

---

**From:** Tom Darden <tdarden@cherokeefund.com>  
**Sent:** Friday, April 19, 2013 5:25 PM  
**To:** eon333@libero.it; jvaughn@cherokeefund.com; jmazzarino@cherokeefund.com  
**Subject:** Re: R: Re: R: Re: R: Re: Andrea Rossi

Thanks for these comments; and also, I completely agree about the relative importance of the two tests, ie the professors' test is more important than our test. So, we broadly agree. We will figure out a resolution, I am sure. These issues are important for third parties and outsiders more than us, because they have to do with appearances. We obviously are more concerned about reality, as are you, so the professors' test satisfies this greatly. We will get through this. Thanks.

Thomas F Darden  
Cherokee  
[www.cherokeefund.com](http://www.cherokeefund.com)  
919 743 2506 w  
919 522 4095 c

---

**From:** [eon333@libero.it](mailto:eon333@libero.it) <[eon333@libero.it](mailto:eon333@libero.it)>  
**To:** [tdarden@cherokeefund.com](mailto:tdarden@cherokeefund.com) <[tdarden@cherokeefund.com](mailto:tdarden@cherokeefund.com)>; [jvaughn@cherokeefund.com](mailto:jvaughn@cherokeefund.com) <[jvaughn@cherokeefund.com](mailto:jvaughn@cherokeefund.com)>; [jmazzarino@cherokeefund.com](mailto:jmazzarino@cherokeefund.com) <[jmazzarino@cherokeefund.com](mailto:jmazzarino@cherokeefund.com)>  
**Sent:** Fri Apr 19 17:04:42 2013  
**Subject:** R: Re: R: Re: R: Re: Andrea Rossi

Dear Tom:

----Messaggio originale----

Da: [tdarden@cherokeefund.com](mailto:tdarden@cherokeefund.com)  
Data: 19/04/2013 22.44  
A: <[eon333@libero.it](mailto:eon333@libero.it)>  
Cc: <[jvaughn@industrialheat.co](mailto:jvaughn@industrialheat.co)>  
Ogg: Re: R: Re: R: Re: Andrea Rossi

First, I'll say I'm sure we can do something to solve this issue, so let's think together about a positive solution. This issue of what company certifies the test is very important to our process. In fact, the credibility of the company is the most important issue.

Our big problem is one of disclosure to the outside world and also to our investors. We have said BV to investors, and this will affect legal issues as well as credibility later with the outside world, greatly. We will have to change all our legal documents. And, we will lose credibility when we go to expand the business.

WELL, THE CONTRACT WITH THE ENG. PENON WILL REFER TO THE WORK IN COURSE WITH BV. IT IS A FORMALITY.

YOU WILL ALSO ADD TO YOUR INVESTOR THE REPORT OF THE THIRD INDEPENDENT PARTY: IT WILL BE SURELY PUBLISHED BEFORE THE TEST, AND IT IS MUCH MORE IMPORTANT, DUE TO THE LEVEL OF THE PROFESSORS INVOLVED. AS I SAID, B.V. CANNOT MAKE THIS KIND OF TEST, BECAUSE IT SHOULD BE A PRODUCT PERFORMANCE CERTIFICATION, WHICH HAS A

PROTOCOL THAT REQUESTS MONTHS OF WORK. I WANT NOT TO MAKE THIS KIND OF CERTIFICATION, AND LIMITED THE BV CERTIFICATION TO THE SAFETY, BECAUSE THEY CANNOT CERTIFY A PRODUCT WITHOUT KNOWING HOW IT WORKS, AND I CANNOT EXPLAIN TO THEM HOW IT WORKS. I AM SORRY FOR THE MISUNDERSTANDING, BUT WHEN I ALWAYS SAID "BV" I THOUGHT TO THE GUY WHO IS DIRECTING THEIR SAFETY CERTIFICATION. HE HAS NOT DIFFICULTY TO PUT IN THE CONTRACT THAT THE TEST WILL BE MADE ON THE SAME PLANT THAT BUREAU OF VERITAS IS PERFORMING, UNDER HIS DIRECTION, THE SAFETY CERTIFICATION, FOR EXAMPLE. THIS MAYBE WILL RESOLVE THE PROBLEM, BECAUSE YOU WILL ADD WHAT THEY DO NOT EXPECT: A THIRD PARTY CERTIFICATION OF A TEST OF 120 HOURS MADE BY PROFESSORS OF THE SWEDISH ACADEMY OF SCIENCE AND OTHER PROFESSORS FROM THE WORLD.

We are happy to contact BV directly to discuss using them. Or, we can do so together. We would need contact information at BV for us to begin seeing if they will perform an energy test. BV can use Penon if they want, ie we have no issue with him, we just want their certification on this. An alternative would be TUV, and I'm sure there are others as well.

NO ONE OF THEM WILL MAKE A PRODUCT CERTIFICATION WITHOUT A KNOWLEDGE OF THE PRODUCT BUT THE ISSUE CAN BE RESOLVED INTEGRATING THE TEST REPORT WITH THE THIRD PARTY TEST REPORT. TODAY I KNEW FROM THE PROFESSORS THAT THE REPORT WILL BE PUBLISHED THE NEXT WEEK.

It is important that it be an internationally recognized independent company, and not an individual person.

IT IS ANYWAY AN INDIOPENDENT PROFESSIONAL WHO WORKS WITH BV AND CAN CERTIFY IT, AND THIS, COUPLED WITH THE THIRD PARTY REPORT SHOULD RESOLVE THE ISSUE. THE FACT THAT THE REPORT OF THE THIRD INDIOPENDENT PARTY HAS NOT BEEN DONE SPECIFICALLY FOR YOUR COMPANY, BUT FOR THE SCIENTIFIC WORLD MAKES IT MORE CONVINCING.

IF YOU WANT I CAN CALL YOU, OR YOU CAN CALL ME, I AM WORKING  
+39 339 820 4927  
WARMEST REGARDS,  
ANDREA

I can speak in person about this now, I am at Dulles. I am cc'ing JT also.

Thomas F Darden  
Cherokee  
[www.cherokeefund.com](http://www.cherokeefund.com)  
919 743 2506 w  
919 522 4095 c

**From:** [eon333@libero.it](mailto:eon333@libero.it) <[eon333@libero.it](mailto:eon333@libero.it)>  
**To:** [tdarden@cherokeefund.com](mailto:tdarden@cherokeefund.com) <[tdarden@cherokeefund.com](mailto:tdarden@cherokeefund.com)>  
**Sent:** Fri Apr 19 16:12:55 2013  
**Subject:** R: Re: R: Re: Andrea Rossi

Dear Tom:

Eng. Penon is a specialist that works for BV in the safety certification of our plants. He is the one that contacted me to propose that B.V. make the safety certification for us and he is the person that led the procedure to make us sign the contract with B.V. to make the safety certification. BV does not make tests of the kind we have to make in 24 hours, they are a safety and product certifiers, along protocols that are months long. Eng. Penon, as you see from the C.V. is a specialist that works with BV and respects the characteristics described in our Agreement. He knows well our plant because he is working on the certification of it and gives us all total security regarding the confidentiality. When I talk with B.V. I talk with him and he is the one who is actually leading the certification process. He is the best person possible to make this test. Our Agreement says the ERV must be of trust of Leonardo and the Company, therefore, if you do not want him we have to change, but, again, it is very difficult to find somebody with more experience than him in this technology. By the way, he already took part to the independent third party test, as specialist for the safety certification, due to his experience working with B.V. in the certification of our plant. He uses certified instrumentations, and the next week will come to analyze the plant to prepare the measurements; we will make a preliminary test with him to check that all is ok, basically we will make the same test we will make with you, to leave nothing to the case. He will check everything and has prepared everything necessary for the measurements. Please read carefully his C.V.

Warm Regards,  
Andrea

---Messaggio originale---  
Da: [tdarden@cherokeefund.com](mailto:tdarden@cherokeefund.com)  
Data: 19/04/2013 21.11  
A: <[eon333@libero.it](mailto:eon333@libero.it)>  
Ogg: Re: R: Re: Andrea Rossi

Just checking--BV is certifying the test, but he is their employee? We need the BV contract also. Thanks.  
Thomas F Darden  
Cherokee  
[www.cherokeefund.com](http://www.cherokeefund.com)  
919 743 2506 w  
919 522 4095 c

---

**From:** [eon333@libero.it](mailto:eon333@libero.it) <[eon333@libero.it](mailto:eon333@libero.it)>  
**To:** [jvaughn@cherokeefund.com](mailto:jvaughn@cherokeefund.com) <[jvaughn@cherokeefund.com](mailto:jvaughn@cherokeefund.com)>  
**Cc:** Tom Darden <[tdarden@cherokeefund.com](mailto:tdarden@cherokeefund.com)>; John Mazzarino <[jmazzarino@cherokeefund.com](mailto:jmazzarino@cherokeefund.com)>; [fabioopenon@iol.it](mailto:fabioopenon@iol.it) <[fabioopenon@iol.it](mailto:fabioopenon@iol.it)>  
**Sent:** Fri Apr 19 11:34:17 2013  
**Subject:** R: Re: Andrea Rossi

Thanks to you all, see you soon on the battlefield !

Warmest Regards,  
Andrea

----Messaggio originale----

Da: [jvaughn@cherokeefund.com](mailto:jvaughn@cherokeefund.com)

Data: 19/04/2013 15.12

A: "[con333@libero.it](mailto:con333@libero.it)" <[con333@libero.it](mailto:con333@libero.it)>

Cc: "Tom Darden" <[tdarden@cherokeefund.com](mailto:tdarden@cherokeefund.com)>, "John Mazzarino" <[jmazzarino@cherokeefund.com](mailto:jmazzarino@cherokeefund.com)>, <[fabioopenon@iol.it](mailto:fabioopenon@iol.it)>

Ogg: Re: Andrea Rossi

Thanks very much Andrea.

On Fri, Apr 19, 2013 at 8:19 AM, [con333@libero.it](mailto:con333@libero.it) <[con333@libero.it](mailto:con333@libero.it)> wrote:

Dear Friends,

Please find in the attachment the C.V. of the ERV.

You can contact him when you want:

[fabioopenon@iol.it](mailto:fabioopenon@iol.it)

ph # + 39 049 81 11 11

He also is reading in copy.

He will attend the test through all the 24 hours.

He has received the abstract of our Agreement regarding the test protocol.

His fee will be 10 000 Euro, and it will be invoiced from him as follows:

50% to Industrial Heat Co.

50% to Leonardo Corporation

The payment of his fee is due by May 5th, upon invoice receipt.

Warmest Regards,

Andrea

--

JT Vaughn

CHEROKEE

111 E. Hargett St., Suite 300

Raleigh, NC 27601

[cherokeefund.com](http://cherokeefund.com)

[cherokeechallenge.com](http://cherokeechallenge.com)

919-743-5727 t

919-649-5299 m

[@jt\\_vaughn](mailto:@jt_vaughn)

[jvaughn@cherokeefund.com](mailto:jvaughn@cherokeefund.com)

THIS ELECTRONIC TRANSMISSION IS DIRECTED TO ITS INTENDED RECIPIENT ONLY AND MAY CONTAIN INFORMATION THAT IS PROPRIETARY AND CONFIDENTIAL. If you are not the intended recipient, you are hereby notified that any use, disclosure, distribution or copying of this communication or any attachment is strictly prohibited. If

you have received this electronic transmission in error, please delete it from your system without copying it, and notify the sender immediately by reply e-mail or by calling 919.743.5724. Thank you.