

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 16-cv-21199-ALTONAGA/O'SULLIVAN

ANDREA ROSSI and LEONARDO
CORPORATION,

Plaintiffs,

v.

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

Defendants.

_____ /

ORDER

THIS MATTER is before the Court following an informal discovery hearing held before the undersigned on February 23, 2017. Having held a hearing in this matter and for the reasons stated on the record, it is

ORDERED AND ADJUDGED that the defendant's document that was identified by the plaintiff on November 16, 2016, as potentially privileged, is indeed privileged.

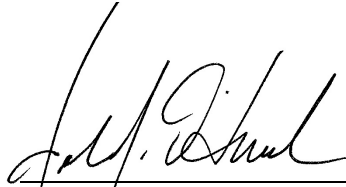
The document may not be used in this litigation and the plaintiff shall return or destroy the document and destroy any copies of the document. It is further

ORDERED AND ADJUDGED that the November 4, 2015, email from Mr. Darden to Mr. Zalli is privileged and may not be used in this matter. The plaintiff shall return or destroy the document and destroy any copies of the document. It is further

ORDERED AND ADJUDGED that the email involving both Mr. Zalli and Mr. Uzi

is not privileged and may be used in this litigation.

DONE AND ORDERED in Chambers at Miami, Florida this 23rd day of February,
2017.

A handwritten signature in black ink, appearing to read "John J. O'Sullivan", written over a horizontal line.

JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE

Copies provided to:
United States District Judge Altonaga
All counsel of record