

# **Composite Exhibit 4**

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.

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<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>

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

<p style="text-align: right;">Page 38</p> <p>1 steam when it hits your filter?</p> <p>2 A. Probably not. It's hard to say. No, it</p> <p>3 was collecting water mostly. There is some mix in</p> <p>4 there. I don't know.</p> <p>5 Q. What is the purpose of the filter box?</p> <p>6 A. To prevent impurities from going back</p> <p>7 into the E-Cat.</p> <p>8 Q. So you just testified that for Bass</p> <p>9 Exhibit 2 this piping was intended to keep the water</p> <p>10 or the steam or the fluid, whatever was in here warm,</p> <p>11 hot?</p> <p>12 A. Uh-huh.</p> <p>13 Q. Then that leads into your -- into this</p> <p>14 filtration system here?</p> <p>15 A. Uh-huh.</p> <p>16 Q. If it was still steam coming in how would</p> <p>17 it -- at what point would it be converted into water?</p> <p>18 A. It's mostly converted into water or a mix</p> <p>19 of water and steam inside the serpentine area.</p> <p>20 Q. Okay. So why would you insulate the</p> <p>21 serpentine area then? Don't you want the heat to</p> <p>22 dissipate?</p> <p>23 A. No, not particularly. You maintain the</p> <p>24 efficiency of the closed loop system. That's another</p> <p>25 closed loop system, by the way.</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. Did you put the platinum sponge into</p> <p>2 those serpentine pipes?</p> <p>3 A. I helped put pipes in there, that's all.</p> <p>4 The pipes already had something charged in them.</p> <p>5 Q. Did you see something charged in them</p> <p>6 when you put the pipes? I am just trying to</p> <p>7 understand.</p> <p>8 A. No, I didn't see physically what was in</p> <p>9 there.</p> <p>10 Q. Let me take a step back, just so we're</p> <p>11 clear. When we're looking at Exhibit 2 you helped</p> <p>12 install these pipes, correct?</p> <p>13 A. Yeah. Not the main serpentine. I did a</p> <p>14 lot of stuff here, with the filter box.</p> <p>15 Q. You are pointing to Exhibit 3?</p> <p>16 A. Yes.</p> <p>17 Q. But for Exhibit 2, did you --</p> <p>18 A. Exhibit 2 was already there when I</p> <p>19 started working for them.</p> <p>20 Q. Do you think there was any -- were you</p> <p>21 told by anyone that there was any platinum sponge</p> <p>22 in --</p> <p>23 A. I wasn't told anything about that at the</p> <p>24 time.</p> <p>25 Q. Okay. Let me start over. If you give me</p>
<p style="text-align: right;">Page 39</p> <p>1 Q. How do you turn steam into water without</p> <p>2 the heat dissipating?</p> <p>3 A. Remove energy.</p> <p>4 Q. No, how does steam be converted back into</p> <p>5 water? Does the temperature of the steam have to</p> <p>6 lower?</p> <p>7 A. No.</p> <p>8 Q. The temperature of the steam can stay</p> <p>9 above a hundred degrees Celsius?</p> <p>10 A. Yes.</p> <p>11 Q. How else does it convert into water?</p> <p>12 A. You remove the energy from it.</p> <p>13 Q. How do you remove the energy from it?</p> <p>14 A. With an endothermic reaction.</p> <p>15 Q. And what would that be?</p> <p>16 A. Anything that takes in energy.</p> <p>17 Q. Is there something within those</p> <p>18 serpentine pipes that would take in energy?</p> <p>19 A. Yes.</p> <p>20 Q. What is that?</p> <p>21 A. In the beginning it was -- sorry. The</p> <p>22 catalytic stuff, platinum sponge.</p> <p>23 Q. Platinum sponge. The platinum sponge</p> <p>24 would be within the serpentine pipes?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 41</p> <p>1 just a second to ask the question.</p> <p>2 Do you believe today -- we will talk</p> <p>3 about when you found out later on. Do you believe</p> <p>4 today that in Exhibit 2 -- in these pipings in</p> <p>5 Exhibit 2 that there was platinum sponge at some</p> <p>6 point in the piping in Exhibit 2?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. What's your basis for that belief?</p> <p>9 A. Because I know that some of it was</p> <p>10 purchased. I mean what would you do, throw it in the</p> <p>11 street? That's what they talked about, that they</p> <p>12 inserted the platinum sponge or we did, or it was a</p> <p>13 group effort.</p> <p>14 I didn't know it was in the pipes but</p> <p>15 apparently some of it was already in there before</p> <p>16 they were closed up.</p> <p>17 Q. Okay. Who told you that there was</p> <p>18 platinum sponge in the pipes before it was closed up?</p> <p>19 A. Both Hank, Henry Johnson and Dr. Rossi</p> <p>20 said eventually. I didn't know what was in there at</p> <p>21 all at the time.</p> <p>22 Q. When did they tell you that there was</p> <p>23 platinum sponge in the piping?</p> <p>24 A. I have no idea. Probably a month later.</p> <p>25 I was the new guy in the block. I didn't know what</p>

<p style="text-align: right;">Page 42</p> <p>1 was going on in there.</p> <p>2 Q. I understand. When you say a month</p> <p>3 later, are you saying in early 2015?</p> <p>4 A. Sometime in that area I found out it was</p> <p>5 platinum sponge they were putting in there.</p> <p>6 Q. So you have never seen any platinum</p> <p>7 sponge put in the pipe, but you were told by --</p> <p>8 A. Correct.</p> <p>9 Q. -- Mr. Johnson and Andrea Rossi that there</p> <p>10 was platinum sponge in the pipe?</p> <p>11 A. Yes, they even bought some. I saw the</p> <p>12 bill.</p> <p>13 Q. You saw the invoice for --</p> <p>14 A. I saw the invoice for the platinum</p> <p>15 sponge, so I figured that was good enough.</p> <p>16 Q. So you never really saw the platinum</p> <p>17 sponge itself?</p> <p>18 A. No.</p> <p>19 Q. You saw an invoice for a platinum sponge?</p> <p>20 A. Uh-huh.</p> <p>21 Q. Do you know if that platinum sponge was,</p> <p>22 in fact, purchased?</p> <p>23 A. Yes, I believe it was. I saw the invoice</p> <p>24 for the bill.</p> <p>25 Q. Let me rephrase. Other than seeing an</p>	<p style="text-align: right;">Page 44</p> <p>1 was platinum sponge?</p> <p>2 A. That's correct.</p> <p>3 Q. Did you ever see any graphene at the J.M.</p> <p>4 Products -- at the Doral warehouse?</p> <p>5 A. No. Again, it's small stuff, but</p> <p>6 whatever.</p> <p>7 Q. Graphene particles or objects are small?</p> <p>8 A. (Nods head.) Yes.</p> <p>9 Q. Turning to -- turning back to Bass</p> <p>10 Exhibit 3, you say there is a filter box.</p> <p>11 Is that the clear box we see here that</p> <p>12 has kind of a red gauge on top of it?</p> <p>13 A. Yes.</p> <p>14 Q. All right. This was to take out any</p> <p>15 impurities in the water?</p> <p>16 A. Uh-huh.</p> <p>17 Q. And how was it -- did all the water that</p> <p>18 came through the system run through that box?</p> <p>19 A. Only in the beginning of each test.</p> <p>20 Q. At the beginning, if you can help me</p> <p>21 understand that. What does that mean?</p> <p>22 A. When they first started the system if</p> <p>23 they opened up the system, they would run it</p> <p>24 initially through the box and then once they were</p> <p>25 convinced -- it was up to Dr. Rossi when to divert it</p>
<p style="text-align: right;">Page 43</p> <p>1 invoice, and the invoice was a request to buy the</p> <p>2 platinum sponge?</p> <p>3 A. Huh?</p> <p>4 Q. It was an invoice for platinum sponge.</p> <p>5 You recall it was over a million dollars worth of</p> <p>6 platinum sponge was being purchased?</p> <p>7 A. No, I remember there was an initial</p> <p>8 charge to test it.</p> <p>9 Q. Now, other than that document that you</p> <p>10 saw, the invoice or the bill or whatever it was, so</p> <p>11 I'm just asking, other than that did you ever see any</p> <p>12 platinum sponge at the J.M. Products -- at the Doral</p> <p>13 warehouse?</p> <p>14 A. Not particularly, no.</p> <p>15 Q. You qualified it some, so I just want to</p> <p>16 understand. Why do you say not particularly?</p> <p>17 A. There were a lot of things laying around</p> <p>18 inside the plant. It could have been. There were</p> <p>19 boxes and crates and everything.</p> <p>20 Q. I understand. So you could have seen</p> <p>21 platinum sponge and not known it was platinum sponge?</p> <p>22 A. I wouldn't have known it.</p> <p>23 Q. Understood. But to your knowledge you</p> <p>24 never saw platinum sponge but if it was there and --</p> <p>25 you may have seen it and you wouldn't have known it</p>	<p style="text-align: right;">Page 45</p> <p>1 around the box.</p> <p>2 Q. So there is -- again, I'm not an engineer</p> <p>3 so I apologize if I'm going to be asking some</p> <p>4 questions poorly.</p> <p>5 So when the system would be started up --</p> <p>6 and when you say system, do you mean like the E-Cat</p> <p>7 reactors?</p> <p>8 A. E-Cat, yes.</p> <p>9 Q. So when the E-Cat reactors would start</p> <p>10 up, at least initially all of the water that was</p> <p>11 flowing through this system would be redirected into</p> <p>12 this box?</p> <p>13 A. Correct.</p> <p>14 Q. The filter box?</p> <p>15 A. Correct.</p> <p>16 Q. Then at some point a valve would be</p> <p>17 turned so that the water no longer had to go into</p> <p>18 this filter box?</p> <p>19 A. Yes.</p> <p>20 Q. And how much water can that filter box</p> <p>21 hold?</p> <p>22 A. I don't know. You can use your judgement</p> <p>23 there. I never particularly measured it.</p> <p>24 Q. Do you have a sense of how much water it</p> <p>25 can hold?</p>

<p style="text-align: right;">Page 70</p> <p>1 that?</p> <p>2 A. Probably.</p> <p>3 Q. All right.</p> <p>4 A. I usually keep copies of stuff like</p> <p>5 that.</p> <p>6 Q. Your response to Andrea Rossi is to --</p> <p>7 you're setting up time for a meeting. You say you</p> <p>8 will not discuss what we're doing there. There,</p> <p>9 meaning the Doral warehouse, correct?</p> <p>10 A. Uh-huh.</p> <p>11 Q. Then you said: Besides, you won't really</p> <p>12 telling what you are doing there -- what we are doing</p> <p>13 there.</p> <p>14 A. Uh-huh.</p> <p>15 Q. Is that a reference to what -- well, tell</p> <p>16 me what you meant by that.</p> <p>17 A. You're asking me to speculate. I don't</p> <p>18 recall. Could have been both sides.</p> <p>19 Q. Well, you wrote it, so that's why I am</p> <p>20 asking you.</p> <p>21 A. I wrote it two years ago.</p> <p>22 Q. I understand. Can you tell me what you</p> <p>23 meant?</p> <p>24 A. No.</p> <p>25 Q. All right.</p>	<p style="text-align: right;">Page 72</p> <p>1 Q. Well, I think you're talking to me about</p> <p>2 the uses of the steam. I'm asking do you ever recall</p> <p>3 whether J.M. Products met with any customers to buy</p> <p>4 something that J.M. Products was producing, not that</p> <p>5 Leonardo was producing?</p> <p>6 A. No.</p> <p>7 Q. Okay.</p> <p>8 A. Could I take a quick bathroom break?</p> <p>9 Q. Of course. Let's go off the record.</p> <p>10 THE VIDEOGRAPHER: Going off the record,</p> <p>11 the time is 12:47.</p> <p>12 (Thereupon a brief recess was taken,</p> <p>13 after which the following proceedings were had.)</p> <p>14 THE VIDEOGRAPHER: We're now back on the</p> <p>15 record. The time is 12:58, media number two.</p> <p>16 (The document referred to was thereupon</p> <p>17 marked Bass Exhibit 8 for Identification, a copy of</p> <p>18 which is attached hereto.)</p> <p>19 BY MR. PACE:</p> <p>20 Q. Mr. Johnson, I'm marking what's another</p> <p>21 document as Exhibit 8.</p> <p>22 Again, with reference to our other</p> <p>23 exhibits, here in this e-mail -- in one of these</p> <p>24 e-mails on Exhibit 8 you say, I saw the heat strips</p> <p>25 that are installed on the serpentine pipes -- on the</p>
<p style="text-align: right;">Page 71</p> <p>1 A. I might have meant what I knew about the</p> <p>2 E-Cat, which was not very much at all or it might</p> <p>3 have been the fact of what we were putting inside of</p> <p>4 the serpentine pipes. I don't recall at the time.</p> <p>5 That was two years ago.</p> <p>6 Q. You didn't know what was being put in the</p> <p>7 serpentine pipes?</p> <p>8 A. No, I didn't at the time anyway, so it</p> <p>9 didn't make much difference.</p> <p>10 Q. Do you know whether J.M. Products has</p> <p>11 ever sold a product?</p> <p>12 A. No, I don't know.</p> <p>13 Q. Have you ever seen a product being sold</p> <p>14 from J.M.?</p> <p>15 A. No.</p> <p>16 Q. Have you ever seen a customer of J.M.</p> <p>17 Products?</p> <p>18 A. I think we had meetings with potential</p> <p>19 people. I don't recall exactly.</p> <p>20 Q. Who is we?</p> <p>21 A. We. Who is we? Me, Dr. Rossi was in</p> <p>22 there, I believe Industrial Heat was in there and we</p> <p>23 discussed the potential uses of heat, of steam</p> <p>24 energy, but that's all I recall. I don't recall the</p> <p>25 guest list.</p>	<p style="text-align: right;">Page 73</p> <p>1 serpentine pipe.</p> <p>2 If you look at Exhibit 2, what are the</p> <p>3 heat strips? Is that the insulation?</p> <p>4 A. No, he had heat strips along some parts</p> <p>5 of it that are covered up now.</p> <p>6 Q. So in Exhibit 2 we can't see what the</p> <p>7 heat strips are?</p> <p>8 A. No, you can't.</p> <p>9 Q. What's the function of a heat strip?</p> <p>10 A. I don't recall, but probably to maintain</p> <p>11 the heat when they had shut down the reactor. To</p> <p>12 keep heating, to keep the pipes hot, because it was a</p> <p>13 mandatory thing, as I recall, for the conversion and</p> <p>14 the platinum sponge. That's all I recall.</p> <p>15 Q. You recall that it was required that the</p> <p>16 pipes stay heated for some purpose relating to the</p> <p>17 platinum sponges?</p> <p>18 A. Yes, that's what I recall. That's the</p> <p>19 only reason to put them there and I think that was</p> <p>20 the final -- that was the conclusion that I was</p> <p>21 told. I don't remember the exact conversation.</p> <p>22 Q. And who did you have that conversation</p> <p>23 with?</p> <p>24 A. Dr. Rossi.</p> <p>25 Q. We talked previously on these serpentine</p>

<p style="text-align: right;">Page 94</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And it's not going to go through</p> <p>3 the exit pipe because it's not high enough to reach</p> <p>4 where the exit pipe starts?</p> <p>5 A. Yes, that was the concern.</p> <p>6 Q. Why is that a concern?</p> <p>7 A. In case we needed to get the filter</p> <p>8 apart. In other words, you had water all over the</p> <p>9 place.</p> <p>10 The way -- if you see the clamps at the</p> <p>11 end, that's the only way to change the filter, so you</p> <p>12 would have spilled water. There actually is a</p> <p>13 discharge pipe. You can't see it. I think it's in</p> <p>14 the other corner. I specifically remember putting it</p> <p>15 in.</p> <p>16 Q. Okay. So --</p> <p>17 A. It's a little faucet with a PVC tap on it</p> <p>18 that allows all the water to drain out before you</p> <p>19 take it apart.</p> <p>20 Q. And that being the water up to the point</p> <p>21 of the exit pipe --</p> <p>22 A. Yes.</p> <p>23 Q. -- because it's not going out the exit</p> <p>24 pipe. It just sits there like still --</p> <p>25 A. It doesn't matter while the system is</p>	<p style="text-align: right;">Page 96</p> <p>1 A. Let me see what he said before that, what</p> <p>2 the question was.</p> <p>3 Q. I don't think we have -- this is the way</p> <p>4 it was produced to us in discovery. But it looked</p> <p>5 like the preceding e-mail may have been --</p> <p>6 A. There is something missing in that</p> <p>7 because we definitely put the drain in there.</p> <p>8 Q. Okay. So you don't think this is a</p> <p>9 reference to your proposal to put a valve --</p> <p>10 A. No.</p> <p>11 Q. -- to drain the water?</p> <p>12 A. No.</p> <p>13 Q. Okay. You make a reference up here at</p> <p>14 the top: "You are still the boss, so it's your</p> <p>15 decision."</p> <p>16 Was decisions -- decisions about what was</p> <p>17 to go on -- what was to take place inside the</p> <p>18 container on the J.M. Products side, those were all</p> <p>19 made by Andrea Rossi?</p> <p>20 A. Yeah, but he was being kind to me.</p> <p>21 Q. I apologize.</p> <p>22 A. Huh? About what?</p> <p>23 Q. How -- I'm unclear.</p> <p>24 A. He said, "you are still the boss."</p> <p>25 Q. No, that's you. I'm sorry, that's your</p>
<p style="text-align: right;">Page 95</p> <p>1 running, understand, but when they had to take it</p> <p>2 apart then it would have been a problem because there</p> <p>3 is gallons of water in the bottom of that.</p> <p>4 Q. So ultimately you did install --</p> <p>5 A. Yes.</p> <p>6 Q. -- the drain?</p> <p>7 A. Yes.</p> <p>8 Q. How many times was that drain used; do</p> <p>9 you remember?</p> <p>10 A. I have no idea.</p> <p>11 Q. Did you ever use it?</p> <p>12 A. No.</p> <p>13 Q. When did you install it?</p> <p>14 A. The drain?</p> <p>15 Q. Yes.</p> <p>16 A. Before the filter box was put in place.</p> <p>17 Q. Okay. What did you understand,</p> <p>18 Dr. Rossi's -- Andrea Rossi's response when he says:</p> <p>19 "No, it is a dangerous source of spill. In case of</p> <p>20 clog we take off the filter."</p> <p>21 A. Where are we?</p> <p>22 Q. I'm sorry. The first page of Exhibit</p> <p>23 11. There at the bottom he says: "No, it is a</p> <p>24 dangerous source of spill. In case of clog we take</p> <p>25 off the filter."</p>	<p style="text-align: right;">Page 97</p> <p>1 e-mail to Andrea Rossi.</p> <p>2 A. Huh? Oh, yeah, it is. Okay.</p> <p>3 Q. Okay.</p> <p>4 A. I was confused.</p> <p>5 Q. Sorry. So decisions about what equipment</p> <p>6 was being used on the J.M. Products side of the Doral</p> <p>7 warehouse, those were made by Andrea Rossi?</p> <p>8 A. Uh-huh. Yes.</p> <p>9 Q. Decisions about what type of filter box</p> <p>10 or filtration system to put in, those had to be</p> <p>11 approved by Andrea Rossi?</p> <p>12 A. Yes.</p> <p>13 Q. Did you ever -- when it came to any of</p> <p>14 the operations on the J.M. Products side of the</p> <p>15 warehouse, did you ever have to get approval from</p> <p>16 Henry Johnson?</p> <p>17 A. No.</p> <p>18 Q. How many times have you met Henry</p> <p>19 Johnson?</p> <p>20 A. Many times.</p> <p>21 Q. Were they all in connection with J.M.</p> <p>22 Products?</p> <p>23 A. Sometimes, yes.</p> <p>24 Q. Did he form your corporation that you</p> <p>25 created?</p>

<p style="text-align: right;">Page 98</p> <p>1 A. It was formed before I ever became part  2 of it. I never was a direct part of J.M. though. I  3 was a contractor.  4 Q. All right.  5 (The document referred to was thereupon  6 marked Bass Exhibit 12 for Identification, a copy of  7 which is attached hereto.)  8 BY MR. PACE:  9 Q. I am going to hand you, Mr. Bass, what's  10 been marked as Exhibit 12.  11 Mr. Bass, this is a corporation that you  12 formed -- I'm sorry, these are the articles of  13 incorporation for a company that you formed in  14 September 2014, correct?  15 A. Yes.  16 Q. Who did the legal work for forming this  17 company, if anyone?  18 A. Nobody. Actually, my accountant helped  19 me do this, some of it.  20 Q. Who is your accountant?  21 A. Marshall Wexler. Does that matter?  22 Q. You formed this company right around the  23 same time that you -- we'll see some documents later  24 this afternoon, but would you be surprised to find  25 out that you had accepted the -- or you had been</p>	<p style="text-align: right;">Page 100</p> <p>1 wanted it as a contractor. That was Velocity  2 Aerospace. So based on that more than anything else  3 I formed my corporation, Reactance Engineering, and I  4 still have it.  5 MR. PACE: That answers that question.  6 Should we go ahead. We said we would take a  7 break at 1:30, 2, so let's go off the record.  8 THE VIDEOGRAPHER: Off the record, the  9 time is 1:31.  10 (Thereupon a brief recess was taken,  11 after which the following proceedings were had.)  12 THE VIDEOGRAPHER: Good afternoon. We're  13 now back on the record. The time is 2:49.  14 BY MR. PACE:  15 Q. Mr. Bass, let me remind you that you are  16 still under oath. Are you aware of that?  17 A. Uh-huh.  18 Q. I'm going to ask you a few questions. I  19 want you to answer just as to whether something  20 occurred. I do not want you to tell me the substance  21 of it.  22 During the break did you have a chance to  23 speak with your lawyer?  24 A. We went to lunch, yes.  25 Q. During your break did you speak with any</p>
<p style="text-align: right;">Page 99</p> <p>1 offered the employment or offered a contract to work  2 with J.M. Products or Andrea Rossi by September 1st  3 of 2014?  4 A. Would I be surprised?  5 Q. Yes.  6 A. No.  7 Q. Okay. So at that time period is also  8 when you formed Reactance Engineering?  9 A. Correct.  10 Q. Why did you form Reactance Engineering?  11 A. Because -- excuse me.  12 Q. Do you need some more water? We're going  13 to break in like two minutes.  14 A. I don't need anymore water right now.  15 Q. Let's finish this question.  16 A. I have had a cough for about a month  17 now.  18 I was working for another company at the  19 same time. The effort that I gathered I was going to  20 be doing was not going to be full-time at J.M. and  21 the other company wanted a contractor, a licensed --  22 they wanted to pay a company. They didn't want to  23 pay an employee.  24 Q. Understood.  25 A. They didn't want to give me a 1099. They</p>	<p style="text-align: right;">Page 101</p> <p>1 of the other lawyers here or with Andrea Rossi?  2 A. Only pleasantries.  3 Q. I'm sorry, I don't want you to tell me  4 substance. I appreciate only pleasantries.  5 I want to avoid attorney-client privilege  6 so let me just ask you the questions. These  7 individuals know or Mr. -- at least Mr. Chaiken  8 knows why I'm asking the question. This is just  9 establishing a record and then we will move on.  10 Let your lawyer object to this and he may  11 instruct you not to answer. What did you discuss  12 with your lawyer during your break?  13 A. His girlfriend and marriage.  14 Q. All right.  15 A. My girlfriend.  16 Q. Did you discuss your testimony from this  17 morning?  18 A. No.  19 Q. Fantastic. Can I have the Exhibit 12  20 from you? I should have given you an Exhibit 12. I  21 am trying to figure out if it was -- it might be the  22 articles of incorporation.  23 MR. ARAN: 12 is electronic articles of  24 incorporation.  25 THE WITNESS: Yeah, this is my business.</p>

<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 114</p> <p>1 cognizant engineer of control systems, so we went 2 through a selection process for the Banana Pi. 3 Sorry, the Raspberry Pi, which is really 4 the name of the processor based out of England. Then 5 when China came up with one called the Banana Pi, 6 then we finally settled on BeagleBone Black. If you 7 look it up on the Internet it's a reality. 8 Q. I know. They are unusual names but they 9 all exist. 10 A. Yes, and it's made by Texas Instruments 11 and it's a US product and has lots of documentation. 12 I wrote a lot of code and we were getting 13 ready for a design to actually implement that board. 14 MR. CHAIKEN: Just for the record, Chris, 15 we're going to designate that response as highly 16 confidential, attorneys' eyes only. 17 I guess we can do this after the fact as 18 it relates to all his testimony but I just want 19 to make sure the record is clear. 20 BY MR. PACE: 21 Q. Fair enough. Having ultimately settled 22 on the BeagleBone, was that -- this is a system for 23 controlling what in connection with the E-Cats, the 24 amount of electricity that went into the E-Cats, the 25 amount of water that went into the E-Cats to be</p>	<p style="text-align: right;">Page 116</p> <p>1 A. The center brain of it is flexible. 2 Q. So what were these ones designed to do? 3 The ones that you were working on, what was going to 4 be on the other end, the digital out? 5 A. I don't know. Fulvio just gave me the 6 description of what we had to start with, all right, 7 and how many points of digital in, how many points of 8 digital out, how much analog input and that was where 9 we were working along. 10 He said this is what we see that we're 11 going to need. So I can't tell you what the direct 12 output was and I can't even tell you what the direct 13 input is, but the inference is obviously was 14 measuring temperature, pressure, things like that. 15 Q. You say the inference. Is that 16 because -- 17 A. The inference of a control system and 18 what it does. 19 Q. I am saying are you -- is it your belief 20 that this was going to be used in connection with the 21 E-Cats? 22 A. Yes. 23 Q. All right. Was it ever put in use in 24 connection with the E-Cats? 25 A. We didn't get that far.</p>
<p style="text-align: right;">Page 115</p> <p>1 heated, everything? 2 A. This was a control -- 3 MR. CHAIKEN: Object to form. Sorry, you 4 can answer. 5 THE WITNESS: Huh? 6 MR. CHAIKEN: I objected to form. You 7 can answer. 8 THE WITNESS: It was a system. If I 9 could be coarse in the description, it has 10 gazuntas and had gazoutas, all right. It's the 11 way control processors work, is they have 12 monitored inputs that can be digital in, digital 13 out -- sorry, digital in or analog in and it can 14 control digital out. 15 In other words, it can read a sensor and 16 it can control a servo, move an arm, turn a 17 motor. That was the function of it and all 18 control processors are like that. 19 So whatever you put on the other end, it 20 doesn't make a difference, as to turning water 21 on and off, measuring temperature, diverting 22 turning a valve back and forth, that's what they 23 do. 24 BY MR. PACE: 25 Q. Okay.</p>	<p style="text-align: right;">Page 117</p> <p>1 Q. All right. Is this something you're 2 still working on connection with the E-Cats? 3 A. Directly right now, no. 4 Q. When did you stop working on that? 5 A. When things fell apart with the whole 6 Industrial Heat deal. 7 Q. Would that be roughly spring of 2016? 8 A. Yes. 9 Q. Is it possible that this system was going 10 to be used for something other than the E-Cat? 11 A. Could have been, yes. Could have been 12 used on the other side of the steam side. It's a 13 general purpose. That's the whole idea of these 14 things. 15 Q. That's all I was trying to understand 16 too. 17 A. Yeah. 18 Q. From your standpoint it was a general 19 purpose device and it didn't have to necessarily be 20 used with an E-Cat, they may have been working on 21 something else that it could be used for? 22 A. That's correct. 23 Q. And the main person working on this 24 was -- 25 A. Me.</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 130</p> <p>1 Q. Did he ever explain to you why this would 2 be needed for the J.M. Products side of the plant? 3 A. No. 4 Q. Do you know of any reason it would be 5 needed on the J.M. Products side of the plant? 6 A. I didn't know. 7 Q. I think you said there would be a 8 transformer for an extremely high voltage. 9 A. Yes. 10 Q. What would such a transformer be used for 11 typically or more commonly? 12 A. There is -- making arcs, sparks. 13 Q. I'm sorry, is there a -- 14 A. Creating plasma. 15 Q. Can you -- is there a type of industry 16 where transformers using this extremely high voltage 17 would be used? 18 A. I'm not sure. I don't know. 19 Q. Okay. 20 A. But there could be. 21 Q. He says that: "This has priority upon 22 what you are doing for Fulvio." 23 A. Yes. 24 Q. Is that a reference to the BeagleBone 25 project?</p>	<p style="text-align: right;">Page 132</p> <p>1 project, only after. Now I remember now. 2 Q. Why was the transformer used? For what 3 purpose was the transformer used? 4 A. It's not relevant to this particular 5 discussion. 6 Q. Fair enough. 7 A. We imported a whole new concept into the 8 system. 9 Q. Into the system, meaning? 10 A. Into our side and I don't know how far we 11 can go with this. After -- after the test was done 12 the work got diverted, so. 13 Q. Well, first of all, you said brought a 14 whole new system into our side. What is our side, 15 the J.M. Products side? 16 A. The J.M. side. 17 Q. When was the new system brought in? 18 Without giving me the details of it when was the new 19 system brought into the J.M. Products side? 20 A. Rather than say new system we modified a 21 lot of stuff, moved things around, moved the power 22 feed around. So everything got diverted over to the 23 J.M. side, that's all. 24 Q. This is after February of 2016? 25 A. Yeah, sometime later.</p>
<p style="text-align: right;">Page 131</p> <p>1 A. Yes. 2 Q. Were you ever able to find the 3 transformer that Andrea Rossi wanted? 4 A. No. 5 Q. Was he able to find it? 6 A. He said he solved the problem. I'm not 7 sure if that meant finding the transformer or solving 8 the problem another way. 9 Q. And he never explained to you what the 10 problem itself was? 11 A. That's correct. 12 Q. Were you ever involved in installing -- I 13 think I know the answer to this but I just want to 14 make sure I'm clear. 15 I assume you were never involved in 16 installing any transformers either on the Leonardo or 17 the J.M. Products side of the Doral warehouse, or am 18 I incorrect? 19 A. Certainly not on the Leonardo side. Any 20 transformers? Transformers, why are you asking that 21 question? 22 Q. Well, we're talking about transformers 23 here. 24 A. We put a transformer -- I'm trying to 25 remember what we did it for. Not for this particular</p>	<p style="text-align: right;">Page 133</p> <p>1 Q. All right. 2 A. I don't remember exactly when. 3 Q. Is the container still -- is that -- the 4 insulated black container on the J.M. Products side, 5 is that still there? 6 A. Yes. 7 Q. Has anything in there been changed? 8 A. Stuff has been added since then. 9 Q. Into that container? 10 A. Uh-huh. 11 Q. Has anything been removed from the 12 container? 13 A. I don't know that. 14 Q. At the time -- if we go back to early 15 2015, once you walked through that white door -- 16 A. Why do you close your eyes when you're 17 talking to me? 18 Q. Because I'm trying to make sure I get the 19 question correct. I can see words when I close my 20 eyes. Does that help? 21 A. Okay. 22 Q. Some people can do that. 23 When you walked through the white door 24 into the J.M. Products side of the Doral warehouse -- 25 A. Yeah.</p>

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1 Q. -- other than the container --  
 2 A. Yeah.  
 3 Q. -- what do you see?  
 4 A. Tables, boxes, stuff like that.  
 5 Q. There is no manufacturing process going  
 6 on on the other side of the wall?  
 7 A. What do you mean by the other side? You  
 8 mean back on the J.M. side or on --  
 9 Q. Back on the J.M. Side. When you come in  
 10 the J.M. side -- if it helps, let's look at our  
 11 picture here.  
 12 A. What do you mean by manufacturing  
 13 process? Can you clarify that question?  
 14 Q. Sure. Let's look at a picture, Exhibit  
 15 1.  
 16 When you open up this white door and you  
 17 walk into the J.M. Products side of the warehouse --  
 18 A. Okay.  
 19 Q. -- before you get to the offices what is  
 20 there other than the container?  
 21 A. Pretty much the container and some tables  
 22 and some electrical stuff and some meters and things  
 23 like that.  
 24 Q. Are there -- are there any people working  
 25 on that side, in that space? I am not talking the

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1 offices. I am talking the space between the  
 2 container -- I'm sorry, the space between this white  
 3 door and when you get to the office.  
 4 A. Well, probably not at 2 o'clock in the  
 5 morning but sometimes during the day.  
 6 Q. Who would be working there during the  
 7 day?  
 8 A. I would, sometimes Andrea would be there,  
 9 Dr. Rossi would be there.  
 10 Q. Anyone else?  
 11 A. Typically, no. I can't tell you that. I  
 12 wasn't there 24 hours a day.  
 13 Q. I understand. I am only asking for the  
 14 time that you were there. The times you were there,  
 15 is that where you would tend to work or would you  
 16 tend to work in the office?  
 17 A. In the beginning I spent most of my time  
 18 there and then in the office pretty much later on.  
 19 Q. How much time would Andrea Rossi spend  
 20 working in that area?  
 21 A. On and off. Never knew.  
 22 Q. All right.  
 23 A. Can't answer that question.  
 24 Q. Were there -- what work was being done in  
 25 that area?

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1 A. Energy conversion.  
 2 Q. The actual conversion of energy in the  
 3 area?  
 4 A. Not in the area. Inside the box.  
 5 Q. But I'm sorry, my question was poor.  
 6 Other than inside the box.  
 7 So outside the box but past this gray  
 8 wall on the J.M. Products side of the warehouse, was  
 9 there anything being built or manufactured?  
 10 A. What do you mean by being built or  
 11 manufactured?  
 12 Q. I am trying to understand was there  
 13 anything that J.M. Products was doing other than  
 14 whatever was going on inside that container?  
 15 A. No.  
 16 Q. Okay. And is that -- was that consistent  
 17 during the time period that you were working with  
 18 J.M. Products?  
 19 A. I would say so, yeah.  
 20 Q. All right. And your testimony is  
 21 obviously limited only to the times that you were  
 22 there, you can't tell me what was occurring --  
 23 A. Obviously.  
 24 Q. -- when you were not there?  
 25 A. Yes.

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1 (The document referred to was thereupon  
 2 marked Bass Exhibit 21 for Identification, a copy of  
 3 which is attached hereto.)  
 4 BY MR. PACE:  
 5 Q. Mr. Bass, I am handing you what's been  
 6 marked as Exhibit 21.  
 7 A. Yeah.  
 8 Q. Is this a -- an early e-mail involving  
 9 the -- what eventually became the BeagleBone project?  
 10 A. Yes.  
 11 Q. And this is the primary work that you  
 12 were doing while you were working with J.M. Products?  
 13 A. Uh-huh. Yes. Yes.  
 14 (The document referred to was thereupon  
 15 marked Bass Exhibit 22 for Identification, a copy of  
 16 which is attached hereto.)  
 17 BY MR. PACE:  
 18 Q. I'll hand you what's marked as Exhibit  
 19 22. I take it -- Exhibit 22 reflects at least from  
 20 your e-mail that there is information that you needed  
 21 from Fabiani in order to continue your work on the  
 22 project that you were not getting from Mr. Fabiani.  
 23 Am I reading that first e-mail correctly?  
 24 A. Yes.  
 25 Q. His response -- I'm trying to see how you

<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>

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1 bit out of order because I already marked something.  
 2 (The document referred to was thereupon  
 3 marked Bass Exhibit 28 for Identification, a copy of  
 4 which is attached hereto.)  
 5 BY MR. PACE:  
 6 Q. Handing you what's marked as Exhibit 28.  
 7 Who created this business card?  
 8 A. I did.  
 9 Q. You did. The image in the business card  
 10 is a plant in Japan; is that correct?  
 11 A. I don't know. I just got it off the  
 12 Internet.  
 13 Q. Why did you create this business card?  
 14 A. I had to have some business card to show  
 15 people. That's what you usually do when you have  
 16 business meetings, I'd have something, so.  
 17 Q. Well, how many people did you show this  
 18 card to? How many people did you dole out this card  
 19 to?  
 20 A. Probably during the meetings, that's what  
 21 I recall.  
 22 Q. So twice?  
 23 A. Yeah. Yeah. There were two meetings --  
 24 there were two times we met, that's what I remember.  
 25 Q. So you had these business cards prepared

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1 for the purpose of two meetings?  
 2 A. I think so, yeah. Yeah, for whatever,  
 3 from there on out. I still have some. Do you want  
 4 one?  
 5 Q. I'm asking if you ever used them again.  
 6 Did you ever give them out to anyone else?  
 7 A. Besides people that were involved? My  
 8 girlfriend maybe. I don't know.  
 9 Q. So aside from giving them -- aside from  
 10 giving one of these cards to your girlfriend and  
 11 aside from Andrea Rossi and Fulvio Fabiani, the only  
 12 people you may have given these cards to are people  
 13 who attended either the meeting for Industrial Heat  
 14 or the meeting that involved the Chinese investors?  
 15 A. Probably, yes. I don't recall giving  
 16 them to anybody else. I didn't have a need to give  
 17 them to anybody else.  
 18 Q. How many cards did you have made?  
 19 A. 20. They come in sheets.  
 20 Q. Okay. And the phone number on there is  
 21 what phone number?  
 22 A. That's the office in Doral.  
 23 Q. If messages were left at that phone  
 24 number would they be provided to you?  
 25 A. Yes.

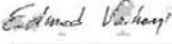
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1 Q. By whom?  
 2 A. By the phone company.  
 3 Q. Would you check the messages on that  
 4 phone number?  
 5 A. Yes, when I was in there or Dr. Rossi  
 6 would check them, either one. The phone -- it was a  
 7 common phone between the two offices.  
 8 Q. Two offices meaning between your office  
 9 and Andrea Rossi's office?  
 10 A. Yes.  
 11 Q. Did you ever represent yourself to be the  
 12 director of engineering of J.M. Products to anyone  
 13 else, to the best of your recollection?  
 14 A. I don't remember.  
 15 (The document referred to was thereupon  
 16 marked Bass Exhibit 27 for Identification, a copy of  
 17 which is attached hereto.)  
 18 BY MR. PACE:  
 19 Q. Now I'm going to go back to Exhibit 27.  
 20 You have now what's been marked as Exhibit 27.  
 21 This e-mail discusses a third meeting  
 22 that was being set up for February 16, 2016 in Doral,  
 23 Florida. Do you recall that -- do you recall such a  
 24 meeting being set up?  
 25 A. No, I don't. If you prompt me on who was

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1 there I would probably remember.  
 2 Q. Well, I'm not sure the meeting occurred  
 3 so that's what I was going to ask you. Do you recall  
 4 if a meeting actually occurred or not?  
 5 A. I don't remember meeting anybody this  
 6 last year.  
 7 Q. You ask here with your communications  
 8 with Andrea Rossi: "When we met with some people  
 9 last year, I don't remember who it was, one of them  
 10 asked me how does Johnson Matthey heat their platinum  
 11 in other plants. At that time I didn't know you were  
 12 cooking platinum sponge, and I didn't know what  
 13 process they were using in other US operations, so I  
 14 was very uncomfortable answering."  
 15 Is J.M. Products a affiliate or  
 16 subsidiary of Johnson Matthey?  
 17 A. No, not really. No. Well, by affiliate,  
 18 there was supposed to be the exchange of platinum  
 19 sponge and then a return back of the cooked platinum  
 20 sponge. That's the way I understood it.  
 21 Q. And you understood that from whom?  
 22 A. From working around the people, working  
 23 around Dr. Rossi, Hank, Hank Johnson.  
 24 Q. So Hank Johnson told you they were buying  
 25 platinum sponge --

<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  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>

<div>Page 214</div> <div>1 CERTIFICATE OF REGISTERED PROFESSIONAL REPORTER</div> <div>2</div> <div>3 I, EDWARD VARKONYI, Registered</div> <div>4 Professional Reporter and a Notary Public for the</div> <div>5 State of Florida at Large, do hereby certify that I</div> <div>6 reported the deposition of JAMES BASS; that the</div> <div>7 reading and subscribing of the deposition were waived</div> <div>8 by the witness and counsel for the respective</div> <div>9 parties; that the foregoing pages, numbered from 1 to</div> <div>10 212, inclusive, constitute a true and correct</div> <div>11 transcription of my shorthand report of the</div> <div>12 deposition by said witness on this date.</div> <div>13</div> <div>14 I further certify that I am not an</div> <div>15 attorney or counsel of any of the parties, nor a</div> <div>16 relative or employee of any attorney or counsel</div> <div>17 connected with the action, nor financially interested</div> <div>18 in the action.</div> <div>19</div> <div>20 WITNESS my hand and official seal in the</div> <div>21 City of Miami, County of Dade, State of Florida, this</div> <div>22 10th day of February 2017.</div> <div>23</div> <div>24</div> <div>25</div> <div> Notary Public, State of Florida at Large; my commission expires February 26, 2019. Bonded through Troy Fain Insurance, Inc.</div>	

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