

# **EXHIBIT 2**

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UNITED STATES DISTRICT COURT  
for the  
Southern District of Florida  
Civil Action No. 1:16-cv-21199-CMA  
ANDREA ROSSI and LEONARDO  
CORPORATION,  
  
Plaintiff,  
  
vs.  
THOMAS DARDEN; JOHN T. VAUGHN;  
INDUSTRIAL HEAT, LLC; et al.,  
  
Defendant.

\_\_\_\_\_/

600 Brickell Avenue  
Miami, Florida  
February 27, 2017  
10:00 a.m.

VIDEO DEPOSITION OF  
KAU-FUI VINCENT WONG, PH.D.

Taken before SUZANNE VITALE, R.P.R., F.P.R.  
and Notary Public for the State of Florida at Large,  
pursuant to Notice of Taking Deposition filed in the  
above cause.

1           After you were contacted about this  
2 case -- actually, when did you do the site  
3 inspection?

4           And then, I'm -- I'm sorry. Let me start  
5 it again.

6           Your work involves, a warehouse facility  
7 located at 7861 Northwest 46th Street in Doral,  
8 Florida, correct?

9           A. It's in Doral, yes. Correct.

10          Q. All right. If I just call that the "Doral  
11 warehouse," will you understand what I'm  
12 referencing?

13          A. Yes.

14          Q. Okay. So how many times have you  
15 visited -- visited the Doral warehouse?

16          A. Once.

17          Q. When was that?

18          A. To be sure, I'm checking my notes. If my  
19 notes are correct, it was that Friday.

20          Q. In terms of forming your report, you state  
21 that you had discussions with Andrea Rossi.

22                 Can you tell me when you had those  
23 discussions?

24          A. The first time I met Andrea Rossi was on  
25 the 10th. Yeah.

1 Q. And when was the -- when was the next time  
2 you met?

3 A. 13th.

4 Q. The 13th?

5 Were those the only two times that you met  
6 with him before finalizing your expert report?

7 A. Yes.

8 Q. How many times have you spoken with  
9 Dr. Rossi other than meeting him in person? For  
10 example, you know, telephone calls, e-mail exchange?

11 A. None.

12 Q. No telephone calls?

13 How about e-mail exchanges?

14 A. Once, only once. He thanked me for  
15 showing up at his client.

16 Q. For the two times that you met with  
17 Dr. Rossi before you finalized your report, did you  
18 take notes of either of those meetings?

19 A. Yes.

20 Q. Do you know if you produced those notes?  
21 Where are those notes maintained?

22 A. In the garbage. In the garbage.

23 Q. And so you threw -- you threw away the  
24 notes?

25 So these were -- and just so I understand,

1 so...

2 Q. But for your purpose in terms of offering  
3 an opinion about a heat exchanger, the facts about  
4 that heat exchanger had to come from Andrea Rossi,  
5 correct?

6 A. Yes.

7 Q. And you wrote down those facts or those --  
8 what Dr. Rossi told you to make sure that you were  
9 going to kind of accurately remember it later?

10 A. Right.

11 Q. All right. And that piece of paper where  
12 you wrote down those notes about meeting with Andrea  
13 Rossi, you subsequently threw that out?

14 A. After I wrote my draft report.

15 Q. Okay. I'm just trying to understand.

16 That, you've thrown out?

17 On the 2nd of February, or the 13th of  
18 February, you met with Andrea Rossi again.

19 How long was that meeting?

20 MR. EVANS: If you know.

21 I just have to warn you again. Any  
22 meetings that you had that included your  
23 attorneys, you don't want to get into the  
24 substance. Just answer the questions strictly.

25 BY MR. PACE:

1 ballpark.

2 Q. Is this confirming inputs that you used  
3 for formulas taken from the engineering toolbox?

4 A. Well, the two voluminous reports. The two  
5 voluminous -- the Fourier's law and the Newton's  
6 law.

7 Q. So, for example, there is --

8 A. There's only two equations.

9 Q. What I was going to say is that for the  
10 Fourier equation, F-O-U-R-I-E-R, there is a number  
11 of inputs that you need for that equation, correct?

12 A. Yes.

13 Q. And you talked to Andrea Rossi about what  
14 values you should use for those inputs, correct?

15 A. What he used. Yeah. Yeah. Fluoridated  
16 water, for instance, what he had used and the  
17 thermal conductivity, I had to make sure that it was  
18 C15 steel as he said it was.

19 Q. When you say -- we'll go into this in much  
20 more detail a little later on, but when you say that  
21 you had to confirm that it was C15 steel as Andrea  
22 Rossi said it was, you were just confirming with him  
23 that that's what he told you before?

24 A. Yes.

25 Q. Okay. I mean, you didn't actually look at

1 the steel itself?

2 A. No.

3 Q. Okay.

4 A. I had to use that to look into the  
5 engineering toolbox, because they have C15 -- they  
6 have other kinds of steel in there.

7 Q. No, I understand.

8 I think your testimony was clear on this,  
9 but I just want to make sure I'm closing the loop on  
10 it, which is, in terms of the meeting on the 2nd  
11 of -- or the 13th of February, other than making  
12 changes directly into your report, you didn't take  
13 any other notes of that meeting with Andrea Rossi?

14 A. Nope. Nope.

15 Q. Were there any documents that Andrea Rossi  
16 relied upon or was looking at when he was talking to  
17 you either on the 10th or the 13th of February?

18 A. No.

19 Q. Did you ask him for any supporting  
20 materials relating to the things he was telling you  
21 about, for example, the heat exchanger?

22 A. No.

23 Q. Your expert report has certain photographs  
24 of the -- from the Doral warehouse.

25 Who took those photographs?

1 Q. You reviewed the expert report of Rick  
2 Smith.

3 Did you review the entire report?

4 A. Yeah.

5 Q. Did you review any exhibits to that  
6 report?

7 A. Meaning photographs and stuff?

8 Q. Whatever was --

9 A. Part of his exhibit, yes.

10 Q. The expert disclosure of Joseph Murray,  
11 you reviewed that expert disclosure in its entirety?

12 A. Yes.

13 Q. Did you review any material that came  
14 along with that disclosure, if you recall?

15 A. If there was, it would be the same, I  
16 think, as part of Penon's report. The whole data  
17 thing, I think, was showing up at different places,  
18 I think. Once I recognize that it was whole bunch  
19 of repeated stuff, I said --

20 Q. Don't need to look at the details of that?

21 A. Exactly, from a human point of view.

22 Q. Let's see if we can establish that as  
23 well, which is, when we talk about the Penon report,  
24 I'm going to mark -- the best thing about marking  
25 some of these exhibits before lunch, we'll have many



1 of them in front of you numbered.

2 (Thereupon, the referred-to document was  
3 marked by the court reporter for Identification as  
4 Defendant's Exhibit 4.)

5 BY MR. PACE:

6 Q. What I'm marking here is Exhibit 4.

7 I take from your reaction that this seems  
8 larger than the report that you reviewed?

9 A. No, this engineering diagram is totally  
10 first time looking at it, sketches. No. I cannot  
11 say for sure this because this looks like the data  
12 I was complaining about.

13 Q. So let's do this, if we can. If you can  
14 just take a minute to look at what I've marked as  
15 Exhibit 4. It may be that what you state is the  
16 Penon report in your report is maybe a subpart of  
17 this, such as the pages with all the data, but if  
18 you can just take a second and see, what is it you  
19 do recognize versus not?

20 A. I recognize -- I think they are the data  
21 which I got separately, but definitely not the front  
22 pages.

23 Q. There are page numbers here on Exhibit  
24 4 --

25 A. One through five, I don't think I have

1 seen. I'm sure I haven't seen one through five, I'm  
2 sure.

3 Q. So for Exhibit 4, you have not previously  
4 seen pages one through five?

5 A. Six to 29, I think I've seen, but in the  
6 strictest sense of the view, they locked up the  
7 whole control room. The data, if you change one  
8 there, you change one there, how would I know.

9 Q. Let me be clear. Pages six through 29 is  
10 data layouts that you believe you've seen before?

11 A. Yes.

12 Q. You did not attempt to analyze the  
13 calculations or the numbers in there to determine if  
14 any of them were accurate or consistent or  
15 inconsistent or anything of that nature?

16 A. Not in that sense. I did go and mark -- I  
17 think it was in Murray's report, Joseph Murray's  
18 report, to see that it was consistent with 24 hours,  
19 that the 1 megawatt was a very prominent number  
20 coming up. 1 megawatt heat generation was recorded  
21 a lot, a lot, so it's not unreasonable. I wasn't  
22 there when the data was taken.

23 So in that sense, I did that. And then  
24 Murray had a plot after -- after inverse  
25 relationship with COP and I saw that and I -- yeah,

1 seen. I'm sure I haven't seen one through five, I'm  
2 sure.

3 Q. So for Exhibit 4, you have not previously  
4 seen pages one through five?

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6 strictest sense of the view, they locked up the  
7 whole control room. The data, if you change one  
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20 coming up. 1 megawatt heat generation was recorded  
21 a lot, a lot, so it's not unreasonable. I wasn't  
22 there when the data was taken.

23 So in that sense, I did that. And then  
24 Murray had a plot after -- after inverse  
25 relationship with COP and I saw that and I -- yeah,

1 a few things just to make sure we've got them clear.  
2 We made a couple of references already this morning  
3 to COP.

4 That's a reference to coefficient of  
5 performance, correct?

6 A. Yes.

7 Q. You made a reference already today to  
8 seeing pipes at the Doral location.

9 You made at least one reference to that,  
10 so I just want to understand.

11 When you were actually at the Doral  
12 location, what pipes or piping did you see?

13 A. I think I'm still basing it on Dr. Rossi's  
14 statement that there was a heat exchanger there and  
15 there were pipes leading to the heat exchanger room.

16 Q. So you didn't see any pipes that -- when  
17 you were there, you didn't see any pipes that were  
18 part of a heat exchanger, for example?

19 A. I wasn't looking out for them. I just --  
20 no.

21 Q. Did you see any pipes running from the  
22 E-Cat unit or plant to any other location?

23 A. No. I didn't look out for them.

24 Q. I understand. I thought you made, and I  
25 may be wrong, I thought you made a reference to

1 prepare yourself for testifying today that you had  
2 not reviewed for the purpose of preparing your  
3 report?

4 A. Oh, yeah. Counsel sent me something.

5 Q. Was that a deposition testimony?

6 A. Yes, Murray.

7 Q. Joseph Murray?

8 A. Murray.

9 Q. I'm sorry. Just forgive me. Joseph  
10 Murray. Okay.

11 We talked a little bit about the Penon  
12 report that you reviewed, at least some of the  
13 numbers from it.

14 Tell me, what do you understand the E-Cat  
15 plant to be that you saw at the Doral warehouse?

16 A. Nothing.

17 Q. I'm sorry. The E-Cat plant is nothing?  
18 You've lost me a little bit. What -- what is --

19 A. I don't know anything about it. I didn't  
20 see it in action. I don't think -- nobody gave me  
21 any effort to explain what it was. I did ask. I  
22 didn't get an answer.

23 Q. Who did you ask? Who did you ask?

24 A. Counsel.

25 Q. Okay. You have at least one

1 opinion relating to a --

2 A. Another reason was because I never claimed  
3 to be an expert, and they didn't want an expert in  
4 that.

5 Q. I'm asking -- perhaps I'm asking at a  
6 higher level. I'm not asking for the details of it  
7 as much as -- I mean, you offered an opinion  
8 relating to a coefficient of performance, correct?

9 A. Yes.

10 Q. And that has to do with, at least in the  
11 context where you're offering it here, the amount of  
12 power going into the system compared to the amount  
13 of power coming out of the system?

14 Power or energy? You can tell me which --

15 A. No. No. Power is just energy per time  
16 rate, same thing.

17 As long as the units are the same  
18 engineering units, are the same in the numerator and  
19 denominator, they cancel out so that the COP is  
20 without dimensions or dimensionless.

21 I think you said that converse, hopefully  
22 not to trick me. The top is what comes out. The  
23 numerator is what comes out.

24 Q. Oh, I'm sorry. I didn't -- I didn't -- I  
25 don't think I talked in terms of numerator and

1 denominator. So let me do that now.

2 A. You did say something. You did.

3 Q. My apologies. I didn't mean. Let me try  
4 this again.

5 You have an opinion about a COP, which you  
6 have defined as the power or energy coming out of  
7 the system over the power or energy coming into a  
8 system.

9 MR. EVANS: Object to form.

10 BY MR. PACE:

11 Q. Is that correct?

12 A. Did he object to it?

13 MR. EVANS: But you can answer.

14 BY MR. PACE:

15 Q. You can answer. It's for the record.  
16 It's something lawyers do for the record. It  
17 doesn't stop you from answering.

18 A. I --

19 Q. If he doesn't want you to answer, he will  
20 instruct you not to answer it.

21 A. The way you phrased it, I defined it. I  
22 used something that, arm's length, the party,  
23 Dr. Rossi and defendants, decided to use. I used  
24 that definition.

25 Q. Okay. I didn't -- I didn't mean to

1 suggest that it was a definition that you are  
2 committing to --

3 A. Okay.

4 Q. -- because they're -- in different  
5 context, there can be different definitions for COP,  
6 correct?

7 All right. So let's see if we can just be  
8 clear here for this purpose. For purposes of your  
9 report, you accepted, as the formula for determining  
10 COP, the energy output divided by the energy input?

11 A. Correct.

12 Q. Okay. And it's your understanding that  
13 the E-Cat plant has both energy that goes into it,  
14 an energy input, and an energy output, correct?

15 A. Yes.

16 Q. All right. What do you understand is the  
17 amount of power or energy that is produced by the --  
18 the E-Cat plant?

19 A. Amount that's produced?

20 Q. Yes, the output.

21 A. 1 meg. 1 megawatt.

22 Q. 1 megawatt. And is that 1 megawatt hour  
23 per hour?

24 A. Megawatt stands for megajoules per second.  
25 So time is already there. Time and units are



1 THE WITNESS: No, except the heat  
2 exchanger. One kind of a heat exchanger, yeah.

3 BY MR. PACE:

4 Q. How about the -- in terms of the E-Cat  
5 plant, how about your experience with the power  
6 plant in Malaysia?

7 Was there similarities in the sense that  
8 doesn't it heat up water?

9 A. Yeah. And like the boiler heats up water,  
10 yeah.

11 Q. In terms of -- the E-Cat units that are to  
12 be producing the energy, did you talk to Andrea  
13 Rossi about that process at all?

14 A. No.

15 Q. Did you talk about whether it was a  
16 chemical process or not?

17 A. No.

18 Q. Did you talk about whether it was a  
19 nuclear process or not?

20 A. No.

21 Q. Okay. What's the first law of  
22 thermodynamics?

23 A. Conservation of energy.

24 Q. And does that mean that --

25 A. Energy can neither be created nor

1 very much on the COP of the heat pump. And when  
2 they sell an air conditioner, reversible air  
3 conditioner that say the heat pump, typically 12,  
4 15, 20 EER. If you go buy three, it's still larger  
5 than one.

6 Q. Looking at page 5 of your report. I'm  
7 talking about page 5 of your report. I'm talking  
8 about the formula that you use on page 5 of your  
9 report.

10 A. Uh-huh.

11 Q. Okay. This is -- the COP -- this formula  
12 of COP is the energy -- is the energy into a plant  
13 versus -- the energy into the E-Cat plant versus the  
14 energy coming out of the E-Cat plant, correct?

15 A. As defined by Rossi.

16 Q. I'm not -- I'm not criticizing or  
17 evaluating your selection of that.

18 I'm just trying to understand. Using this  
19 formula, if there's no nuclear or chemical reaction  
20 going on in the E-Cat plant --

21 A. If there is no reaction.

22 Q. No, I agree, that's an assumption. Take  
23 that as an assumption. Assume there's no chemical  
24 or nuclear --

25 A. Passive. Okay. The word you would use

1 Q. Going back to your report. You've got 22  
2 steel pipes, approximately 10 meters each, interior  
3 dimension, .15-meter.

4 You have never seen those steel pipes,  
5 correct?

6 A. No.

7 Q. Dr. Rossi told you about those steel  
8 pipes, correct?

9 A. Yes.

10 Q. Has anyone else told you about those steel  
11 pipes?

12 A. I discuss with counsel.

13 Q. Okay. Other than counsel and Dr. Rossi,  
14 has anyone else told you about those steel pipes?

15 A. No.

16 Q. Did you ask to see the steel pipes?

17 A. No.

18 Q. Do you know what happened to the steel  
19 pipes?

20 A. No.

21 Q. Did you see any receipts for the purchase  
22 of the steel pipes?

23 A. No.

24 Q. Other than what you've been told by  
25 counsel or Dr. Rossi, do you have any evidence that

1 those steel pipes existed?

2 A. Oh. As a nonprofessional but as a rather  
3 aged human being, it looked to have like something  
4 has been laying on that floor before. You see some  
5 marks or something on that concrete floor.

6 Q. Looking at your Exhibit A-1.

7 A. Yeah. It would be this -- this -- it  
8 would seem as though there was something lying on  
9 top.

10 Q. So other than what you learned from  
11 Dr. Rossi or from counsel, the only evidence you  
12 have as to the -- even the existence of these steel  
13 pipes is looking at the floor in Exhibit A-1, it  
14 appears that something at one point was on the  
15 floor?

16 A. Yes.

17 Q. Okay. Without knowing whether that was  
18 steel pipes, wood, or what exactly was on that  
19 floor?

20 A. Certainly not an office desk.

21 Q. Understood. Something other than an  
22 office desk.

23 Encasement, it says: "Wood panel  
24 insulated with rock wool shaped for thermal and  
25 acoustic insulation."

1 Did you ever see this encasement?

2 A. No.

3 Q. Dr. Rossi told you about this encasement,  
4 correct?

5 A. Yes.

6 Q. Did you have any -- did anyone else tell  
7 you about this encasement?

8 A. No.

9 Q. Did you ever see any receipts for the  
10 encasement?

11 A. No.

12 Q. Did you ever see any design specs for  
13 building the encasement?

14 A. No.

15 Q. Did you ask to see if there was design  
16 specs for building the encasement?

17 A. Design specs, no. I did ask -- I did  
18 discuss with Rossi about the design of the casing.

19 Q. But I -- I'm asking if there's any -- did  
20 you see any paper --

21 A. No paper.

22 Q. -- that demonstrates that this encasement  
23 existed?

24 A. No paper.

25 Q. Did you have see any paper, any diagrams,

1 or drawings for how the steel pipes were supposedly  
2 laid out in this heat exchanger?

3 A. No diagrams.

4 Q. Okay. Any paper at all?

5 A. No paper.

6 Q. All right. Airflow says: "Two fans,  
7 250,000 cubic meters per hour each."

8 MR. EVANS: Object to form.

9 BY MR. PACE:

10 Q. Looking at your report, question one is  
11 did you see those two fans?

12 A. No.

13 Q. Did you ask to see the two fans?

14 A. No. I did ask about the design of the  
15 heat exchanger and how the pipes were laid out.

16 Q. And you asked that of Andrea Rossi?

17 A. Right.

18 Q. And he provided you the explanation?

19 A. Verbally, yes.

20 Q. Okay. I understand.

21 A. I had no reason to doubt that part of it.  
22 If I believed that there was a heat exchanger there,  
23 I believed the arrangement.

24 Q. If you believe there was a heat exchanger,  
25 you would have believed the arrangement for the heat

1 on the bottom at the base of the door?

2 MR. EVANS: Object to form.

3 BY MR. PACE:

4 Q. Looking at Exhibit A-3, the base of the  
5 door, the foot of the door, are we looking at  
6 cement?

7 A. I believe so.

8 Q. So could the pipes have come in -- and  
9 you saw the floor itself. The floor itself is  
10 reflected in Exhibit A-1 and a little bit here in  
11 A-3.

12 How would the pipes have gotten into this  
13 room? Would they have had to come through the door?

14 A. They can come through the walls.

15 Q. They would have had to come through the  
16 walls or the door.

17 A. This is a very narrow for even human  
18 beings. I don't think the pipes came through the  
19 wall -- through this door.

20 Q. Did Dr. Rossi ever explain to you where  
21 the pipes came into the room?

22 A. No, I didn't ask.

23 Q. Do you know where the pipes traced in or  
24 did you know the path that the pipes took from the  
25 first floor to the second floor?

1 A. No.

2 Q. Do you know -- did you ask as to which  
3 wall they ran up along or against?

4 A. No, but I would guess -- guess it's along  
5 the wall from this -- this to underneath somewhere,  
6 on this wall.

7 Q. And why would you guess that?

8 A. That wall is the closest to the reactor, I  
9 think.

10 Q. So if we look at -- if you can look at  
11 Exhibit 2 for me, are you saying that the wall we  
12 see on the right-hand side is the wall you would  
13 expect the reactor to go along?

14 A. I would expect it to be somewhere along  
15 this wall. There's a lot of space where we walked  
16 on this side.

17 Q. Let me -- let me see. If you can get my  
18 Exhibit 2 that I handed you. That's this document I  
19 handed you. Okay.

20 A. I don't remember seeing a black thing,  
21 that's why.

22 Q. No, I understand that.

23 A. I tried to avoid looking at that one.

24 Q. The black -- the black container wasn't  
25 there, but let me --



1 Q. Now, if you look at Exhibit 8, can you see  
2 water hoses there at the end of that serpentine  
3 piping?

4 A. It is not part of the system I'm ready to  
5 discuss about.

6 Q. To your knowledge, when you talked to  
7 Dr. Rossi, and your opinion is only based on the  
8 heated fluid coming from the E-Cat going directly  
9 into a heat exchanger.

10 You have no opinion in terms of a heated  
11 fluid going into that black box and coming out of  
12 the black box and going up to a heat exchanger in  
13 the second story of the Doral warehouse, correct?

14 MR. EVANS: Object to form.

15 THE WITNESS: No opinion at this time.

16 BY MR. PACE:

17 Q. And that's in part because what you see  
18 here in Exhibits 8 and 9 are things that no one told  
19 you about before today or you were aware of,  
20 correct?

21 A. Correct.

22 Q. And that introduces several concepts here,  
23 don't we.

24 We've got added water tubes here. We have  
25 some sort of a filter and valves in these pictures.

1 All of those could affect issues relating  
2 to water coming into the system, water going out of  
3 the system, other impacts on the system itself,  
4 correct?

5 MR. EVANS: Object to form.

6 BY MR. PACE:

7 Q. Is that correct?

8 A. I do not want to opine on that.

9 Q. I'm sorry?

10 A. I do not want to opine on that.

11 Q. So you have no opinion in terms of whether  
12 a heat exchanger was operating or not operating that  
13 would take heat from the black box at the Doral  
14 location up to the second story?

15 A. To be honest, you're asking me about  
16 specific equipment and it's not a general question  
17 and my certification, as a professional engineer in  
18 Florida, I have been trained because of the early  
19 years for registration, instead of taking a course,  
20 we watch the court, engineer's court in which  
21 professional engineers were disciplined for  
22 wrongdoing, for malpractice, for incompetence, for  
23 not showing up at the site. This is exactly one of  
24 the cases I can see myself getting into trouble.

25 I'm opining about something that I'm

1 seeing for the first time on a photograph asking me  
2 about stuff on that. I don't want to get into  
3 trouble for nothing.

4 I was also told by counsel what I was  
5 being hired to opine about, and this wasn't in my  
6 job description.

7 Q. I understand. And so you have no opinion  
8 on that?

9 A. No.

10 Q. And your testimony is that black box that  
11 appears in Exhibit 2 wasn't, in fact, at the Doral  
12 location when you were there, correct?

13 MR. EVANS: Object to form.

14 THE WITNESS: It may have been there. It  
15 wasn't something I was pointed out to take  
16 notice of, you know.

17 BY MR. PACE:

18 Q. Am I correct that you were -- in fact, I  
19 believe you testified that, to your recollection,  
20 even that gray wall --

21 A. Gray wall definitely not there.

22 Q. So in Exhibit 2, there is a gray wall  
23 about 6 feet tall with a white door in it.

24 That was not present when you were at the  
25 Doral location?

1           A.    If it was there, it would be only one  
2 part.  This part I think is missing because I can  
3 see the staircase.

4           Q.    Okay.

5           A.    And for some reason, I'm just reasoning  
6 with my thoughts.  For some reason, I felt I was  
7 going from one room to another, from the reactor to  
8 the other room where workmen were working, so I  
9 think this one was probably still there, but not  
10 this way.

11          Q.    Let me explain because of the camera and  
12 the court reporter.

13                The wall that has the white door in it you  
14 think might still be there?

15          A.    Separating -- the door may not be there,  
16 but separating the reactor and whatever was there,  
17 either empty or was there.

18                I kind of remember it as a separate room.  
19 And the only reason would be because the wall - some  
20 wall was there.

21          Q.    And the wall -- but the wall that runs  
22 towards the back --

23          A.    There was a heat exchanger room.

24          Q.    The short wall that runs towards the back  
25 of that warehouse, you think that was not present?

1 A. Yes.

2 Q. Do you have an opinion -- if there was no  
3 heat exchanger in this warehouse and the E-Cat unit  
4 container was producing the amount of heated fluid  
5 or steam that you were told it was producing, would  
6 you agree then that the warehouse would have gotten  
7 unbearably hot?

8 I'm saying assume no heat exchanger at  
9 all.

10 A. It was probably used to heat some  
11 industrial process.

12 Q. Let's assume that the testimony is that  
13 there wasn't anything else that was absorbing the  
14 heat, so it was -- if there's not a heat exchanger,  
15 it was being discharged into the warehouse.

16 My question for you is only, your opinion  
17 is if the heat exchanger existed, it would be able  
18 to move that heat out of the warehouse?

19 A. Yes.

20 Q. My question to you is, if the heat  
21 exchanger didn't exist, wouldn't that warehouse have  
22 become unbearably hot?

23 MR. EVANS: Object to the form.

24 THE WITNESS: The reactor reacts,  
25 generates heat, even though it's insulated.

1 Dr. Rossi did tell me it was 1,500 degrees  
2 centigrade inside, at least in one spot. But  
3 the control room, I believe, is where -- the  
4 one that was padlocked was there, human beings  
5 would sit, including Dr. Rossi, to take data,  
6 is probably air conditioned.

7 That reactor room would be the hottest.

8 BY MR. PACE:

9 Q. The reactor room would be the hottest and  
10 then it would go out to the rest of the warehouse?

11 A. Whoever would be in the reactor room would  
12 be dead first, if it's not in the control room.

13 Q. Sorry. Say that for me again.

14 A. Somebody in the reactor would be suffering  
15 first and I assume it's Dr. Rossi in the beginning.  
16 If it is the control room -- I believe it's the  
17 control room where all the computers are would be  
18 feeling, very, very uncomfortable.

19 Q. Let's exclude the control room. I'm just  
20 asking for the warehouse, the whole warehouse.

21 If there is 1 megawatt hour per hour of  
22 steam that's being produced in this warehouse and  
23 there is not a -- the heat exchanger that Dr. Rossi  
24 told you about, wouldn't that warehouse have become  
25 unbearably hot?

1           A.    I'm a little wary about opining because I  
2 know Murray opined on that and calculated marble and  
3 everything.

4           Q.    You're getting a little bit to my point.  
5 I'm trying to understand.

6                    When you take issue with Joe Murray's  
7 opinion, it sounds to me like the only issue you're  
8 really taking with Joe Murray's opinion is you're  
9 saying there was a heat exchanger and that he's not  
10 accounting for the heat exchanger?

11                   I need a verbal response.

12           A.    Yes.

13           Q.    You're, otherwise, not taking issue with  
14 Joe Murray's opinion because you haven't evaluated  
15 his opinion.

16                   Solely the issue of does a heat exchanger  
17 exist or not exist, correct?

18                   MR. EVANS:  Object to form.

19                   THE WITNESS:  Correct.

20 BY MR. PACE:

21           Q.    And your sole evidence that a heat  
22 exchanger existed, you've never seen it, you didn't  
23 have no documents that reflect it, you've never seen  
24 any diagrams of how it was set up, it all comes  
25 either from what's been orally communicated to you

1 from either Andrea Rossi or from counsel, correct?

2 A. Yes.

3 Q. I'm just trying to get that clear and  
4 simple on the record. Why don't we take a break?

5 THE VIDEOGRAPHER: We're going off the  
6 record. The time on the video monitor is  
7 3:22 p.m.

8 (Short recess taken.)

9 THE VIDEOGRAPHER: Back on the record.  
10 This marks the beginning of Media Unit No. 3.  
11 The time on the video monitor is 3:35 p.m.

12 BY MR. PACE:

13 Q. Dr. Wong, I want to ask you for a few  
14 minutes here about section 2.2 of your report.

15 A. Okay.

16 Q. So this is a COP -- we talked about this  
17 earlier today.

18 We talked about this earlier today. This  
19 is a COP formula that you were told to use which was  
20 just dividing the energy output of the E-Cat plant  
21 by the energy input of the E-Cat plant; is that  
22 correct?

23 A. Correct.

24 Q. I want to see if I can understand this  
25 correctly.



1 something about it to you; is that correct?

2 MR. EVANS: Object to form.

3 THE WITNESS: No, he introduced  
4 endothermic. Dr. Rossi mentioned some other  
5 thing before the heat exchanger was used.

6 BY MR. PACE:

7 Q. Did he give you any more detail about what  
8 that other thing was?

9 A. It was in passing. I don't follow up.

10 Q. So there's a period of time when the plant  
11 was being operated -- what Dr. Rossi told you is  
12 there was a period of time where the plant was being  
13 operated but the heat exchanger wasn't in place?

14 A. I believe that's what I did hear.

15 Q. I was a little confused by your response  
16 there on A-3, about your Exhibit A-3, because I  
17 thought -- I thought Exhibit A-1 showed the floor.

18 A. Yes, that showed the floor.

19 Q. So what is the floor made out of?

20 MR. EVANS: Object to form.

21 THE WITNESS: That floor I think is  
22 concrete.

23 BY MR. PACE:

24 Q. I thought the question that was asked,  
25 maybe you were just looking at Exhibit 3.

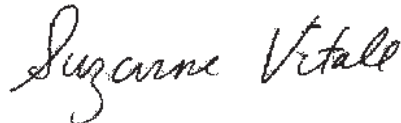
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CERTIFICATE OF OATH

STATE OF FLORIDA )  
COUNTY OF BROWARD )

I, the undersigned authority, certify  
that KAU-FUI VINCENT WONG, PH.D personally  
appeared before me and was duly sworn.

WITNESS my hand and official seal this  
8th day of March, 2017.



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SUZANNE VITALE, R.P.R., F.P.R.  
Notary Public, State of Florida  
My Commission No. DD179981  
Expires: 5/24/2020