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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;)
FULVVIO FABIANI; and JAMES)
BASS,)

Third-Party Defendants.)

Videotaped Deposition of
JOHN MAZZARINO
(Taken by Plaintiff)
3509 North Haworth Drive, Suite 403, Raleigh, North Carolina
January 13, 2017, 9:07 a.m.

Reported in Stenotype By
Margaret M. Kruse, CSR, RMR, CRR
Transcript produced by computer-aided transcription

1 "Section 4 of the agreement is hereby amended to
2 delete the second and third section of Section 4 in their
3 entirety and replace them with the following. The
4 validation will be made in the factory of Leonardo in
5 Ferrara, Italy on April 30 and May 1 of 2013, unless
6 otherwise agreed in writing by the company and Leonardo.
7 'Validation' will be deemed successful and achieved when
8 the expert responsible for such validation, 'EVR' certifies
9 that the performance standards for the plant set forth in
10 Exhibit A to this amendment have been met."

11 Are you familiar with that?

12 **A. Yes. I've seen it.**

13 Q. Did you attend a test in Ferrara, Italy on or
14 about April 30, 2013?

15 **A. I was in Ferrara. I don't recall if it was a
16 test or not.**

17 Q. You were in Ferrara but you don't recall if you
18 were present for a test?

19 **A. Whether it was a test.**

20 Q. I see.

21 **A. I was there. I met with Andrea Rossi and
22 J.T. Vaughn.**

23 Q. Okay.

24 **A. But I don't believe a test was occurring at that
25 time.**

1 Q. Yes. And I appreciate your clarifying and
2 answering it the way you did. Thank you.

3 MR. ARAN: I have no further questions.

4 MR. NUNEZ: Hi there. Rudy Nunez. Am I coming
5 through okay?

6 **THE WITNESS: Yes.**

7 **EXAMINATION**

8 BY MR. NUNEZ:

9 Q. Good afternoon, Mr. Mazzarino. Again, Rudy
10 Nunez. I represent a gentleman by the name of
11 Fulvio Fabiani and his company United States Quantum Leap.
12 It's a limited liability here in Florida.

13 Let me ask you, are you familiar with
14 Mr. Fabiani?

15 **A. Yes, I've met Mr. Fabiani.**

16 Q. And what is your understanding of what role did
17 Mr. Fabiani have with Mr. Rossi and Industrial Heat?

18 **A. I believe he was an associate of Mr. Rossi's --**
19 **of Dr. Rossi's who played a technical role at the Raleigh**
20 **facility of Industrial Heat.**

21 Q. And do you know who employed Mr. Fabiani?

22 **A. I don't know.**

23 Q. Do you have any knowledge as to Mr. Fabiani's
24 role with Dr. Rossi prior to his work in North Carolina?

25 **A. I don't recall. I don't recall. I knew they**