

EXHIBIT 28

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

ANDREA ROSSI, et al.,)	
)	
Plaintiffs,)	
v.)	No. 16-cv-21199-CMA (JJO)
)	
THOMAS DARDEN, et al.,)	
)	
Defendants.)	
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DECLARATION OF CHRISTOPHER R.J. PACE

I, Christopher R. J. Pace, Esq., in accordance with 28 U.S.C. § 1746, declare as follows:

1. I am partner in the law firm of Jones Day, located at 600 Brickell Avenue, Suite 3300, Miami, Florida 33131.
2. I represent Defendants Thomas Darden, John T. Vaughn, Industrial Heat, LLC (“IH”), IPH International, B.V. (“IPH”), and Cherokee Investment Partners, LLC in this matter.
3. On behalf of IPH, I drafted a letter to counsel for Plaintiffs Andrea Rossi (“Rossi”) and Leonardo Corporation (“Leonardo”) dated February 17, 2016. I informed Plaintiffs’ attorney John Annesser that pursuant to Section 10 of the License Agreement (the “Agreement”), IPH required that Leonardo and Rossi assign to IPH the Licensed Patents (as defined in the agreement).
4. Section 10 states, in part, that “[u]pon the request of the Company, Leonardo and Rossi shall assign to the Company the Licensed Patents with respect to the Territory...”
5. I enclosed a copy of the assignment to IPH along with the February 17, 2016 letter.

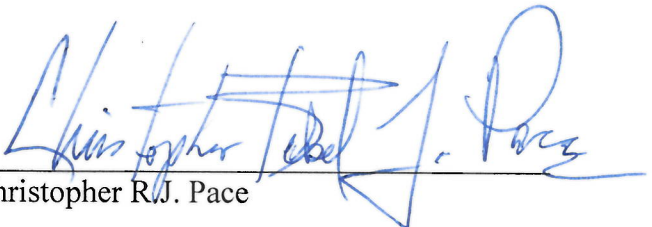
6. Plaintiffs never executed the assignment as requested by letter of February 17, 2016. In addition, John Annesser informed me that Plaintiffs would not be executing the assignment.

7. I have reviewed the following Exhibits to Defendants' Statement of Material Facts in Support of Motion for Summary Judgment, I have knowledge of the contents of these documents, and I attest that these Exhibits are what they purport to be:

- (1) Defendant IH's Responses and Objections to Plaintiff Rossi's Second Set of Interrogatories. (**Exhibit 26**)
- (2) Initial Queries for M. Eng. Fabio Penon as to Measurements of 1 MW Plant. (**Exhibit 65**).
- (3) Fabiani Dep. Ex. 11 (**Exhibit 72**).

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22nd day of March, 2017.


Christopher R.J. Pace