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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ANDREA ROSSI and LEONARDO )  
CORPORATION, )  
 )  
Plaintiffs, )

vs. ) No. 1:16-cv-2119-CMA )

THOMAS DARDEN; JOHN T. VAUGHN; )  
INDUSTRIAL HEAT, LLC; IPH )  
INTERNATIONAL B.V.; and )  
CHEROKEE INVESTMENT PARTNERS, )  
LLC, )

Defendants. )  
INDUSTRIAL HEAT, LLC and IPH )  
INTERNATIONAL B.V., )

Counter-Plaintiffs, )

vs. )

ANDREA ROSSI and LEONARDO )  
CORPORATION, )

Counter-Defendants, )

and )

J.M. PRODUCTS, INC.; HENRY )  
JOHNSON; FABIO PENON; UNITED )  
STATES QUANTUM LEAP, LLC; )  
FULVVIO FABIANI; and JAMES )  
BASS, )

Third-Party Defendants. )

Videotaped Deposition of  
JOHN MAZZARINO  
(Taken by Plaintiff)  
3509 North Haworth Drive, Suite 403, Raleigh, North Carolina  
January 13, 2017, 9:07 a.m.

Reported in Stenotype By  
Margaret M. Kruse, CSR, RMR, CRR  
Transcript produced by computer-aided transcription

1           "Section 4 of the agreement is hereby amended to  
2 delete the second and third section of Section 4 in their  
3 entirety and replace them with the following. The  
4 validation will be made in the factory of Leonardo in  
5 Ferrara, Italy on April 30 and May 1 of 2013, unless  
6 otherwise agreed in writing by the company and Leonardo.  
7 'Validation' will be deemed successful and achieved when  
8 the expert responsible for such validation, 'EVR' certifies  
9 that the performance standards for the plant set forth in  
10 Exhibit A to this amendment have been met."

11           Are you familiar with that?

12           **A. Yes. I've seen it.**

13           Q. Did you attend a test in Ferrara, Italy on or  
14 about April 30, 2013?

15           **A. I was in Ferrara. I don't recall if it was a  
16 test or not.**

17           Q. You were in Ferrara but you don't recall if you  
18 were present for a test?

19           **A. Whether it was a test.**

20           Q. I see.

21           **A. I was there. I met with Andrea Rossi and  
22 J.T. Vaughn.**

23           Q. Okay.

24           **A. But I don't believe a test was occurring at that  
25 time.**