusive interaction of
4 the executive staff, the chaos, the unscrupulous
5 behavior towards employees. I just couldn't
6 function anymore because I didn't agree with
7 them and I felt like I was being abused.

8 **Q. In what way did you feel like you were**
9 **being abused?**

10 A. Shouting, slamming things on the desks,
11 you know, being sworn at, and also the low pay.

12 **Q. In the course of your work at Folium,**
13 **did you come to know of a document called a**
14 **certificate of analysis?**

15 A. Yes.

16 **Q. How did you come to learn of the**
17 **certificate of analysis?**

18 A. It was a standard operating procedure
19 that was supposed to go out with the new batches
20 of product. I also saw quite a few of them and
21 I was asked to alter them.

22 **Q. Let's start with what is a certificate**
23 **of analysis?**

24 A. An analysis of the hemp oil showing
25 components and hopefully lack of unwanted

1 particles such as lead, also the percentages of
2 CBD and THC in the product.

3 MR. BAILEY: I tried not to cut off on
4 the answer. I wanted to object to the last
5 answer as unresponsive.

6 Q. (BY MR. OLSKY): What were you asked to
7 alter with respect to certificates of analysis?

8 MR. BAILEY: Form.

9 A. (BY THE WITNESS): Dates. Dates of
10 analysis, I guess I should say.

11 Q. (BY MR. OLSKY): And who asked you to
12 alter?

13 A. Jenna.

14 Q. Did you discuss the matter with
15 Mr. Shan?

16 A. No.

17 Q. What did Jenna tell you to do?

18 A. Change the date from an older date to a
19 newer date or the current date.

20 Q. And what did she say was the reason that
21 you were changing the date?

22 MR. BAILEY: Form.

23 A. (BY THE WITNESS): She didn't give me a
24 reason.

25 Q. (BY MR. OLSKY): Was it your

1 understanding that the certificates of analysis
2 were new? Actually, let me rephrase that.

3 What was your understanding of why
4 it was that you were changing the dates on the
5 certificates of analysis?

6 A. My presumed understanding was that they
7 didn't want to pay for new tests. Previously
8 when paying accounts for the lab corporation who
9 was running the tests, Kashif would express his
10 displeasure at the amount of money we were
11 spending on these tests and why did we need
12 these tests all the time. So it was my
13 understanding -- I mean, I presumed that we were
14 doing this so that we wouldn't have to do new
15 tests and pay for new tests.

16 Q. So turning to the certificates of
17 analysis that you were asked to alter, what do
18 you know about whether those certificates of
19 analysis had already gone out with shipments,
20 prior shipments?

21 MR. BAILEY: Form.

22 A. (BY THE WITNESS): I'm sorry. I didn't
23 get the question.

24 Q. (BY MR. OLSKY): Sure. With respect to
25 the certificates of analysis that you were asked

1 to alter, what is your understanding about
2 whether those certificates had already been used
3 for prior shipments?

4 MR. BAILEY: Same.

5 A. (BY THE WITNESS): It had the lot
6 number, so my understanding was that these were
7 older certificates that we were updating to be
8 sent out for the new product.

9 Q. (BY MR. OLSKY): So why were you taking
10 certificates of analysis for a prior shipment
11 and then putting it out with the new shipment?

12 MR. BAILEY: Form.

13 A. (BY THE WITNESS): Because we didn't
14 have anything to send out with the new
15 shipments. We didn't have any current
16 certificates or that the current certificates
17 that we did have was not appropriate to be
18 mailed out.

19 Q. (BY MR. OLSKY): What do you mean by it
20 was not appropriate to be mailed out?

21 A. It may have shown too much THC, not
22 enough CBD, contaminants.

23 Q. So to what extent did the certificates
24 of analysis that you were asked to alter to show
25 what was actually being shipped out?

1 MR. BAILEY: Form.

2 A. (BY THE WITNESS): It -- I have no idea
3 how it would match at all. I mean, to what
4 extent, there would be no relation about the
5 contents, you know, no relation to the contents
6 for the new batch. It would have no relation.

7 Q. So to summarize, you were asked to alter
8 certificate of analysis from a prior shipment
9 that did not actually match the new shipment
10 that was going out; is that correct?

11 MR. BAILEY: Form.

12 A. (BY THE WITNESS): Correct.

13 Q. (BY MR. OLSKY): And did you talk to
14 Jenna about this?

15 A. At the time it was -- there was a lot of
16 activity and, you know, demands on my time. So
17 basically she would show up and say, Here,
18 change this, I need it right now. And so, you
19 know, I didn't really have the opportunity to
20 examine her motives or question her; I was just
21 trying to get that off my plate so I could
22 concentrate on my other demands.

23 Q. What was your understanding -- sorry.
24 Let me rephrase that.

25 Did you ever respond to her when

1 she made that request?

2 A. Basically I would respond about, you
3 know, how I was using my time and that I needed
4 to do this, that, or the other thing. She would
5 push back; and after struggling with some of the
6 editing, the software, eventually I was able to
7 push prior -- or the following requests off back
8 to her for her to do or for her to find the
9 graphic designer to do it. That's actually how
10 I kind of solved that request. I actually did
11 alter at least two of the certificates; but
12 after, you know, having the opportunity to think
13 about what I was doing, I pushed off the request
14 and redirected it to the graphic designer.

15 Q. (BY MR. OLSKY): Who was the graphic
16 designer?

17 MR. BAILEY: Nonresponsive.

18 A. (BY THE WITNESS): Isaac Rush.

19 Q. (BY MR. OLSKY): And are you aware of
20 Isaac Rush continuing to change -- let me
21 rephrase it. Sorry.

22 Do you know whether Isaac Rush
23 continued to change certificates of analysis in
24 a similar manner?

25 MR. BAILEY: Form.

1 A. (BY THE WITNESS): I know at least two
2 times the request was routed his way because
3 Jenna claims that her Chromebook didn't enable
4 her to work on this. I know at least two other
5 times Isaac would have helped her up on that.
6 Any further request would have been directly to
7 him.

8 Q. (BY MR. OLSKY): Do you know whether
9 anyone else at Folium in addition to Mr. Rush
10 changed certificates of analysis in the way that
11 you were describing?

12 A. I am not sure about the certificates of
13 analysis; however, I do know that Quan Nguyen
14 would edit documents, edit PDFs. For instance,
15 to get a signature from Kash when he wasn't
16 available, he would copy a signature from a wire
17 transfer form to do a new wire transfer form,
18 something like that.

19 MR. BAILEY: Nonresponsive. Foundation.

20 Q. (BY MR. OLSKY): I tell you what, let me
21 back up for a second. I think the question I
22 had was just with respect to the COAs. Just let
23 me back up there.

24 In terms of the COAs and the
25 alteration, are you aware of anyone else at

1 certain she came in person to ask me.

2 MS. HOUSEAL: Okay. I have no further
3 questions.

4 MR. OLSKY: I have one question. It may
5 be considered cross or direct, but it's one I
6 should have asked at the beginning. And if
7 Justin or Amanda want to follow up, that's good.

8 EXAMINATION

9 BY MR. OLSKY:

10 **Q. Are you moving?**

11 A. I am planning on moving, which is why we
12 did this deposition and why I didn't think that
13 I was, you know, discussing, you know -- how did
14 the one attorney say -- prepping me. I didn't
15 feel like I was being prepped because I kind of
16 dropped it on David last minute, Oh, by the way,
17 I'm going to be moving late September, October.

18 **Q. Where are you moving to?**

19 A. Eventually to Canada. I may go to Grand
20 Junction for a while before going up north.

21 **Q. Do you expect to do that within the next**
22 **year?**

23 A. Yes.

24 MR. OLSKY: Okay. I have nothing
25 further, Justin or Amanda, unless you have

1 I, LAURA HARTMAN, do hereby certify that I
2 have read the above and foregoing deposition and
3 that the same is a true and accurate
4 transcription of my testimony, except for
5 attached amendments, if any.

6 Amendments attached () Yes () No

7

8

9

10 LAURA HARTMAN

11 The signature above of LAURA HARTMAN was
12 subscribed and sworn to or affirmed before me in

13 The county of _____, state of

14 _____, this _____ day of

15 _____, 2020.

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18 Notary Public

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20 My Commission expires:

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REPORTER'S CERTIFICATE

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

I, KAREN WATERS, Registered Professional Reporter, Notary Public ID 20184022973, State of Colorado, do hereby certify that previous to the commencement of the examination, the said LAURA HARTMAN was duly sworn by me to testify to the truth in relation to the matters in controversy between the parties hereto; that the said deposition was taken in machine shorthand by me at the time and place and aforesaid was thereafter reduced to typewritten form; that the foregoing is a true transcript of the questions asked, testimony given, and proceedings had.

I further certify that I am not employed by, related to, nor of counsel for any of the parties herein, nor otherwise interested in the outcome of this litigation.

IN WITNESS WHEREOF, I have affixed my Signature this 27th of August, 2020.

My commission expires May 31, 2022.

- Reading and Signing was requested.
- Reading and Signing was waived.
- Reading and Signing is not required.

Karen Waters
Registered Professional Reporter
Certified Shorthand Reporter