

# **EXHIBIT 7**

HIGHLY CONFIDENTIAL PORTIONS-ATTORNEYS' EYES ONLY

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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 24, 2016  
10:17 a.m.- 7:56 p.m.

CONFIDENTIAL TRANSCRIPT  
PORTIONS OF TRANSCRIPT HIGHLY CONFIDENTIAL  
ATTORNEYS' EYES ONLY

VIDEO DEPOSITION OF LEONARDO CORPORATION  
THROUGH ANDREA ROSSI  
Taken before Edward Varkonyi, Registered  
Merit Reporter and Notary Public for the State of  
Florida at Large, pursuant to Notice of Taking  
Deposition filed in the above cause.

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1 A. No, through a bypass. Yes, through a  
 2 bypass that -- yes, in any case, yes, the steam  
 3 arrived -- this is the steam that run inside these  
 4 pipes arrived from the Leonardo -- Leonardo's plant,  
 5 yes, sir.  
 6 Q. So the cylinders you were just referring  
 7 to or the reactors, can we see where in the piping --  
 8 just where in the piping they would be here? Can you  
 9 tell me which pipe they would be in?  
 10 A. All the insulated pipes that you can see.  
 11 Q. Okay. So there is reactors on four  
 12 levels of pipes that show up --  
 13 MR. ANNESSER: Object to form.  
 14 MR. LEON DE LA BARRA: Join.  
 15 THE WITNESS: When this photos has been  
 16 taken, yes.  
 17 BY MR. PACE:  
 18 Q. Okay. In those reactors were containers,  
 19 they might have graphene in them or they might have  
 20 platinum sponge in them?  
 21 MR. ANNESSER: Object to form.  
 22 THE WITNESS: There was only -- there was  
 23 only a couple of them with the platinum sponge  
 24 and --  
 25 BY MR. PACE:

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1 Q. How many of them with graphene?  
 2 MR. ANNESSER: Object to form.  
 3 MR. LEON DE LA BARRA: Join in that  
 4 objection.  
 5 THE WITNESS: Around 30.  
 6 BY MR. PACE:  
 7 Q. And you removed -- you removed and  
 8 checked at least the platinum sponge containers but  
 9 for the cylinders that had the graphene in them, is  
 10 it the same situation, which is every so often you  
 11 had to pull them out of this tubing and check them?  
 12 A. Yes.  
 13 Q. All right. And to do that did anyone  
 14 ever assist you in checking the cylinders?  
 15 A. No.  
 16 Q. Was anyone ever in the container with you  
 17 when you checked the cylinders?  
 18 MR. ANNESSER: Object to form.  
 19 MR. LEON DE LA BARRA: Object to form.  
 20 THE WITNESS: No.  
 21 BY MR. PACE:  
 22 Q. How did you turn off the steam coming  
 23 over to J.M. Products so you could check the  
 24 cylinders?  
 25 MR. ANNESSER: Object to form.

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1 MR. LEON DE LA BARRA: Object to form.  
 2 THE WITNESS: Can you repeat the  
 3 question?  
 4 BY MR. PACE:  
 5 Q. Sure. You couldn't physically go in  
 6 there and remove the cylinders while what you have --  
 7 you are saying is 103 or 100 degree Celsius steam  
 8 coming through those pipes, you can't reach in there  
 9 and take a cylinder out of it and then put it back  
 10 in, can you?  
 11 A. Yes.  
 12 Q. The steam -- so --  
 13 A. No, the steam was bypassed.  
 14 Q. Bypassed how?  
 15 A. It was bypassed. We had a bypass.  
 16 Q. There was a bypass located up where the  
 17 steam was coming into the container?  
 18 A. Yes. The bypass was located in -- just  
 19 behind the wall there was a bypass.  
 20 Q. Behind -- if we look at Exhibit 12 --  
 21 A. Yes.  
 22 Q. -- behind the gray wall?  
 23 A. Yes, behind this we had a bypass and the  
 24 bypass allowed the steam in part or in total to the  
 25 plant or all the steam out from the plant.

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1 Q. So the steam would be bypassed, it would  
 2 either just be released into the warehouse or it  
 3 would be circled back into the --  
 4 MR. LEON DE LA BARRA: Object to form.  
 5 MR. ANNESSER: Object to form.  
 6 THE WITNESS: No, it could not be  
 7 released in the warehouse. The steam was sent  
 8 to the heat exchanger that we had, that I  
 9 explained to you the last time when I -- in my  
 10 former deposition.  
 11 So we had a bypass there that could  
 12 either allow part or total -- on total the steam  
 13 because I did not know how much -- how much  
 14 steam it could be necessary in the various  
 15 phases so we had a bypass that --  
 16 BY MR. PACE:  
 17 Q. Who?  
 18 A. Sorry.  
 19 Q. Who built the bypass?  
 20 A. We did it, because the bypass is made by  
 21 pipes with a butterfly.  
 22 Q. But who is we?  
 23 A. I, with the help of contractors.  
 24 Q. And are they the same contractors who  
 25 built the heat exchanger?

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1 A. You know, there was not the same  
 2 contractors because sometime we had some contractor  
 3 that -- that we call it from outside, but in that  
 4 industrial area mainly in that period every day  
 5 arrived guys with trucks that were ambulant --  
 6 ambulant workshops, you know, with welders, et  
 7 cetera.  
 8 And they knocked at the door saying you  
 9 need help, et cetera, et cetera and I use it many,  
 10 many times those guys because they are very well  
 11 skilled, very good and I -- and also the advantage is  
 12 they were not curious. They just wanted to work. So  
 13 under -- I myself, I work with them and we made this  
 14 piping system. I bought pipes and we made all the  
 15 connections.  
 16 Q. And pipes as well as fans, correct? You  
 17 had fans for your heat exchanger?  
 18 A. Yes.  
 19 Q. You had to have the heat exchangers  
 20 themselves, correct?  
 21 A. Yes.  
 22 Q. Who paid for that?  
 23 A. Leonardo Corporation.  
 24 Q. Leonardo Corporation?  
 25 A. Yes.

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1 Q. Are there records reflecting those  
 2 purchases by Leonardo Corporation?  
 3 MR. ANNESSER: Object to the form.  
 4 THE WITNESS: I suppose so, yes.  
 5 BY MR. PACE:  
 6 Q. So there is records you assume that  
 7 reflect purchasing heat exchangers?  
 8 A. No, the heat exchangers are pipes. I  
 9 bought pipes.  
 10 Q. How about the fans, are there records  
 11 reflecting the fans?  
 12 A. Yes.  
 13 Q. Because those would have to be pretty big  
 14 fans that were done, correct?  
 15 A. I had two fans with a total capacity  
 16 of -- within the fan of the heat exchanger.  
 17 Q. The fans for the heat exchanger, those  
 18 would be pretty bag fans?  
 19 A. They had the capacity necessary to move  
 20 the air that had to be moved.  
 21 Q. And did you testify before that the way  
 22 of getting the heat out was through the second story  
 23 office?  
 24 A. No, it was not an office.  
 25 MR. ANNESSER: Object to form.

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1 BY MR. PACE:  
 2 Q. Office. Second story space?  
 3 A. Now it's becoming an office. Then was  
 4 a -- basically was a pretty big -- pretty big, I  
 5 would say workshop that we had in the second level.  
 6 Q. You said we had. We had being that  
 7 second level?  
 8 A. We is --  
 9 Q. Is there no distinction really in this  
 10 context between Leonardo and J.M. Products --  
 11 MR. LEON DE LA BARRA: Object to form.  
 12 BY MR. PACE:  
 13 Q. -- just space you worked?  
 14 MR. ANNESSER: Object to form.  
 15 THE WITNESS: No, no. When I say we is  
 16 because I worked with the contractors with, you  
 17 know, when I -- I was not alone there. So when  
 18 I say we, it's because it was -- there was not  
 19 only me. I was with contractors, et cetera.  
 20 And Jim Bass also sometimes for other  
 21 things, et cetera, et cetera. So I say we for  
 22 my -- it is my custom to say we and not I.  
 23 BY MR. PACE:  
 24 Q. And up in this second story your  
 25 testimony I think was that to get the heat out you --

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1 you or somebody knocked out the window on the second  
 2 story?  
 3 A. Yes, the second floor we had big windows  
 4 and we had to remove it completely one. Now we have  
 5 reset everything because we're making offices there.  
 6 Q. So Leonardo paid for the piping --  
 7 A. Yes.  
 8 Q. -- that was used for the heat exchanger?  
 9 Leonardo paid for the workers that did the work?  
 10 A. Yes.  
 11 MR. ANNESSER: Object to the form.  
 12 BY MR. PACE:  
 13 Q. Leonardo paid for the fans that were used  
 14 for the heat exchanger system?  
 15 MR. ANNESSER: Object to form.  
 16 THE WITNESS: Yes.  
 17 BY MR. PACE:  
 18 Q. And this heat exchanger, the bypass, I am  
 19 just trying to understand. We have both a bypass --  
 20 I'm sorry.  
 21 Is it your testimony -- is the testimony  
 22 that the piping for this heat exchanger ran along the  
 23 side of the wall where the -- essentially this wall  
 24 here that we see in Exhibit 12, but just on the J.M.  
 25 Products side?

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Page 270	<p>1 A. Yes.</p> <p>2 Q. Did it go straight up and then straight</p> <p>3 over to the --</p> <p>4 A. It's impossible --</p> <p>5 Q. -- loft?</p> <p>6 A. -- to answer this way because there was a</p> <p>7 design and the bypass was run along the -- if we look</p> <p>8 at this wall from the side of Leonardo, if we look</p> <p>9 from here on, this run through the right -- yeah.</p> <p>10 Q. So if we're looking at Exhibit 10 now?</p> <p>11 A. Yeah, this run along the -- this run down</p> <p>12 and then along the right side of the plant of J.M.,</p> <p>13 with the transmissions to the bypass. To the bypass</p> <p>14 that was on the flank and also -- and also there was</p> <p>15 the frontal connection for the inlet of the steam.</p> <p>16 Q. So by this picture that you have there</p> <p>17 that is Exhibit 10, is this after the heat exchanger</p> <p>18 was removed from the warehouse or before?</p> <p>19 A. I cannot -- I cannot say from this</p> <p>20 photos. It could be -- no, this photo has been made</p> <p>21 before.</p> <p>22 Q. Before the heat exchanger was put into</p> <p>23 place?</p> <p>24 A. No.</p> <p>25 MR. ANNESSER: Object to the form.</p>	Page 272	<p>1 A. I did.</p> <p>2 Q. When did you remove that piping?</p> <p>3 A. After the end of the test.</p> <p>4 Q. Where is that piping now?</p> <p>5 A. We use it to make other things. I</p> <p>6 recovered all the pieces that were not -- no more</p> <p>7 necessary to make other things and the heat</p> <p>8 exchanger -- all the pipes of the heat exchanger have</p> <p>9 been recovered to make other things and that space</p> <p>10 now is becoming offices.</p> <p>11 Q. Let's see if I understand. You are</p> <p>12 looking there at Exhibit 10, there is a pipe there in</p> <p>13 Exhibit 10 that we see that is the pipe you are</p> <p>14 saying was carrying the output of the E-Cats over to</p> <p>15 the J.M. Products side of the Doral warehouse,</p> <p>16 correct?</p> <p>17 MR. ANNESSER: Object to the form.</p> <p>18 BY MR. PACE:</p> <p>19 Q. That's what we see there?</p> <p>20 A. You should repeat speaking if possible a</p> <p>21 little bit slower.</p> <p>22 Q. Sure, certainly will. There in Exhibit</p> <p>23 10 we see insulated pipe --</p> <p>24 A. Yeah.</p> <p>25 Q. -- that is carrying the output of the</p>
Page 271	<p>1 THE WITNESS: No, this photo has been</p> <p>2 made before it has been dismantled. This photo</p> <p>3 has been made -- this photo has been made when</p> <p>4 the heat exchanger was in operation.</p> <p>5 BY MR. PACE:</p> <p>6 Q. So the heat exchanger was in operation</p> <p>7 when that photo was made. You recognize that photo</p> <p>8 having been made when?</p> <p>9 MR. ANNESSER: Object to form.</p> <p>10 THE WITNESS: I don't know, you did it.</p> <p>11 BY MR. PACE:</p> <p>12 Q. How do you know the heat exchanger was in</p> <p>13 place then? That's what I don't understand.</p> <p>14 A. Because we had the plant in operation</p> <p>15 because when the plant stopped to be in operation all</p> <p>16 this piping has been removed.</p> <p>17 Q. I understand. I will actually come to</p> <p>18 that in just a second. Simply because the pipe is</p> <p>19 there --</p> <p>20 A. I suspect that this photos have been made</p> <p>21 the last day of the test. I suspect.</p> <p>22 Q. You understand the last day of the test</p> <p>23 the heat exchanger was still there?</p> <p>24 A. Of course.</p> <p>25 Q. Who removed that piping?</p>	Page 273	<p>1 E-Cat plant over to the J.M. Products side of the</p> <p>2 Doral warehouse, correct?</p> <p>3 A. Yes.</p> <p>4 Q. That has now been -- you removed that</p> <p>5 pipe after -- sometime after February 16 of 2016,</p> <p>6 correct?</p> <p>7 MR. ANNESSER: Object to form.</p> <p>8 THE WITNESS: Correct.</p> <p>9 BY MR. PACE:</p> <p>10 Q. And you have repurposed that piping or</p> <p>11 you now are using that piping for another purpose?</p> <p>12 MR. ANNESSER: Object to the form.</p> <p>13 THE WITNESS: It's correct.</p> <p>14 BY MR. PACE:</p> <p>15 Q. And you didn't maintain the pipe, you</p> <p>16 didn't maintain the insulation, it's been put to</p> <p>17 another use?</p> <p>18 MR. ANNESSER: Object to form.</p> <p>19 THE WITNESS: (Nods head.)</p> <p>20 BY MR. PACE:</p> <p>21 Q. The heat exchanger no longer exists at</p> <p>22 the Doral location, correct?</p> <p>23 A. Correct.</p> <p>24 Q. The piping that was used for the heat</p> <p>25 exchanger you have now put to another use, you didn't</p>

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<p style="text-align: right;">Page 310</p> <p>1 do it.</p> <p>2 BY MR. PACE:</p> <p>3 Q. Okay.</p> <p>4 A. Never happened that they told me to pay a</p> <p>5 tax and I did not pay for it. Never happened.</p> <p>6 You know, I can understand him because</p> <p>7 when it comes to accounting to get bored is normal.</p> <p>8 Q. Ten minutes left. I have a variety of</p> <p>9 wrap-up questions. I may have asked you this before</p> <p>10 but I am not sure I did, so I want to make sure I got</p> <p>11 it clear.</p> <p>12 I know you testified that the E-Cat 1000</p> <p>13 were the big Frankies?</p> <p>14 A. Yes.</p> <p>15 Q. The E-Cat 100s are the smaller E-Cat</p> <p>16 units?</p> <p>17 MR. ANNESSER: Object to form.</p> <p>18 THE WITNESS: You know, all this, there</p> <p>19 is not a precise definition. Usually, yes, yes,</p> <p>20 we say the 1000 was the big ones. I don't</p> <p>21 remember to have defined 100 maybe.</p> <p>22 Usually I defined E-Cats by the photo or</p> <p>23 the smaller units, while the big ones were</p> <p>24 either big Frankies. The correct denomination</p> <p>25 should be 250 E-Cats, because it's the rating.</p>	<p style="text-align: right;">Page 312</p> <p>1 Q. Okay. And then at times at least in</p> <p>2 connection with some of the big Frankies you would do</p> <p>3 that, you would regulate the amount of water or</p> <p>4 electricity going into them.</p> <p>5 But do I understand correctly that in</p> <p>6 terms of the COP being created by one of the E-Cat</p> <p>7 units, you never took any methods to regulate that,</p> <p>8 to lower that or to increase it above, like you kind</p> <p>9 of tried to get the best you could, the best COP you</p> <p>10 could out of each unit all the time; is that</p> <p>11 correct?</p> <p>12 MR. ANNESSER: Object to form.</p> <p>13 THE WITNESS: Yes.</p> <p>14 BY MR. PACE:</p> <p>15 Q. Okay. I am talking about the difference</p> <p>16 between the power output. So you can regulate the</p> <p>17 power output but you didn't regulate the COP?</p> <p>18 A. COP is -- it's still a known harnessed</p> <p>19 horse. A known harnessed horse. To harness.</p> <p>20 MR. LEON DE LA BARRA: Harness.</p> <p>21 BY MR. PACE:</p> <p>22 Q. A hard to harness horse?</p> <p>23 A. Yes.</p> <p>24 Q. Wow. At the end of a deposition you</p> <p>25 should try for much easier phrases like hello kitty.</p>
<p style="text-align: right;">Page 311</p> <p>1 BY MR. PACE:</p> <p>2 Q. That's how many kilowatts the big Frankie</p> <p>3 can put out?</p> <p>4 A. It's the rating.</p> <p>5 MR. ANNESSER: Object to form,</p> <p>6 mischaracterization.</p> <p>7 BY MR. PACE:</p> <p>8 Q. You testified earlier today that there is</p> <p>9 an ability to regulate the power output of the big</p> <p>10 Frankie by regulating the amount of electricity or</p> <p>11 the amount of water that goes into the big Frankie.</p> <p>12 But am I correct that there is no way --</p> <p>13 that you didn't have a way of -- let me rephrase</p> <p>14 this. That you never attempted to regulate or modify</p> <p>15 the COP of one of the big Frankies?</p> <p>16 A. Can you just either split the question?</p> <p>17 Q. Break apart?</p> <p>18 A. Yes.</p> <p>19 Q. I am trying to separate between power and</p> <p>20 COP. You testified earlier today that the amount of</p> <p>21 power that a big Frankie puts out or an E-Cat unit</p> <p>22 puts out can be regulated by controlling the amount</p> <p>23 of water that would go in there or the amount of</p> <p>24 electricity, correct?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 313</p> <p>1 It's hard to regulate the COP of an E-Cat?</p> <p>2 A. If not impossible.</p> <p>3 Q. If not impossible?</p> <p>4 A. In good and in bad.</p> <p>5 Q. I think my only other questions are</p> <p>6 during the course of the testing that was being done</p> <p>7 in Doral, Florida, did you ever change the fuel or</p> <p>8 charge in any of the E-Cat reactors?</p> <p>9 A. I made tests. I did.</p> <p>10 Q. You changed the fuel in some of the</p> <p>11 reactors?</p> <p>12 A. Not changed but made some test, some</p> <p>13 injections.</p> <p>14 Q. I'm not quite sure what that means. Does</p> <p>15 that mean you took samples of it or did you make --</p> <p>16 A. No, the contrary. The contrary. I have</p> <p>17 injected some materials to make tests, to make</p> <p>18 experiments.</p> <p>19 Q. You have extracted some of the fuel from</p> <p>20 the E-Cat reactors to run other experiments?</p> <p>21 MR. ANNESSER: Object to form.</p> <p>22 THE WITNESS: No.</p> <p>23 BY MR. PACE:</p> <p>24 Q. I'm missing it. I'm sorry.</p> <p>25 A. The contrary. I have injected. To</p>

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COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

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