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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 1:16-CV-21199-CMA/O'Sullivan

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ANDREA ROSSI, et al., )  
                                ) Plaintiffs, )  
                                ) vs. )  
THOMAS DARDEN, et al., )  
                                ) Defendants. )  


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VIDEOTAPED DEPOSITION OF AMPENERGO, INC.

BY CRAIG J. CASSARINO

This deposition, held pursuant to the Federal Rules of Civil Procedure, Rule 30(b)(6), at Nixon Peabody, LLP, 900 Elm Street, Manchester, New Hampshire, on Thursday, February 23, 2017, commencing at 9:00 a.m.

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1 (Exhibit 13, AE 295.001-295.003.)

2 Q. And it's a draft of a second amendment to the  
3 license agreement.

4 Take a second to look it over and let me  
5 know when you're done.

6 A. (Witness reviews document.) I -- I -- you know,  
7 I'm a little confused as to the 6-cylinder unit.

8 Q. You don't recall having conversations with either  
9 Doctor Rossi or IH regarding a 6-cylinder unit?

10 A. Well, the only -- my recollection was 6-cylinder  
11 unit was something we spotted in -- oh, we saw in  
12 Italy -- was tested -- or being tested. The - it  
13 was a new kind of concept that Doctor Rossi had.  
14 And I -- and I don't recall -- I thought, you  
15 know, again, this is -- that the E-Cat, defining  
16 which one -- the Hot Cat, E-Cat 6 cylinder was --  
17 it's a little confusing for me as to which one.  
18 I -- obviously, we've seen this. We've --

19 Q. Right.

20 A. -- you know, did -- signed it and, you know, moved  
21 ahead with it, but...

22 Q. Is it -- is it your understanding that AEG  
23 executed this document?

AMPENERGO, INC. by CRAIG J. CASSARINO

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1 A. I don't remember. I don't remember.

2 Q. Do you recall having a conversation with Doctor  
3 Rossi where he said, I'd like you to sign the  
4 second amendment, or, I'd like AmpEnergO to sign  
5 the second amendment?

6 A. Yes, I -- I do -- and -- and we did say we didn't  
7 want to sign it.

8 Q. Why?

9 A. Because we felt that -- in negotiating with  
10 Industrial Heat -- that, by signing this, we  
11 wouldn't be party to that COP -- the 6 COP; and if  
12 it was a percentage below that, we had no right to  
13 any funds coming forward.

14 Q. I see.

15 So is your view that you were going to  
16 lose your -- your right to a payment of that  
17 additional tranche by executing this document?

18 A. Yes.

19 Q. Did you express that to Doctor Rossi?

20 A. Yes.

21 Q. Was that verbal, or was that --

22 A. It was -- it was verbal.

23 Q. Okay. Did you say, Hey, If you change the terms