

# EXHIBIT E

(James Bass Deposition Excepts)

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF FLORIDA  
3 MIAMI DIVISION  
4 CASE NO. 1:16-cv-21199-CMA

5 ANDREA ROSSI, et al.,

6 Plaintiffs,

7 v.

8 THOMAS DARDEN, et al.,

9 Defendants.

10 - - - - -x  
11 INDUSTRIAL HEAT, LLC, et al.,

12 Counter-Plaintiffs,

13 v.

14 ANDREA ROSSI, et al.,

15 Counter-Defendants.

16 and

17 J.M. PRODUCTS, et al.,

18 Third-Party Defendants.

19 - - - - -x  
20 600 Brickell Avenue, Suite 3300  
21 Miami, Florida  
22 Thursday, February 2, 2017  
23 11:17 a.m.- 6:06 p.m.

24 HIGHLY CONFIDENTIAL TRANSCRIPT  
25 ATTORNEYS' EYES ONLY  
VIDEO DEPOSITION OF JAMES BASS  
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.

<p style="text-align: right;">Page 6</p> <p>1 Thereupon.</p> <p>2 THE VIDEOGRAPHER: Good morning. We're</p> <p>3 now on the video record. This is the videotape</p> <p>4 deposition of James Bass in the matter of the</p> <p>5 case Andrea Rossi versus Leonardo Corporation</p> <p>6 versus Tom Darden, et al.</p> <p>7 Today is Thursday, February 2nd of 2017</p> <p>8 and the time is 11:17 a.m. Counsel, please</p> <p>9 state your appearance for the record and after</p> <p>10 this the court reporter will swear in the</p> <p>11 witness.</p> <p>12 MR. PACE: Thank you. Chris Pace and</p> <p>13 Mike Maugans for the defendants. Jones Day for</p> <p>14 the defendants.</p> <p>15 MR. ARAN: Fernando Aran of the law firm</p> <p>16 Aran, Correa &amp; Guarch on behalf of the deponent,</p> <p>17 James Bass, third party defendant J.M. Products</p> <p>18 and third party defendant Henry Johnson.</p> <p>19 MR. NUNEZ: Rudy Nunez on behalf of the</p> <p>20 third party defendant Fulvio Fabiani and United</p> <p>21 States Quantum Leap, LLC.</p> <p>22 MR. CHAIKEN: Brian Chaiken on behalf of</p> <p>23 the plaintiffs, Dr. Andrea Rossi, who is present</p> <p>24 with me and Leonardo Corporation.</p> <p>25 Thereupon--</p>	<p style="text-align: right;">Page 8</p> <p>1 A. That's correct.</p> <p>2 Q. Mr. Bass, you're obviously angry,</p> <p>3 correct?</p> <p>4 A. Yes.</p> <p>5 Q. All right. Let's start. Mr. Bass, can</p> <p>6 you please state your full name for the record.</p> <p>7 A. James Alan Bass.</p> <p>8 Q. Mr. Bass, will you please state your work</p> <p>9 address for the record.</p> <p>10 A. 515 Northeast 8th Avenue, Deerfield</p> <p>11 Beach, Florida. I'm a contractor.</p> <p>12 Q. So Mr. Bass, what is your educational</p> <p>13 background?</p> <p>14 A. I have almost four years in the US Navy</p> <p>15 with flight control and guidance systems technician</p> <p>16 on aircraft.</p> <p>17 I graduated Rutgers University with</p> <p>18 electrical engineering with a specialty in closed</p> <p>19 loop control systems. I graduated first in my class</p> <p>20 summa cum laude. I'm a member of Tau Beta Pi and Eta</p> <p>21 Kappa Nu, both engineering honor societies.</p> <p>22 Q. Any formal education after Rutgers?</p> <p>23 A. I have been to various classes and things</p> <p>24 like networking. I have a Cisco certified network</p> <p>25 associate. That's a training for routing systems</p>
<p style="text-align: right;">Page 7</p> <p>1 JAMES BASS</p> <p>2 was called as a witness and having been first duly</p> <p>3 sworn responded as follows:</p> <p>4 THE WITNESS: I do.</p> <p>5 DIRECT EXAMINATION</p> <p>6 BY MR. PACE:</p> <p>7 Q. Mr. Bass, can you state your full name</p> <p>8 and your work and home address -- well, your full</p> <p>9 name and your work address.</p> <p>10 A. I have a question first.</p> <p>11 Q. Sure.</p> <p>12 A. Shouldn't you be using a ouija board?</p> <p>13 Q. A ouija board?</p> <p>14 A. You know what it's for? Communicate with</p> <p>15 spirits.</p> <p>16 Q. With spirits. Why do you think I should</p> <p>17 be using a ouija board?</p> <p>18 A. They said I was a ghost.</p> <p>19 Q. So you think I should be using a ouija</p> <p>20 board --</p> <p>21 A. Yeah, maybe.</p> <p>22 Q. -- you think that's how -- okay. I</p> <p>23 understand your disposition.</p> <p>24 So Mr. Bass, you are obviously not happy</p> <p>25 to be here today, correct?</p>	<p style="text-align: right;">Page 9</p> <p>1 from Cisco Corporation and about 42 years of</p> <p>2 engineering experience.</p> <p>3 Q. Apologies for the delay but I'm actually</p> <p>4 a right-handed writer and I'm trying to do this</p> <p>5 left-handed.</p> <p>6 Let's talk for a second about the 42</p> <p>7 years of engineering experience. What was your first</p> <p>8 engineering-related job after you graduated from</p> <p>9 Rutgers?</p> <p>10 A. I went to work at a computer company that</p> <p>11 did factory process control and I did hardware and</p> <p>12 software integration.</p> <p>13 We worked in nuclear plants. I designed</p> <p>14 a special control system for the Westinghouse Hanford</p> <p>15 nuclear reactor out in Idaho Falls, Idaho and many</p> <p>16 other projects.</p> <p>17 Q. Who is that employer? What was the name</p> <p>18 of the employer?</p> <p>19 A. My employer?</p> <p>20 Q. Yes.</p> <p>21 A. Modular Computer Systems.</p> <p>22 Q. How long did you work for Modular</p> <p>23 Computer Systems?</p> <p>24 A. Ten years.</p> <p>25 Q. What did you do after you ended working</p>

3 (Pages 6 - 9)



<p style="text-align: right;">Page 26</p> <p>1 The time is 11:45.  2 (Thereupon a brief recess was taken,  3 after which the following proceedings were had.)  4 THE VIDEOGRAPHER: We're now back on the  5 record. The time is 11:50.  6 BY MR. PACE:  7 Q. Mr. Bass, when we took a break you had  8 said that you were doing or since the spring of 2016,  9 you have done --  10 A. What did you do to your arm?  11 Q. Tore a rotator cuff. Had to have surgery  12 on it and reattach it.  13 A. Not fun.  14 Q. No. When we took our break we were  15 talking about work you have done with Andrea Rossi  16 and Leonardo Corporation since the spring of 2016.  17 You talked about designing energy  18 provoking -- energy provoking system. Can you  19 explain to me what that is?  20 A. Well, the E-Cat needs energy to provoke  21 it into generating heat and we're coming up with  22 different methods, high voltage electricity, so I am  23 trying to design some different test systems at high  24 voltage.  25 Q. So this is for providing energy into the</p>	<p style="text-align: right;">Page 28</p> <p>1 A. No.  2 Q. Did you believe that J.M. Products did  3 work with platinum sponges --  4 A. Yes.  5 Q. -- at the Doral location?  6 A. Yes, because I know there was a pilot  7 amount that was purchased and installed inside the --  8 whatever you want to call it, the box, for heating.  9 Q. And what was done with that platinum  10 sponge after it was heated?  11 A. Supposedly it was removed. I wasn't -- I  12 wasn't present when it was removed.  13 Q. Were you present when it was placed in  14 there?  15 A. I assisted in putting tubes into the  16 piping but I didn't know what they were at the time.  17 Q. What is graphene?  18 A. Graphene is a carbon. It's a certain  19 form of carbon molecule that's extremely expensive,  20 very slippery, used in a number of things and if you  21 try and buy graphene you'll find out how gross  22 expensive it is.  23 Q. Have you ever done any work with  24 graphene?  25 A. We did. Again, the same deal. I didn't</p>
<p style="text-align: right;">Page 27</p> <p>1 E-Cat reactors?  2 A. Yes.  3 Q. Were you doing any of this work when you  4 were working for J.M. Products and Andrea Rossi --  5 A. No.  6 Q. -- prior to the spring of 2016?  7 A. No.  8 Q. All right. What are platinum sponges?  9 A. It's a -- platinum sponge, if you think  10 it looks like a sponge, it doesn't. It's more like a  11 craggy-type stuff that they use to -- they eventually  12 wind up after cooking it to put in catalytic  13 converters. It's more like a powdery-type stuff, I  14 think.  15 Q. Have you ever done any work with platinum  16 sponges?  17 A. I didn't specifically do any work with  18 platinum sponge, but J.M. did.  19 Q. J.M. Products did work with platinum  20 sponges?  21 A. Yeah.  22 Q. But you didn't do any work with that?  23 A. I didn't handle it.  24 Q. Did you -- during your time you worked at  25 J.M. Products did you ever see any platinum sponges?</p>	<p style="text-align: right;">Page 29</p> <p>1 specifically. I just was aware of the cost of  2 graphene because of a product that I had heard about  3 a while prior to working for J.M.  4 Q. But when you were working for J.M.  5 Products you believe J.M. Products did work with  6 graphene?  7 A. They did. We bought -- I believe we  8 bought industrial diamonds and stuff and used the  9 industrial diamonds in the heating process to produce  10 graphene.  11 Q. Let me -- I am going to use a few  12 exhibits here that are just images taken over at the  13 Doral location. For purposes of this deposition I'm  14 happy to refer to the warehouse, building, however  15 you want to refer to it. I am talking about the  16 warehouse that is at 7861 Northwest 46th Street.  17 Is there a way you are comfortable  18 referring to it? Do you call it the warehouse, the  19 building?  20 A. Warehouse is fine.  21 Q. I'll call it the Doral warehouse, just so  22 I don't have to keep repeating the address for the  23 rest of the afternoon. I'm going to hand you what I  24 am going to mark here as Bass Exhibit 1.  25 (The document referred to was thereupon</p>

8 (Pages 26 - 29)

<p style="text-align: right;">Page 110</p> <p>1 much energy was being transferred?</p> <p>2 Q. Well, that was going to be my next</p> <p>3 question, was did you have any --</p> <p>4 A. No.</p> <p>5 Q. -- measurement?</p> <p>6 A. No, no method.</p> <p>7 Q. Just so I ask the whole question.</p> <p>8 A. That's what it seems like, you're going</p> <p>9 in that direction.</p> <p>10 Q. I am, but I am trying to go there</p> <p>11 incrementally. Let me just ask.</p> <p>12 Was there any method to measure the</p> <p>13 amount of energy or power that was being provided by</p> <p>14 Leonardo to the J.M. Products side of the Doral</p> <p>15 warehouse?</p> <p>16 A. No. No.</p> <p>17 Q. We had looked at a picture this morning</p> <p>18 that showed the hoses that were going into the system</p> <p>19 so that water could be added into the system. I</p> <p>20 believe that's Exhibit 4.</p> <p>21 Do you know whether there was any</p> <p>22 measurement of the water that was flowing through the</p> <p>23 hoses into the system?</p> <p>24 A. I don't know.</p> <p>25 MR. ARAN: Objection to form.</p>	<p style="text-align: right;">Page 112</p> <p>1 Q. I'm going to hand you what's been marked</p> <p>2 as Exhibit 16. We're actually going back in time</p> <p>3 now, back to January of 2015. Just a few questions</p> <p>4 on this. Just take a second.</p> <p>5 One is, does this refresh your</p> <p>6 recollection as to whether Reinaldo lived there?</p> <p>7 A. I told you sometimes he lived -- he slept</p> <p>8 in the office so I don't know that he lived there</p> <p>9 permanently.</p> <p>10 Q. Okay.</p> <p>11 A. He was an immigrant, so.</p> <p>12 Q. There was a flow meter for the water that</p> <p>13 was being provided by --</p> <p>14 A. Yeah, everybody has one. Don't you have</p> <p>15 one?</p> <p>16 Q. I know. I'm just --</p> <p>17 A. Yeah.</p> <p>18 Q. -- getting clear here. Hold on. This is</p> <p>19 the flow meter from Miami sewer?</p> <p>20 A. Yeah.</p> <p>21 Q. Miami-Dade sewer?</p> <p>22 A. It was outside the building. I don't</p> <p>23 think it's from the sewer though.</p> <p>24 Q. Water. Just the water.</p> <p>25 A. Thank you.</p>
<p style="text-align: right;">Page 111</p> <p>1 MR. CHAIKEN: Objection to form.</p> <p>2 MR. NUNEZ: Object to the form.</p> <p>3 BY MR. PACE:</p> <p>4 Q. I will ask the question again, just so I</p> <p>5 can cover any objection. Maybe not. Can you take a</p> <p>6 look for me at Exhibit 4.</p> <p>7 A. Yes.</p> <p>8 Q. There -- we see hoses in Exhibit 4,</p> <p>9 correct?</p> <p>10 A. Yes.</p> <p>11 Q. Am I correct that you testified this</p> <p>12 morning that those are hoses for water to go into the</p> <p>13 system?</p> <p>14 A. As I recall, yes.</p> <p>15 Q. My question is are you aware of any</p> <p>16 measurement that was made of how much water was being</p> <p>17 placed into this system through those hoses?</p> <p>18 A. No.</p> <p>19 Q. Are you aware of any measuring device</p> <p>20 that existed to determine that?</p> <p>21 A. No.</p> <p>22 (The document referred to was thereupon</p> <p>23 marked Bass Exhibit 16 for Identification, a copy of</p> <p>24 which is attached hereto.)</p> <p>25 BY MR. PACE:</p>	<p style="text-align: right;">Page 113</p> <p>1 (The document referred to was thereupon</p> <p>2 marked Bass Exhibit 17 for Identification, a copy of</p> <p>3 which is attached hereto.)</p> <p>4 BY MR. PACE:</p> <p>5 Q. Handing you what's marked as Exhibit 17.</p> <p>6 We have a few documents on this, though may be able</p> <p>7 to probably shortcut this after I talk to you about</p> <p>8 some of these.</p> <p>9 There were a couple of -- I see the</p> <p>10 Banana Pi version. There was also something called</p> <p>11 the BeagleBone. Just generally can you tell me what</p> <p>12 was the work that you were doing with Fulvio Fabiani?</p> <p>13 A. This was pretty much the main reason I</p> <p>14 was hired, was -- where my engineering part came</p> <p>15 from, is to design the future robotic control system</p> <p>16 for the reactor and for whatever we use on the</p> <p>17 reactor.</p> <p>18 If you want to know what a Banana Pi is,</p> <p>19 it's a little Linux based card that does -- it does</p> <p>20 ethernet, it does -- has video controller on it. It</p> <p>21 has keyboard controller on it. It has USB.</p> <p>22 It's about that big and the target was to</p> <p>23 be able to put in a more compact reactor and take</p> <p>24 care of all the control things necessary and we went</p> <p>25 through a selection process. Fulvio is a very, very</p>



<p style="text-align: right;">Page 118</p> <p>1 Q. Was you with Fulvio Fabiani?</p> <p>2 A. Well, with his advice, actually, I guess</p> <p>3 you could say, because he's done a lot of major</p> <p>4 control systems.</p> <p>5 He's designed the control system for the</p> <p>6 big E-Cat. He gave me concepts to deal with and</p> <p>7 constraints and said this is what we're looking for</p> <p>8 later on.</p> <p>9 Q. Okay. You said that was the main reason</p> <p>10 that you were hired?</p> <p>11 A. Pretty much, yeah.</p> <p>12 Q. Did Fulvio Fabiani work for J.M.</p> <p>13 Products?</p> <p>14 A. No.</p> <p>15 Q. Any time you bought equipment or material</p> <p>16 for this project, this main project you were working</p> <p>17 on, would the cost have to be approved by either</p> <p>18 Andrea Rossi or by Fabiani?</p> <p>19 A. Uh-huh.</p> <p>20 MR. NUNEZ: Object to form.</p> <p>21 BY MR. PACE:</p> <p>22 Q. I want to come up with a shorthand for</p> <p>23 this project that you were working on.</p> <p>24 What can I call it that we can agree to</p> <p>25 on a -- did you have a name for the project? Was</p>	<p style="text-align: right;">Page 120</p> <p>1 in with J.M. Products or Andrea Rossi for</p> <p>2 measuring -- other than the BeagleBone project were</p> <p>3 you involved with measuring temperatures for</p> <p>4 anything?</p> <p>5 A. Occasional checking to see what was going</p> <p>6 on on our side, looking at the flow meter and looking</p> <p>7 at the temperature of the steam.</p> <p>8 Q. So there were temperature gauges on the</p> <p>9 J.M. Products side?</p> <p>10 A. Yes.</p> <p>11 Q. Where were those located?</p> <p>12 A. They were outside of the chamber sitting</p> <p>13 on a table.</p> <p>14 Q. And where would -- where were the</p> <p>15 sensors, the temperature sensors attached?</p> <p>16 A. Obviously went through the wall and they</p> <p>17 were tapped into the serpentine.</p> <p>18 Q. So if we can -- I know I keep sending you</p> <p>19 back here. If you can go back to Exhibit 2, the</p> <p>20 temperature sensors are in this piping somewhere?</p> <p>21 A. Yeah, I think they are -- I think you</p> <p>22 can't see them because I think they go up the other</p> <p>23 end.</p> <p>24 I didn't install the sensors in there. I</p> <p>25 only had access to the meters outside that measured</p>
<p style="text-align: right;">Page 119</p> <p>1 there a --</p> <p>2 A. BeagleBone.</p> <p>3 Q. Okay.</p> <p>4 A. We called it the BeagleBone.</p> <p>5 Q. BeagleBone project?</p> <p>6 A. Yeah, BeagleBone is fine. I suggest you</p> <p>7 look on the Internet and see what it does too. You</p> <p>8 will have a far better idea.</p> <p>9 Q. I actually did look at it just the other</p> <p>10 day.</p> <p>11 A. Okay.</p> <p>12 Q. As well as the Raspberry, which is</p> <p>13 actually spelled R-A-S-P-B-E-R-R-Y, right? There is</p> <p>14 a P that gets snuck in there, I think.</p> <p>15 A. Yeah, and the Pi is not something that</p> <p>16 tastes good.</p> <p>17 Q. Right.</p> <p>18 A. It's the Greek letter Pi.</p> <p>19 Q. You had testified this morning, I</p> <p>20 believe, that one of the other things you worked on</p> <p>21 when you were working with J.M. Products and Andrea</p> <p>22 Rossi was measuring temperature in piping.</p> <p>23 A. Piping? Well, temperature, yeah,</p> <p>24 measured temperature.</p> <p>25 Q. What projects -- what were you involved</p>	<p style="text-align: right;">Page 121</p> <p>1 that.</p> <p>2 Q. Did you keep track of that information?</p> <p>3 A. No, just -- it was just an observation to</p> <p>4 look at it from time to time.</p> <p>5 Q. So if you can do me a favor and look at</p> <p>6 Exhibit 4. I don't know if you can see it from here</p> <p>7 either, but I'm just going to see if that helps just</p> <p>8 because it's a different angle.</p> <p>9 A. See what?</p> <p>10 Q. Where the temperature sensors go into the</p> <p>11 piping.</p> <p>12 A. They are buried inside of the insulation</p> <p>13 obviously to know what the temperature was.</p> <p>14 Q. I'm sorry, if you look at the top of that</p> <p>15 picture.</p> <p>16 A. Yeah.</p> <p>17 Q. You see the little piece of metal there</p> <p>18 that's attached to the wood?</p> <p>19 A. Yeah.</p> <p>20 Q. And there is a wire that comes in the top</p> <p>21 of that?</p> <p>22 A. That is something to do I think with the</p> <p>23 water -- the water system that was meant for</p> <p>24 something and I don't recall. I didn't put it in</p> <p>25 there. I never had anything to do with it.</p>

<p style="text-align: right;">Page 154</p> <p>1 you have probably have said that you measured -- that</p> <p>2 J.M. Products measures the energy input?</p> <p>3 MR. ARAN: Objection to form.</p> <p>4 THE WITNESS: You're asking -- that's</p> <p>5 conjecture. You asked for conjecture, would I</p> <p>6 have said that. I don't know, no.</p> <p>7 BY MR. PACE:</p> <p>8 Q. Well, you just told me if you were asked</p> <p>9 about -- you just said --</p> <p>10 A. I might -- I probably would have but I</p> <p>11 don't remember being asked.</p> <p>12 Q. Fair enough. Fair enough. I was asking</p> <p>13 whether your recollection is that you were</p> <p>14 following -- you followed whatever instruction or</p> <p>15 guidance Andrea Rossi provided?</p> <p>16 A. Of course, he was directly -- directly or</p> <p>17 indirectly my boss, however you want to look at that.</p> <p>18 Q. Why would you say -- wasn't he directly</p> <p>19 your boss?</p> <p>20 A. After a fashion, I more reported to J.M.</p> <p>21 but took technical direction from him.</p> <p>22 Q. When did you report to J.M. Products?</p> <p>23 A. Effectively I was being paid by J.M.</p> <p>24 Q. Okay.</p> <p>25 A. All right. So it's --</p>	<p style="text-align: right;">Page 156</p> <p>1 A. You said separate from the e-mail?</p> <p>2 Q. Yes.</p> <p>3 A. In other words, did he tell me some other</p> <p>4 time?</p> <p>5 Q. Yes, that's all I am asking.</p> <p>6 A. Obviously that's -- that's the best I've</p> <p>7 got right now. He obviously told me at least once.</p> <p>8 Might have told me again.</p> <p>9 Q. So he's telling you -- at least in this</p> <p>10 e-mail he's telling you --</p> <p>11 A. Yes.</p> <p>12 Q. -- if somebody from Industrial Heat or</p> <p>13 somebody from this group of Chinese investors asked</p> <p>14 you about J.M., your response should be that it's not</p> <p>15 their business what J.M. does with the power?</p> <p>16 A. Yes. That's -- the best answer is yes.</p> <p>17 Q. Then my only question is aside from these</p> <p>18 couple of e-mails we looked at, you don't recall</p> <p>19 additional conversations with Andrea Rossi along</p> <p>20 those lines?</p> <p>21 A. No, I do not. There could be, but I</p> <p>22 don't recall.</p> <p>23 Q. And to the best of your recollection, to</p> <p>24 the extent that that was the direction or guidance</p> <p>25 you were given from Andrea Rossi, you followed it?</p>
<p style="text-align: right;">Page 155</p> <p>1 Q. We will go through some of those e-mails</p> <p>2 in a minute.</p> <p>3 A. There is a dashed line there.</p> <p>4 Q. Fair.</p> <p>5 A. There is nothing secret about it.</p> <p>6 (The document referred to was thereupon</p> <p>7 marked Bass Exhibit 26 for Identification, a copy of</p> <p>8 which is attached hereto.)</p> <p>9 BY MR. PACE:</p> <p>10 Q. Showing you what's marked as Exhibit 26.</p> <p>11 This is the same root e-mail from you but an</p> <p>12 additional response from Andrea Rossi.</p> <p>13 Separate from these e-mails did Andrea</p> <p>14 Rossi tell you that the people who attended these</p> <p>15 meetings, either Industrial Heat or the Chinese</p> <p>16 investors, essentially it was none of their business</p> <p>17 what J.M. Products did with the power that it</p> <p>18 received?</p> <p>19 A. I'm sorry, one more time the question,</p> <p>20 the exact question.</p> <p>21 Q. Sure. Separate from this e-mail --</p> <p>22 A. Yeah.</p> <p>23 Q. -- would -- or did Andrea Rossi tell you</p> <p>24 that, either in connection with the people coming for</p> <p>25 the first or the second meeting?</p>	<p style="text-align: right;">Page 157</p> <p>1 A. Yes.</p> <p>2 Q. What do you recall in terms of how you</p> <p>3 explained your role at J.M. Products either to -- to</p> <p>4 Industrial Heat during that meeting?</p> <p>5 A. I was in charge of engineering projects</p> <p>6 around J.M.. I was called director of engineering.</p> <p>7 Q. And who gave you the title of director of</p> <p>8 engineering?</p> <p>9 A. I think Dr. Rossi said that would be a</p> <p>10 good title because of what I was going to be doing.</p> <p>11 Q. Because what you were going to be doing?</p> <p>12 A. Yeah.</p> <p>13 Q. When did he give you the title?</p> <p>14 A. I don't recall. Probably when we decided</p> <p>15 that I was going to go work with him, probably.</p> <p>16 Q. Were you ever an employee of J.M.</p> <p>17 Products?</p> <p>18 A. No.</p> <p>19 Q. You were a contractor for J.M. Products?</p> <p>20 A. Always.</p> <p>21 Q. Were there any other engineers who</p> <p>22 were -- who worked for or were contractors for J.M.</p> <p>23 Products?</p> <p>24 A. No, I don't think so.</p> <p>25 Q. I'm going to take these things a little</p>

40 (Pages 154 - 157)



<p style="text-align: right;">Page 210</p> <p>1 Q. Handing you what's been marked as Bass 2 Exhibit 51. Do you recognize this document, the 3 document that's in this photograph? 4 A. It's on the board in J.M.'s side. 5 Q. Is that your signature at the bottom of 6 each page? 7 A. Yeah. 8 Q. Did you prepare this document? 9 A. No. 10 Q. Who prepared this document? 11 A. I don't know. I think that's a standard 12 form that they might have gotten. 13 Q. Who asked you to sign this document? 14 A. Probably Dr. Rossi. 15 Q. Do you know roughly when you signed the 16 document? 17 A. No. 18 Q. Was this always up at the warehouse or 19 was this something put up in 2016 at the warehouse? 20 A. Don't know. I think there is certain 21 regulations when you have a business going you have 22 to have signs up and Equal Opportunity Employer stuff 23 and things like that. 24 Q. Understood. Assuming just -- for present 25 purposes if you assume this is not legally required</p>	<p style="text-align: right;">Page 212</p> <p>1 THE WITNESS: Okay. 2 MR. ARAN: Or you can waive that and not 3 do it. Do you want to read or do you want to 4 waive? 5 THE WITNESS: Are you going to read it? 6 MR. ARAN: I'm going to read it at some 7 point in time. The question is do you want to 8 read it before it becomes final? If you do the 9 court reporter will tell you it's available, you 10 then make arrangements with him to read it. 11 If you find anything that you thought was 12 wrong, taken down wrong, you make the 13 correction. 14 THE WITNESS: What is your recommendation 15 on that? 16 MR. ARAN: I usually recommend that the 17 witness waive. 18 THE WITNESS: Okay, I'll waive then. 19 THE VIDEOGRAPHER: Let's go off the video 20 record. The time is 6:06 p.m. 21 (Reading and subscribing waived.) 22 (Thereupon the taking of the deposition 23 was concluded.) 24 - - - 25</p>
<p style="text-align: right;">Page 211</p> <p>1 to be posted, do you know -- this letter or these 2 guidelines are not legally required to be posted. 3 A. Do I know that? 4 Q. No, I'm saying if you just assume for a 5 second they're not. Assume for a second they are not 6 legally required to be posted, do you know why this 7 was posted? Did anyone ever give you an explanation 8 of why they needed you to sign this? 9 A. No, I don't recall when I -- I don't 10 recall when I did it or why we -- I don't know. 11 Q. You don't recall why you did it? 12 A. Yeah. 13 Q. And you don't recall asking anybody why 14 you were being asked to sign it? 15 A. No, I do not. That's correct. 16 MR. ARAN: Objection to form. 17 MR. PACE: No further questions. 18 MR. CHAIKEN: I have no questions. 19 MR. NUNEZ: No questions. 20 MR. ARAN: I have no questions. You have 21 the right to read the transcript of the 22 deposition once it's been transcribed and if you 23 find something that you believe is inaccurate, 24 you don't get to change the transcript but you 25 get to make a note of that.</p>	<p style="text-align: right;">Page 213</p> <p>1 CERTIFICATE OF OATH 2 3 STATE OF FLORIDA: 4 SS: 5 COUNTY OF DADE: 6 7 8 I, the undersigned authority, certify 9 that JAMES BASS personally appeared before me and was 10 duly sworn. 11 12 WITNESS my hand and official seal this 13 10th day of February 2017. 14 15 16 17 <i>Edmed Varkony</i> 18 19 Notary Public, State of Florida at 20 Large; my commission expires 21 February 26, 2019. Bonded through 22 Troy Fain Insurance, Inc. 23 24 25</p>

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