

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ANDREA ROSSI and LEONARDO)
CORPORATION,)

Plaintiffs,)

v.)

CASE NO. 1:16-cv-21199-CMA

THOMAS DARDEN; JOHN T. VAUGHN,)
INDUSTRIAL HEAT, LLC; IPH)
INTERNATIONAL B.V.; and CHEROKEE)
INVESTMENT PARTNERS, LLC,)

Defendants.)

INDUSTRIAL HEAT, LLC and IPH)
INTERNATIONAL B.V.,)

Counter-Plaintiffs,)

v.)

ANDREA ROSSI and LEONARDO)
CORPORATION,)

Counter-Defendants,)

and)

J.M. PRODUCTS, INC.; HENRY JOHNSON;)
FABIO PENON; UNITED STATES)
QUANTUM LEAP, LLC; FULVIO FABIANI;)
and "JOHN DOE" a/k/a "James A. Bass",)

Third-Party Defendants.)

**THIRD-PARTY DEFENDANTS J.M. PRODUCTS, INC., HENRY JOHNSON AND
UNITED STATES QUANTUM LEAP, LLC'S WAIVER OF SERVICE OF SUMMONS**

TO: Christopher R.J. Pace, Esq.
Christopher M. Lomax, Esq.
Christina T. Mastrucci, Esq.
Jones Day
600 Brickell Avenue
1 World Plaza
Suite 3300
Miami, Florida 33131.

I received your August 9, 2016 request on behalf of Counter Plaintiffs INDUSTRIAL HEAT, LLC and IPH INTERNATIONAL B.V. to waive service of summons in this action along with a copy of the third party complaint.

I am currently authorized to appear for the limited purpose of waiving personal service of the summonses and third-party complaint, make the representations set forth herein and object to certain notices of subpoenas served and to which objections are due forthwith.

J.M. Products, Inc., Henry Johnson and United States Quantum Leap, LLC (the "Relevant Third Party Defendants") agree to save the expense of serving summons and the third-party complaint in this case.

I understand that the Relevant Third Party Defendants will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that they waive any objections to the absence of summons or of service.

I also understand that the Relevant Third Party Defendants must file and serve an answer or a motion under Federal Rule of Civil Procedure 12 within 60 days from August 9, 2016, the date when the request to waive service was made. If they fail to do so, a default judgment may be entered against the Relevant Third Party Defendants.

[Signature on following page]

Dated: August 13 2016

Respectfully submitted,



Fernando S. Aran
Florida Bar No. 349712
Aran Correa & Guarch, P.A.
255 University Drive
Coral Gables, FL 33134
Telephone: +1.305.665.3400
Facsimile: +1.305.665.2250
E-mail: faran@acg-law.com

*Attorneys for Limited Purpose of Waiving
Service of Summonses and file certain
objection for Third-Party Defendants J.M.
PRODUCTS, INC., HENRY JOHNSON and
UNITED STATES QUANTUM LEAP for*

[Certificate of Service on following page]

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by e-mail on counsel listed below this 15 day of August, 2016.

Christopher R.J. Pace, Esq.
Christopher M. Lomax, Esq.
Christina T. Mastrucci, Esq.
Jones Day
600 Brickell Avenue
Brickell World Plaza
Suite 3300
Miami, Florida 33131

E-mail: crjpace@jonesday.com
E-mail: clomax@jonesday.com
E-mail: cmastrucci@jonesday.com

John W. Annesser, Esq.
Brian W. Chaiken, Esq.
Christopher Perre, Esq.
Perlman, Bajandas, Yevoli & Albright, p.l
283 Catalonia Avenue, Suite 200
Coral Gables, Florida 33134

E-mail: jannesser@pbyalaw.com
E-mail: bchaiken@pbyalaw.com
E-mail: CPerre@pbyalaw.com



Fernando S. Aran