

EXHIBIT 6

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
CASE NO. 1:16-cv-21199-CMA
ANDREA ROSSI, et al.,
Plaintiffs,
v.
THOMAS DARDEN, et al.,
Defendants.
- - - - -x
INDUSTRIAL HEAT, LLC, et al.,
Counter-Plaintiffs,
v.
ANDREA ROSSI, et al.,
Counter-Defendants.
and
J.M. PRODUCTS, et al.,
Third-Party Defendants.
- - - - -x

600 Brickell Avenue, Suite 3300
Miami, Florida
Friday, February 10, 2017
10:11 a.m. - 7:25 p.m.

HIGHLY CONFIDENTIAL TRANSCRIPT
ATTORNEYS' EYES ONLY
VIDEO DEPOSITION OF ANDREA ROSSI

Taken before Janet Baldauf, Registered
Professional Reporter and Notary Public in and for
the State of Florida at Large, pursuant to Notice of
Taking Deposition filed in the above cause.

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<p>1 that?</p> <p>2 MR. PACE: Yes. I'm trying to understand.</p> <p>3 THE WITNESS: You know, these picture are,</p> <p>4 first of all --</p> <p>5 MR. ANNESSER: Just answer his question if</p> <p>6 you understand it. I'm going to object to the</p> <p>7 form because I'm not sure I understand the</p> <p>8 question.</p> <p>9 THE WITNESS: The place where the steam</p> <p>10 became water is not -- is not illustrated by these</p> <p>11 photographs, Attorney.</p> <p>12 BY MR. PACE:</p> <p>13 Q. But it did occur somewhere within the</p> <p>14 container?</p> <p>15 MR. LEON DE LA BARRA: Object to form.</p> <p>16 THE WITNESS: Can you repeat the question.</p> <p>17 BY MR. PACE:</p> <p>18 Q. But the conversion of steam to water</p> <p>19 occurred in the container?</p> <p>20 MR. ANNESSER: Object to form.</p> <p>21 MR. LEON DE LA BARRA: Object to the form.</p> <p>22 THE WITNESS: No.</p> <p>23 BY MR. PACE:</p> <p>24 Q. Where did it occur, outside the container</p> <p>25 then?</p>	<p>1 their names?</p> <p>2 A. No, I don't remember. We are talking of two</p> <p>3 years ago, and they were just guys. In that area, if</p> <p>4 you go there, they have the truck. It's people that</p> <p>5 has a truck that is a small workshop. They have</p> <p>6 everything there. You call them, and they are able to</p> <p>7 do anything. They are able to do whatever you need.</p> <p>8 Q. Who removed it?</p> <p>9 A. Sorry.</p> <p>10 Q. Who removed this heat exchanger that you</p> <p>11 built?</p> <p>12 A. It has been built by pipes --</p> <p>13 Q. No. I'm sorry. My question was who removed</p> <p>14 it?</p> <p>15 MR. LEON DE LA BARRA: Object to form.</p> <p>16 THE WITNESS: I removed it with the help of</p> <p>17 contractors.</p> <p>18 BY MR. PACE:</p> <p>19 Q. Because it doesn't exist any longer at the</p> <p>20 Doral plant?</p> <p>21 A. No because I have used the pieces of it to</p> <p>22 do other things because now it was completely useless.</p> <p>23 Q. Well, it didn't exist at the Doral location</p> <p>24 in February of 2016, did it?</p> <p>25 MR. ANNESSER: Object to the form.</p>
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<p>1 A. Yes.</p> <p>2 Q. Where outside the container?</p> <p>3 A. In a proper heat exchanger that was placed</p> <p>4 not inside the container.</p> <p>5 Q. Where was the heat exchanger?</p> <p>6 A. The heat exchanger was in a proper room that</p> <p>7 is not indicated in this photographs. The steam</p> <p>8 through a pipe is gone in a heat exchanger that is not</p> <p>9 here.</p> <p>10 Q. This heat exchanger, who installed that?</p> <p>11 A. I did.</p> <p>12 Q. Who helped you install it?</p> <p>13 A. Contractors.</p> <p>14 Q. Which contractors?</p> <p>15 A. Well, I use very much flying contractors</p> <p>16 that in that industrial park everyday come to know if</p> <p>17 you need something. I use it to many of them. The</p> <p>18 heat exchanger that I have put down has been made by me</p> <p>19 with their help.</p> <p>20 Q. Okay.</p> <p>21 A. So -- in -- sorry.</p> <p>22 Q. I'm sorry. I interrupted you that time.</p> <p>23 Please finish your answer.</p> <p>24 A. I had finished.</p> <p>25 Q. Do you know their names? Do you know any of</p>	<p>1 THE WITNESS: Can you -- I did not</p> <p>2 understand the question.</p> <p>3 BY MR. PACE:</p> <p>4 Q. Sure. You remember seeing me at the Doral</p> <p>5 warehouse in December 16 of 2016?</p> <p>6 A. I remember.</p> <p>7 Q. The heat exchanger you are talking about now</p> <p>8 had been removed by then, correct?</p> <p>9 MR. ANNESSER: Object to form.</p> <p>10 MR. LEON DE LA BARRA: Join.</p> <p>11 THE WITNESS: I don't understand the</p> <p>12 English. This heat exchanger has been removed</p> <p>13 after the end of the test.</p> <p>14 BY MR. PACE:</p> <p>15 Q. Okay. So it was sometime after</p> <p>16 February 2016?</p> <p>17 A. If this was the question, this is the</p> <p>18 answer. Sorry.</p> <p>19 Q. I'm still a little lost and then we'll take</p> <p>20 a quick break here because we have to move on to some</p> <p>21 other subjects before we end, but you said in Exhibit</p> <p>22 17 --</p> <p>23 A. Yes.</p> <p>24 Q. -- what comes into there, that top pipe,</p> <p>25 what we labeled as pipe number one is steam, correct?</p>

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<p>1 A. I am very sorry. I did not understand the 2 question. 3 Q. Sure. Let's go through this again. In 4 Exhibit 17 -- 5 A. Yes. 6 Q. -- the top pipe in that picture. 7 A. The top pipe, number one, yes. 8 Q. What you call number one. 9 A. Yes. 10 Q. You said what came in there was steam? 11 A. Came in where was steam? Was full of steam. 12 Q. What came in this pipe was steam? 13 A. Yes, yes. It was full of steam. 14 Q. So somewhere the steam had to exit -- your 15 testimony now is that somewhere the steam had to exit 16 this container and go to -- and the heat at least from 17 the steam had to exit the container and be dissipated 18 or sent out of the warehouse; is that correct? 19 A. No. 20 Q. Okay. How would the steam be eliminated 21 from -- 22 A. With a heat exchanger. 23 Q. Let me. If steam came into the container -- 24 A. The steam enters in the container, goes in 25 these four pipes. In this phase we were using only</p>	<p>1 observation of this photography while the photograph in 2 number 16 shows us the right end of the container. 3 Q. Uh-huh. 4 A. But attention, between the 17 and the 16, 5 there is a piece of plant that has not been 6 photographed, you understand. 7 Q. I understand. 8 A. In that area there was the bypass. 9 Q. Okay. And I think we actually -- that's not 10 for this picture -- I've got pictures down the road, 11 but I just want to ask this before we take a break. 12 A. No. The number 18, you have to put the 13 number 18 to follow the logic at the left -- 14 MR. ANNESSER: Dr. Rossi, there is no 15 question. 16 THE WITNESS: You are right and I am stupid. 17 I am very, very stupid. I continue to make the 18 same mistake, and I don't know why. 19 MR. PACE: Dr. Rossi, I'm just going to stop 20 you so that we can get to this and take a quick 21 break. Let me just do this. Exhibit 18. 22 (Thereupon, Photograph was marked for 23 identification as Defendant's Exhibit 18.) 24 THE WITNESS: Okay. 25 BY MR. PACE:</p>
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<p>1 four pipes. In some other phases we use also the other 2 pipes. In this moment we were at the end of the job. 3 We were -- we had in operation only the four pipes. So 4 the steam -- then the steam exited from the container 5 inside a pipe, inside a system of pipe, and run through 6 the place where the heat exchanger was. The heat 7 exchanger exchanged heat between air and steam and cool 8 and the steam. 9 Q. Is it the other side -- then if I'm looking 10 at Exhibit 17, is where the heat -- is where the steam 11 is exiting this container somewhere on the other side 12 of those pipes? 13 A. You -- you -- you can see because this 14 photography does not take the area where there was the 15 bypass. 16 Q. There was a bypass? 17 A. Yes, sir. 18 Q. Where would that -- 19 A. Between the number 17 and the number 16, you 20 have a hole. So the number 16 is not a continuation of 21 the 17 because if I look at the 17 and I look at the 22 16, I have -- first I have to put the 17, and then I 23 have to put the 16 because, as you can see, the 17 has 24 the left side that is the end -- the left end of the 25 container -- looking at the container from the point of</p>	<p>1 Q. When we look at Exhibit 17, we can see in 2 the far left side tubing. 3 A. Exactly. There -- 4 Q. Exhibit 18 -- let me do this. 5 A. Sorry. 6 Q. Exhibit 18 is, in fact, the tubing that we 7 see on the far left in Exhibit 17? 8 A. You are correct. 9 Q. So that was the point you were just making. 10 A. Yes. 11 Q. This tubing is for inserting water, correct? 12 A. No. 13 Q. Okay. So what is it for inserting? 14 A. Nothing. 15 Q. Nothing. So these tubes -- who put these 16 tubes in? 17 A. When you say tubes, you mean these hoses? 18 Q. Yes, sir. 19 A. Because if you say tube, I think to the 20 steam. 21 Q. Correct. I'm sorry. Let me use the phrase 22 you are using. Hoses. 23 A. The hoses are emergency hoses connected with 24 the hydraulic, the hydraulic center of the factory in 25 case of overheating. We never use them in all the year</p>

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1 steam from the --
 2 A. Which one, Counselor?
 3 Q. Actually, all three show the same pipe,
 4 correct?
 5 A. No because --
 6 Q. They are different angles?
 7 A. -- here is also another one.
 8 Q. Let me do it -- I appreciate that. In fact,
 9 same thing on number 25 if you look at the bottom. In
 10 24, 25 and 26 --
 11 A. 24, 25, and 26 they have the common
 12 denominator that is the steam pipe.
 13 Q. And that's the silver encased piping?
 14 A. It is correct.
 15 Q. And that was designed to carry the steam
 16 from the plant over to the JM Products container?
 17 A. Yes.
 18 THE VIDEOGRAPHER: We are at 7 minutes, sir.
 19 BY MR. PACE:
 20 Q. And this pipe has been -- I'm sorry?
 21 A. It's okay.
 22 Q. This piping has now been taken down at the
 23 Doral warehouse, correct?
 24 A. Yes.
 25 Q. Who took it down?

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1 A. I did.
 2 Q. When?
 3 A. After the test, after the sealing of the
 4 test.
 5 Q. Do you know -- was it immediately after, if
 6 you know?
 7 A. I don't remember, but I --
 8 Q. Who assisted?
 9 A. Sorry.
 10 Q. Did anyone assist you in taking down the
 11 piping?
 12 A. Can you repeat the question.
 13 Q. Yes. It's kind of the last question. Did
 14 anyone assist you in taking down the piping?
 15 A. Yes.
 16 Q. Who?
 17 A. Contractors.
 18 Q. Do you know their names?
 19 A. No.
 20 MR. PACE: I think I've run out of time.
 21 THE VIDEOGRAPHER: Here marks the end of
 22 videotape number eight and the deposition. We are
 23 going off the record at 7:25 p.m.
 24 (Thereupon, the taking of the deposition was
 25 concluded at 7:25 p.m. Signature and
 formalities were not waived.)

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1 RE : ROSSI v DARDEN
 DEPO OF: ANDREA ROSSI
 2 TAKEN : 2-23-17
 3
 4 EXCEPT FOR ANY CORRECTIONS
 MADE ON THE ERRATA SHEET BY
 5 ME, I CERTIFY THIS IS A TRUE
 AND ACCURATE TRANSCRIPT.
 6 FURTHER DEPONENT SAYETH NOT.
 7

 8 ANDREA ROSSI
 9
 10 STATE OF FLORIDA)
) SS:
 11 COUNTY OF)
 12
 13 Sworn and subscribed to before me this
 14 _____ day of _____ 2017.
 15 PERSONALLY KNOWN _____ OR I.D. _____
 16
 17

 18 Notary Public in and for
 the State of Florida at Large.
 19
 20
 21 My commission expires:
 22
 23
 24
 25


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1 ERRATA SHEET
 2 RE : ROSSI v DARDEN
 DEPO OF: ANDREA ROSSI
 3 TAKEN : 2-23-17
 4 DO NOT WRITE ON TRANSCRIPT, ENTER ANY CHANGES HERE
 5 Page #| Line #| Change | Reason
 6 _____|_____|_____ | _____
 7 _____|_____|_____ | _____
 8 _____|_____|_____ | _____
 9 _____|_____|_____ | _____
 10 _____|_____|_____ | _____
 11 _____|_____|_____ | _____
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 18 _____|_____|_____ | _____
 19 _____|_____|_____ | _____
 20 _____|_____|_____ | _____
 21 State of Florida)
 County of)
 22
 Under penalties of perjury, I declare that I have
 23 read by deposition transcript, and it is true and
 correct subject to any changes in form or
 24 substance entered here.

 25 Date ANDREA ROSSI

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1 CERTIFICATE OF OATH OF WITNESS
 2
 3 STATE OF FLORIDA
 SS:
 4 COUNTY OF MIAMI-DADE
 5
 6
 7 I, JANET BALDAUF, Registered Professional
 8 Reporter, Florida Professional Reporter and Notary
 9 Public in and for the State of Florida at Large,
 10 certify that the witness, ANDREA ROSSI, personally
 11 appeared before me on 2-23-17 and was duly sworn by
 12 me.
 13 WITNESS my hand and official seal this
 14 23rd day of February 2017.
 15
 16

 17
 18 JANET BALDAUF, RPR, FPR
 Notary Public
 State of Florida at Large
 19
 20 Notary # FF208072
 21 My Commission Expires: 3-31-2019
 22
 23
 24
 25

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1 VERITEXT LEGAL SOLUTIONS
 One Biscayne Tower, Suite 2250
 2 Two South Biscayne Boulevard
 Miami, Florida 33131
 3 (305) 376-8800
 4
 _____, 2017
 5
 6 ANDREA ROSSI
 c/o JOHN W. ANNESSER, ESQUIRE
 Perlman Bajandas Yevoli & Albright, P.L.
 7 283 Catalonia Avenue, Suite 200
 Coral Gables, Florida 33134
 8
 9 RE : ROSSI v DARDEN
 10 DEPO OF: ANDREA ROSSI
 TAKEN : 2-23-17
 11 READ & SIGN BY: Days
 Attn: ANDREA ROSSI:
 12
 13 This letter is to advise you that the transcript
 of the deposition listed above is completed and
 is available for reading and signing.
 14
 15 PLEASE CALL THE ABOVE NUMBER TO MAKE AN APPOINTMENT to
 come to the Veritext office closest to you to read and
 sign the transcript. Our office hours are from 8:30
 16 a.m. to 4:30 p.m., Monday through Friday.
 17 IN THE EVENT OTHER ARRANGEMENTS ARE MADE, please send
 us a list of any and all corrections, signed and
 18 notarized, noting page and line numbers and the reason
 for such changes, so we can furnish all counsel with a
 19 copy of same. If the reading and signing has not been
 completed prior to the referenced date, we shall
 20 conclude that you have waived the reading and signing
 of the deposition
 21 transcript. Your prompt attention to this matter is
 appreciated.
 22
 23 Sincerely,
 24 JANET BALDAUF, RPR, FPR
 25 cc: Counsel of Record

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1 REPORTER'S DEPOSITION CERTIFICATE
 2
 3 I, JANET BALDAUF, Registered Professional
 4 Reporter and Florida Professional Reporter, certify
 5 that I was authorized to and did stenographically
 6 report the deposition of ANDREA ROSSI, the witness
 7 herein on 2-23-17; that a review of the transcript
 8 was requested; that the foregoing pages numbered
 9 from 1 to 296 inclusive is a true and complete
 10 record of my stenographic notes of the deposition by
 11 said witness; and that this computer-assisted
 12 transcript was prepared under my supervision.
 13 I further certify that I am not a
 14 relative, employee, attorney or counsel of any of
 15 the parties, nor am I a relative or employee of any
 16 of the parties' attorney or counsel connected with
 17 the action.
 18 DATED this 23rd day of February 2017.
 19
 20

 21
 22 JANET BALDAUF
 Florida Professional Reporter
 23 Registered Professional Reporter
 24
 25

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1 VERITEXT LEGAL SOLUTIONS
 One Biscayne Tower, Suite 2250
 2 Two South Biscayne Boulevard
 Miami, Florida 33131
 3 (305) 376-8800
 4
 _____, 2017
 5
 6 CHRISTOPHER R.J. PACE, ESQUIRE
 Jones Day
 7 600 Brickell Avenue, Suite 3300
 Miami, Florida 33131
 8
 9 RE : ROSSI v DARDEN
 DEPO OF: ANDREA ROSSI
 TAKEN : 2-23-17
 10 READ & SIGN BY: 30 Days
 11
 Dear Counsel:
 12
 13 The original transcript of the deposition listed
 above is enclosed for your file. The witness
 14 did not waive reading and signing and has been
 sent a letter notifying them to come in and read
 15 and sign their deposition transcript.
 16 The witness will be provided a copy of their
 deposition transcript for reading in our office
 17 should they come in to review the transcript, and
 we will forward to you any corrections made by
 18 the witness at that time, along with an original
 signature page which should be attached to the
 19 original transcript which is in your possession.
 20
 21 Sincerely,
 22
 23 JANET BALDAUF, RPR, FPR
 24
 25

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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