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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 1:16-cv-21199-CMA/O'SULLIVAN

ANDREA ROSSI, ET AL.,

Plaintiffs,

vs.

THOMAS DARDEN, ET AL.,

Defendants.

Casa de Campo
Resort & Villas
La Romana, D.R.
Wednesday, February 22, 2017
9:06 a.m. - 7:42 p.m.

VIDEOTAPED DEPOSITION OF FABIO PENON

Taken on behalf of the Plaintiffs before
Diana Santos, Shorthand Reporter and Notary Public
in and for the State of Florida at Large, pursuant
to Notice of Taking Deposition filed in the above
cause.

1 flowmeter?

2 A Datas were read every night by Dr. Rossi
3 and Rossi had to report them in the -- in the log --
4 in the logbook and every night it was transmitted in
5 this data.

6 Q Did you have any way to verify the data
7 that Dr. Rossi was providing you?

8 A The correctness of the data?

9 Q Yes.

10 A When I visited to the Doral plant one of
11 the controls that I wanted to make is the
12 reconciliation between the data transmitted by Rossi
13 and the data relieved in the -- in the meter.

14 Q So you would reconcile the data provided
15 by Dr. Rossi with the change from your last visit,
16 the change in water flow?

17 A With the relevant data in the opportunity
18 of my business.

19 Q Sir, some people have said that it is
20 impossible to have the same amount of water flow
21 every -- multiple days in a row. I'm sorry. Can
22 you explain why -- why the measurements are all to
23 the -- to the thousandth, I believe they are
24 thousand kilogram per day?

25 A Can you repeat?

1 the compliance with the contractual agreement.

2 Q Did you prepare this document, sir?

3 A Yes.

4 Q Does this document contain your
5 observations and your measurements?

6 A Yes.

7 MR. PACE: Objection. Go ahead.

8 BY MR. ANNESSER:

9 Q Does this first document and the documents
10 attached to the back contain your measurements and
11 calculations, sir?

12 MR. PACE: Objection.

13 THE INTERPRETER: You said the first or
14 the last page?

15 MR. ANNESSER: The whole document.

16 MR. PACE: Same objection.

17 MR. ANNESSER: The whole exhibit.

18 THE WITNESS: Yes.

19 BY MR. ANNESSER:

20 Q To the best of your knowledge, sir, is the
21 information and measurements contained within
22 Exhibit 21 true correct and accurate?

23 A Yes, they do.

24 Q Do you have any reason to believe that any
25 of the measurements contained in this exhibit are