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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ANDREA ROSSI and LEONARDO)
CORPORATION,)

Plaintiffs,)

VS.)

No. 1:16-cv-2119-CMA

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

Defendants.)

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

Counter-Plaintiffs,)

vs.)

ANDREA ROSSI and LEONARDO)
CORPORATION,)

Counter-Defendants,)

and)

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

Third-Party Defendants.)

HIGHLY CONFIDENTIAL

Videotaped Deposition of JOSEPH ALAN MURRAY
(Taken by Plaintiff)
Raleigh, North Carolina
Friday, February 17, 2017

Reported in Stenotype by
Lauren M. McIntee, RPR
Transcript produced by computer-aided transcription

1 the opinions you've set forth here, do you plan on
2 offering any other opinion testimony?

3 **A. Not as far as I'm aware at this point.**

4 Q. Are you planning on opining that there was
5 some sort of manipulation or nefarious activities taken
6 by Dr. Rossi or any of the other third-party Defendants
7 in this case?

8 **A. Not that I, not that I would imagine at this
9 point, no.**

10 Q. Have you seen any evidence of nefarious
11 activities?

12 **A. Not at this point.**

13 Q. Okay. Is it your understanding then, sir,
14 that in all likelihood or is it your opinion that the
15 problems with the data are the result of a either poor
16 test plan, well, a poor test plan?

17 **A. My opinion would be that the, the results are
18 a combination of poor test plan, poor documentation, and
19 a completely inadequate selection of the sensors used
20 for this system.**

21 Q. Okay. Are you planning on opining that the
22 test plan was not followed?

23 **A. Mr. Penon provided me with a test plan on the
24 day, on February 16, 2016, trying to remember that day
25 is correct.**