

# **Exhibit 20**

02/16/2017 Thomas Darden

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

ANDREA ROSSI and LEONARDO  
CORPORATION,

Plaintiffs,

VS.

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.

No. 1:16-cv-2119-CMA

Videotaped Deposition of  
THOMAS DARDEN

(Taken by Plaintiff)

3509 North Haworth Drive, Suite 403, Raleigh, North Carolina

February 16, 2017

Reported in Stenotype By

Leslie Christian

Transcript produced by computer-aided transcription

1           A.    Um-hm.

2           Q.    And the last sentence of that paragraph  
3 states, "One ultimate goal, if we can manage the  
4 intellectual property and ownership issues, is to use  
5 Rossi's fuel and catalyst methods with some of the  
6 other promising handling and support systems to see if  
7 the combinations produce better results."

8           A.    Um-hm.

9           Q.    Was that one of your goals?

10          A.    We wanted to get the industry together  
11 broadly. So -- and we talked to Rossi about this. We  
12 talked to the other inventors and we said, "Look, why  
13 don't you guys work together and see if there's some  
14 way that you can combine your efforts." And some  
15 people were interested in that and some people weren't.

16                    But there were big IP and ownership issues  
17 associated with that so it was very difficult to do.  
18 We never did it. But it was kind of a dream or a hope.  
19 Wouldn't it be great if we could get all these  
20 different smart scientists working in this field to  
21 start sharing their ideas between themselves, among  
22 themselves, instead of keeping everything secret.

23          Q.    Did you talk to Dr. Rossi about this  
24 specifically? Using his fuel with other people in his  
25 field?

02/16/2017 Thomas Darden

Page 104

1           A.     Well, not with other people but with their  
2 information using it to see if it was helpful for  
3 Rossi's process. And we did, in fact. And he said --  
4 he said that would be a strategy because at first he  
5 thought why would you be so stupid or why would you  
6 waste your money investing in these other idiots who  
7 won't be successful. I mean, this is what he said.

8                     And I said, "Well, I don't know if they  
9 won't be successful." And some of them appeared to  
10 have more sophisticated kind of measurement systems,  
11 containment devices. I don't know. I mean, other  
12 parts of the system. Just as a naive person it  
13 certainly looked much more sophisticated. I thought  
14 what if we could get access to some of those  
15 technologies.

16                     And since we owned such a huge position in  
17 Rossi's technology, we're making small investments in  
18 these others, wouldn't it be good -- our advice would  
19 be to take those other technologies and then bring them  
20 in and see if they worked with what Rossi was doing.

21                     At that point he said that would be a  
22 strategy. You know, I thought, well, okay, I guess  
23 there would be some logic to that. The idea of  
24 transfer -- we never want to transfer something that we  
25 had such a big position in -- Rossi's technology -- to

1 somebody else.

2 Q. So you never took his fuel and tried to use  
3 it with anybody else's technology?

4 A. We never did.

5 Q. Did you ever use someone else's technology  
6 and tried to use it with Rossi's fuel?

7 A. We never did.

8 Q. Okay. Who at this time -- I guess I'll  
9 define the time as 2013 July through September of 2014.  
10 Who was working -- who was the engineering staff  
11 working for Industrial Heat? Who were the members?

12 A. Well, we had, you know, T. Barker working  
13 in the shop. I mean, primarily it was Andrea and  
14 Fulvio were working together. So they both were there.

15 Q. Is that Fulvio Fabiani?

16 A. Yeah, Fulvio Fabiani. Alex Rosa was around  
17 some. A young guy. A young engineer in training. I  
18 don't know if he had his degree at that point. There  
19 was a guy -- an engineer -- a mechanical or a civil  
20 engineer by training, I believe, named David Perry who  
21 was involved some. The tests at that point were not so  
22 much like research. It was more doing what Rossi was  
23 telling us to do in terms of building things.

24 T. Barker, Rosa, Alex. J.T. was around of  
25 course. John Mazzarino would come in from time to time

1 CERTIFICATE OF REPORTER  
 2 STATE OF NORTH CAROLINA )  
 3 COUNTY OF WAKE )  
 4

5 I, Leslie Christian, the officer before whom  
 6 the foregoing videotaped deposition was taken, do  
 7 hereby certify that the witness whose testimony appears  
 8 in the foregoing videotaped deposition was duly sworn  
 9 by me; that the testimony of said witness was taken by  
 10 me to the best of my ability and thereafter reduced to  
 11 typewriting under my direction; that I am neither  
 12 counsel for, related to, nor employed by any of the  
 13 parties to the action in which this videotaped  
 14 deposition was taken, and further that I am not a  
 15 relative or employee of any attorney or counsel  
 16 employed by the parties thereto, nor financially or  
 17 otherwise interested in the outcome of the action.

18 This the 28th day of February, 2017.

19 *Leslie Christian*  
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21 LESLIE CHRISTIAN  
 22 Notary Public in and for  
 23 County of Wake  
 24 State of North Carolina  
 25 Notary Public No. 201221300088