

EXHIBIT 6

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF FLORIDA)
3 ANDREA ROSSI and LEONARDO)
4 CORPORATION,)
5 Plaintiffs,)
6 VS.)
7) No. 1:16-cv-2119-CMA
8 THOMAS DARDEN; JOHN T. VAUGHN;)
9 INDUSTRIAL HEAT, LLC; IPH)
10 INTERNATIONAL B.V.; and)
11 CHEROKEE INVESTMENT PARTNERS,)
12 LLC,)
13 Defendants.)
14 INDUSTRIAL HEAT, LLC and IPH)
15 INTERNATIONAL B.V.,)
16 Counter-Plaintiffs,)
17 Vs.)
18 ANDREA ROSSI and LEONARDO)
19 CORPORATION,)
20 Counter-Defendants,)
21 And)
22 J.M. PRODUCTS, INC.; HENRY)
23 JOHNSON; FABIO PENON; UNITED)
24 STATES QUANTUM LEAP, LLC;)
25 FULVIO FABIANI; and JAMES)
BASS,)
Third-Party Defendants.)

21 Videotaped Deposition of
22 THOMAS DARDEN
23 (Taken by Plaintiff)
3509 North Haworth Drive, Suite 403, Raleigh, North Carolina
24 February 16, 2017
25 Reported in Stenotype By
Leslie Christian
Transcript produced by computer-aided transcription

02/16/2017 Thomas Darden

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2 SOUTHERN DISTRICT OF FLORIDA)
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A P P E A R A N C E S :

ON BEHALF OF PLAINTIFFS:

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ALSO PRESENT:

MICHAEL KIRBY, CLVS
DR. ANDREA ROSSI

1 Johnson Matthey plant. J.M. plant.

2 Q. Did you ever speak with him?

3 A. Yes.

4 Q. And what did you speak with him about?

5 A. We met him in his capacity as the operator
6 of the -- of the J.M. plant.

7 Q. Okay. I understand you met him in that
8 capacity, but what did you speak to him about?

9 A. Oh, oh; I'm sorry. We asked him how it was
10 going. You know, how is production. How is the energy
11 supply. How do you feel about this. Is it working
12 well. It was a general conversation that, you know,
13 somebody might have with a plant manager, somebody
14 operating a plant, to try to get information about, you
15 know, was it a good customer supply relationship, how
16 were they feeling about it, was it operating
17 effectively. He said it was producing lots of steam.

18 He said their utility bills have been
19 reduced compared to what they were before because they
20 weren't having to use so much electric energy and now
21 they were using this energy. He said the form of the
22 steam was great. You know, the temperature or
23 whatever, the nature of it, and production was going
24 well.

25 Q. When did you have that conversation with

1 A. Yes.

2 Q. What, if anything, did Mr. Bass do to
3 manipulate the plant being brought to Florida from
4 North Carolina?

5 A. Well, if he was part of setting up a
6 fraudulent company, that was part of the scheme or the
7 deception to try to trick us into sending the machine
8 down there thinking that it was a credible entity, then
9 that would have been his role.

10 Q. Well, what proof do you have that Mr. Bass
11 was involved in setting up this company or doing any of
12 the acts that you've just testified to?

13 A. I believe that he helped in building the
14 heat radiator or heat transfer system on the other side
15 of the wall. And I believe that he represented to us
16 that there was a manufacturing plant there and that it
17 was operating nicely.

18 Q. But did that happen prior to you making the
19 decision to bring the plant to North Carolina?

20 A. I don't know the chronology of when he came
21 to be involved.

22 Q. But we do know that he -- you and him had
23 not met until after the decision had been made to bring
24 the plant to Florida?

25 A. That is correct.

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

20

21

LESLIE CHRISTIAN

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Notary Public in and for

23

County of Wake

24

State of North Carolina

25

Notary Public No. 201221300088

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WITNESS'S CERTIFICATE

I, Thomas Darden, MD, do hereby certify that I have read and understand the foregoing transcript and believe it to be a true, accurate, and complete transcript of my testimony, subject to the attached list of changes, if any.

Thomas Darden, MD

This deposition was signed in my presence by _____, on the _____ day of _____, 2017.

Notary Public

My commission expires: