

Deposition Testimony of:

Ian Little

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00009:15 EXHIBIT NO. 1515 212

Page 10:05 to 10:06

00010:05 IAN LITTLE,
06 having been first duly sworn, testified as follows:

Page 12:09 to 13:04

00012:09 Q. All right. So let me just understand some
10 real basic things. I know something about you because I
11 spent an entire day with you before, but where were you
12 born?
13 A. I was born in [REDACTED]
14 Q. Okay. And you lived there most of your life?
15 A. My -- up to my middle years, yeah.
16 Q. Okay.
17 A. My 20s and that thing.
18 Q. All right. And what is your education?
19 A. I have a degree in civil engineering.
20 Q. Okay. I believe you told me at the Marine
21 Board that you are a degree-qualified engineer. Did I
22 remember that right?
23 A. Yeah, I have a degree in civil engineering.
24 Q. What did that mean, "degree-qualified
25 engineer"?
00013:01 A. I have a degree in civil engineering.
02 Q. I see. All right. I understand. Do you
03 remember what year that was?
04 A. I graduated in 1981.

Page 13:08 to 13:11

00013:08 picked up your work history at about 1991. You were a
09 manpower team leader in Houston with Amoco?
10 A. Yeah, I believe that's correct. I can't
11 remember all the dates.

Page 13:24 to 22:20

00013:24 Q. Yeah, from 1981 when you graduated to 1998
25 what was your jobs?
00014:01 A. Would you like me to kind of go through
02 chronologically?
03 Q. I want an idea of what your experience was and
04 what kind of work you did.
05 A. Well, I joined Amoco in 1981 in Aberdeen as a
06 petroleum engineer. I spent two years working in
07 petroleum engineering in Aberdeen.
08 Q. Okay. Was it -- I'm sorry -- in connection
09 with offshore work, or was it just --

10 A. Yeah, it was offshore work. It was the
11 North Sea. It was mainly production engineering, yeah,
12 training period.
13 Q. Okay. All right. How long did you do that?
14 A. That was for two years.
15 Q. Okay.
16 A. And then I think approximately 1983 I went
17 into drilling in Aberdeen.
18 Q. With Amoco or --
19 A. With Amoco.
20 Q. Okay.
21 A. As a drilling engineer.
22 Q. All right.
23 A. And I worked onshore in drilling engineering
24 learning engineering. Sorry, I forgot where I am.
25 Q. That's okay. You were learning the drilling
00015:01 engineer trade from 1983.
02 A. Yeah, so from approximately 1983.
03 Q. Okay.
04 A. I --
05 Q. Land-based gas wells mainly?
06 A. No, offshore.
07 Q. Offshore, too?
08 A. Yeah.
09 Q. Okay.
10 A. It was all -- there was no land-based.
11 Q. Okay.
12 A. We worked out of Aberdeen.
13 Q. I just --
14 A. It was all offshore.
15 Q. I'm sorry.
16 A. I worked offshore.
17 Q. You worked onshore for offshore projects.
18 A. Yeah.
19 Q. I got you.
20 A. Then I started to work offshore on platforms
21 as a drilling engineer. I can't remember the exact
22 dates that I started offshore, but I did that for a
23 couple years. Then I started to work as a well site
24 leader on platforms and -- and rigs in the North Sea.
25 Q. For Amoco all this time?
00016:01 A. For Amoco, yes.
02 Q. Okay.
03 A. And then around 1988, '87, '88 I -- it was '88
04 I went overseas to West Africa as a drilling engineer.
05 Q. Okay.
06 A. And drilled wells there and stayed there for
07 six months on and off. And then I began a rotational
08 role globally with Amoco for about 18 months as a
09 drilling engineer. I worked in Denmark and the
10 Netherlands.
11 And then in 1989 I went back to the U.K. as a
12 drilling engineer and worked in London for six months.
13 And then in 1990 I moved to the Netherlands in
14 the Hague as the senior drilling engineer for the

15 Netherlands, Amoco. I stayed in the Netherlands for
 16 five years. Halfway through that after about three
 17 years, two or three years I -- I became a drilling
 18 superintendent in the Netherlands, and it was offshore.
 19 Then in 1995, I moved to Egypt as a drilling
 20 superintendent in an offshore project in Egypt and
 21 stayed there approximately two years.
 22 In 1997 I moved to Houston as the manpower
 23 human resources team leader based in Houston through to,
 24 I believe early in the end of 19 -- 1998 when the
 25 BP-Amoco merger occurred. And then I was sent back to
 00017:01 the U.K. to the North Sea and after the merger with BP
 02 and worked in the North Sea as a wells team leader for
 03 one of the areas in the North Sea, and I stayed in the
 04 North Sea for just under five years.
 05 Q. Okay. That's about 2003 --
 06 A. Yeah.
 07 Q. -- according to my notes?
 08 A. Yeah.
 09 Q. Okay. So in 2003 I think you went back to
 10 Egypt.
 11 A. I went back to Egypt, that's correct.
 12 Q. Okay. And apparently stayed there for about
 13 four years?
 14 A. That's correct, yeah, four years.
 15 Q. And you were the wells manager in Egypt,
 16 correct?
 17 A. I was.
 18 Q. And what did the wells manager do in Egypt in
 19 those days? What was your job?
 20 A. I was the functional lead for -- for wells.
 21 So my job was overall function of lead for the drilling
 22 and completions activity in Egypt.
 23 Q. Who reported to you? Not their names, but
 24 their positions.
 25 A. In those days I -- initially I went there, I
 00018:01 worked in the -- the joint venture with -- with the
 02 Egypt -- Egypt general petroleum. So I had operations
 03 manager reporting to me, engineering, team leaders
 04 reporting to me, type of --
 05 Q. Well team leaders?
 06 A. We didn't call them that in -- in GUPCO it was
 07 a different -- but equivalent.
 08 Q. Equivalent, functional equivalent?
 09 A. Yeah.
 10 Q. And in terms of the OIMs is -- or the well
 11 site leaders, did they also report to you?
 12 A. They were reported in to the -- the operations
 13 people --
 14 Q. Who reported to you?
 15 A. -- reported to me.
 16 Q. Okay. And was that position similar in terms
 17 of position and responsibility as when you moved to --
 18 back to Houston in June of 2007 as a wells manager of
 19 the Gulf of Mexico?

20 A. It was -- it was -- the job in GUPCO was more
21 of a line leadership role. So I -- the operations
22 people reported to me. I was in the line of -- of wells
23 delivery. In the middle of, again, my assignment in
24 Egypt, I moved into a more functional role not -- not
25 based in the joint venture. I moved into the -- the --
00019:01 the BP corporate headquarters in -- in Cairo as the
02 wells manager. And then I had a functional role so
03 that -- the wells team didn't report directly to me.
04 They reported in to the assets that would were being
05 operated, and I was a functional lead. So I provided
06 support and assurance to the assets and the wells teams
07 and those assets, and it was similar to the role I
08 initially had when I went to Houston.
09 Q. Okay. So with your first job in Houston from,
10 I believe this is right, from June of '07 until May of
11 '08?
12 A. That's correct.
13 Q. Correct?
14 A. Yes.
15 Q. You were, I wrote wells manager down, but was
16 that your title then?
17 A. Yes, it was.
18 Q. And it was just straight wells manager, not
19 E&A, not D&C; it was wells manager?
20 A. No, it was wells manager for the E&A area in
21 the Gulf of Mexico.
22 Q. Okay. And I will talk about that period of
23 time with you, but as of May of 2008 you became the
24 wells manager for E&A drilling, I believe that was the
25 time?
00020:01 A. That -- yeah, it was E&A drilling in the line,
02 so that's when the wells team leaders and the
03 engineering team leader reported directly to me.
04 Q. Right. So then -- then tell me about June
05 2007 to May of 2008, what was your job description?
06 A. I was the functional lead for wells in the
07 exploration and appraisal -- exploration and appraisal
08 wells in the Gulf of Mexico.
09 Q. And what types of jobs did you do as the
10 functional lead?
11 A. I was providing support to the wells teams and
12 the assets or the exploration teams and the asset teams
13 and appraisal in -- in the wells area, so drilling
14 mainly.
15 Q. Technical support?
16 A. Technical support, functional support, so if
17 they -- assurance, so I would be part of the well stage
18 gate processing, well planning. If there was any issues
19 that they needed support with, I was there to -- to give
20 that support.
21 Q. Okay. Who reported to you?
22 A. I had -- I had an engineer who reported to me
23 who did kind of special projects. I had an operations
24 adviser who reported to me. I'm trying to think who

25 else -- I can't recall exactly, but there -- there
00021:01 wasn't many people who reported directly to me.
02 Q. Okay. But how did you perform the function
03 down the line? Was it through the operations adviser?
04 A. No, I mean, I would be available to meet and
05 would meet with the -- the wells teams that were
06 delivering to the assets.
07 Q. Okay. So but below your level were the well
08 teams, correct?
09 A. Yeah.
10 Q. Okay. But would you be involved in their
11 meetings?
12 A. Not -- not their day-to-day meetings, no.
13 Q. How many rigs were you responsible for as
14 functional lead from June of '07 to May of '08?
15 A. It varied. I think when I got there there
16 were two rigs at that time.
17 Q. What -- which rigs was that?
18 A. The Ocean Confidence and the Deepwater
19 Horizon.
20 Q. Okay. And were both of those deepwater rigs?
21 A. They were, yes.
22 Q. Okay. What was your deepwater experience
23 before June 2007?
24 A. I worked in -- in Egypt, and we had deepwater
25 activities there. And west of Shetlands in the
00022:01 North Sea, I worked there, what we would call deepwater.
02 They were --
03 Q. What was deepwater?
04 A. They were all moored type rigs. So they were
05 in -- I think the deepest water was, I think -- I can't
06 remember exactly, but in the thousand meter kind of
07 depth, so 3,000 feet, something like that.
08 Q. Okay. Are we talking about 3,000 feet below
09 sea level to the mud line?
10 A. Yes.
11 Q. Okay. Now, so how many wells would that have
12 been that you had experience with that you considered to
13 be deepwater?
14 A. I can't recall how many it would be.
15 Q. I mean, I -- just give me a rough idea. Was
16 it more than ten or less than ten?
17 A. It might be more than ten.
18 Q. You just don't know?
19 A. There again, schedules and seeing exactly how
20 many wells we drilled.

Page 23:04 to 23:13

00023:04 Q. Do you degree that deepwater drilling and
05 exploration is far more technically challenged,
06 challenging than shallow water drilling?
07 A. Deepwater drilling has different challenges
08 than shallow water.
09 Q. I understand that, but my question -- that's

10 not my question. Is it far more challenging,
 11 technically challenging than shallow water?
 12 A. It has different challenges from shallow water
 13 drilling.

Page 24:15 to 25:15

00024:15 Q. Yeah. My -- my notes say that in May of 2008
 16 you assumed the position of wells manager for
 17 exploration and appraisal drilling --
 18 A. Right.
 19 Q. -- Gulf of Mexico.
 20 A. Yeah. Yeah. That -- that wasn't -- there was
 21 no -- that wasn't the official title. I mean, that was
 22 the title I had at -- when I moved over. The -- the
 23 reorganization that occurred in -- in May 2008, they
 24 created the -- the split operations in engineering, and
 25 they created the titles operations manager and
 00025:01 engineering manager. So I -- the role that I had was
 02 combined because I had engineering and operations
 03 underneath. I was still the wells manager, even though
 04 that title had changed during the reorganization.
 05 Q. Okay. So not that a title means anything.
 06 I'm more interested in your -- your job. How did your
 07 job change or responsibility change, your job
 08 description change between the June '07 to May '08 -- to
 09 May '08 to the time you left in April of 2010?
 10 A. The -- the difference was that they -- the
 11 wells teams that were reporting in directly to the --
 12 the -- the assets or the exploration teams now reported
 13 in to me --
 14 Q. Okay.
 15 A. -- directly.

Page 25:22 to 25:24

00025:22 From June of 2007 to May of 2008, who was your
 23 direct supervisor?
 24 A. My directline manager was Harry Thierens.

Page 26:02 to 26:13

00026:02 Q. Okay. And what was Mr. Thierens' position in
 03 that era?
 04 A. He was, I believe, called the wells director.
 05 Q. Okay. And did you have any other supervisors
 06 other than Mr. Thierens?
 07 A. Not line supervisors, no.
 08 Q. Okay. What other types of supervisors did you
 09 have?
 10 A. I was just clarifying the statement. Harry
 11 was my line --
 12 Q. Right.

13 A. -- manager, yeah.

Page 26:21 to 28:06

00026:21 Q. And you believe he was the Gulf of Mexico
22 wells director?

23 A. Yes, that's correct.

24 Q. All right. Was it also the western
25 hemisphere, if you know, or was it just the Gulf of
00027:01 Mexico?

02 A. Just the Gulf of Mexico.

03 Q. Okay. Now, so you're telling me there was a
04 reorganization where the operations side, and the
05 engineering side were split. They were one and the
06 same, and they went into a transition period and split
07 during the era of May 2008 forward, correct?

08 A. Yeah. The -- the reorganization was broader
09 than -- than just that. It was the -- the structure of
10 the -- the wells organizations and the assets were --
11 each asset had its own individual wells team. So it was
12 taking that and putting it in under a different
13 structure and then also splitting out engineering under
14 an engineering manager and operations under an
15 operations manager.

16 Q. Okay. Tell me in May of 2008 which positions
17 reported to you.

18 A. In May of 2008, after the reorganization, I --
19 I had an engineering team leader.

20 Q. And you had -- was that John Guide, or did you
21 have more than one?

22 A. No. The engineering team leader was David
23 Sims.

24 Q. Okay.

25 A. And then I also had wells team leaders
00028:01 reporting to me.

02 Q. More than one for each rig?

03 A. Yeah.

04 Q. Okay.

05 A. In May of 2008 we had Jeff Skelton was the
06 wells team leader for the Deepwater Horizon.

Page 28:13 to 28:17

00028:13 A. I'm trying to recall in May 2008 if I had
14 another wells team leader at that time. The other
15 project I -- I was functionally responsible for was the
16 deep gas project, which was a jackup in the Gulf of
17 Mexico.

Page 30:03 to 30:17

00030:03 Q. All right. I understand. Now, tell me your
04 job duties in being the wells manager for E&A drilling

05 Gulf of Mexico after May of 2008.
06 A. So my role was to lead the exploration and
07 appraisal team, so lead the engineering and the
08 operations, so provide direction, leadership, make sure
09 that we had the resources to execute the programs, make
10 sure that we were following our processes and
11 procedures, be available for consultation if there were
12 any issues, report in the line to my line manager if
13 there were any issues, work on strategically the
14 longer-term program for exploration and appraisal, work
15 with the various exploration managers and asset managers
16 to understand what that long-term plan was, what their
17 requirements were.

Page 30:20 to 31:02

00030:20 Q. Okay. And Mr. Thierens was your direct line
21 supervisor to which you reported?
22 A. Right.
23 Q. Okay. And you would consult with him on any
24 of these job responsibilities that you had --
25 A. Yes.
00031:01 Q. -- as you needed --
02 A. As I needed.

Page 31:08 to 31:13

00031:08 talked to you. That's okay. How many rigs did you have
09 at one time, at the most?
10 A. From what I recall, I think three rigs within
11 my area. So some would be in line, and, as I said, the
12 deep gas was -- was --
13 Q. Was a separate one?

Page 31:15 to 33:02

00031:15 Q. Okay. Now, you -- to -- to wind up your --
16 your work history so we can go on to something else,
17 I'll go ahead and ask you. It's my understanding that
18 you officially became the vice president for wells North
19 Africa, I think officially on April the 2nd, 2010, if I
20 remember the documents right?
21 A. I left the Gulf of Mexico officially in April
22 the 2nd, 2010. I became -- I was announced into the
23 position of vice president of wells North Africa in
24 early December, approximately.
25 Q. Okay. But you officially left -- we'll talk
00032:01 about --
02 A. Yeah.
03 Q. -- the year before a little later -- but you
04 officially left, based upon your hand-over documents,
05 correct, your organizational MOCs and whatnot, on April
06 the 2nd, 2010?

07 A. That's correct.
 08 Q. Okay. And you currently are the VP for wells
 09 North Africa?
 10 A. They're called the VP region wells, not --
 11 yeah.
 12 Q. Okay. It has a new name?
 13 A. Yes.
 14 Q. All right. And so you do live and work in
 15 North Africa?
 16 A. I live in the London area --
 17 Q. Okay.
 18 A. -- and my office is in Sunbury.
 19 Q. I see.
 20 THE REPORTER: Sunbury?
 21 THE WITNESS: Sunbury.
 22 THE REPORTER: Thank you.
 23 Q. (BY MR. PENTON) And so you're at Sunbury. Do
 24 you -- do you go to North Africa --
 25 A. Yes.
 00033:01 Q. -- for just visits, or --
 02 A. Just visits.

Page 33:06 to 33:10

00033:06 Q. Okay. Now, from June of '07 to April of 2010,
 07 though, you lived in the Houston area, correct?
 08 A. That's correct.
 09 Q. And worked out of the Westlake office?
 10 A. That's correct.

Page 33:12 to 34:25

00033:12 you a little bit about the organization. And for our
 13 purposes let's just keep our talks right now to May 2008
 14 until April of 2010. Okay?
 15 A. Okay.
 16 Q. All right. Mr. Harry Thierens was your well
 17 director line supervisor until sometime in the fall of
 18 2009; is that correct?
 19 A. I believe Harry left in mid December 2009.
 20 Q. Officially left in mid December?
 21 A. (Nodding head.)
 22 Q. Okay.
 23 A. From what I recall, that was kind of the time
 24 frame.
 25 Q. I understand. And he apparently went back to
 00034:01 the U.K.?
 02 A. Yes, I think.
 03 Q. All right. Now, a gentleman by the name of
 04 David Rich, I believe, took his place and his position?
 05 A. Yes, that's correct.
 06 Q. Had you worked with Mr. Rich before?
 07 A. Mr. Rich would have been part of the Gulf of
 08 Mexico team, and he's part of the same -- of the

09 leadership team in the Gulf of --
 10 Q. Yeah, Mr. Rich was part of the completions
 11 arm?
 12 A. He was the completions leader, yeah.
 13 Q. Okay. Now, above Mr. Thierens, tell me about
 14 the structure above him in this time period.
 15 A. In May 2008 --
 16 Q. Yes.
 17 A. -- following?
 18 Q. That's the period we're dealing with.
 19 A. Yeah. So the -- Mr. Thierens reported
 20 directly to the -- the vice president of wells in the
 21 Gulf of Mexico, which was Kevin Lacy.
 22 Q. Kevin Lacy. Okay. All right. And then
 23 Mr. Lacy reported to?
 24 A. He reported to the Gulf of Mexico SPU leader,
 25 which in May 2008 was Neil Shaw --

Page 35:03 to 35:06

00035:03 Q. All right. All right. And then above that?
 04 A. I'm not sure who -- exactly who Neil Shaw
 05 reported to, maybe Andy Inglis. I'm not -- not quite
 06 clear what the structure was.

Page 35:09 to 35:19

00035:09 Q. Okay. All right. Let -- let me ask you this:
 10 In terms of your functional role from May of '08 -- I
 11 don't want to have to keep saying that. Until we change
 12 dates or we talk about a specific date, we're talking
 13 about that period May of '08 to April of 2010. And if
 14 there were -- if there may be two answers for the
 15 question where it might have changed in -- in -- in
 16 between that period, feel free just to let me know that.
 17 For instance, Mr. Thierens officially left as your line
 18 supervisor in December, correct?
 19 A. Right.

Page 35:24 to 36:06

00035:24 Q. Okay. Now, your functional role that
 25 you've -- that you've previously given me was to provide
 00036:01 all of those functional tasks -- direction, leadership,
 02 resources, process, available for consultation,
 03 forward-looking E&A long-term projections, whatnot,
 04 correct -- those were all things that you functionally
 05 performed while living in Houston and working at the BP
 06 office, correct?

Page 36:08 to 38:15

00036:08 A. My role as a line manager contained those

09 responsibilities.
10 Q. (BY MR. PENTON) Okay. And did those
11 responsibilities include well design?
12 A. My engineering team were responsible for the
13 design of wells in exploration and appraisal --
14 Q. Right.
15 A. -- from May 2008.
16 Q. Right. And they were responsible through you,
17 correct, to do those functions, correct?
18 A. My engineering team were responsible for the
19 well planning for exploration and appraisal wells in the
20 Gulf of Mexico.
21 Q. Right. And you were their supervisor,
22 correct?
23 A. I was the engineering team leader's line
24 manager, yes --
25 Q. Yes.
00037:01 A. -- from May 2008.
02 Q. And so you were involved as needed and as
03 required in the well design process, correct?
04 A. I had a -- a role in our well --
05 Q. Right.
06 A. -- design process.
07 Q. I think you told me before that you might not
08 have had a day-to-day role -- that's your words -- but
09 you -- you did -- you played a role and were there as
10 required, correct?
11 A. That's correct.
12 Q. All right. And, in fact, the Macondo well
13 is -- was your function. You were there as required and
14 were involved in the early development of the well
15 design of the Macondo well, correct?
16 A. My engineering team planned the Macondo well.
17 Q. But -- and I appreciate that, but you -- as
18 I've described your role, you were involved with them on
19 an as-needed basis in the early development of the well
20 design of the Macondo well?
21 A. My team planned the well, and I had a role --
22 Q. Right.
23 A. -- in -- in managing that team and -- and
24 doing that work.
25 Q. Okay. Good. And you gave them input if they
00038:01 needed it, correct?
02 A. I -- I had a role that was in -- we had a --
03 we had a process for well planning in which I -- in
04 which I had a role.
05 Q. Okay.
06 A. And through that role I could provide input.
07 Q. And you reviewed their documentation as it was
08 given to you, correct?
09 A. I reviewed what was -- what was given to me
10 through the well planning process that we had.
11 Q. Yes. And once the final well design,
12 execution documents, well information, casing interval,
13 plans, and all of that occurred, you, in fact, signed

14 off on those documents with other of the well team
15 engineers, correct?

Page 38:17 to 39:01

00038:17 A. I signed the well program, the -- the
18 execution program.
19 Q. (BY MR. PENTON) Right. I was just -- I'm
20 just trying to establish, you were a signatory on the
21 final well plans as they were made; is that correct?
22 A. That's correct.
23 Q. Okay. All right. Now, what -- what month did
24 the Macondo finally spud?
25 A. I can't recall the exact date, but it was in
00039:01 the October --

Page 39:03 to 39:24

00039:03 A. -- kind of time frame.
04 Q. October 6, 2009 sound about right?
05 A. Yeah.
06 Q. Okay. You know it was spudded by the
07 Marianas, correct?
08 A. The Marianas.
09 Q. A Transocean rig, correct?
10 A. That's correct.
11 Q. Now, you were -- you were gone from your job
12 in Houston quite a bit, is what I wrote down, from
13 December of 2009 until March of 2009; were you not?
14 A. I was beginning my transition into my new role
15 starting in December and continuing through to March,
16 yes.
17 Q. Right. But you were -- I'm using these words,
18 you were gone quite a bit?
19 A. I -- there was periods during that time that I
20 wasn't in Houston, that's correct.
21 Q. Right. And, in fact, most of March you were
22 gone and quite a bit in February, correct?
23 A. Without going into the exact dates, I was gone
24 in February and March.

Page 40:18 to 40:25

00040:18 Q. Let's try it again. You prepared a document
19 that we'll look at probably as we get to it, but it was
20 an organizational MOC where you -- it's a hand-over type
21 document promulgated by BP in late February that
22 projected you leaving in early April of 2010 and David
23 Sims taking your job, correct?
24 A. As part of the -- the reorganization that
25 occurred from December --

Page 41:02 to 41:03

00041:02 A. -- 2009 we -- that -- there was an MOC that
 03 was started once my replacement had been identified --

Page 41:05 to 41:11

00041:05 A. -- officially, and that was part of the
 06 reorganization.
 07 Q. I understand. But the official dates was
 08 April the 2nd of 2010 when that official hand-over or
 09 change would take place, correct?
 10 A. As part of the -- the official
 11 reorganization --

Page 41:13 to 41:13

00041:13 A. -- that was -- that's correct.

Page 41:25 to 43:07

00041:25 Q. (BY MR. PENTON) Okay. Did you prepare an MOC
 00042:01 or any other document that gave David Sims or John Guide
 02 or any other person an official delegation of
 03 responsibility that you were officially charged with
 04 performing for BP?
 05 A. During what period?
 06 Q. From December of '09 until the end of March of
 07 2010 when you have said that you were gone quite a bit
 08 during that period.
 09 A. So you're -- you're meaning the -- the times
 10 that I was temporarily out of Houston either in my --
 11 you know, doing my new role or on vacation; is that the
 12 time period you're referring to?
 13 Q. I'm -- I'm talking about all of those times,
 14 okay. I'm talk -- talking about from December of '09 to
 15 the end of -- of - of March of 2009, you were gone from
 16 your job in Houston more than you were there, correct?
 17 MR. FIELDS: March of 2010.
 18 MR. PENTON: You're right. Sorry.
 19 Q. (BY MR. PENTON) March of 2010.
 20 A. Without going through all the days, I
 21 couldn't -- I don't know if it was more or less than I
 22 was there. I -- when I was gone, I delegated my role,
 23 and the -- the -- the -- the accepted way of delegating
 24 your role was to send out an e-mail informing everyone
 25 involved who my delegate was, and that was the -- the --
 00043:01 the management process for --
 02 Q. Okay.
 03 A. -- temporary absences while you were in your
 04 role.
 05 Q. So BP allowed you to delegate your job,
 06 correct, to, in this case, I believe, you've told me
 07 already, David Sims or John Guide?

Page 43:11 to 44:19

00043:11 Q. (BY MR. PENTON) Yes. You've told me that the
12 process, and I'm assuming it's a BP-approved management
13 process, that allowed you simply to send an e-mail to
14 say David Sims is my delegee, and he's going to do -- do
15 my job in my temporary absence, that's an acceptable
16 management process?
17 A. That's the standard process if you're out for
18 a time period to -- to delegate your role because if
19 you're not there, you obviously can't execute your role.
20 Q. Isn't it true, though, that you cannot
21 delegate, you cannot delegate your job, you can only
22 delegate tasks to someone; you can't delegate your job
23 description and all of the functions that you've told me
24 about today to anyone without higher authority?
25 A. The accepted process is that we delegate.
00044:01 There is a process that does that. My line manager is
02 informed of that.
03 Q. Okay.
04 A. It's legally communicated. There is a
05 conversation with the person you're delegating to --
06 Q. Okay.
07 A. -- of what -- of what their -- their duties
08 are when -- when you're gone. That's a standard --
09 Q. Okay.
10 A. -- practice within BP.
11 Q. That's what I want to know. There is no MOC
12 process that's necessary, correct?
13 A. There is no -- again, it were -- that was
14 the -- the process was you send a note, you informed
15 everybody who needed to be informed who was in your
16 position when you were not there.
17 Q. My direct question is: There was no
18 management of change document required other than an
19 e-mail, correct?

Page 44:21 to 45:01

00044:21 A. But the -- the process was you -- you had --
22 you send an e-mail out to inform everybody --
23 Q. (BY MR. PENTON) No. No, sir. No, sir. I'm
24 asking you just a real simple, direct question. Isn't
25 it true that there was no official management of change
00045:01 document required for you to delegate your job?

Page 45:03 to 45:21

00045:03 A. There was an e-mail sent out to inform --
04 Q. (BY MR. PENTON) That's not my question. I --
05 it's real simple. Was there a management of change
06 document required to be completed or not for you
07 delegating your temporary absence?

08 A. The accepted practice -- the standard was if
09 you were out, and you -- you were delegating, you
10 informed everyone, you had a conversation with the
11 person you were delegating to, and that's the process by
12 which we had --

13 Q. So I take by your answer that you -- you were
14 not required to do an MOC and you did not do one,
15 correct?

16 A. Again, what I did was --

17 Q. That's not what I'm not asking you what you
18 did. I'm asking what you were required to do. You were
19 not required to prepare an MOC for this delegation from
20 March of 2010 back to December of 2009, and you didn't
21 prepare a management of change?

Page 45:23 to 46:01

00045:23 A. Could you describe what you mean by a
24 "management of change"?

25 Q. (BY MR. PENTON) You describe it. It's your
00046:01 procedure. Do you know what a management of change is?

Page 46:21 to 47:21

00046:21 Q. (BY MR. PENTON) It's -- it's real simple.
22 I'm trying to establish whether or not there was an MOC,
23 a management of change document, required for the type
24 of delegation that you did and -- and if -- if there was
25 one, you just didn't do it, I want to know that. I know
00047:01 you did an e-mail, and I know that was an accepted
02 practice. I want to know if the official BP policy, to
03 your knowledge, was to prepare an official management of
04 change document for this type of delegation that you
05 did. It's yes or no.

06 A. I mean, I -- the -- there is different forms
07 of management of change, and we don't have a single
08 management of change --

09 Q. For that process?

10 A. -- for that process.

11 Q. Okay.

12 A. So I'm describing the process.

13 MR. FIELDS: He's asking for the
14 process -- he's asking for the process for temporary
15 absences such as what you -- what happened in December
16 of 2009 to March 2010, was a management of change
17 document required to be completed --

18 THE WITNESS: Okay.

19 MR. FIELDS: -- for those types of
20 absences.

21 A. No.

Page 48:15 to 49:06

00048:15 Q. (BY MR. PENTON) January of 2010, you know
 16 that the Deepwater Horizon spudded on site, right? It
 17 went on site at -- at the -- at the Macondo well in late
 18 January of 2010, correct?
 19 A. I can't recall exact date, but --
 20 Q. Approximately right?
 21 A. Yeah.
 22 Q. Okay. Late January or early February,
 23 correct?
 24 A. Yeah.
 25 Q. All right. Now, it is true that your position
 00049:01 is, your official position, is that when you were gone
 02 during that period, any times you were gone between
 03 January of 2010 and the end of March of 2010 that you
 04 were not personally responsible for the operations and
 05 your job particularly with respect to the Deepwater
 06 Horizon and the Macondo well?

Page 49:09 to 49:22

00049:09 A. I delegated my role when I wasn't there to
 10 other individuals.
 11 Q. (BY MR. PENTON) And specifically, though, I'm
 12 asking you, isn't it your position that you were not
 13 responsible when you had delegated and you weren't
 14 there?
 15 A. I'm not understanding the question, to be
 16 honest.
 17 Q. Okay. Well, let me ask you like this: Even
 18 though you delegated between the critical times when the
 19 Deepwater Horizon went over the Macondo well until
 20 April -- let's just use April 1st, that's easy, and the
 21 times you were not there, were you still responsible for
 22 that well and that rig and those operations?

Page 49:24 to 50:11

00049:24 A. I had delegated my responsibilities to
 25 individuals when I was not there.
 00050:01 Q. (BY MR. PENTON) So even though you had
 02 delegated them, is it your position that you were not
 03 responsible?
 04 A. I delegated my responsibilities when I was not
 05 physically there to carry out my role.
 06 Q. Okay. Even though you delegated the
 07 functional responsibility, correct, on the ground there
 08 in Houston, correct? Correct?
 09 A. Yes, correct.
 10 Q. You were not responsible for the performance
 11 of the people to whom you delegated that authority?

Page 50:13 to 50:16

00050:13 A. I -- I delegated my responsibilities when I
 14 was not in...
 15 Q. (BY MR. PENTON) Okay, that's fine. Does that
 16 mean that you were not responsible?

Page 50:18 to 50:25

00050:18 A. I delegated my responsibilities when I wasn't
 19 there because I couldn't carry out my role when I wasn't
 20 physically present in Houston to do my role.
 21 Q. (BY MR. PENTON) I want to give you your MBI
 22 testimony so we can talk about -- maybe talk about
 23 during the deposition. I'm asking you a very specific
 24 question, and I realize that you delegated, but I want
 25 us to take a look at it. I'll find it for you, that way

Page 51:08 to 52:11

00051:08 You'll see, if you look at Page 120, you and I
 09 are talking about it being an ILX well, correct, an
 10 infrastructure well?
 11 A. Yes, sir.
 12 Q. What does that mean, just so that we know for
 13 the record?
 14 A. The ILX means infrastructure led exploration.
 15 Q. Who is the infrastructure?
 16 A. The infrastructure is the facilities that are
 17 in the area of which that well is being drilled. So
 18 infrastructure meaning platforms or --
 19 Q. Okay.
 20 A. -- production facilities.
 21 Q. All right. And you will see at -- at line 23
 22 of Page 120, you see that, the question: "Which means
 23 you had direct responsibility for that well until
 24 April 2nd, correct?"
 25 And then over to 121, "Not when I was not
 00052:01 there and when I delegated."
 02 A. Yeah.
 03 Q. When -- and you go on down and say, "When I
 04 delegated my authority."
 05 And so I took by that answer, you tell me if
 06 I'm taking it wrong, that you're -- you're telling me
 07 that when you delegated your authority, that you were
 08 not responsible for that well?
 09 A. During the periods I wasn't there.
 10 Q. Yes. Okay.
 11 A. Yes.

Page 52:15 to 53:02

00052:15 So -- and I know you -- you delegated -- there
 16 was a time that you -- that you delegated by an e-mail,
 17 as you told me, when you were taking a two-week

18 vacation; is that correct?
 19 A. I took two one-week vacations.
 20 Q. Okay, two one-week vacations. I believe you
 21 took one in February of 2010 and one in March, correct?
 22 A. That's correct.
 23 Q. But my memory is is that you delegated by
 24 e-mail only once, and that was in March of 2010 where
 25 you delegated to John Guide for a week period in March
 00053:01 and a week period to David Sims in March, correct?
 02 A. That's correct.

Page 53:05 to 54:22

00053:05 I could have missed something, but we cannot find where
 06 you have sent an e-mail where you've delegated on paper,
 07 as you say you are supposed to, to David Sims, John
 08 Guide, or -- nor anyone else from that time period of
 09 December 2009 until the end of March of 2010 other than
 10 that two-week period in March; am I right?
 11 A. I don't know if that's right.
 12 Q. Okay. So you've also told me, is it true,
 13 that you were not following things on a day-to-day
 14 basis, that you were not aware of the Macondo well's
 15 operations and complications during the period you were
 16 out; is that true?
 17 A. I don't recall that.
 18 Q. Let's look at Page 186. When you gave your
 19 Marine Board testimony, you -- you were aware it was
 20 under oath, too, correct?
 21 A. That's correct.
 22 Q. Okay. So we don't have a problem with that.
 23 And if you'll -- feel free to read all of it,
 24 and I'm just kind of directing you to certain lines.
 25 Page 186, right in the middle of the page,
 00054:01 Line 13, the question was: "Mr. Little" -- and this was
 02 by Mr. Hymel with Transocean here -- "when you were
 03 working in your capacity while you were over the Macondo
 04 well, how familiar were you with the Macondo well?"
 05 And then he asks you, you see, "Did you get
 06 daily reports?"
 07 And you said, "Yes," correct?
 08 And then you were asked, "Were you familiar
 09 with the core pressures?" Do you see that?
 10 A. I see that, yes.
 11 Q. And what was your response?
 12 A. "Not in detail."
 13 Q. Okay. And then the -- then the question was:
 14 "Were you familiar with the fracture gradients of the
 15 Macondo well?"
 16 And what was your answer?
 17 A. "No."
 18 Q. Okay. And then at the top of Page 187, the
 19 question was given to you: "Were you familiar with the
 20 number of casing strings that had been set in the
 21 Macondo well and why?"

22 And what was your answer?

Page 55:03 to 56:16

00055:03 A. "When that part of the well was being drilled,
 04 I was out of the country, not following things on a
 05 day-to-day basis."
 06 Q. Okay. And I guess that probably precipitated
 07 my question to you about you were not following things
 08 on a day-to-day basis when you were out of the U.S.,
 09 correct? That's what you said, correct?
 10 A. I wasn't following them as a -- yeah, I wasn't
 11 following on a day-to-day basis, so I wasn't every day
 12 doing it.
 13 Q. I understand.
 14 A. Yeah.
 15 Q. I'm just trying to make sure that I'm right
 16 about this, okay?
 17 A. Okay.
 18 Q. And then you were asked: "Were you familiar
 19 with any of the cement jobs performed on the Macondo
 20 well?" And what was your answer?
 21 A. Not in any great detail.
 22 Q. Same question for the shoe tract components,
 23 same answer, "Not in detail," correct? Is that correct?
 24 A. That's what it says.
 25 Q. Okay. So, basically, during the period you
 00056:01 were gone in -- from around December of 2009 until the
 02 end of March of 2010, what you were gone doing, other
 03 than the two weeks of vacation you took, was you were
 04 basically working in a transition into a new job,
 05 correct? And -- correct?
 06 A. (Nodding head.)
 07 Q. And there was no BP person, nor third-party
 08 contractor placed into your position as a wells manager,
 09 correct, while you were gone, while you were
 10 transitioning to this new job?
 11 A. I -- I delegated my role when I was gone.
 12 Q. I -- I go that, and I understand that, and
 13 I -- and I believe you.
 14 But I'm just asking you: Was there a person
 15 who was officially put in your position to be available
 16 for consult to give direction, to give leadership?

Page 56:18 to 57:05

00056:18 Q. (BY MR. PENTON) Was there anyone put into
 19 your job position other than your delegation that you
 20 made to Mr. Sims or Mr. Guide?
 21 A. My delega- -- I -- I gave my -- the delegation
 22 for my role to Mr. Sims and Mr. Guide during that
 23 period, and they had my line manager to give them --
 24 provide them with direction and leadership.
 25 Q. You're saying they could talk to Mr. Thierens,

00057:01 is what you're telling me?
02 A. Not in that period because Mr. Thierens had
03 gone.
04 Q. Okay. It was Mr. Rich?
05 A. Mr. Rich.

Page 58:01 to 58:08

00058:01 Q. (BY MR. PENTON) Was the Macondo well a
02 difficult well? Do you know enough about it, although
03 you were gone, to know that it was a difficult well?
04 A. The Macondo well had challenges while it was
05 drilling.
06 Q. Was it a difficult well?
07 A. It was a challenging well.
08 Q. Was it a difficult well?

Page 58:10 to 58:11

00058:10 A. It was a challenging well.
11 Q. (BY MR. PENTON) Was it a difficult well?

Page 58:14 to 58:19

00058:14 A. There were a number of challenges with the
15 well --
16 Q. (BY MR. PENTON) That's not my question. Do
17 you know enough about the Macondo well, although you
18 were gone quite a bit, to know whether or not it was a
19 difficult well?

Page 58:22 to 59:07

00058:22 A. It was a challenging well.
23 Q. (BY MR. PENTON) My question is: Were you --
24 did you have enough knowledge of the Macondo well to
25 know whether or not it was a difficult well?
00059:01 A. I had enough knowledge of the Macondo well to
02 know that there were challenges in the well that had to
03 be overcome while it was being drilled.
04 Q. And were those challenges everyday challenges
05 or were they extraordinary challenges?
06 A. Those challenges were challenges that had been
07 encountered in other wells.

Page 59:14 to 59:20

00059:14 Q. (BY MR. PENTON) Well, let me ask you this:
15 How many kicks did that well take from the time it was
16 began on October the 6th to the time that it blew out on
17 April the 20th?
18 A. I can't recall exactly how many.

19 Q. Isn't that something that you would remember,
20 when a well kicks?

Page 59:22 to 60:15

00059:22 Q. (BY MR. PENTON) Isn't it?
23 A. I can't recall exactly how many. There was
24 more than one kick.
25 Q. More than one kick?
00060:01 A. Yes.
02 Q. Can you tell me how many lost circulation
03 events occurred in that well from February 2010 until it
04 blew out in April of 2020 -- 2010?
05 A. I can't recall exactly how many, but I know
06 there were lost circulation events.
07 Q. If I told you there were eight major
08 circula- -- circulation loss events, would that refresh
09 your memory?
10 A. I don't recall that number.
11 Q. Well, let me ask you this: If you don't
12 remember the operations, do you remember the money lost?
13 Do you remember that BP lost over \$13 million in
14 drilling fluids because of eight large loss of
15 circulation events?

Page 60:17 to 61:06

00060:17 A. I don't know that -- the numbers you're
18 referring to.
19 Q. (BY MR. PENTON) You don't know the numbers?
20 You've never known the numbers?
21 A. I don't know.
22 Q. You've never known the numbers, or you don't
23 know them today?
24 A. I don't know the numbers you're referring to.
25 Q. Sir, as the wells manager for this well, isn't
00061:01 it true that you were charged with the direct
02 responsibility to know the things I'm asking you: How
03 many kicks it took, how severe they were, how many lost
04 circulation events occurred, how much money and time and
05 labor and expenses were lost? Isn't that your job as
06 wells manager?

Page 61:08 to 61:16

00061:08 A. The numbers that you presented, I -- I don't
09 know those numbers that you gave me.
10 Q. (BY MR. PENTON) What are your numbers?
11 A. I don't recall the numbers.
12 Q. Let me ask you this: Is -- is your experience
13 with BP on every deepwater well that you're the wells
14 manager on, you're going to have eight major lost
15 circulation events that is going to lose millions of

16 dollars, is that a well that's business as usual?

Page 61:18 to 62:11

00061:18 A. The well was challenging. It had a number of
 19 challenging events, including lost circulation and well
 20 kicks.
 21 Q. (BY MR. PENTON) You never had to report to
 22 Mr. Harry Thierens on the number of lost circulation
 23 events? He never required that?
 24 A. The -- every event that happens on the well is
 25 in the daily report. There is weekly summaries. There
 00062:01 is lots of discussion. So...
 02 Q. What about the ballooning event on March the
 03 25th, you didn't know about that, either?
 04 A. I don't recall the specific event.
 05 Q. You don't know that there was an influx of
 06 fluids from the formation on March the 25th, sir?
 07 A. I don't recall.
 08 Q. You know that there was a major kick event on
 09 March the 8th and BP stuck the string and lost from 15
 10 to \$20 million in that kick? Are you aware of that?
 11 A. I am aware of that.

Page 62:15 to 62:17

00062:15 Q. Did you ever spend five solitary minutes to
 16 talk to Mr. Thierens about the complications with this
 17 well prior to April the 1st, 2010?

Page 62:19 to 62:19

00062:19 A. Mr. Thierens wasn't around at that time.

Page 62:22 to 63:16

00062:22 Q. Yes. From February the 1st -- let's use a
 23 date parameter. From February the 1st, 2010, until
 24 March the 31st of 2010, did you ever speak with
 25 Mr. David Rich, your now line manager as wells director
 00063:01 of the Gulf of Mexico, correct? Correct? You have to
 02 answer out loud.
 03 A. Yes.
 04 Q. Did you ever speak to Mr. Rich about the
 05 complications and events that were occurring with the
 06 Macondo well during that period?
 07 A. I don't recall specific conversations, but
 08 there was a lot of communication about what was
 09 happening in the well. The -- the reports were -- were
 10 available, the weekly reports. There was lots of
 11 discussion going on. I don't recall specific
 12 conversations.
 13 Q. Isn't he your go-to person, your direct line

14 manager, your direct supervisor that you could consult
15 with in order to try to determine what was going on with
16 this well?

Page 63:18 to 64:01

00063:18 A. Mr. Rich is -- at that time was my line
19 manager, that's correct.
20 Q. (BY MR. PENTON) Is it true that you never met
21 with Mr. -- physically met with Mr. Rich and you never
22 physically met with the engineer -- the well team to try
23 to work on the problems that occurred in March with lost
24 circulation events and the kick where the string was
25 stuck, you never had meetings to try to help resolve
00064:01 those problems; is that correct?

Page 64:03 to 64:15

00064:03 A. Could you be more specific in time frames?
04 Q. (BY MR. PENTON) In March, from March the 8th
05 when the kick occurred -- well, let's just use from
06 February the 17th when there was a lost circulation
07 event at 12,350 feet until March the 31st of 2010 when
08 there was another lost circulation event, there were
09 five circulation loss events between March -- I'm sorry,
10 February 17th and March 31st. That's what I'm telling
11 you about losing the \$13 million worth of drilling
12 fluids. You never met with the well team to try to help
13 counsel them, show leadership, give them direction, and
14 try to determine what was going on with this well; am I
15 right?

Page 64:17 to 65:02

00064:17 A. I don't recall what meetings I had, but I had
18 several meetings. If I was in country during that
19 period, I would have been involved in meetings with my
20 team.
21 Q. (BY MR. PENTON) But today, as you sit here,
22 even though with the "enormousy" of this event, you
23 cannot remember and tell me here today under oath that
24 you remember a single, solitary meeting where you worked
25 with these well teams to try to counsel them as the
00065:01 wells manager on what they needed to do to be able to
02 successfully and safely complete this well --

Page 65:04 to 65:04

00065:04 Q. (BY MR. PENTON) -- is that true?

Page 65:09 to 65:10

00065:09 Q. (BY MR. PENTON) Is that true, sir?
10 A. I don't recall the specific meetings I had.

Page 65:22 to 66:04

00065:22 interval there. From June of 2007 until you left the
23 U.S. at the end of March of 2010, isn't it true that
24 although you were the wells manager of the Gulf of
25 Mexico, that you were not familiar with all of the
00066:01 Federal regulations that governed the exploration,
02 drilling, and completion of wells in the Gulf of Mexico?
03 A. I was not familiar with every regulation in
04 the Gulf of Mexico.

Page 66:13 to 66:24

00066:13 Q. Are you aware that the Federal -- that there
14 are Federal regulations that govern the exploration,
15 drilling, and production for hydrocarbons in the Gulf of
16 Mexico?
17 A. I'm aware that there are Federal regulations.
18 Q. Okay. Now, isn't it true that up until the
19 time that you left your job in the U.S. as wells manager
20 of the Gulf of Mexico that you were not aware whether or
21 not it was BP's responsibility, direct responsibility,
22 to protect the health and safety of the people
23 performing operations on -- in the Gulf of Mexico and
24 for the protection of the environment?

Page 67:02 to 67:10

00067:02 Q. (BY MR. PENTON) Isn't that so?
03 A. Could you repeat the question? I didn't
04 understand it.
05 Q. You don't understand the question? Isn't it
06 true that you don't know that it was BP's direct
07 responsibility to prevent injury or loss of life, to
08 prevent damage to or waste of any natural resources,
09 property, or the environment in the Gulf of Mexico while
10 you were the wells manager?

Page 67:12 to 67:21

00067:12 A. Could you -- I mean, is that a -- something
13 you're reading from? I don't...
14 Q. (BY MR. PENTON) I'm asking you a simple
15 question. You don't know -- you did not know when you
16 were wells manager that it was BP's responsibility,
17 therefore, Ian Little's responsibility as the wells
18 manager to protect injury -- protect people from injury
19 or death, to protect the environment, and protect a
20 property and equipment; isn't that true, you really
21 didn't know that?

Page 67:24 to 67:25

00067:24 A. Could you give me a little clarity on the
25 question, please?

Page 68:03 to 68:14

00068:03 my questions to you. Were you aware that it was BP's
04 responsibility to protect and prevent injury or loss of
05 life, prevent damage to or waste of any natural
06 resources, property, or the environment while you were
07 the wells manager of the Gulf of Mexico?
08 A. I'm not aware of that specific wording that
09 you're referring to.
10 Q. Okay. And BP never had an orientation with
11 you when you came from Egypt to tell you, Mr. Little,
12 you have to do -- you have to do these things to comply
13 with Federal law, they never had that orientation with
14 you?

Page 68:16 to 68:20

00068:16 A. I had an orientation when I came to the Gulf
17 of Mexico.
18 Q. (BY MR. PENTON) Did they ever require you to
19 read the Federal regulations that applied to the job you
20 were performing, sir?

Page 68:22 to 68:24

00068:22 A. I don't recall being required to read --
23 Q. (BY MR. PENTON) And you didn't read them,
24 either, did you?

Page 69:04 to 69:18

00069:04 A. I -- I don't recall being required to read
05 that regulation.
06 Q. And my follow-up question was: And,
07 therefore, you didn't -- you never read it, did you?
08 A. I don't recall whether I did.
09 Q. And even after I took your testimony at the
10 Marine Board, you didn't go read it, did you?
11 A. No.
12 Q. Okay. Isn't it true that you, likewise, were
13 not familiar with 30 CFR 250.401 -- don't expect you to
14 remember those numbers -- but the well control
15 regulations that required that the best available tools
16 and practices be used to monitor a well and control a
17 well, you, likewise, were not familiar with that
18 regulation, were you?

Page 69:20 to 70:06

00069:20 A. I was not familiar with the details of that
 21 regulation.
 22 Q. (BY MR. PENTON) And the same questions, you
 23 weren't required to read it and you didn't read it,
 24 correct?
 25 A. I don't recall --
 00070:01 Q. All right.
 02 A. -- reading it or being required to read it.
 03 Q. And your orientation by BP did not go over
 04 these regulations, did they?
 05 A. The -- I don't recall going into any specific
 06 details on any specific regulation.

Page 70:12 to 70:17

00070:12 Q. Okay. You were, likewise, not familiar with
 13 the Federal regulations requiring that your op- -- BP's
 14 operations in the Gulf of Mexico requires them to
 15 maintain equipment and require equipment to be
 16 maintained for the protection of personnel, equipment,
 17 and natural resources?

Page 70:19 to 71:11

00070:19 A. I was not aware of the details of the --
 20 regulations.
 21 Q. (BY MR. PENTON) All right. Same question
 22 specifically for BOP maintenance. BOPs were on every
 23 deepwater rig that you were responsible for in the Gulf
 24 of Mexico, correct?
 25 A. That's correct.
 00071:01 Q. Do you know what a "BOP" is?
 02 A. Yes, I do.
 03 Q. Okay. So you know that a BOP has to be
 04 maintained?
 05 A. BOP has maintenance requirements, yes.
 06 Q. Okay. You were not aware during your time in
 07 the Gulf of Mexico from June of 2007 until early April
 08 of 2010 that there was a Federal regulatory requirement
 09 that BOPs be maintained and inspected pursuant to the
 10 recommendations of the American Petroleum Institute,
 11 particularly recommendation 53?

Page 71:14 to 71:21

00071:14 Q. (BY MR. PENTON) Is that true?
 15 A. I was not aware of the details of the
 16 regulations.
 17 Q. And so if the BOP on the Deepwater Horizon was
 18 in violation of Federal regulations when it went on site

19 of the Macondo well, you have earth -- no earthly idea
20 whether or not that was a violation of federal law or
21 not --

Page 71:23 to 71:23

00071:23 Q. (BY MR. PENTON) -- correct?

Page 72:01 to 72:15

00072:01 A. I was not aware of the details of the
02 regulations.
03 Q. (BY MR. PENTON) Now, let's talk about the BOP
04 a minute. When you came on board in June of 2007 the
05 Deepwater Horizon was a rig that you were responsible
06 for from the time you came on board in June of '07,
07 correct?
08 A. The rig was working in exploration when I came
09 in June. Functionally it was part of the area I was
10 responsible for.
11 Q. All right. And so beneath you in the line
12 function there were people responsible, correct, for the
13 rig, the Deepwater Horizon?
14 A. Not in June of 2007. The wells team did not
15 work directly for me at that point.

Page 72:23 to 73:02

00072:23 Q. From June of '07 to May of '08 did you have
24 any responsibility, even down-line responsibility for
25 the maintenance and inspection of the Deepwater Horizon?
00073:01 A. The wells teams in exploration and appraisal
02 at that time did not report directly to me.

Page 73:18 to 73:23

00073:18 Q. (BY MR. PENTON) Right. And you were the
19 wells manager and that was one of the rigs drilling
20 wells within your area of responsibility, correct?
21 A. I was the manager for exploration and
22 appraisal functional wells manager, and it was one of
23 the rigs drilling exploration.

Page 75:05 to 76:25

00075:05 Q. (BY MR. PENTON) I tell you what, let's --
06 let's try to take it -- unpack this suitcase one -- one
07 thing at a time. From June of 2007 until May of 2008
08 you had no responsibility yourself nor people under you
09 in the line that reported to you had anything to do with
10 the audit or inspection of the Deepwater Horizon rig?
11 A. The rig audit would be done by our rig audit

12 team and would have been requested by the wells team.
 13 Q. But my question was you had no responsibility
 14 for that nor anyone who reported to you?
 15 MR. FIELDS: Who directly reported to you.
 16 Q. (BY MR. PENTON) Yes.
 17 A. So directly from May --
 18 Q. June of '07 to May of '08.
 19 A. That's correct.
 20 Q. Okay. Now, we got that behind us. May of '08
 21 you say that it's -- pretty much you have the same job,
 22 but there was a reorganization and now the well team
 23 leaders and the engineering team leader reported to you,
 24 correct?
 25 A. The -- the job changed. I mean, we had a
 00076:01 reorganization, so it wasn't the same job.
 02 Q. I understand.
 03 A. So, yes, we had a reorganization where the
 04 wells team reported to me --
 05 Q. Right.
 06 A. -- and the engineering team.
 07 Q. Right. Now, in May of '08 now you had people
 08 reporting to you that had responsibilities with respect
 09 to the rigs that were working that you were responsible
 10 for?
 11 A. The wells team leader --
 12 Q. Yes. Correct?
 13 A. (Nodding head.)
 14 Q. Okay. Now, you learned in May or June of 2008
 15 when you took over this new position, so to speak, okay,
 16 you learned that there was a January 2008 rig audit of
 17 the Deepwater Horizon; did you not?
 18 A. I was made aware of the audit, yes.
 19 Q. Yes. And you were given a copy of that rig
 20 audit, correct?
 21 A. I don't recall if I was given a copy of the
 22 whole thing, but I recall the rig audit.
 23 Q. Okay. And you -- you knew at that time that
 24 the BOP was out of certification as early as January
 25 '08; is that true?

Page 77:03 to 77:07

00077:03 Q. (BY MR. PENTON) Do you remember that?
 04 A. I don't recall that.
 05 Q. So, do you remember reading the rig audit?
 06 A. I don't recall reading the rig audit in
 07 detail.

Page 77:16 to 78:01

00077:16 Q. (BY MR. PENTON) Were you required by BP to
 17 pay attention to rig audits of rigs drilling wells under
 18 your direction?
 19 A. It was my role to ensure that the rig audits

20 occurred. It was the wells team leaders role to follow
 21 up with the rig contractor who was accountable for
 22 carrying out any audit findings.
 23 Q. And so as you sit here today you have
 24 absolutely no recollection of that January of 2008
 25 audit, nor the recommendations, nor the regulatory
 00078:01 requirements, correct?

Page 78:04 to 78:09

00078:04 Q. (BY MR. PENTON) Is that true?
 05 A. I was aware of the rig audit, and the -- the
 06 wells team were following through on the rig audit.
 07 Q. And isn't it true that you never became aware
 08 and no one ever told you that the BOP was out of
 09 certification as early as January of 2008?

Page 78:11 to 78:16

00078:11 A. I was not aware of that.
 12 Q. (BY MR. PENTON) So if we go back to 30 CFR
 13 250.46 and API 53, since you didn't know what the
 14 Federal regulations were that governed the
 15 recertification of BOPs you didn't know if it was out of
 16 certification or not, correct?

Page 78:18 to 78:21

00078:18 A. Could you repeat --
 19 Q. (BY MR. PENTON) You didn't know if it was out
 20 of certification pursuant to federal law because you
 21 didn't know what the law was; is that correct?

Page 78:23 to 78:25

00078:23 A. I wasn't aware of the details of the
 24 regulations, and I wasn't aware of the details of any
 25 findings of the rig.

Page 79:08 to 80:05

00079:08 want to. This is my question: There was never a
 09 discussion that you had with your well team leader -- at
 10 that time it was Mr. Skelton; is that correct?
 11 A. In May of 2008?
 12 Q. Yes.
 13 A. That's correct.
 14 Q. Correct? There was never a time you had a
 15 conversation with Mr. Skelton where he told you that the
 16 BOP had been out of certification since January of 2008,
 17 correct?
 18 A. I don't recall any conversation.

19 Q. Okay. Now, let's fast forward. Let's fast
20 forward to September of 2009. Now, the Deepwater
21 Horizon was drilling deepwater wells, was it not,
22 between January of 2008 and September of 2009, correct?

23 A. That's correct.

24 Q. It was -- it was drilling deepwater wells with
25 the same BOP that it had in January 2008, correct?

00080:01 A. Right, correct.

02 Q. Okay. Now, isn't it true that the rig audit
03 conducted by BP in September of 2009 likewise determined
04 that the BOP was out of certification, as required by
05 federal law?

Page 80:08 to 80:09

00080:08 A. I don't recall that being brought to my
09 attention.

Page 80:21 to 80:23

00080:21 year, this very same question: Were you aware that in
22 2009, September of 2009 BP audited the rig and the BOP
23 and determined it was out of certification?

Page 80:25 to 81:01

00080:25 A. I don't recall the rig audit. No one brought
00081:01 to my attention that the rig was out of certification.

Page 81:15 to 81:18

00081:15 Q. (BY MR. PENTON) Do you know whether or not
16 the BOP was out of certification in September of 2009
17 before it went on site at the Macondo well?

18 A. If it was out of certification, I didn't know.

Page 82:08 to 82:12

00082:08 Q. If the BOP on the Macondo well on April the
09 20th, 2010 had been out of certification since at least
10 January of 2008, that is a 27-month period, at a
11 minimum, that that BOP had been out of certification,
12 although it was actively drilling deepwater wells?

Page 82:14 to 82:15

00082:14 A. I was not aware that the BOP was out of
15 certification.

Page 82:22 to 83:13

00082:22 Q. Yes, if they had come to you and told you,
 23 Mr. Little, this BOP is out of certification. It's
 24 required under federal law to be inspected and
 25 recertified for use, and it can't be used until it's
 00083:01 recertified, what -- what is your BP process had that
 02 been brought to your attention?
 03 A. If it had been brought to my attention that it
 04 was out of certification and out of MMS regulation, we
 05 would have requested that Transocean get it back into
 06 certification and MMS regulations.
 07 Q. I want to show you a document which is an
 08 e-mail of April the 13th, 2009 from Clint Honeycutt to
 09 Mr. Harry Thierens and Steve Tink. And I realize that
 10 you're not on this e-mail, so you may or may not have
 11 seen it, but I'm going to ask you to look at to see if
 12 you've seen this document either through this e-mail
 13 through some other source.

Page 83:16 to 83:20

00083:16 Q. (BY MR. PENTON) It's a short e-mail, as you
 17 can see, of -- the subject is regulatory and group
 18 compliance meeting follow-up in April of 2009, and you
 19 see the PowerPoint is entitled "Regulatory and Group
 20 Compliance, April 2009"; do you see that?

Page 84:12 to 84:19

00084:12 Q. (BY MR. PENTON) Yeah, second page of the
 13 PowerPoint, and it's titled "Potential Severity," and it
 14 says, "The impact to our operations if we don't manage
 15 regulatory compliance is"... Do you see that?
 16 A. I see that.
 17 Q. Okay. And would you read to me the list of
 18 things that can happen to BP if you don't follow Federal
 19 regulations and comply with them.

Page 84:22 to 84:25

00084:22 Q. (BY MR. PENTON) Read them to me, sir.
 23 A. So you'd like me to read?
 24 Q. Yes.
 25 A. So MMS, Inc. --

Page 85:02 to 85:07

00085:02 A. -- damaged BP's reputation, government
 03 civilian, severe penalties, federal probation of
 04 conditions specified by the government, jail time, lease
 05 refusal, lose privilege to operate.
 06 Q. Some very serious ramifications to BP; is that
 07 true, sir?

Page 85:10 to 85:21

00085:10 A. There are severe penalty being outlined in
11 this --
12 Q. Yes. And have you ever seen this document?
13 A. I don't recall seeing this document.
14 Q. Have you ever been told by your supervisors at
15 BP that these bad things could happen if you don't
16 comply with Federal regulations? Were you ever told
17 that?
18 A. I was never told -- as I said before, I
19 haven't seen this particular. I don't recall seeing
20 this particular slide, however it is -- however, it was
21 our intention to comply with government regulations.

Page 86:16 to 86:18

00086:16 you have told us today under oath, sir, that you as
17 wells manager didn't even know what those federal
18 regulations are, correct?

Page 86:22 to 87:02

00086:22 A. I wasn't aware of the Federal regulations.
23 Q. Right. So how can you comply with Federal
24 regulations, as the wells manager and perpetuate your
25 authority, your leadership, your direction, your
00087:01 guidance, your control, your consult down line if you
02 don't know the Federal regulations?

Page 87:04 to 87:13

00087:04 A. There are people within our organization who
05 would know the regulations that work day in, day out on
06 our operations and they know the regulations. They're
07 there to advise and help us make sure we comply with the
08 regulations.
09 Q. (BY MR. PENTON) So, sir, then are you telling
10 me that you have someone at BP that you can call and to
11 find out if a particular rig audit follows the Federal
12 regulations with respect to BOPs or any equipment; is
13 that what you're telling me?

Page 87:15 to 87:23

00087:15 A. There are people within the organization who
16 are familiar and know the regulations.
17 Q. (BY MR. PENTON) So it is your understanding,
18 at least from your standpoint and your job with BP, that
19 BP has never trained you, educated you, informed you
20 specifically of the Federal regulations in the Gulf of
21 Mexico that you as the wells manager should know in

22 order to properly perform your job so that BP can be
23 regulatorily compliant; is that correct?

Page 88:02 to 88:15

00088:02 A. I was -- I -- I wasn't -- I never reviewed the
03 details of the regulations. I was aware the regulations
04 were there. All right. We had a team that were the
05 experts in that. They were involved with -- with teams
06 under my responsibility working with them day in, day
07 out.
08 Q. So you believe that you didn't need to know
09 the regulations because someone else knew them, correct?
10 That's your answer?
11 A. It was not my role to know in detail the
12 regulations. There were people in the organization who
13 did that.
14 Q. Who were they?
15 A. We had a regulatory compliance team.

Page 88:24 to 89:05

00088:24 A. It's an organization. So there -- there --
25 there was a lot of people in the organization.
00089:01 Q. Who were they? Who were they -- for your
02 three years in the Gulf of Mexico, who was the person
03 that Ian Little could go to to tell him what the Federal
04 regulations were in order that he could do his job and
05 be regulatory compliant?

Page 89:07 to 89:08

00089:07 A. There was a regulatory compliance team in the
08 Gulf of Mexico that I -- Jim Grant.

Page 89:10 to 89:19

00089:10 A. He had a number of people who worked for him.
11 They were part of our team, and it varied from team to
12 team who the individuals were.
13 Q. Did you ever talk to Jim Grant about the
14 Federal regulations as they apply to, in this case, the
15 BOP we were talking about?
16 A. I don't recall having a specific discussion
17 about the regulations about BOP.
18 Q. All right. Attached to the document
19 previously identified as 7047.

Page 90:02 to 90:04

00090:02 Q. (BY MR. PENTON) Mr. Little, I want you to
03 take a look at 30 CFR 250.106. We've already talked

04 about it.

Page 90:18 to 91:02

00090:18 Q. Do you remember my questions about this
 19 regulation, whether or not BP's responsibility under the
 20 law was to protect, prevent injury or loss of life for
 21 the orderly exploration, development, production of
 22 mineral resources to prevent damage to or waste of any
 23 natural resources, property, or the environment? And
 24 your response is you're not familiar with this
 25 regulation; is that correct?
 00091:01 A. I don't recall being -- having read this
 02 regulation, no.

Page 91:04 to 91:15

00091:04 MR. PENTON: And I would mark that
 05 regulation for introduction as Exhibit 7048.
 06 Q. (BY MR. PENTON) The next regulation we've
 07 talked about -- we're doing some housekeeping,
 08 Mr. Little. We've already talked about these. This is
 09 the regulation 30 CFR 250.107. I'm going to give you a
 10 copy of that and your counsel a copy of that. And that
 11 regulation says that You must protect health, safety,
 12 property, and the environment by performing all
 13 operations in a safe and workmanlike manner, maintaining
 14 all equipment in work areas in a safe condition. Do you
 15 see that?

Page 92:08 to 93:06

00092:08 Q. (BY MR. PENTON) Do you see that: "You must
 09 protect health, safety, property, and the environment."
 10 Do you see that?
 11 A. Which document am I looking at? This one
 12 here --
 13 Q. 250.107.
 14 A. Right.
 15 Q. Do you see that --
 16 A. I do see that.
 17 Q. -- performing all operations in a safe and
 18 workmanlike manner, correct?
 19 A. I see that, yeah.
 20 Q. Maintaining equipment in work areas in a safe
 21 condition, correct? Do you see subpart B, "You must
 22 immediately control, remove, or otherwise correct any
 23 hazardous oil and gas accumulation or other health,
 24 safety, or fire hazard," correct?
 25 A. Yeah.
 00093:01 Q. "You must use the best available and safest
 02 technology (BAST)," correct? You know what BAST is,
 03 correct, B-A-S-T?

04 A. No.
 05 Q. You don't know what that is?
 06 A. No.

Page 93:11 to 93:11

00093:11 A. I don't recall being familiar with that --

Page 93:13 to 94:04

00093:13 A. -- form.
 14 Q. No problem. But you see it says, You must use
 15 the best available and safest technology when practical
 16 on exploration, development, and production operations,
 17 correct?
 18 A. Yeah.
 19 Q. And you see it says, "In general, we consider
 20 your compliance with MMS regulations to be the use of
 21 BAST." Is that correct?
 22 A. That's correct.
 23 Q. And then, "to avoid the failure of equipment
 24 that would have a significant effect on safety, health,
 25 or the environment. Do you see that?
 00094:01 A. I see that.
 02 Q. And you are not -- are not and were not
 03 familiar with this regulation when you were wells
 04 manager in the Gulf of Mexico; is that correct?

Page 94:06 to 94:10

00094:06 A. I don't recall reading this --
 07 Q. (BY MR. PENTON) No problem.
 08 A. -- regulation in detail.
 09 MR. PENTON: All right. I marked that as
 10 Exhibit 7049.

Page 94:20 to 95:11

00094:20 Q. (BY MR. PENTON) Now let's take a look at Code
 21 of Federal Regulations 30 CFR 250.400. And you see that
 22 250.400 says, "Who is subject to the requirements of
 23 this subpart? The requirements of this subpart apply to
 24 lessees," which is BP in this situation, correct?
 25 Correct, Mr. Little?
 00095:01 A. In what situation? Could you be --
 02 Q. BP is the lessee of the Macondo well in that
 03 block, correct?
 04 A. It's the lessee of the block.
 05 Q. Right. And it says, "operating rights owners,
 06 operators, and their contractors and subcontractors."
 07 Do you see that?
 08 A. I see that.
 09 Q. Have you ever been told about or read this

10 regulation?

11 A. I don't recall reading this --

Page 95:13 to 95:13

00095:13 A. -- regulation in detail.

Page 95:23 to 96:07

00095:23 Q. Yeah, I don't mean to -- have you ever read
24 this regulation?

25 A. I don't recall reading this regulation in
00096:01 detail, no.

02 Q. Well, in detail. Have you ever -- do you
03 recall reading it not in detail?

04 A. I don't recall reading it.

05 Q. Okay. You ever recall anybody telling you
06 about it from BP?

07 A. I don't recall any specific mention of this --

Page 96:09 to 96:12

00096:09 A. -- particular --

10 Q. All right. And that is 7050. Okay? Now to
11 the BOP that we -- that we talked about. I'm going to
12 show you Code of Federal Regulations 250.446.

Page 96:20 to 96:24

00096:20 Q. (BY MR. PENTON) Okay. Have you ever read in
21 detail or otherwise this Federal regulation governing

22 DOT -- BOP maintenance and inspection requirements?

23 A. I don't recall reading this when I was in my
24 role in -- in the Gulf of Mexico.

Page 97:10 to 97:16

00097:10 Q. (BY MR. PENTON) Do you recall BP ever
11 training you, educating you, or informing you that
12 pursuant to the Federal regulations governing the
13 operation on a lease in the Gulf of Mexico that BP was
14 required to ensure that BOPs were maintained and
15 inspected pursuant to this regulation and pursuant to
16 the quality management described in API RP 53?

Page 97:18 to 97:18

00097:18 A. I don't recall reviewing this document.

Page 97:20 to 97:21

00097:20 MR. PENTON: That regulation would be
21 marked for identification as 7051.

Page 97:23 to 98:05

00097:23 look at API -- who is API, sir?
24 A. American Petroleum Institute.
25 Q. So you're aware who they are, correct? You
00098:01 are aware that they make industry recommendations,
02 correct?
03 A. Yes, I am aware of that.
04 Q. All right. And I want to show you AP RP 53,
05 and that's previously Exhibit 1169.

Page 98:07 to 98:07

00098:07 MR. PENTON: It is an excerpt. I didn't

Page 98:11 to 99:18

00098:11 Q. (BY MR. PENTON) And you'll see in
12 Section 18.10.3 "Major inspections"; do you see that?
13 A. Yes.
14 Q. It says that every -- after every three to
15 five years of service the BOP stack, choke manifold, and
16 diverter components should be disassembled and inspected
17 and according with the -- accordance with the
18 manufacturer's guidelines. Do you see that?
19 A. Yes.
20 Q. "The elastomeric components should be changed
21 out, and surface finishes should be examined for wear
22 and corrosion. Critical dimensions should be checked
23 against the manufacturer's allowable wear limits.
24 Individual components can be inspected on a staggered
25 schedule. A full internal and external inspection of
00099:01 the flexible choke and kill lines should be performed in
02 accordance with equipment manufacturer's guidelines."
03 Do you see that?
04 A. Yep.
05 Q. And have you ever read this API
06 recommendation, especially during the period you were in
07 the Gulf of Mexico?
08 A. I don't recall reading this API recommendation
09 in detail.
10 Q. Well, did you read it in detail, or did you --
11 have you ever read it at all?
12 A. I don't recall having read it.
13 Q. Okay. If you didn't read it, did BP ever
14 educate you, inform you, or tell you, Mr. Little,
15 pursuant to API recommendations 53, we have to inspect
16 our BOPs that are used on the drilling rigs drilling our
17 wells every three to five years? Did they ever tell you
18 that?

Page 99:20 to 100:21

00099:20 A. Say -- did who tell me that?
21 Q. (BY MR. PENTON) Did BP ever tell you that,
22 sir?
23 A. I can't recall BP telling me that, no.
24 Q. Okay. Now, I want to show you a document that
25 is going to be marked for identification as
00100:01 Exhibit 7052. It is 30 CFR 250.500. I'll give you a
02 copy of it. It's entitled "General requirements,
03 Subpart E - Oil and Gas Well-Completion Operations."
04 Take a look at that.
05 A. Okay.
06 Q. Were you ever made aware of the Federal
07 regulatory requirement that "well-completion operations
08 shall be conducted in a manner to protect against harm
09 or damage to life (including fish and other aquatic
10 life), property, natural resources of the OCS including
11 any mineral deposits (in areas leased and not leased),
12 the national security or defense, or the marine,
13 coastal, or human environment"? Isn't it true that you
14 were never likewise, like the other regulations, never
15 told about this regulation by BP?
16 A. I don't recall reading this reg- --
17 regulation.
18 Q. And BP never told you that that was a Federal
19 regulatory requirement; is that correct?
20 A. I don't recall being told by BP the specifics
21 of what's in this requirement.

Page 101:02 to 103:08

00101:02 Q. (BY MR. PENTON) Mr. Little, isn't it true
03 that in March of 2010, a little more than three weeks
04 before the blowout, that you held the position and
05 opinion that the Deepwater Horizon rig was getting old
06 and that the maintenance on that rig was not good
07 enough?
08 A. The -- the rig was getting older, and we were
09 trying to improve the maintenance with Transocean of the
10 rig, that's correct.
11 Q. And -- and you felt that the rig maintenance
12 was not good enough, specifically?
13 A. We had had feedback from the audits and other
14 information that maintenance could be improved, and we
15 were working with Transocean to improve their
16 maintenance of the rig.
17 Q. And you felt that it took BP pushing this
18 issue and pushing for personnel change-outs on that rig;
19 is that correct?
20 MR. FIELDS: Objection to form.
21 Q. (BY MR. PENTON) This -- this was in late
22 March of 2010.
23 A. I recall that we were -- I -- that we were --

24 I wrote a note, which I think obviously you're reading.
 25 It would be -- if you could share that with me, I could
 00102:01 refer to it.
 02 Q. I'll be happy to share it with you. It's a
 03 March 24th e-mail from -- from yourself to Andy
 04 Frazelle, Dave Rich, and others. Okay. You recall that
 05 now?
 06 A. Yes.
 07 Q. All right. And you recall that it took BP
 08 pushing the issue, correct, and personnel changes were
 09 an issue; and you see where you say, "But the worry is
 10 that if key people move, there is not a sustainable
 11 culture of excellence within Transocean's organization
 12 to sustain improvements"? Do you see that?
 13 A. So could you ask the -- I don't know what the
 14 question is.
 15 Q. Well, do you see --
 16 A. I'm sorry.
 17 Q. Okay. Just -- just read the last sentence. I
 18 just read it word for word. Do you see that?
 19 MR. FIELDS: He's asking whether or not
 20 that's what it says.
 21 Q. (BY MR. PENTON) Yeah.
 22 A. Okay.
 23 Q. That's what it says.
 24 A. That's what it says. Sorry.
 25 Q. And -- and that's what you meant, right? I
 00103:01 mean, you wrote it.
 02 A. Yeah.
 03 Q. Correct?
 04 A. Correct.
 05 Q. Okay. And this was, again, March the 24th,
 06 correct, about three weeks before the blowout; is that
 07 correct?
 08 A. That would be correct.

Page 103:10 to 103:12

00103:10 MR. PENTON: This is going to be marked
 11 for identification as Exhibit 7053, and I'm going to
 12 give the Bates numbers are MDL00245764 through 00245766.

Page 104:02 to 104:11

00104:02 Q. (BY MR. PENTON) Okay. Mr. Little, I have
 03 a -- I have one document. I'm going to have to just
 04 give it to you and your counsel. I don't know how it
 05 ended up -- it's properly in this folder to talk to you
 06 about the maintenance. It's a June 2008 e-mail from
 07 Jake Skelton to yourself and others talking about the
 08 subsea department has significant overdue critical
 09 maintenance, some by as much as a year. This is an
 10 audit report from January 2008, an e-mail connection
 11 with that.

Page 104:17 to 105:01

00104:17 Q. (BY MR. PENTON) But this goes back to your
18 knowledge and -- and, remember, in May of 2008 when you
19 took over and I asked you about reading the -- you know,
20 the rig audit from January of '08. You see this is the
21 O -- Jake Skelton's e-mail to you telling you that there
22 are some subsea items on the Horizon that are over a
23 year old, as of June of -- of -- of '08. So they go
24 back to almost June of '07, and you'll see that
25 Skelton's telling you that he hasn't even had the first
00105:01 meeting on that. Do you see that?

Page 105:08 to 106:17

00105:08 Q. (BY MR. PENTON) Do you see -- do -- do you
09 remember that e-mail?
10 A. I do remember this e-mail.
11 Q. Okay. It -- so wasn't it your job, sir, at
12 that point to require that Transocean repair and
13 maintain the subsea equipment, or you would not let it
14 on the wells that BP was drilling; is that correct?
15 A. Transocean have a obligation to maintain their
16 equipment.
17 Q. Yes. And you as the well's manager had the
18 obligation that if you felt that the rig was unsafe due
19 to its maintenance level, you had a responsibility on
20 behalf of BP to take action; did you not?
21 A. If it was brought to my attention that the rig
22 was unsafe to operate.
23 Q. Yes. Well, what did you do in furtherance of
24 knowing that there was subsea equipment as of the
25 January 2008 audit that had not been done?
00106:01 A. As the note said, Jake Skelton, who was the
02 wells team leader, had just moved into that role, was --
03 would have the responsibility to work with Transocean
04 and monitor the closeout of the findings.
05 Q. Okay.
06 A. And he had a client to do that.
07 Q. Okay. And did you follow up on that plan, and
08 can you tell me whether or not that was done?
09 A. I don't recall being told exactly what was
10 being done, but I recall that it was followed up on.
11 Q. Well, Mr. Little, you talked about a group
12 that's into compliance. Isn't it true that there was no
13 BP group in the compliance, as you have described it,
14 that actually took action on the subsea equipment on the
15 Deepwater Horizon as of the time that you got that
16 e-mail in June of 2008 until September of 2009 when the
17 next audit was done?

Page 106:19 to 106:19

00106:19 A. I -- I don't know.

Page 106:22 to 107:17

00106:22 MR. PENTON: I'm going to -- we'll make
 23 copies of this. I'm going to mark it as Exhibit 7054.
 24 We need to make copies of that.
 25 Q. (BY MR. PENTON) Now, I'm going to show you BP
 00107:01 Group Practices 1040, entitled "Drilling Rig Audits And
 02 Rig Acceptance." Have you ever seen this document,
 03 Mr. Little?
 04 A. Yes.
 05 Q. Okay. I call your attention to, first,
 06 Page 6, at the bottom Section 4, General A. "Drilling
 07 unit selection"... Do you see that?
 08 A. Yeah.
 09 Q. "Drilling unit selection is the responsibility
 10 of the SPU."
 11 Correct?
 12 A. Yes.
 13 Q. That's the BP Strategic Performance Unit; is
 14 that correct?
 15 A. That's correct.
 16 Q. Who headed the SPU in 2008 and 2009 while this
 17 BOP was out of certification on the Deepwater Horizon?

Page 107:20 to 107:23

00107:20 Q. (BY MR. PENTON) Yes.
 21 A. -- in 2008, 2009?
 22 Q. Yes.
 23 A. I believe it was Neil Shaw.

Page 108:12 to 109:23

00108:12 And then it -- the second sentence says:
 13 "Wells team shall ensure that operating capability of a
 14 drilling unit is suitable for prevailing environmental
 15 and regulatory conditions at the well site." Correct?
 16 A. That's what it says.
 17 Q. And the wells team in 2008 and 2009 and part
 18 of 2010 were directly reporting to you. You were
 19 responsible for the wells team; were you not?
 20 A. Could you be more specific on which wells
 21 team?
 22 Q. Well, the wells team that was -- that was
 23 assigned to the rigs you were assigned to, the Deepwater
 24 Horizon and any other rig, correct?
 25 A. So the -- the wells team, the wells team
 00109:01 leader reported to me -- the -- the wells team leader
 02 for the Horizon reported to me from May 2008, yes.
 03 Q. Correct. And the wells team leader for the
 04 Deepwater Horizon would be at one point Jake Skelton,

05 correct?
 06 A. Correct.
 07 Q. And then later it would be John Guide,
 08 correct?
 09 A. That's correct.
 10 Q. And so those two people had to ensure that the
 11 operating capability of the drilling unit is suitable,
 12 correct?
 13 A. The wells team shall ensure that the operating
 14 capability of the drilling is suitable for prevailing
 15 environmental and --
 16 Q. Right.
 17 A. -- regulatory conditions of the well site.
 18 Q. Right. And if that BOP was out of
 19 certification and not suitable for prevailing
 20 environmental and regulatory conditions at the well
 21 site, that would ultimately be on your shoulders. That
 22 would be your responsibility because you are in charge
 23 of the well team leader, correct?

Page 110:01 to 110:15

00110:01 Q. (BY MR. PENTON) Correct, sir?
 02 A. The document says: "The wells team shall
 03 ensure the operating capability of the drilling unit is
 04 suitable for the prevailing environmental and regulatory
 05 conditions at the well site."
 06 So the wells team leader for that rig, yes,
 07 would do that.
 08 Q. Yes. And if it -- if it -- if it -- if you
 09 did not do that, that was your responsibility, correct?
 10 It was your responsibility to see that the wells team
 11 leader did that job, correct?
 12 A. It's my responsibility to ensure we had a
 13 wells team leader and we had a team in place and that
 14 they were following the --
 15 Q. Yes.

Page 110:19 to 111:01

00110:19 A. -- and they were following our continuity and
 20 our standards and practices.
 21 Q. (BY MR. PENTON) I understand.
 22 And you can't tell me whether or not your
 23 wells team leader between 2008 and September of 2009, in
 24 fact, followed this group practice and did ensure that
 25 that BOP was suitable for regulatory and environmental
 00111:01 conditions, correct?

Page 111:03 to 111:13

00111:03 A. The wells team leader -- so this was relating
 04 to rig audit --

05 Q. (BY MR. PENTON) Yes.
06 A. -- if that's the question. The wells team
07 leader, as far as I was being informed, was following
08 through with Transocean to close out the actions in the
09 rig audit.
10 Q. Okay. Take a look at Page 9, Section 6.2,
11 "Setting Standards." Do you see that? "Wells team
12 responsibility and decision to accept the drilling
13 unit." Do you see that?

Page 111:18 to 112:04

00111:18 Q. (BY MR. PENTON) It's A and B. Do you see
19 that?
20 A. Yes.
21 Q. Now, isn't it true that it was BP's decision
22 whether to accept the drilling unit or to not accept the
23 drilling unit; is that true?
24 A. When it was originally contracted; is that the
25 question?
00112:01 Q. Well, GP 1040 does not just apply to when it
02 was originally contracted, does it? It applies to every
03 day that a drilling rig is on site at a BP-leased well;
04 does it not?

Page 112:06 to 112:08

00112:06 A. This includes both.
07 Q. (BY MR. PENTON) Yes.
08 A. Yeah.

Page 112:14 to 112:18

00112:14 Q. (BY MR. PENTON) It would -- isn't it true
15 that it was BP's sole decision whether or not to allow
16 the Deepwater Horizon to drill the Macondo well and to
17 inspect the drilling unit to make sure that it didn't
18 pose a risk, okay, to safe operations?

Page 112:21 to 113:09

00112:21 A. The rig was contracted to BP during that
22 period, and we were utilizing the rig, and it was our
23 decision to put the rig on Macondo.
24 Q. (BY MR. PENTON) Yes. And you do audits to
25 make sure that the -- the drilling rig is safe and gives
00113:01 you safe and reliable operations, correct?
02 A. Yeah. That was one of the tools --
03 Q. Yeah.
04 A. -- that we have, yes.
05 Q. Yes. And if the rig audit doesn't go well,
06 and there are maintenance items on the drilling unit, it
07 is BP's sole discretion to say, Transocean, we're not

08 going to put the Deepwater Horizon on this well; you
09 need to take care of these maintenance items, correct?

Page 113:11 to 113:18

00113:11 Q. (BY MR. PENTON) Correct?
12 A. The -- in the -- in the matter of the rig
13 audit, that would be shared with Transocean, and the
14 ac- -- an action plan developed to close out the audit
15 actions.
16 Q. Yes. But it's BP's sole discretion to say,
17 No, the Deepwater Horizon is not coming on site because
18 of these maintenance issues?

Page 113:20 to 113:22

00113:20 Q. (BY MR. PENTON) Correct?
21 A. If the team felt there were -- there was a --
22 a reason to do that, we could -- we could --

Page 114:11 to 115:04

00114:11 But isn't it true that after the September
12 2009 rig audit that BP did just that. For a period of
13 five to six days there was a safety down where they said
14 you're not going to put the Horizon on our lease sites
15 until you do certain things to get the rig back to where
16 it should?
17 Do you remember that?
18 A. There was -- yes. There was a -- after the
19 rig audit the feedback we got from the rig audit team
20 that there were certain marine items that they felt --
21 Q. Yes.
22 A. -- needed to be addressed --
23 Q. Yes.
24 A. -- before the rig could go and restart
25 operations.
00115:01 Q. And then you remember less than a week later,
02 the rig was dispatched to another location. That safety
03 down was lifted and BP allowed the Horizon to go back on
04 location?

Page 115:06 to 115:24

00115:06 A. The -- the items that were raised by the rig
07 audit team were shared with Transocean, a request by --
08 was made for Transocean to develop a plan to address
09 those issues. Those issues were then addressed. We
10 verified that through our marine department in the Gulf
11 of Mexico. When we got the verification from Transocean
12 and from our marine team that those actions were closed
13 out sufficiently, that they felt the rig could go back
14 into operations --

15 Q. (BY MR. PENTON) Right.

16 A. -- we -- the -- the rig went to its next
17 operation.

18 Q. But you're aware that even though BP allowed
19 it to go to its next location, that the BOP was still
20 out of certification. It had been out of certification
21 at least since January '08 in that initial audit, and it
22 was still out of certification in September of '09, and
23 BP sent it back on to a location knowing that it was out
24 of certification, correct?

Page 116:02 to 116:07

00116:02 Q. (BY MR. PENTON) Correct, sir?

03 A. The -- the -- the rig audit items that were
04 required to be closed out by our experts, the rig audit
05 team, were closed out sufficiently, and we went back to
06 operation. There were other rig audit items that were
07 to be closed out.

Page 117:09 to 117:14

00117:09 Isn't it a fact that in September of 2009 when
10 BP lifted the safety down for the marine items you
11 talked about and allowed the Horizon to go back onto a
12 location and perform, that the BOP was still out of
13 certification as required by the Code of Federal
14 Regulations and the API 53 recommendation?

Page 117:18 to 117:19

00117:18 A. I was not aware that BOP was out of the Code
19 of Federal Regulations.

Page 117:21 to 118:05

00117:21 And, to your knowledge, no other compliance
22 group or any other arm of BP ever came forward, that you
23 know of, to say whether or not the BOP was, in fact, out
24 of certification at that time?

25 A. I'm not aware of any other, other than the rig
00118:01 audit --

02 Q. Thank you.

03 A. -- that we did.

04 MR. PENTON: That's Exhibit 1721
05 previously.

Page 118:19 to 118:24

00118:19 Q. (BY MR. PENTON) Let me ask it this way: Are
20 you aware of any program, whatsoever, where BP trained
21 and educated its well site leaders to properly interpret

22 a negative test?
23 A. I'm not aware of a specific program or
24 training to interpret.

Page 119:13 to 119:23

00119:13 Q. This is what I want to know, and then you can
14 come back and tell me what you need to tell me. But I
15 don't want you to think that I'm thinking about some
16 formal training process. It can be a -- a day meeting,
17 a night meeting, a weekend seminar, it could be
18 materials, any type of education. Did -- did BP ensure
19 that its well site leaders who were charged with
20 management of the well understood the proper
21 interpretation of negative tests that -- that's critical
22 to well control? Do you know of any type training,
23 formalized or non-formalized?

Page 120:01 to 120:19

00120:01 A. So through a well site leader's experience and
02 training as he's developed into a senior well site
03 leader?
04 Q. (BY MR. PENTON) Yes.
05 A. He will have been exposed to many operations.
06 He will have had coaching and training from his line
07 managers, his more experienced well site leaders, and
08 there -- through that process of development, that's how
09 they allow him to do the job that they do.
10 Q. Almost -- you described almost an on-the-job
11 type continuous training process; is that what you're
12 speaking of?
13 A. That's part of their --
14 Q. Okay.
15 A. -- training and development.
16 Q. And what I want to know is do you know of any
17 training program by BP on well control, production
18 safety type operations where they're trained to do their
19 job, including interpretation of a negative test?

Page 120:21 to 121:24

00120:21 A. Well site leaders go on many different types
22 of training. They're assessed in their role. And any
23 gaps in their training can be filled through many
24 different ways.
25 Q. (BY MR. PENTON) Well, can you cite to me any
00121:01 one training program, just one where negative test,
02 performance, and interpretation is taught or instructed
03 to your well site leaders?
04 A. I am not aware of any formal training that
05 goes into the specific details of how to interpret a
06 negative test.

07 Q. Have you ever had that training by BP? Let's
08 do it like that.

09 A. Have I ever had training to --

10 Q. By BP on how to perform and interpret a
11 negative test?

12 A. I've never had any formal training in that,
13 no.

14 Q. Okay. Are you aware of the Code of Federal
15 Regulations that requires BP as a lease operator to
16 conduct training programs in order to promote safe and
17 clean OCS operations and to ensure that the employees
18 engage in well control or production safety and
19 understand and can properly perform their duties? Have
20 you ever seen or heard of such a regulation? It's
21 30 CFR 250.1501.

22 A. I'm aware of subpart oil well control and
23 production safety training, I'm aware of that
24 regulation. I haven't read this specific section of it.

Page 122:10 to 122:21

00122:10 Q. But BP doesn't have a program itself?

11 A. We do not conduct at the moment our own well
12 control training. We use third parties to do that
13 training.

14 Q. And specifically as to the negative test, you
15 don't know if your well site leaders have ever gotten
16 formal training on performance and interpretation of a
17 negative test that you can direct me to, correct?

18 A. Formal training?

19 Q. Yes.

20 A. I -- I don't know of any formal training for
21 conducting, interpreting.

Page 122:23 to 123:07

00122:23 MR. PENTON: I attach 30 CFR 250.1501 as

24 Exhibit 7055.

25 Q. (BY MR. PENTON) The next one I will show you
00123:01 is 30 CFR 250.1503. Just so you know, you can read all
02 of it, but I'm really interested in subpart A, really.
03 Do you see it says: "You must establish and implement a
04 training program so that all of your employees are
05 trained to competently perform their assigned well
06 control and production safety duties"? Do you see that?

07 A. Yep.

Page 123:25 to 124:04

00123:25 Q. Sir, isn't it true that neither Don Vidrine

00124:01 nor Bob Kaluza, both the well site leaders for the
02 Deepwater Horizon, neither one of those well site
03 leaders understood on that evening how to interpret this

04 negative test?

Page 124:13 to 124:22

00124:13 A. I don't have enough information in order to
14 make that statement.
15 Q. You do not have enough information --
16 14 months after this historical blowout, you don't have
17 enough information to know that the well site leaders
18 who worked under your well team leader, John Guide, you
19 don't have enough information today, with everything
20 that's been published, to know whether or not Don
21 Vidrine or Bob Kaluza properly interpreted this negative
22 test; is that correct?

Page 124:25 to 125:02

00124:25 A. I -- I don't know what -- in that particular
00125:01 incident what they did because I wasn't there.
02 Q. (BY MR. PENTON) Have you read anything, sir?

Page 125:05 to 125:10

00125:05 A. -- I have read the -- the BP internal
06 investigation.
07 Q. (BY MR. PENTON) And what did the BP internal
08 investigation say about the interpretation of the
09 negative test by your well site leaders, Vidrine and
10 Kaluza?

Page 125:12 to 125:18

00125:12 A. I don't recall specifically if they said in
13 reference to any one particular person on the rig. I
14 recall that there was -- that the negative test was
15 incorrectly interpreted.
16 Q. (BY MR. PENTON) So isn't it true that both
17 Vidrine and Kaluza, both BP well site leaders, were
18 incompetent at interpreting that negative test that day?

Page 125:25 to 126:03

00125:25 A. (Continuing) I do not have the information
00126:01 to -- to make that statement.
02 MR. PENTON: I'm going to mark 1503 as
03 7056.

Page 126:07 to 128:02

00126:07 Q. (BY MR. PENTON) Then I'll quickly show you
08 1506, which is just a follow-up, really, of the -- the
09 previous two we've looked at. It says, "How often must

10 I train?" Do you see that? Okay. You say -- you see
 11 that it says in subpart B, "Establish procedures to
 12 verify adequate retention of the knowledge and skills
 13 that employees need to perform their assigned well
 14 control or production safety duties"; do you see that?
 15 A. That's correct.
 16 Q. Can you identify any procedure set up by BP
 17 that verified that Don Vidrine or Bob Kaluza had the
 18 knowledge and the skills that they needed to perform
 19 those functions on the Deepwater Horizon?
 20 A. I don't know in their particular case what --
 21 what was done.
 22 Q. Okay. Do you know generally what is done?
 23 What procedure is in place at BP to verify that these
 24 well site leaders have the skill and the knowledge to
 25 interpret not only negative tests but other tests that
 00127:01 they have to oversee on that well?
 02 A. So we -- their well site leaders have to
 03 attend well-control training, formal training every two
 04 years. Their performance is evaluated on a regular
 05 basis by their line manager. They're -- they're
 06 available to go on other training schools if they have
 07 gaps in their competence, and that is established
 08 through our personnel development plans, lots of
 09 conversations. Their performance is reviewed regularly.
 10 Their development needs are reviewed regularly. There
 11 are senior people who have many years of experience and
 12 are deemed competent that are in place on the rig. And
 13 anyone under training would be working with more senior
 14 people in order that they would obtain on-the-job
 15 training.
 16 Q. But you don't know in Vidrine and Kaluza's
 17 case if that was ever done, do you?
 18 A. I don't know in -- in their particular case
 19 what exactly was done, no.
 20 Q. Did you ever talk to John Guide, who was --
 21 you supervised. Did you ever talk to John Guide after
 22 this blowout and ask him about Vidrine and Kaluza and
 23 their skill and their knowledge and why they
 24 misinterpreted a negative test?
 25 A. No.
 00128:01 MR. PENTON: I attach that as
 02 Exhibit 7057.

Page 128:13 to 128:16

00128:13 Q. (BY MR. PENTON) Isn't it true, Mr. Little,
 14 that BP did not have written procedures governing the
 15 proper performance and interpretation of a negative test
 16 on the Deepwater Horizon?

Page 128:18 to 129:01

00128:18 A. I don't know what -- if -- if there was exact

19 procedures on the -- on the Deepwater Horizon. I never
20 looked at that personally.
21 Q. (BY MR. PENTON) You don't know that?
22 A. I don't know that.
23 Q. Okay. You weren't interested if whether or
24 not written procedures existed since this rig and this
25 well was under your -- under your responsibility up
00129:01 until, what, 18 days before it blew out --

Page 129:03 to 129:04

00129:03 Q. (BY MR. PENTON) -- that never piqued your
04 interest?

Page 129:07 to 129:12

00129:07 A. It was not my role to check every procedure
08 that was on the rig.
09 Q. (BY MR. PENTON) Was that a critical
10 procedure, though, in this blowout, the written
11 procedures or the procedures for the neg- -- negative
12 test?

Page 129:15 to 129:22

00129:15 A. Without more details, I can't give them.
16 Q. (BY MR. PENTON) Well, the details are the
17 negative test -- you know that the negative test was
18 misinterpreted, correct?
19 A. I know through the -- reading the
20 investigation report --
21 Q. Yes.
22 A. -- that was their conclusion.

Page 130:02 to 130:04

00130:02 Q. (BY MR. PENTON) And you know that it was the
03 misinterpretation of the negative test that led to the
04 blowout, do you not?

Page 130:07 to 130:08

00130:07 A. From reading the investigation report, it was
08 one of the factors that led to the blowout.

Page 130:10 to 130:20

00130:10 Q. (BY MR. PENTON) So isn't it true that if, in
11 fact, BP didn't have written procedures -- and you don't
12 know if they did or not, correct?
13 A. I don't know if there was written procedures
14 on the Horizon for the negative test at that -- on --

15 Q. Okay.
 16 A. -- at that time.
 17 Q. Okay. But isn't it true that written
 18 procedures for critical steps in procedures in drilling
 19 and -- and abandonment is a very important part of the
 20 process?

Page 130:22 to 131:09

00130:22 Q. (BY MR. PENTON) Do you agree with that?
 23 A. Having written procedures and following
 24 procedures is a critical part of what we do.
 25 Q. Yes. It's part of what we know as process
 00131:01 safety, is it not?
 02 A. It's part of what we know as how we manage our
 03 operations, yes.
 04 Q. Yes. But it -- it -- it's commonly referred
 05 to as process safety, correct?
 06 A. Process safety is a very wide-ranging --
 07 Q. It is.
 08 A. -- concept.
 09 Q. Uh-huh.

Page 131:12 to 131:14

00131:12 Q. (BY MR. PENTON) But its written procedures
 13 and checklist are a very important part of critical
 14 task; do you agree with that?

Page 131:16 to 133:05

00131:16 A. It's always critical that we have clear
 17 procedures and that they are followed.
 18 Q. (BY MR. PENTON) Okay. Now, do you agree with
 19 me that the negative test procedure on this well on that
 20 day was a very critical operation?
 21 A. A negative test on any well prior to, you
 22 know, abandonment is a critical operation.
 23 Q. And it's critical because that -- the negative
 24 test gives you information as to whether or not the well
 25 is static and safe to proceed; is that correct?
 00132:01 A. Yes. It tells you whether there -- there --
 02 the -- the barriers are in place and that you can safely
 03 proceed with the operation.
 04 Q. Right. And you know from what you've read
 05 that this well was not safe to proceed after this
 06 negative test?
 07 A. I know from reading the investigation report
 08 that a negative test was misinterpreted and that that
 09 was one of the factors which led to the blowout.
 10 Q. Mr. Little, who is Boots & Coots? Do you know
 11 that company?
 12 A. They're a well-control consulting company.

13 Q. Do they consult with BP on occasion?
 14 A. Yes.
 15 Q. Are you aware of their investigation of this
 16 incident?
 17 A. No.
 18 Q. You've never read that?
 19 A. I don't recall reading it, no.
 20 Q. Let me -- let me show you a report from
 21 Boots & Coots. It's Exhibit 102. And I direct your
 22 attention to Page 7, at the bottom of the page,
 23 Section 2.1. Do you see that? "Documented negative
 24 test procedure assessment"?
 25 A. Yes.
 00133:01 Q. Do you see that it says: It appears that
 02 there was not a documented, engineered procedure on how
 03 the negative test was to be -- be -- to be performed for
 04 the given situation? Do you see that?
 05 A. I see that.

Page 133:18 to 134:05

00133:18 Q. Yes. Did BP after this blowout inform you
 19 that a documented, engineered, written procedure for
 20 negative test should be used from now on on BP's
 21 projects?
 22 A. We have been -- shared the -- the interim
 23 guidance that relates to well-bore integrity testing
 24 which lays out some requirements around how to conduct
 25 those tests and what's expected. So, yes, I have --
 00134:01 Q. Okay, you've seen that. Do you agree with
 02 Mr. Wright, who authored this report, it's Page 7,
 03 No. 2, at the top, do you agree that performing and
 04 correctly interpreting a negative test on a deepwater,
 05 high-flow -- see it right at the top? High-flow --

Page 134:15 to 134:19

00134:15 Q. Okay. I want to know whether or not you agree
 16 that performing and correctly interpreting a negative
 17 test on a deepwater, high-flow potential exploration
 18 well would be considered a safety-critical and high
 19 significant risk activity; do you agree with that?

Page 134:22 to 135:03

00134:22 A. I would agree that performing and interp- --
 23 correctly interpreting a negative test on any well was
 24 a -- was a critical operation.
 25 Q. (BY MR. PENTON) Do you agree that had there
 00135:01 been a detailed, written negative test procedure with a
 02 risk assessment, that this blowout might not have
 03 occurred?

Page 135:06 to 135:13

00135:06 A. I don't have the information to make that
07 statement.
08 Q. (BY MR. PENTON) You don't know that?
09 A. I don't have enough information of what -- of
10 what occurred and why to make that statement.
11 Q. Take a look at Page 9 under "Summation." Do
12 you see that 2.3?
13 A. Yeah.

Page 135:18 to 135:23

00135:18 Q. Do you agree with Boots & Coots and Mr. Wright
19 that there was not a sense of the significant risk
20 associated with correctly implementing and interpreting
21 the data for the negative test implemented as a step in
22 the temporary abandonment program for the Deepwater
23 Horizon?

Page 135:25 to 136:06

00135:25 A. I don't have the -- the information. I wasn't
00136:01 involved in drafting this. So I can't -- I mean, I
02 can't comment on this statement.
03 Q. (BY MR. PENTON) You -- you did agree with me
04 that the interp- -- the proper performance of the
05 negative test and the interpretation of it is a
06 high-risk significant activity, though --

Page 136:08 to 136:10

00136:08 Q. (BY MR. PENTON) -- correct?
09 A. Performing and interpreting a negative test in
10 any operation is critical. That's -- I think I believe

Page 136:14 to 136:21

00136:14 Q. All right. You see subpart 1 it says, "The
15 engineering staff who wrote and approved the program
16 without a detailed procedure and the lack of a formal
17 risk assessment for a safety-critical and significant
18 risk activity was part of the evidence that
19 Boots & Coots found." Do you see that?
20 A. I see that.
21 Q. Do you agree with that?

Page 136:23 to 136:24

00136:23 writing this. I didn't have the information that went
24 into it. So I can't agree or disagree.

Page 137:04 to 137:21

00137:04 Q. You were the well's manager who directly
 05 supervised John Guide, who was the well team leader for
 06 the Deepwater Horizon and the Macondo well?
 07 MR. RUBINSTEIN: Can you be specific as to
 08 time?
 09 MR. PENTON: Well, the time it was on the
 10 Macondo well.
 11 A. John Guide reported me until the time I left
 12 the Gulf of Mexico.
 13 Q. (BY MR. PENTON) Yes. Around April 1st of
 14 2010, correct?
 15 A. Yes, that's right.
 16 Q. 8 -- about 18 days before the blowout,
 17 correct?
 18 A. April 2nd I left.
 19 Q. So the Macondo well was under your
 20 responsibility up until 18 days before the blowout,
 21 correct?

Page 137:23 to 138:12

00137:23 A. The Macondo well's team reported to me up
 24 until April the 2nd.
 25 Q. (BY MR. PENTON) But, sir, you went down
 00138:01 through the well's team leader to the Macondo well.
 02 That's what you were over. You were the well's manager
 03 for the Macondo well. Let's be clear.
 04 A. I was the well's manager for exploration and
 05 appraisal. Within that group there were -- the
 06 Deepwater Horizon team reported to me through the well's
 07 team leader, and at that time the Horizon was drilling
 08 on the Macondo well.
 09 Q. That's correct. And you did not have the
 10 information, did you, on whether or not the Deepwater
 11 Horizon and BP had a written procedure for the negative
 12 test, although you were the well's manager?

Page 138:14 to 138:17

00138:14 A. I did not know if there was a written
 15 procedure for the we- -- negative test at the time.
 16 Q. (BY MR. PENTON) You agree that it should have
 17 had one, correct?

Page 138:19 to 138:21

00138:19 A. The negative test is an important and critical
 20 test that should be -- that -- that should have been
 21 performed correctly.

Page 138:24 to 139:06

00138:24 Q. (BY MR. PENTON) It should be written, too,
25 though, right, a written procedure for them to follow?
00139:01 A. I would agree that it should be a written
02 procedure in some form to follow this kind of test.
03 Q. But you -- in all of the years that you had
04 the Deepwater Horizon under your responsibility you
05 never checked to see if there was a written negative
06 test procedure?

Page 139:08 to 139:13

00139:08 A. I did not check every procedure that was used
09 on the rig during the period that that rig worked when I
10 was there. They conducted several negative tests, and
11 I -- it was never brought to my attention there were any
12 issues with those. I had no reason to believe there was
13 any issues.

Page 139:16 to 139:22

00139:16 Q. Okay. I know that you had left 18 days --
17 officially left your responsibility with the Horizon and
18 the Macondo 18 days before the blowout, but I'm going to
19 ask you this question and see if you can answer it for
20 me. Are you aware that there -- there was a negative
21 test that was run on the evening of -- of April 20th?
22 A. I was aware of that.

Page 140:03 to 140:04

00140:03 Q. Were you aware that there was no risk
04 assessment performed after this negative test?

Page 140:06 to 140:06

00140:06 A. I wasn't aware of that.

Page 140:13 to 140:16

00140:13 Q. (BY MR. PENTON) Do you hold the position and
14 opinion that a risk assessment should have been
15 performed on the negative test when they encountered the
16 issues they encountered?

Page 140:18 to 140:24

00140:18 A. I don't have the information to make that...
19 Q. (BY MR. PENTON) Well, in the normal course if
20 there are anomalies with a particular test and it's a
21 critical, safety critical test should a risk assessment
22 be performed to try to sort out what are the hazards of

23 going this way or that way or -- or doing it this way or
24 that way?

Page 141:01 to 141:09

00141:01 Q. (BY MR. PENTON) Okay. Do you understand what
02 I'm saying?
03 A. Yes. If -- if there were -- if a procedure
04 hasn't gone the way it should --
05 Q. Yes.
06 A. -- then there should be a review of what the
07 next step should be --
08 Q. Okay.
09 A. -- in -- in a general case.

Page 141:14 to 142:11

00141:14 Q. (BY MR. PENTON) Are you aware of the BP
15 policies and procedures with respect to risk assessment,
16 and were you aware in 2007 and 2008 and 2009?
17 A. I'm aware of our risk assessment process, yes.
18 Q. Okay. Can you tell me what a risk register
19 is?
20 A. It's a tool that our team has used to capture
21 any risks that we see for a particular well of
22 operation, and it captures the risks. It then allows
23 you to look at what the probability and outcome of that
24 risk is, and then you can then track through into what
25 mitigations you put in place and who would do that and
00142:01 what actions you would make it.
02 Q. Okay. And how long has the risk register been
03 a process of BP?
04 A. Several years.
05 Q. Is it something that's mandatory or
06 discretion -- discretionary?
07 A. It's part of our manning process, which is a
08 segment of practice, so it's required.
09 Q. Okay. So it's -- it's mainly an
10 identification of the procedures and processes, correct,
11 of the well?

Page 142:13 to 142:13

00142:13 Q. (BY MR. PENTON) Generally speaking?

Page 142:15 to 143:19

00142:15 A. It's a -- it's a register of the risks the
16 wells team identify, what classification they give it,
17 what actions they're taking to mitigate it, and who
18 would be doing that.
19 Q. (BY MR. PENTON) Okay. And so you try to
20 identify that while you're even developing the well

21 design?
 22 A. It's a continual process.
 23 Q. But it also continues or should continue?
 24 A. It's part of -- the risk register in the wells
 25 process is just during the planning process.
 00143:01 Q. But it's not continually updated?
 02 A. It's not continually updated once the well
 03 starts.
 04 Q. Once you start the what?
 05 A. Once you start the well, once the well program
 06 is prepared.
 07 Q. Okay. I thought that you had told me
 08 previously that it's continually updated. I -- I
 09 didn't -- you don't feel that it is, though?
 10 A. It's continually updated during the well
 11 planning process.
 12 Q. But not after?
 13 A. Not once the well starts.
 14 Q. Okay. All right. In other words, if a -- if
 15 another risk is identified, say, during the -- the well
 16 execution, that doesn't go to the risk register?
 17 A. That would be handled under a -- the risk
 18 management process during operations, which depending on
 19 the risk and severity --

Page 143:21 to 144:01

00143:21 A. -- if you had to change the program, you go
 22 through a management change process to do that.
 23 Q. So when you identify the risk during the
 24 planning -- well design and planning process what are
 25 the types of impacts that you have to assign to a
 00144:01 particular risk?

Page 144:03 to 144:04

00144:03 A. A risk could be safety, security, operations.
 04 There's several categories.

Page 144:10 to 144:22

00144:10 Q. I'll try. Once you identify your risk for the
 11 risk register the impacts that you assign to it, and I
 12 guess the impacts are the actual adverse things that
 13 could happen if that risk occurs, correct?
 14 A. That's correct.
 15 Q. And then your mitigations are the procedures
 16 that you want to put into play to make that risk less
 17 likely to occur?
 18 A. Yeah. So if you have a risk identified, you
 19 would have a mitigation against that.
 20 Q. Right. So when you identify your risk you
 21 want to the worst-case scenario impact for that risk so

22 you can mitigate for it, correct?

Page 144:24 to 146:11

00144:24 A. That's one step in the process, but regardless
25 of how you position it, you're still looking to develop
00145:01 a mitigation plan.

02 Q. (BY MR. PENTON) Right. For instance, if we
03 just take some of the risks -- well, let's just take
04 this risk. Well blowout is a very serious risk,
05 correct?

06 A. Well control, so maintaining control.

07 Q. Right. And if you -- I'm sorry.

08 A. So maintaining control to prevent a blowout,
09 yeah.

10 Q. Okay. And because if you have a blowout, bad
11 things can happen, correct?

12 A. Yes.

13 Q. And I guess the worst thing that could happen
14 would be the loss of human life, correct?

15 A. Correct.

16 Q. Or the loss of human health, correct?

17 A. Correct.

18 Q. And, of course, then you have environmental
19 damage, natural resource damage, equipment loss, other
20 things, correct?

21 A. Correct.

22 Q. And you lose -- it would be a cost loss, too,
23 correct?

24 A. Yes.

25 Q. And would you say that the cost loss is at the
00146:01 bottom of the list or the top of the list?

02 A. At the bottom.

03 Q. At the bottom. What I want to do is I've got
04 a graph -- our production people got really excited
05 about trying to blow up this risk register for me. I've
06 never been able to read it because it was so small, and
07 I asked them to blow it up and put it on a little chart
08 for me and I came in with a 4-by-8 here. I want to show
09 you the risk register on the Macondo well. Can I do
10 that?

11 A. Yeah.

Page 147:05 to 148:06

00147:05 Q. (BY MR. PENTON) Now, this is the Macondo well
06 risk register developed during the well design and
07 planning process, correct?

08 MR. PENTON: I'm going to step in front of
09 you. Excuse me.

10 A. Appears to be.

11 Q. (BY MR. PENTON) Okay. And my information is
12 Mark Hafle was responsible for this risk register. Was
13 that your memory?

14 A. The wells team was responsible for this risk
 15 register.
 16 Q. Right, and Mark Hafle was on this team?
 17 A. He was on that team.
 18 Q. Okay. And so you'll see the risk was the
 19 first category and then the category and then the risk
 20 opportunity and then, of course, right on across to
 21 event description on risk status, by, date, impact type,
 22 impact level, probability, manageability, impact type,
 23 impact level, post responsibility, okay. And then over
 24 the notes, which is where the mitigation notes are done;
 25 is that correct? We've only got a little bit on this
 00148:01 tape, so we'll just cover the first one.
 02 You see that the first and probably most
 03 important, if you'll agree with me, well control is the
 04 most important risk in drilling and producing a well;
 05 would you agree?
 06 A. (Nodding head.)

Page 148:10 to 149:03

00148:10 A. Yes.
 11 Q. (BY MR. PENTON) You'll see that the event
 12 description impact is potential well control problem,
 13 risk of losing the well-bore in an uncontrolled
 14 situation, correct? And you'll see it is marked Hafle,
 15 who is the owner of this particular risk, and it looks
 16 like BP accepted that risk. I guess that you have to
 17 accept the risk if you're going to drill a well because
 18 that's part of it, well control. And then you will see
 19 that this is June 17th, 2009, and that was after this
 20 well was permitted, correct?
 21 A. I don't recall exactly when the well was
 22 permitted.
 23 Q. All right. Is it normal to do the risk
 24 register after the permit is "let"?
 25 A. Risk registry would maintain it through the
 00149:01 well planning process.
 02 Q. Before you begin to drill it, correct?
 03 A. (Nodding head.)

Page 149:06 to 149:10

00149:06 A. Yes.
 07 Q. Now, you'll see that the impact type, type,
 08 Hafle put costs. You said it should be at the bottom of
 09 the ladder, and Mark Hafle put cost and money at the
 10 top, didn't he?

Page 149:12 to 149:12

00149:12 A. That's what it says there.

Page 149:19 to 150:05

00149:19 Q. Okay. Well, we talked about that and we
20 talked about that cost and, you know, my -- my question
21 to you is why -- why would this risk register go through
22 25 BP employees and experts with people looking at this
23 risk, looking at what the mitigations are to avoid that
24 risk, and every single solitary BP engineer and staff
25 person and employee allowed cost and money to be the
00150:01 highest impact for the worst risk of this well when loss
02 of well control could cause people to lose lives, as it
03 did in this situation? Can you tell me why that was
04 allowed not only by Mark Hafle, by -- but by BP
05 generally?

Page 150:08 to 150:23

00150:08 A. I don't know why mark put cost in the impact
09 cattily.
10 Q. (BY MR. PENTON) Isn't it true -- and if you
11 look down, poor pressure frac gradient uncertainty,
12 again, you could lose the formation, correct, you could
13 have well control, you could lose the well control,
14 correct, and, again, cost, and you go through well-bore
15 stability and you go right on down the narrow frac
16 gradients and many of these risks could cause loss of
17 life, injury to human beings, and destruction of the
18 natural resources and despite that, this risk register
19 that was supposed to be the guiding principle for the
20 management of risk on that well, BP allowed and, in
21 fact, intentionally stated that cost and money was more
22 important than life, health, natural resource damage,
23 and damage to property?

Page 151:01 to 151:08

00151:01 Q. (BY MR. PENTON) Isn't that true?
02 A. I don't know why Mark put cost into these
03 sections.
04 Q. Isn't it true -- and we can turn back, if you
05 want to. Isn't it true, Mr. Little, that you do know
06 why BP -- you do know why that BP and Mark Hafle --
07 Hafle allowed cost to be the primary impact for all
08 those risks, don't you?

Page 151:11 to 151:12

00151:11 A. I don't know why Mark put cost in on the risk
12 register for these sections.

Page 151:25 to 152:15

00151:25 MR. PENTON: I would offer the risk

00152:01 register as Exhibit 7058.

02 Q. (BY MR. PENTON) Mr. Little, wasn't it a fact
03 that in 2008 when you assumed your -- your role as wells
04 manager E&A drilling that it was in the midst of the
05 reorganization, we've talked about that?

06 A. It was a result of the reorganization, yes.

07 Q. Right. And that one of the directives in the
08 reorganization in 2008 was that -- that there would be
09 cost cutting in drilling and completions?

10 A. I don't recall hearing that in that specific
11 way.

12 Q. Okay. Well, let's -- let's try to explore in
13 what way you heard it. You heard that the cutting of
14 cost and the saving BP of money would now be a
15 performance factor; is that correct?

Page 152:17 to 152:18

00152:17 A. I -- I'm not aware of that particular
18 statement relating to the reorganization in 2008.

Page 153:01 to 153:04

00153:01 Q. The timing of it only. The timing of the
02 reorganization, one of the things that came out of the
03 reorganization was a directive that there was going to
04 be cost cutting in drilling and completions?

Page 153:06 to 153:07

00153:06 A. I'm not aware of the directive of cost cutting
07 in drilling and completions.

Page 153:10 to 153:12

00153:10 restrict it to directive. What is your knowledge about
11 any cost cutting programs or desires of BP to cost cut
12 in the area of drilling and completions?

Page 153:14 to 153:18

00153:14 A. I'm not aware of any cost cutting.

15 Q. (BY MR. PENTON) So cost cutting was not a
16 performance issue to you from 2008 to 2010; is that what
17 you're saying?

18 A. Cost cutting --

Page 153:20 to 154:05

00153:20 A. -- was not a performance issue, no.

21 Q. And saving money was not a -- was not a
22 performance factor?

23 A. I didn't say saving money wasn't a performance
 24 factor. Cost efficiency is a performance factor for BP
 25 in drilling and completions.
 00154:01 Q. So you're hanging up on my cost cutting. I
 02 want to make sure you and I are communicating. Let's
 03 talk money, m-o-n-e-y, money. Saving BP money was a
 04 major, major policy of BP from 2008 to 2010 in drilling
 05 and completions in the Gulf of Mexico, correct?

Page 154:07 to 155:09

00154:07 A. The term cost cutting isn't how I would
 08 characterize it.
 09 Q. (BY MR. PENTON) How do you characterize it?
 10 A. It's cost efficiency. It's one of the factors
 11 involved in what we do as a business along with and, you
 12 know, the priority is safety and -- and all things being
 13 equal, we're looking to improve efficiency.
 14 Q. Isn't it so that the more money you saved for
 15 BP, you're subject to get more money in bonus at the end
 16 of the year?
 17 A. I'm not aware of any direct correlation.
 18 Q. What did your incentive performance contract
 19 provide in terms of -- of how you would be given a bonus
 20 at the end of the year as it relates to your performance
 21 score?
 22 A. I'm not aware of a performance score. There
 23 is a performance evaluation at the end of the year for
 24 everyone in BP, and that is -- that is factored into the
 25 bonus that every individual gets.
 00155:01 Q. Let's talk about 2010. Did you get a
 02 performance bonus for 2010?
 03 A. Do you mean in 2010 or for 2010.
 04 Q. For 2010.
 05 A. I got a variable pay plan payout in March this
 06 year related to 2010.
 07 Q. And what was that variable pay payout given
 08 for?
 09 A. Well, my role in North Africa.

Page 155:21 to 156:02

00155:21 Q. You were -- you were in charge of the Macondo
 22 well as wells manager until April the 2nd of 2010,
 23 correct?
 24 A. I was the wells manager for E&A until April
 25 the 2nd, 2010.
 00156:01 Q. Correct. And among those duties were the
 02 Macondo well, correct?

Page 156:04 to 156:13

00156:04 A. The Macondo well was being drilled at that...

05 Q. (BY MR. PENTON) Okay, the Macondo well. You
06 left that job and went to the U.K., correct?
07 A. That's correct.
08 Q. And you were transitioning to the job in North
09 Africa, correct?
10 A. Yeah, from December 2009.
11 Q. But, wait a minute, you -- I thought you told
12 me this morning that you didn't take your duties,
13 official duties in North Africa until December 2010?

Page 156:16 to 156:16

00156:16 A. No, that's not correct.

Page 156:18 to 156:23

00156:18 A. I went into the role -- I was announced into
19 the role in North Africa in December 2009. I began my
20 transition in December 2009. I eventually left
21 completely the Gulf of Mexico April the 2nd, 2010.
22 Q. And when did you go to North Africa?
23 A. Right away.

Page 157:02 to 157:18

00157:02 Q. But so you -- that's why you were gone, as you
03 stated at the MBI, quite a bit of the time, is because
04 you were here in England transitioning into another job?
05 A. That's correct.
06 Q. All right. So it was your role in the North
07 Africa effort that caused you to get -- I call it a
08 bonus. What do you call it?
09 A. We call it variable pay plan.
10 Q. That's right. Same thing, basically,
11 performance bonus?
12 A. It's a variable pay plan. We don't call it
13 performance bonus. It's based on my performance in my
14 area where I work's performance. It's -- it's a matrix.
15 Q. Right. And saving money, or you call it cost
16 efficiency, is one of the factors that's used, correct?
17 A. One of -- so my performance is evaluated by my
18 line manager based on multiple factors.

Page 157:20 to 157:22

00157:20 A. And there could be an efficiency factor in my
21 performance appraisal, which would form part of my line
22 manager's assessment of my individual performance.

Page 158:04 to 158:10

00158:04 Q. (BY MR. PENTON) Did any of -- did your

05 supervisor criticize your management of the Macondo well
06 and the blowout in your 2010 performance assessment?
07 A. No, end of year 2010 performance assessment?
08 Q. Any performance evaluation for the year 2010
09 were you criticized at all for your time managing the
10 Macondo well?

Page 158:12 to 158:22

00158:12 A. My performance appraisal for 2010 was done by
13 my line manager in North Africa and was based on my
14 performance contract in North Africa.
15 Q. (BY MR. PENTON) So the three months January,
16 February, and March that you were gone, that there was
17 no wells manager for the Deepwater Horizon and Macondo
18 well for those three months while it was going through
19 what you saw to be two kicks, eight major loss
20 circulations, a ballooning event, and a catastrophic
21 blowout and no one whatsoever have criticized you as the
22 wells manager for that well, true?

Page 158:24 to 159:02

00158:24 A. I have -- I haven't had a performance
25 appraisal that relates to that period of time when I was
00159:01 the wells manager and transitioning into the North
02 Africa.

Page 159:11 to 160:07

00159:11 Q. Okay. Do you agree with the statement that
12 there was a major cost cutting effort going on in 2009?
13 A. In the Gulf of Mexico?
14 Q. Yes.
15 A. There was an initiative to, call it every
16 dollar counts, which was a cost efficiency activity that
17 we were all in the SPU had put in place to look the
18 costs that we spend and are they being spent wisely and
19 are they delivering what they -- you know, what we are
20 trying to achieve.
21 Q. Okay. Do you agree with the statement that
22 the Gulf of Mexico saved somewhere between 200 and
23 \$350 million in drilling and completions in 2009?
24 A. I'm not -- I can't recall that specific
25 figure. I mean, if there is a -- something you could
00160:01 show me that says that, I'd be happy to look at it.
02 Q. You've never seen that and you've never heard
03 that?
04 A. I don't recall hearing that or any -- I'm not
05 aware.
06 Q. How much cost efficiency, as you want to call
07 it, did you effect for BP in 2009?

Page 160:09 to 160:12

00160:09 A. I can't recall a specific number.
10 Q. (BY MR. PENTON) Well, give me a range. Is it
11 more than a hundred million or less than a hundred
12 million?

Page 160:14 to 160:18

00160:14 A. I can't recall the specific.
15 Q. (BY MR. PENTON) You have no -- you have no
16 memory or no idea what level of cost efficiency that you
17 effectuated for BP in that year?
18 A. I can't recall --

Page 160:20 to 161:21

00160:20 A. -- specific numbers.
21 Q. Is there a report that comes out that says in
22 the Gulf of Mexico drilling and completions, the wells
23 manager was responsible for X millions of dollars in
24 cost efficiencies? No such thing?
25 A. I can't recall if -- if there is such a thing
00161:01 or if it was put in my appraisal.
02 Q. And you were never at a meeting that said what
03 the Gulf of Mexico drilling and completions saved or
04 experienced from cost efficiency in any given year,
05 correct?
06 A. That's not what I said. I said I can't recall
07 that specific number you mentioned. There are several
08 meetings that we have to talk about where we sit versus
09 our objectives, and there may have been a view of a
10 number that we felt we had saved due to drilling
11 efficiency and completions efficiency and delivering our
12 program.
13 Q. You just -- you just don't know a number; is
14 that what you said?
15 A. I don't recall a number.
16 Q. Do you know that it was in excess of a hundred
17 million dollars, at least? Have you heard that?
18 A. I can't recall a number.
19 Q. Do you agree that it was a performance target
20 for drilling and completions in the Gulf of Mexico in
21 2008 and 2009?

Page 161:23 to 162:09

00161:23 A. Could you -- did you say specifically cost?
24 Q. (BY MR. PENTON) Cost efficiency was a
25 performance target, every dollar counts?
00162:01 A. There was no target set that I'm aware of for
02 every dollar counts. It was an initiative that was put
03 in place so that all of us could analyze the costs that

04 we spend to ensure that it was delivering the outcome we
05 were wanting and we weren't wasting money.
06 Q. Did you ever approve of a cost efficiency that
07 risk safety the Gulf of Mexico?
08 A. I'm not aware of it, of any situation like
09 that.

Page 162:12 to 163:03

00162:12 going on in 2009, okay. All right. In January of 2009
13 the Macondo well was under development; is that correct?
14 A. It was -- I can't recall the specific day we
15 started planning the well, but it would have been around
16 that time.
17 Q. Right, because the permits were being prepared
18 and were ultimately submitted in the spring, are you
19 aware of that, of 2009?
20 A. I don't recall the exact dates when the
21 permits were submitted.
22 Q. All right. I want to show you an e-mail,
23 well, several e-mails that you received, maybe some you
24 didn't, some you did, but it appears that the e-mail
25 string made it to you. We'll talk about that. It
00163:01 starts off on January the 16th, take a look at it, and
02 then go to the second page and you'll see ultimately
03 where --

Page 163:18 to 165:03

00163:18 don't know where they are. By the way, this is going to
19 be Exhibit 7059. Okay.
20 A. Okay.
21 Q. (BY MR. PENTON) Okay, you ready. You see
22 that on January 16th at 11:17 a.m. there was an e-mail
23 sent from, is that Jasper Peijs?
24 A. Jasper Peijs.
25 Q. Peijs, okay. Who is that?
00164:01 A. At the time he was the exploration lead for
02 the area that the Macondo well was in. So he was the
03 exploration person responsible for it.
04 Q. In terms of what, financial or --
05 A. Subsurface. So the exploration department are
06 the ones that -- that come up with the prospect, and
07 they're --
08 Q. Okay. All right. You'll see this first
09 e-mail from him to Richard Morrison. Who was Richard
10 Morrison?
11 A. I believe at the time this e-mail was written
12 Richard was the -- the vice president for production --
13 Q. Okay.
14 A. -- for this area.
15 Q. All right. And you'll see that they're
16 talking about the Macondo well and the capital issues
17 for the year 2009, correct?

18 A. Yes.
19 Q. And you will see that the current assumptions
20 are to do Macondo at a hundred percent working interest,
21 correct?
22 A. That's what it says.
23 Q. And it says at No. 1, If we add rupture disks,
24 but cement back the open hole, underline blackened, no
25 capital implication for you in 2009, but you will incur
00165:01 additional cost of redrilling the open hole later and
02 have some risk around zonal isolation. Do you see that?
03 A. I see that.

Page 165:20 to 167:04

00165:20 Q. Your casing program that is always a part of
21 your well plan, correct?
22 A. Correct.
23 Q. Is based upon engineering; is it not?
24 A. Yes.
25 Q. Right. In other words, the type of casing,
00166:01 the size of casing, the manner of placement, and all
02 those things, that's an engineering thing, correct?
03 A. That's developed during the well planning
04 process.
05 Q. Right. And it's based upon the -- the
06 anticipated well-bore, the downhole reservoir, and a
07 multitude of factors, correct?
08 A. That's correct.
09 Q. All right. Now, then there is a cost factor.
10 How much is this casing design going to cost, correct?
11 A. There is a cost for the design of the well,
12 yes, that's correct.
13 Q. Correct. And what this e-mail is saying --
14 and you can go to No. 2, and maybe we should do that,
15 because No. 2 says, We can run 9-and-7/8-inch production
16 liner. Ballpark capital request would be \$8 million,
17 correct?
18 A. That's correct.
19 Q. And No. 3 comes back and says the very same
20 thing except a liner and a tieback to the surface should
21 be about the same capital request of \$8 million,
22 correct?
23 A. That's what it says.
24 Q. So we know that this person is talking to
25 Richard Morrison through e-mail and saying if we just
00167:01 use rupture disks, there's no capital implications to
02 you. If we use a liner and tieback that liner to the
03 surface, it's going to cost an additional \$8 million,
04 correct?

Page 167:06 to 167:07

00167:06 Q. (BY MR. PENTON) That's a financial thing,
07 correct?

Page 167:09 to 169:11

00167:09 A. I don't think that's what this means, is what
10 you're saying.
11 Q. (BY MR. PENTON) What do you think it means?
12 A. In reading this, at the time there was a
13 discussion about whether we drill the well as a
14 disposable well, i.e., not going to complete it; or
15 drill it as a keeper, which means we're going to keep it
16 and put it into production later. The way that the
17 capital allocation occurs is that Jasper Peijs who's the
18 exploration manager for this area, he's accountable for
19 the capital of the exploration well, which is ILX.
20 Richard Morrison, who is head of production is head of
21 the capital in the production.
22 So this was a discussion around what do we do
23 at the end of the well and what are the costs to do the
24 well one way or another. It's not an e-mail about how
25 to do the well. It's an e-mail about how to do the
00168:01 well. It's about if we drill this well as a keeper,
02 there will be some costs that exploration will allocate
03 to production because we are doing it in order to make
04 the well a keeper for production. So it's -- it's --
05 the conversation here is a capital allocation
06 conversation. So he's going to Richard, saying, no,
07 here's the thing we're looking at during the well time.
08 This well will be handed over to you if we make it a
09 keeper for you to complete, and in that -- in our -- in
10 this phase of the operation we have some choices as to
11 how we leave the well if you want to have it as a
12 keeper, and to do that you need to have the capital in
13 order to -- to do that. So this is a conversation about
14 capital allocation and about how we're going to do the
15 well. It's not about, I think what you were saying,
16 which is if we do this, we can save money. That's not
17 what my understanding of this is.
18 Q. Well, let's keep looking at it, okay. Do you
19 see at the top, the second sentence, it says that BP
20 believed that this was going to be -- this was going to
21 be a keeper well?
22 A. Right.
23 Q. Yeah, that was their belief from the
24 beginning; was it not?
25 A. Yes.
00169:01 Q. Okay. Now, if you look at the last sentence,
02 it says, "My main question" -- and, again, this is all
03 caps -- this is not all caps, but this is blackened and
04 underlined -- "is extra capital for this in 2009 even an
05 option, or should we just plan to do option No. 1?"
06 Option No. 1 is add rupture disks at no capital
07 implication.
08 Now, I hear what you're saying, Mr. Little,
09 but how do you get beyond the four corners of this
10 document that says if we put rupture disks, as you did,

11 right? You put rupture disks in this well, didn't you?

Page 169:20 to 169:21

00169:20 Q. (BY MR. PENTON) Did you put rupture disks in
21 this well?

Page 169:23 to 170:07

00169:23 Q. (BY MR. PENTON) He's the well manager, he's
24 involved in well design and planning. Did you plan
25 rupture disks in this well?

00170:01 A. Yes.

02 Q. And you put rupture disks in this casing; did
03 you not?

04 A. There were rupture disks put --

05 Q. Right. You did not put the liner, the liner
06 with the tieback to the surface that was cost an
07 additional \$8 million, did you?

Page 170:09 to 170:14

00170:09 A. What we eventually did -- I -- in -- in the
10 final phase, I wasn't here. I believe that we -- as I
11 read in the Bly report, we ran a liner and a -- a long
12 string with a liner.

13 Q. (BY MR. PENTON) Yes. And so you put rupture
14 disks in a long string, correct?

Page 170:16 to 170:22

00170:16 Q. (BY MR. PENTON) Correct?

17 A. We put rupture disks in many of the casing
18 strings depending on the design calculations to say
19 where we need to put rupture disks.

20 Q. And you did -- just like in this letter, you
21 did not use a liner tieback to the surface that would
22 cost an additional \$8 million, correct?

Page 170:24 to 171:19

00170:24 A. We did not use a liner in the last casing
25 string on this well.

00171:01 Q. (BY MR. PENTON) Okay. Take a look at the
02 next page. At 12:07 p.m., Morrison writes back to
03 Jasper Peijs, and it says: "If we find commercial
04 quantities, we should run the production liner in a
05 setup that mitigates the long-term risk for production
06 (full tieback or liner). Today's reality with other
07 pressures is at Option 1, rupture disks," correct, sir,
08 "rupture disks," Option 1 --

09 A. Yeah.

10 Q. -- "is all we can fund."
 11 Correct? Correct?
 12 A. It's correct what you're saying is written in
 13 here, yes.
 14 Q. Yes. "All we can fund." I'm out of bullets,
 15 unless I drop Holstein, which I might be asked to do,
 16 correct? That's all about money, Mr. Little, is it not?
 17 It doesn't matter what the engineering is. It's about
 18 money -- money. It's all they can fund; do you agree
 19 with me?

Page 171:21 to 172:11

00171:21 A. That's not the intent, as far as I'm aware, of
 22 this e-mail.
 23 Q. (BY MR. PENTON) Well, then go -- look at the
 24 next one at 1:08 p.m., just a few minutes later, about
 25 an hour and a minute later, Jasper Peijs back to Richard
 00172:01 Morrison, with a copy to David Sims, it says: "Please
 02 call if your capital situation changes, and we could do
 03 the right thing."
 04 Do you see that?
 05 A. I see that.
 06 Q. You know, where are the engineers here in
 07 deciding whether you're going to use a liner and tie it
 08 back to the surface? Where are they at in all of this?
 09 Because the money people are preempting, are they not,
 10 they're preempting the engineers here in saying this is
 11 all we can fund, rupture disks?

Page 172:14 to 172:19

00172:14 Q. (BY MR. PENTON) Correct?
 15 A. That's -- that's not correct.
 16 Q. So despite this being -- you will not admit
 17 that, although it's written right here, "it's all we can
 18 fund," we're going to put rupture disks because that's
 19 all the money we're going to throw at this thing.

Page 172:21 to 172:21

00172:21 Q. (BY MR. PENTON) Correct?

Page 172:23 to 173:24

00172:23 A. That is not my understanding of what -- what
 24 the intent of this note is.
 25 Q. (BY MR. PENTON) Okay. We'll just have to
 00173:01 leave that for the Court on what the intent of it is.
 02 That's Exhibit 7059.
 03 The next document is two months later on March
 04 the 19th, 2009. It's a -- an e-mail from Brian Morel to
 05 John Guide, and the subject is "Cost Savings Ideas."

06 I -- I want to ask, had you ever seen this
 07 document?
 08 A. I don't recall seeing this specific document,
 09 no.
 10 Q. Did you ever see a document with some of these
 11 items of cost savings on it?
 12 A. I don't recall if I've seen a document that
 13 has these on it, no.
 14 Q. In any event, you will acknowledge for me that
 15 there is a page and a -- a bid on the back of a
 16 multitude of cost savings ideas from Brian Morel, one of
 17 the well team engineers, to the well team leader, John
 18 Guide; is that correct?
 19 A. That's correct.
 20 Q. That's Exhibit 7060.
 21 Three weeks later we now have an e-mail from
 22 you on April the 7th to John Guide and a copy to Harry
 23 Thierens, and you're writing to John, and go ahead and
 24 look at it and then we'll talk about it.

Page 174:04 to 174:18

00174:04 Q. Do you recall this e-mail?
 05 A. Yes, I recall this e-mail.
 06 Q. So you're congratulating John Guide and others
 07 for the cost efficiency or the cost savings on the
 08 Deepwater Horizon, correct?
 09 A. I'm saying that the items that they've
 10 identified here were good challenges around the --
 11 Q. Right.
 12 A. -- the efficiency of our span and the -- and
 13 the appropriateness in line with what we were trying to
 14 do, yeah.
 15 Q. Okay. So just looking -- looking at it, there
 16 are several items here saving from \$50,000 a month to a
 17 million dollars, even a million dollars a year on
 18 certain things, correct?

Page 174:20 to 175:14

00174:20 A. There are several items on here --
 21 Q. (BY MR. PENTON) Yes.
 22 A. -- with estimated savings if they were
 23 implemented over a certain period.
 24 Q. Sure.
 25 A. Yeah.
 00175:01 Q. And let's look at one for the question I asked
 02 you, had you ever approved a cost savings or cost
 03 efficiency, or whatever you want to call it, that
 04 directly impacted safety on the Deepwater Horizon?
 05 At the middle of the page, it says: Trimmed
 06 realtime Halliburton insight users in half, actual
 07 savings, a million dollars a year.
 08 Do you see that, sir?

09 A. I see that, yeah.
10 Q. Isn't it true, sir, that the monitoring of
11 realtime data is a very critical safety issue with
12 respect to having someone, additional people than on the
13 rig, monitoring the day-to-day and the hour-to-hour
14 progress on a well?

Page 175:16 to 176:06

00175:16 A. The realtime monitoring is available for
17 people onshore. It's not a 24-hour monitoring system;
18 therefore, you can't include that in your safety systems
19 for the rig because we haven't -- it wasn't set up to be
20 24 hours with people having specific duties involved in
21 looking at that, so...
22 Q. (BY MR. PENTON) What I want to do, I want to
23 first ask you if you -- I want to first ask if you agree
24 with me that realtime monitoring -- I want to try to get
25 it exactly for you to see. I may not be able to find it
00176:01 right now.
02 You know what realtime monitoring of the well
03 is, correct?
04 A. The issue -- the -- the item referred to in
05 here is a ability to view data and from -- from the
06 rig --

Page 176:08 to 176:08

00176:08 A. -- in a realtime --

Page 176:10 to 176:12

00176:10 A. -- way.
11 Q. You know that the Macondo well was -- was
12 listed as a critical well by BP; do you not?

Page 176:14 to 176:23

00176:14 A. I don't recall that it was listed as a
15 critical well.
16 Q. (BY MR. PENTON) Do you know what a critical
17 well is as BP defines it?
18 A. I'm not aware of a definition of a critical
19 well by BP.
20 Q. Sure. All right. So I accept your answer.
21 You don't know in 2009 whether a well you were
22 responsible for BP categorized as a critical well? I
23 accept your answer, you don't know?

Page 177:01 to 177:02

00177:01 Q. (BY MR. PENTON) Correct?

02 A. I'm not aware of the term "critical well."

Page 177:13 to 177:17

00177:13 Q. (BY MR. PENTON) That's the question. Do
14 you -- are you aware that the -- the realtime monitoring
15 of a well, consistent, constant monitoring of the well,
16 is a safety critical issue that is prudent to practice
17 by a lease operator such as BP?

Page 177:19 to 178:01

00177:19 A. Realtime monitoring of a well 24 hours a day,
20 day in, day out is not something that BP did.
21 Q. (BY MR. PENTON) Now, are you aware that all
22 of the majors but BP -- Exxon, Shell, Chevron -- all of
23 these major have a 24/7, 365-day-a-year realtime
24 operation center where their wells are constantly and
25 consistently monitored by engineers and even third-party
00178:01 expert contractors; are you aware of that, sir?

Page 178:05 to 178:13

00178:05 A. I'm not aware of the specifics of what other
06 operators do in terms of realtime monitoring.
07 Q. (BY MR. PENTON) But you do know that BP had
08 an operations center on the tenth floor; do you not?
09 A. We had more than one operations where people
10 could go and meet that had data displayed, yes.
11 Q. And are you aware whether or not the Macondo
12 well had a position in any of those rooms in Jan- --
13 from January to the time it blew out?

Page 178:15 to 179:01

00178:15 A. There was an operations room for the Horizon
16 team at -- at BP, yes.
17 Q. (BY MR. PENTON) Isn't it true, though, that
18 it wasn't on the third floor where the exploration team
19 was?
20 A. There was an operations room on the second
21 floor of -- of BP that the -- the Horizon team used.
22 Q. But you were aware that it was not a
23 requirement of BP, as of the time this well blew out,
24 for anyone to monitor this well on a 24-hour basis; in
25 fact, it wasn't even open after hours during the week,
00179:01 nor during the weekend, was it?

Page 179:03 to 179:06

00179:03 A. It was -- it was not our practice to monitor
04 wells 24 hours a day from onshore.

05 Q. (BY MR. PENTON) Has that practice changed,
06 sir?

Page 179:08 to 179:13

00179:08 A. The practice in the Gulf of Mexico?
09 Q. (BY MR. PENTON) Anywhere.
10 A. I'm not aware of where we might be using it.
11 In my area we're not using it right now.
12 Q. Have you heard they're using it in the Gulf of
13 Mexico or anywhere else after this blowout?

Page 179:15 to 179:21

00179:15 A. I'm not aware of anywhere we're using it right
16 now.
17 MR. PENTON: All right. I will offer that
18 exhibit as Exhibit 7061.
19 Q. (BY MR. PENTON) I want to show you a couple
20 of e-mails dated May the 8th, 2009, from Guide to
21 others -- to and from Guide and others and ask have you

Page 180:04 to 180:07

00180:04 Q. (BY MR. PENTON) Do you recall this e-mail?
05 A. I don't recall this specific e-mail.
06 Q. Do you recall the information contained in it?
07 A. I don't recall the details of what's in here.

Page 180:11 to 183:05

00180:11 Q. In other words, the first one of May 8th, do
12 you see that, at 1:40 at the bottom, it's talking about
13 saving BP over \$200,000 by eliminating the position of
14 performance coordinator and rig clerk positions on the
15 Horizon; do you see that?
16 A. I see that.
17 Q. You didn't know that happened?
18 MR. FIELDS: Objection to form.
19 A. This was -- I'm aware that we changed the --
20 the -- the -- the role of the rig clerk and performance
21 coordinator positions, yes.
22 Q. (BY MR. PENTON) Okay. So you knew they
23 reduced those jobs and saved BP money, correct, on the
24 Horizon?
25 A. We combined those roles into one role.
00181:01 Q. And saved BP over \$200,000, correct?
02 MR. FIELDS: Objection; form.
03 A. There was a -- was a -- a savings that's been
04 highlighted in here. I wasn't aware of the number.
05 Q. (BY MR. PENTON) Okay. An hour later there is
06 another e-mail among the same people that discusses this
07 ever dollar counts -- do you see that, "Every dollar

08 counts. Per our initiative, every dollar counts"?
 09 Do you see that?
 10 A. Yeah.
 11 Q. And it goes on to talk about how this
 12 reduction on current rates would promote the initiative
 13 ongoing of "every dollar counts," correct?
 14 A. Yes.
 15 Q. It's just another indication that there was an
 16 initiative going on in 2009 to cut costs, correct?
 17 MR. FIELDS: Objection to form.
 18 A. And I think as I stated before, there was an
 19 initiative to look at all of our costs and see where our
 20 cost spend was delivering what we wanted to deliver,
 21 so...
 22 Q. (BY MR. PENTON) And we just looked at
 23 realtime monitoring, didn't we, a million dollars a
 24 year, and that saved BP money, too, didn't it?
 25 A. Well, that particular item, it was removing
 00182:01 people who were no longer using the realtime inside
 02 data, yet we were paying for them.
 03 Q. Okay.
 04 A. Nobody was removed that needed to get access
 05 to the realtime data that I was aware of.
 06 Q. Okay. So you know more about it than you told
 07 me a few minutes ago, right?
 08 A. You didn't ask me that question.
 09 MR. FIELDS: Objection; form.
 10 MR. RUBINSTEIN: He didn't say that.
 11 Q. (BY MR. PENTON) Sir, I asked you what you
 12 know about realtime data and about cutting of the budget
 13 for realtime data and producing a million-dollar
 14 savings.
 15 MR. FIELDS: You -- you didn't ask that
 16 question.
 17 Q. (BY MR. PENTON) Let's look at the first
 18 e-mail. It's from John Guide.
 19 The Deepwater Horizon has bra- -- embraced
 20 "every dollar matters" since I arrived 18 months ago.
 21 We have saved BP millions, and no one had to tell us.
 22 Do you see that?
 23 A. I see that.
 24 Q. Did you know that John Guide and others have
 25 saved BP millions?
 00183:01 A. I don't know what he meant by that comment.
 02 MR. PENTON: I offer that as Exhibit 7062.
 03 Q. (BY MR. PENTON) Take a look at the next
 04 documents, which are your performance evaluation for
 05 2009.

Page 184:12 to 184:19

00184:12 Q. (BY MR. PENTON) Okay. I'm interested in the
 13 page -- the Bates ending 936; do you see that?
 14 A. Yes.
 15 Q. In fact, it's highlighted. And it's under the

16 category of -- it says, what, 4.CIP:cost, correct?
 17 A. That's correct.
 18 Q. Right? What does CIP stand for?
 19 A. Continuous improvement plan.

Page 185:01 to 185:14

00185:01 Q. (BY MR. PENTON) So the bottom is, is that the
 02 last block says, "We are on track to deliver more than
 03 \$70 million in costs by the end of the year.
 04 Successfully putting in place the new contracts and
 05 ensure that we deliver savings. The rental tool
 06 initiative is up and running and delivering. We have
 07 also influenced the every dollar counts philosophy
 08 across the operations teams and are tracking the cost
 09 savings."
 10 Now, that's your own performance evaluation,
 11 and awhile ago you couldn't tell me the numbers or even
 12 estimated numbers of what moneys might be attributed to
 13 your efforts for cost efficiency, and your own
 14 performance evaluation is saying \$70 million in 2009.

Page 185:16 to 185:20

00185:16 Q. (BY MR. PENTON) Correct?
 17 A. What I said is I couldn't recall the number.
 18 Q. But does this refresh your memory that at
 19 least you projected right at \$70 million in savings that
 20 your responsibility would effect for BP --

Page 185:22 to 186:15

00185:22 Q. (BY MR. PENTON) -- correct?
 23 MR. FIELDS: Sorry. Objection; form.
 24 A. Well, this number refers to the cost savings
 25 that we estimate by the end of the year through looking
 00186:01 at all of our costs across the whole of GOM. So this
 02 just wasn't exploration and appraisal, because I was
 03 leading this on behalf of the Gulf of Mexico drilling
 04 leadership team. So this was an estimate given to me by
 05 the person I had collecting this data who said of the
 06 things that we're looking at to improve our cost
 07 efficiency, looking at our spend, that if we put in
 08 place and deliver through the -- the items here, this is
 09 a savings that we may get by the end of the year. This
 10 was a midyear update.
 11 Q. (BY MR. PENTON) And therefore if you have
 12 cost savings, Ian Little will share in variability pay
 13 or performance bonus or whatever name it has, if you
 14 have, among other things, among other performance,
 15 performance in terms of cost savings, correct?

Page 186:17 to 187:07

00186:17 A. This is my performance assessment form, and
 18 one of the items is to lead the cost focus area for D&C.
 19 It's -- the items that I'm being tracked against are
 20 what's listed here, which is implement the new
 21 contracts, look at our spend with suppliers to see if we
 22 can improve that performance. A rental tool initiative
 23 was an initiative to ensure that rental tools did not
 24 spend too much time sitting on a rig not being used. It
 25 was to develop standardization to where we were using
 00187:01 equipment and procedures that were standard which would
 02 then lead to efficiencies. It was one of the areas in
 03 which I was -- my performance would be measured against,
 04 as were HSSE, which was the No. 1; as were drilling
 05 performance, which is No. 2; as were No. 3, which was
 06 non-productive time; No. 4 was cost; and -- and -- and
 07 No. 5 was people and cost.

Page 187:13 to 187:18

00187:13 But let me ask you, isn't it true that in this
 14 very performance evaluation in 2009 that you estimated
 15 in your year-end assessment that you would have saved BP
 16 a hundred million dollars in drilling and completions in
 17 keeping with the initiative of every dollar counts in
 18 2009?

Page 187:20 to 187:23

00187:20 A. Could you share the documents and I could --
 21 Q. (BY MR. PENTON) I'm asking you whether or not
 22 that's true.
 23 A. I can't recall the number.

Page 188:01 to 188:02

00188:01 MR. PENTON: I introduce that as
 02 Exhibit 7063. We'll probably supplement it. Apparently

Page 188:06 to 188:08

00188:06 Q. (BY MR. PENTON) I want to show you a document
 07 of August the 6th from David Sims to Harry Thierens,
 08 yourself, and others. It's about Sperry Sun. Take a

Page 189:07 to 189:10

00189:07 Q. You were aware in August of 2009 that for at
 08 least a year prior that BP had been having problems with
 09 Sperry and their monitoring and their performance in
 10 contracts at various locations around the world --

Page 189:12 to 190:04

00189:12 Q. (BY MR. PENTON) -- correct?
13 A. So are you referring to what's written in
14 here?
15 Q. Yes, you can read that and then tell me what
16 your knowledge is. Were you aware that there were
17 issues with Sperry's performance as of August of 2009?
18 A. As it's written in here, there -- I was aware
19 that we were evaluating Sperry Sun drilling because of a
20 number of tool -- downhole tool failures that had
21 occurred in previous wells.
22 Q. Right. And the question was on the table of
23 whether or not they should be replaced by another
24 vendor, correct?
25 A. That's correct.
00190:01 Q. And what happened was Sperry came back to BP
02 and promised a 5-million-dollar payment to them if they
03 didn't achieve a 98 percent operating efficiency in a
04 project, correct?

Page 190:06 to 190:10

00190:06 A. What they're ac- -- what they're saying here
07 is that they will -- if there's any NPT associated with
08 their tool failures, they will discount their invoice
09 for a certain portion of that up to a maximum of \$5
10 million is how I read this and how I recollect.

Page 190:12 to 190:18

00190:12 and I know that you're not on this e-mail, but you were
13 copied on this e-mail, correct?
14 A. Yes.
15 Q. And -- and -- and you are David Sims' boss,
16 correct?
17 A. I'm David Sims' line manager at the time
18 this --

Page 190:20 to 190:25

00190:20 A. -- e-mail was written.
21 Q. And what you see is Mr. Sims is recommending
22 that you keep Sperry because they've offered this
23 5-million-dollar discount in the event that they have
24 the problem with the tools that they've talked about,
25 correct?

Page 191:04 to 191:13

00191:04 A. The -- the recommendation, as it's written in
05 here, is based on Sperry Sun Drilling conducting their
06 performance improvement plan, which they have

07 acknowledged needed to be put in place. It's -- it's
 08 based on that and the fact that we -- we wanted to keep
 09 the Sperry Sun because of the -- if we could see a way
 10 to them improving their performance.

11 A secondary part of it is and -- is the --
 12 they offer then to back up their commitment to improve
 13 their performance with money.

Page 191:19 to 191:24

00191:19 did. BP decided to give them another chance because of
 20 a -- they had a long run of subpar performance,
 21 according to Mr. Sims in this communication, but because
 22 they were going to pay money if they did it as a
 23 discount against their contract, BP was willing to let
 24 them continue working for them, correct?

Page 192:02 to 192:10

00192:02 A. That's not what I said. The e-mail is clear
 03 that Sperry Sun has had problems, but they had also
 04 delivered service, and they had put in place a
 05 performance improvement plan to improve their QA/QC.
 06 The wells that were being drilled were deep and high
 07 pressure and high temperature, and they had -- they had
 08 put in place a -- a -- a proposal to improve their
 09 performance. That is the basis on which we wanted to
 10 continue.

Page 192:13 to 192:15

00192:13 A. And the secondary factor is at the bottom of
 14 the note that Sperry Sun offered to discount their
 15 invoice --

Page 192:17 to 193:08

00192:17 A. -- if there was -- if they couldn't deliver on
 18 what they said they were going to deliver.

19 Q. And apparently, according to the last
 20 paragraph -- or the last sentence of that last large
 21 paragraph at the bottom Sims says that -- the second
 22 sentence is that it's a better -- it was the first
 23 sentence. It says, This offer represents a roughly
 24 5-million-dollar insurance policy for us against well
 25 placement tool failures and is clearly a better offer
 00193:01 from either Schlumberger or Baker as put forth, correct?

02 A. That's what it says.

03 MR. PENTON: Okay. I offer that as 7064.

04 A. (Continuing) It also goes on to say, For this
 05 reason and others outlined in Brett Cocalis attached,
 06 which isn't here, we recommend. So there's actually
 07 more technical analysis that went into this evaluation

08 than -- than you're showing here.

Page 194:03 to 194:05

00194:03 Q. (BY MR. PENTON) Mr. Little, I want to show
04 you a string of e-mails to and from yourself involving
05 also David Rainey and others?

Page 194:09 to 194:22

00194:09 Q. (BY MR. PENTON) Okay. Do you generally
10 remember this string of e-mails?
11 A. Yes.
12 Q. Okay. So looking at the first one from Rainey
13 to yourself on Wednesday, August the 19th, you're
14 basically telling Mr. Rainey that the additional
15 evaluation time that was included in the Macondo
16 estimate was to account for the deeper well depth,
17 et cetera, basically there was -- you -- apparently you
18 had allocated, I think, around seven days for logging
19 and evaluation. And Mr. Rainey comes back and says he
20 doesn't support the -- an incremental 2.6 days for
21 logging; in other words, he's concerned about the
22 nonproductive time, correct?

Page 195:01 to 195:12

00195:01 A. He's challenging our estimate of how long we
02 think the logging would take.
03 Q. (BY MR. PENTON) Right. And so will you turn
04 to the next page. You ask him whether he wants you to
05 redo it and then he comes back to you and he tells you
06 if that's what it takes, but his challenge to you was as
07 long as you can do it in -- in five minutes; do you see
08 that?
09 A. Yes.
10 Q. So he wasn't asking you for engineering
11 analysis, was he? He was asking you to change the
12 number?

Page 195:14 to 195:14

00195:14 A. He was asking us to change the one pager --

Page 195:16 to 195:16

00195:16 A. -- that we sent to him --

Page 195:18 to 195:24

00195:18 A. -- for his review.
19 Q. Reducing the time for evaluation?

20 A. With his challenge was the time built back
21 into the one pager.
22 Q. Okay. And then you responded you don't see
23 that as a big issue, correct?
24 A. Yes.

Page 196:01 to 196:12

00196:01 Q. (BY MR. PENTON) And then if you'll turn to
02 the last page, you'll see -- or the next-to-the-last
03 page in this group, you will see the e-mail the next day
04 from Mark Hafle to Trent Fleece about the one pager, and
05 do you see what he says? He says, AFE will be the PT
06 number, which just changed this morning following Ian
07 Little review with Dave Rainey. It's going down the
08 hole three days in 3.6 million. Pmean used to be the
09 standard, but that is getting cloudy now that the focus
10 is on performance. Yeah, that the actual AFE number
11 affects performance. Give me strength. Do you see
12 that?

Page 196:14 to 196:20

00196:14 A. I'm sorry, yes.
15 Q. (BY MR. PENTON) Did I read it right?
16 A. Sounds like you read it right.
17 Q. Okay. So did you talk to Mark Hafle about
18 this e-mail?
19 A. I don't recall if I was actually on this
20 e-mail.

Page 197:14 to 197:17

00197:14 Q. And I have to tell you, I don't know why that
15 last page -- it's a -- it's your sign-off, right, on the
16 September 2009 final drilling program?
17 A. Yeah, that's right.

Page 198:05 to 198:07

00198:05 MR. PENTON: No, these are two e-mails
06 that were put together because they relate to one
07 another. That's going to be Exhibit 760 -- 7065.

Page 198:19 to 198:23

00198:19 Q. (BY MR. PENTON) Now, so if I understand your
20 testimony, for the most part you were transitioning to
21 the Africa job as of December 2009 and had delegated the
22 authority, at least we know for two weeks of -- of
23 March, correct?

Page 198:25 to 199:01

00198:25 Q. (BY MR. PENTON) To Sims one week and to Guide
00199:01 the other week, correct?

Page 199:03 to 199:05

00199:03 A. I -- when I was out of Houston or not in my
04 role I delegated to either Mr. Sims or Mr. Guide during
05 all the periods I was out.

Page 199:15 to 199:20

00199:15 Q. Okay. Let me ask you this in terms of risk
16 assessment: Are you aware -- take a look at this
17 document. Are you aware of entitled Gulf of Mexico SPU,
18 Gulf of Mexico drilling -- D&C risk management plan,
19 assessment recommendations and implementation plan?
20 Have you ever seen this document?

Page 199:23 to 199:23

00199:23 A. I don't recall --

Page 199:25 to 200:01

00199:25 A. -- seeing the document in whole, but I do
00200:01 recall there was a document.

Page 200:04 to 200:08

00200:04 you tell me. It's our understanding that this document
05 that I'm showing you had not been fully rolled out into
06 the drilling and completions Gulf of Mexico as of the
07 time of this blowout in April 2010. Can you likewise
08 confirm that?

Page 200:10 to 200:11

00200:10 A. I -- I don't know if it was or wasn't.
11 MR. PENTON: Okay. That's Exhibit 7066.

Page 200:20 to 201:10

00200:20 Q. (BY MR. PENTON) I want to show you another
21 document, and it's going to be the same question. Take
22 a look at it, see if you can identify it. It's called
23 "Gulf of Mexico SPU Drilling and Completions Recommended
24 Practice For Risk Management" and that's tab 23 and it
25 has a date of January the 20th, 2010. Isn't it true
00201:01 that this risk man- -- management plan had not been

02 rolled out and implemented in the Gulf of Mexico
03 drilling community working for BP as of April the 20th,
04 2010?
05 A. I don't know.
06 Q. You don't know?
07 A. I don't know.
08 Q. By that time you really were gone, weren't
09 you, because you were transitioning to the Africa job?
10 A. During this period I was in transition.

Page 201:12 to 201:13

00201:12 MR. PENTON: That was introduced as
13 Exhibit 7069.

Page 206:21 to 207:11

00206:21 Q. Okay. I want to ask you real quickly about a
22 couple of DWOPs. Do you know what DWOP is, correct?
23 A. Yes.
24 Q. All right. Drilling well operations practice.
25 I'm interested in you taking a look at Section 10,
00207:01 GP 10-00, cementing, Section 10.2. Prior to each
02 cementing operation representative samples of cement,
03 additives, and mixing water to be used shall be taken
04 and tested according to ISO requirements for BP or
05 BP-specified testing regime. Do you see that?
06 A. I see that.
07 Q. Are you aware that on the Deepwater Horizon
08 that prior to pumping the cement job that the BP
09 engineers did not wait for Halliburton to deliver to
10 them the slurry testing before they began pumping the
11 cement?

Page 207:14 to 207:14

00207:14 A. I'm not aware of it.

Page 208:09 to 208:12

00208:09 Q. (BY MR. PENTON) Is it acceptable to pump a
10 cement job, and does BP support that, where the drilling
11 engineers do not have the slurry test before they begin
12 to pump the cement, is that acceptable practice?

Page 208:15 to 208:23

00208:15 Q. (BY MR. PENTON) You don't know?
16 A. If you give me a specific situation that I was
17 involved with or a specific area --
18 Q. No, I'm giving you -- I'm giving you a very
19 simple generic situation. It -- does this provision of

20 10-00, 10.2 require the BP engineers to receive and
 21 review the cement lab test to confirm it's the proper
 22 mix, proper composition before allowing a cement job, or
 23 is it not?

Page 208:25 to 208:25

00208:25 Q. (BY MR. PENTON) Or is it discretionary?

Page 209:02 to 210:09

00209:02 A. The drilling operations practice is clear on
 03 what it says here. "Prior to each cementing operation a
 04 representative sample of cement out of the mixing water
 05 to be used shall be taken and tested according to ISO
 06 requirements or BP specified testing regime." That's a
 07 requirement. It says shall. If you don't want to do
 08 it, you have to write a deviation or put something else
 09 in practice.

10 Q. Okay. And I know that's an exhibit. It is,
 11 it's 93.
 12 I'd like to take a look at GP 1035,
 13 Exhibit 94. And I'm interested -- it's Exhibit 94. I'm
 14 interested in Section 6.3. That's why I have all of it
 15 attached. It says, "A risk assessment of well hazards
 16 and threats shall be performed on each facility or field
 17 in order to identify risk across the complete range of
 18 well operational activity." Do you see that?

19 A. Yes.

20 Q. And you're familiar with that; are you not?

21 A. I'm familiar with this ETP.

22 Q. And is that a mandatory requirement? Since it
 23 says shall. And your answer would be the same, if you
 24 didn't do a risk assessment on the well hazards and
 25 threats during the operation, that you would have to get
 00210:01 a dispensation in order to not do that?

02 A. There should be a risk assessment in place for
 03 the well hazard, yes.

04 Q. Yes. And, of course, we've already talked
 05 about Boots & Coots' opinion about the negative test and
 06 the anomaly from the negative test and that there should
 07 have been a risk assessment or a dispensation and you
 08 are aware that there was not a risk assessment in
 09 connection with a negative test; are you not?

Page 210:12 to 210:13

00210:12 A. I don't know if there was a risk assessment or
 13 not.

Page 211:03 to 211:07

00211:03 Q. (BY MR. PENTON) Yes. The misinterpretation

04 of a negative test or an anomalous result on a negative
 05 test is a potential well hazard that would qualify to
 06 perform a risk assessment, as Boots & Coots has stated
 07 in their report?

Page 211:09 to 211:14

00211:09 A. I can't comment on exactly what the specific
 10 situation they're referring to at the time, what they
 11 did or didn't do. And, again, I go back to your
 12 previous question, which is if -- if there was an
 13 anomaly in the negative test, it should have been
 14 investigated.

Page 211:24 to 212:01

00211:24 Q. Okay. Let me show you a document entitled
 25 Gulf of Mexico SPU, D&C guidance document, drilling
 00212:01 engineering, beyond the best stage gate, Exhibit 1515?

Page 212:05 to 212:06

00212:05 Q. (BY MR. PENTON) Have you ever seen this
 06 document? This is obviously just part of it, but it --

Page 212:11 to 212:11

00212:11 A. I don't recall seeing this document.

Page 213:10 to 213:19

00213:10 Q. (BY MR. PENTON) Do you see under the
 11 introduction page, "Beyond the best common process is
 12 how we plan and execute wells in BP. This document
 13 seeks to clarify how this process will be implemented in
 14 the Gulf of Mexico, drilling, engineering delivery
 15 teams." Do you see that?
 16 A. I see that, yes.
 17 Q. This appears to have been promulgated November
 18 the 30th, 2009, correct? About the time you went to --
 19 you left Houston, correct?

Page 213:21 to 214:11

00213:21 A. Yeah, I mean, I was transitioning out in mid
 22 December.
 23 Q. (BY MR. PENTON) Yes. Okay. Do you recall
 24 seeing this document?
 25 A. I don't recall seeing this.
 00214:01 Q. So certainly you didn't implement it on the
 02 Deepwater Horizon or any other well you worked on prior
 03 to your leaving the Gulf, correct?

04 A. Since I haven't seen it, why he.
 05 Q. Yes, obviously. And the other page, which
 06 should have been read together, is 1515, SG 2-5, it
 07 talks about the RAT, the risk assessment tool. Same --
 08 same question. Your answer would be the same. You
 09 haven't seen this, therefore you can't really -- you
 10 didn't implement it, you didn't follow it, you didn't
 11 use it because you didn't know about it?

Page 214:15 to 214:20

00214:15 A. This relates to well planning and my teams may
 16 have used it, but I might not have been aware of it.
 17 Q. Okay. All right. And then Deposition
 18 Exhibit 765 entitled "Group Defined Operating Practice
 19 Assessment Prior Authorization Management of Risk."
 20 This was a January 30th, 2008 document?

Page 215:11 to 216:07

00215:11 Q. (BY MR. PENTON) Okay. So have you ever seen
 12 this assessment prior authorization of management and
 13 risk document?
 14 A. I don't recall seeing this particular
 15 document.
 16 Q. Okay. Take a look at the page ending in the
 17 Bates 282, what does this practice do. Do you see that?
 18 This group defines operating practice aims to establish
 19 a consistent and complete BP group process for assessing
 20 health, safety, security, environment, and operating
 21 risk and for prioritizing actions in support of the BP
 22 group HSSE goal of no accidents, no harm to people, and
 23 no damage to the environment and adherence to regulatory
 24 and legislative requirements. This practice integrates
 25 the hazard evaluation and risk management tools already
 00216:01 in use with BP, the MAR analysis, HAZOP, JHA, security
 02 risk assessments. Do you see that?
 03 A. I see that.
 04 Q. Isn't it true that you did not -- that you did
 05 not utilize this group practice in the time that you
 06 were in the Gulf of Mexico and responsible for the
 07 Deepwater Horizon and the Macondo well?

Page 216:09 to 216:19

00216:09 A. This is an implementation draft. I'm not
 10 aware of this particular document.
 11 Q. (BY MR. PENTON) Okay. So you -- something
 12 you're not aware of, you certainly couldn't -- you
 13 couldn't implement, could you?
 14 A. I'm not aware of that document.
 15 Q. All right. Okay. This is Exhibit 765.
 16 Finally, I believe, is a document entitled Gulf of

17 Mexico drilling completions operating plan local OMS
18 manual. It was OMS?
19 A. Operations management system.

Page 217:05 to 217:11

00217:05 Q. (BY MR. PENTON) Yes. I'm asking you isn't it
06 true that this program, this local OMS manual had not
07 been implemented and rolled out in the Gulf of Mexico
08 drilling and completions community, including the
09 Deepwater Horizon and the Macondo well, as of April of
10 2010 when you officially left your responsibility for
11 that well?

Page 217:13 to 217:18

00217:13 A. So OMS was being implemented in the Gulf of
14 Mexico when I was there. We were in the process of
15 doing the steps involved in OMS. Various people were
16 involved in that.
17 Q. (BY MR. PENTON) Okay. But it was just in its
18 infancy, correct, and getting started?

Page 217:20 to 218:03

00217:20 A. There -- in the Gulf of Mexico OMS
21 implementation was in various stages across the board in
22 the Gulf of Mexico. It was being implemented in D&C
23 when I was there. It was in the process, yes.
24 Q. (BY MR. PENTON) But can you tell me on the
25 Deepwater Horizon and the Macondo well whether or not,
00218:01 in fact, that rig and that well had been educated,
02 trained, and instructed and had implemented this OMS
03 manual?

Page 218:05 to 218:08

00218:05 A. There were people involved in OMS
06 implementation. The final manual might not have been
07 distributed and implemented across everywhere. I
08 can't --

Page 218:13 to 218:16

00218:13 A. I can't recall exactly what stage we were at
14 when I left.
15 Q. Okay. That's -- I introduced that as
16 Exhibit 7067, and that would be tab 24.

Page 223:01 to 223:11

00223:01 Q. And have you ever heard some of the wells in

02 the Gulf of Mexico referred to as narrow window wells?
 03 A. Yes.
 04 Q. What does that term mean, as you understood
 05 it?
 06 A. It's the dif- -- it's the -- it's the
 07 difference between core pressure and the fracture
 08 gradient. So there is a narrower window between what
 09 the underlying core pressure is versus the ability for
 10 the -- the rock to withstand fracture. So that's a
 11 narrower gap.

Page 223:18 to 224:22

00223:18 Q. And can you recall approximately how many
 19 wells you were involved in the drilling of in the
 20 Gulf -- during your full entire time in the Gulf of
 21 Mexico, your three-year time frame in the Gulf of
 22 Mexico?
 23 A. I've never counted exactly how many wells we
 24 drilled during that period. I mean, the wells typically
 25 lasted from four to six months. Number of rigs varied.
 00224:01 Q. Well, perhaps you can recall them by name. I
 02 want you help me and to try to list them. So obviously
 03 the Macondo was one?
 04 A. Right. When I arrived we were drilling Cortez
 05 Bank.
 06 Q. Okay.
 07 A. I think Tubular Bells. After Cortez Bank we
 08 drilled Kodiak and --
 09 Q. And did that Kodiak have a particular number?
 10 Like, was there more than one Kodiak well?
 11 A. There was a Kodiak 1 and a Kodiak sidetrack.
 12 Q. Okay. And were you involved with both of
 13 those?
 14 A. They were drilled during the period I was
 15 there, yeah.
 16 Q. Okay.
 17 A. Freedom, I think was another well. Tiger.
 18 Puma 4.
 19 Q. I'm sorry?
 20 A. Puma 4. The deep gas well, I'm trying to
 21 remember the name. Deep gas. We drilled a sidetrack on
 22 Kaskida well with Deep Water Spirit.

Page 225:10 to 225:11

00225:10 Q. And --
 11 A. King South was another one.

Page 226:07 to 226:16

00226:07 Q. And of the wells that you've listed that you
 08 were -- you can recall in the Gulf of Mexico did you

09 find the -- the drilling margins at the Macondo to be
10 the same or narrower than the other wells? How did it
11 compare in terms of drilling margin to the other wells
12 you had experience with there?

13 A. I can't recall the specifics of the -- the
14 margin, to be fair. I mean, I think we characterized
15 all the wells in the Gulf of Mexico as having a narrow
16 margin.

Page 226:22 to 228:09

00226:22 Q. Okay. Do you recall if any of the others --
23 were there any of the others that you were involved in
24 besides the Macondo where they came in over the AFE?

25 A. I'm trying to remember. There were -- there
00227:01 were wells that came in over the AFE. The deep gas well
02 came in over AFE --

03 Q. Okay.

04 A. -- from my recollection. One of the Kodiak
05 wells came in over AFE. There may be others, I can't
06 recall the exact specifics of --

07 Q. Okay. But you can't recall specifically the
08 Cortez Bank, the Tubular Bells, the Freedom, the Tiger,
09 the Puma 4, or the Kaskida, or the King South coming in
10 over AFE?

11 A. The Cortez Bank might have come in over AFE.

12 Q. Okay. And how about with regard to schedule,
13 did any of the other wells than the Macondo wind up
14 taking longer than originally projected scheduled when
15 the well was planned?

16 A. Likely those ones that came in over AFE were
17 likely over schedule.

18 Q. All right. I want to follow up on some
19 questions that you were asked about the September 2009
20 BP marine assurance audit of the Deepwater Horizon rig,
21 and I think you testified earlier today that you do
22 recall there being a marine assurance audit in September
23 of 2009 and that thereafter the audit group within BP
24 identified some of the audit items as needing to be
25 addressed immediately, before the rig went back in

00228:01 service and then some others that were to be cleared out
02 over a longer period of time; is that basic -- a fair
03 summary?

04 A. Yeah, they identified some issues that were
05 highlighted to me as being -- before we went back to
06 operations they needed to be closed out.

07 Q. Okay. And do you recall when the rig was able
08 to go back in service after those items identified as of
09 immediate need were addressed?

Page 228:11 to 228:15

00228:11 A. I don't recall exactly when the rig went back
12 into -- to operations.

13 Q. (BY MS. LAWRENCE) Okay. That's why I want to
 14 direct your attention to what's now been labeled as
 15 Exhibit 7068.

Page 229:07 to 229:17

00229:07 Q. Does that refresh your recollection as to the
 08 approximate date?
 09 A. Yeah, September 23rd.
 10 Q. September 23rd, okay. But you testified
 11 earlier that you believed that there were additional
 12 items, that not all the audit items had been cleared as
 13 of that date, correct?
 14 A. That's correct.
 15 Q. Some remained to be addressed on a schedule
 16 with Transocean; is that correct?
 17 A. That's correct.

Page 229:19 to 230:09

00229:19 which I'll label as Exhibit 7070. It bears Bates Stamp
 20 No. BP_HZN_2179MDL01161938. It's an e-mail string. It
 21 begins with an e-mail from yourself to John Guide, dated
 22 September 6th, 2009 in which it's titled Deepwater
 23 Horizon rig audit, and you appear to be transmitting --
 24 forwarding a list from Norman Wong to John Guide, and
 25 you say, "John, FYI, I assume these are the same issues
 00230:01 that are on the audit list. There are some that were
 02 not on Kevin's list, but that is okay. I have talked
 03 with Harry and told him we are working with Transocean
 04 to close out the actions. We do need to think about how
 05 and who can help us to verify that these are closed out.
 06 Let's discuss when we go through the list. Thanks,
 07 Ian."
 08 Have I read that correctly?
 09 A. That's correct.

Page 230:16 to 231:05

00230:16 Q. (BY MS. LAWRENCE) What -- you were sending
 17 him this list. Do you recall what the list is and why
 18 you were sending it to him?
 19 A. Well, it was -- Harry forwarded me the note
 20 from Norman, and so this was a list I was sending to
 21 John.
 22 Q. Okay. And what was it a list of?
 23 A. It was a list -- it was a list of some of the
 24 items from the rig audit and that Norman Wong had chosen
 25 to send to -- to Harry and John Sprague.
 00231:01 Q. And who was Norman Wong?
 02 A. Norman is our head of rig audit.
 03 Q. And you comment in -- in your e-mail text to
 04 John there are some that were not on Kevin's list?

05 A. Yeah.

Page 231:07 to 231:07

00231:07 which I will label Exhibit 7071, the Bates stamp number

Page 231:09 to 231:10

00231:09 you to look at this e-mail and see -- and tell me if you
10 can identify it for me.

Page 231:13 to 232:15

00231:13 Q. (BY MS. LAWRENCE) Do you recognize that
14 document?
15 A. Yes.
16 Q. What is that?
17 A. This was a note that the rig auditor that was
18 on the rig had sent to John Guide and Brett Cocalles,
19 listing some of the items from the rig audit, and this
20 is where some of the items that -- this is the items
21 that were identified as to be completed prior to
22 commencing operation.
23 Q. Okay.
24 A. That we talked about in the marine piece.
25 Q. And so -- and the author of that list, is it
00232:01 Kevin Davies?
02 A. Yes.
03 Q. Who is Kevin Davies?
04 A. Kevin Davies was a member of Norman Wong's
05 audit team, and he was -- he conducted the audit.
06 Q. So in the e-mail at tab 1 which we labeled
07 7 -- 7070 when you say to John, "There are some issues
08 on the audit list. There are some that were not on
09 Kevin's list," is this the Kevin's list that you're
10 referring to here at tab 2?
11 A. Yes.
12 Q. Okay. Now, I want you to look back at tab 1,
13 and on the second page in the middle -- approximate
14 middle of the page I've highlighted one of the items in
15 yellow --

Page 232:23 to 233:16

00232:23 Q. (BY MS. LAWRENCE) It says test, middle, and
24 upper BOP RAM bonnets are original and out with OEM and
25 API five-year recommended recertification, period. And
00233:01 now I want you to -- did I read that correctly?
02 A. Yes.
03 Q. Okay. If you could turn to tab 2 and look at
04 Kevin's list again, I would like you to look at Kevin's
05 list and tell me if this item I've just highlighted is
06 one of these items you described to John that is on

07 Norman's list that was not on Kevin's list.

08 A. Yes, I think it was one of the items that
09 wasn't on the original list.

10 Q. Okay. So regardless of what your recollection
11 might be some year or so later as you sit here today, is
12 it fair to say that this item, the test, middle, and
13 upper BOP RAM bonnets are original and out with OEM and
14 API five-year recommended certification period was
15 actually noticed by you on November 6th of 2009 and
16 specifically referenced to John Guide?

Page 233:18 to 233:22

00233:18 A. I can't recall if that was the -- one of the
19 ones I noticed. At the time I noticed it was a
20 different list, and I think my request was for John to
21 look at that and make sure that we're -- we've got
22 everything we needed to be closed out.

Page 234:03 to 236:18

00234:03 Q. The date of October 6th, 2009, was it before
04 or after the Deepwater Horizon rig had gone back into
05 service following the audit?

06 A. I don't know if the -- you mean back in -- in
07 operations and drilling operations?

08 Q. (Nodding head.)

09 A. I can't -- I can't recall when we actually
10 started drilling operations again.

11 Q. I just meant whether it was back in service as
12 opposed to being side lined to -- to address the audit
13 items.

14 A. Assuming that the rig went back into service
15 September 26th, then yes.

16 Q. Okay. And so I asked those questions to ask
17 you this one: Knowing that the -- that the Deepwater
18 Horizon was now back in operation with a BOP that was at
19 that time had the test, middle, and upper RAM bonnets
20 were original and out with the OEM and API five-year
21 recommended recertification period, was that condition
22 acceptable to you?

23 A. This was an item in the rig audit that we --
24 was part of the closeout plan with Transocean. It was
25 being worked on.

00235:01 Q. Okay.

02 MR. ROBERTS: Objection; form.

03 Q. (BY MS. LAWRENCE) And the fact that it was
04 being worked on as opposed to already having been
05 rectified was acceptable to you?

06 A. I didn't know if it had been rectified or not.
07 John was following up with Transocean through the rig
08 audit, and if this was highlighted here, this would have
09 been one of the ones that was in the rig audit to be
10 closed out.

11 Q. Okay.
 12 A. But at that time I didn't know if it was
 13 closed out or not.
 14 Q. And you were comfortable at that time not
 15 knowing whether it had been closed out or not?
 16 MR. FIELDS: Objection; form.
 17 MR. RUBINSTEIN: Objection; form.
 18 A. It wasn't raised to me as an issue that needed
 19 to be closed out immediately as well as the -- the
 20 marine issues. So the -- the rig audit process was
 21 already started. Transocean were working on the plan to
 22 close them out. And so that's my reason for saying in
 23 this to John was to make sure he had the list that was
 24 being sent to Harry.
 25 Q. (BY MS. LAWRENCE) Okay. Were you satisfied
 00236:01 generally with the pace at which the audit action items
 02 identified in the September 2009 audit were being
 03 cleared out?
 04 MR. RUBINSTEIN: Objection; form.
 05 A. I didn't -- it wasn't my role to -- to review
 06 each individual item and -- and how they were being
 07 closed out. That was Transocean's -- were accountable
 08 for closing out the audit actions. John was accountable
 09 for working with Transocean and monitoring their
 10 closeout.
 11 Q. (BY MS. LAWRENCE) I realize that, but my
 12 question to you was were you personally satisfied with
 13 the rate at which -- the pace at which that was
 14 progressing, that work?
 15 MR. RUBINSTEIN: Same objection.
 16 A. I did not analyze the detail of the audit and
 17 the audit closeout. That -- John was doing that, who
 18 did not raise any concerns to me about the pace.

Page 237:07 to 237:14

00237:07 Q. (BY MS. LAWRENCE) Yes. Do you know if it's
 08 possible that had time been taken prior to moving the
 09 rig to the Macondo to perform the disassembly and
 10 inspection by the manufacturer in order to get this
 11 recertification that two potential malfunctions in the
 12 BOP might have been corrected and that as a result it
 13 might have functioned to shut in the well on April 20th
 14 of 2010?

Page 237:18 to 237:22

00237:18 A. That -- I don't -- I don't know. I mean,
 19 that's not something I have information to -- to make a
 20 call -- judgment call on.
 21 Q. (BY MS. LAWRENCE) So that would be a no, you
 22 don't know if that's possible or not?

Page 237:25 to 238:12

00237:25 A. I don't have enough information. This --
00238:01 this -- the comment says API recommended
02 recertification. I don't know what's involved with
03 that. That wasn't something I was aware of. This was
04 an item that was in the rig audit that was in -- that
05 was being transmitted to Transocean to close out. My
06 wells team leader was following that through. There was
07 no issue raised to me that that wasn't something that
08 was happening.
09 Q. (BY MS. LAWRENCE) Okay. You testified that
10 you were involved during the planning of the Macondo
11 well in your capacity?
12 A. Yes.

Page 238:17 to 239:10

00238:17 Q. Now, the rig originally selected to drill the
18 Macondo well was not the Deepwater Horizon, correct?
19 A. That's correct.
20 Q. What rig was originally selected to begin
21 drilling the Macondo well?
22 A. The Macondo well was on the Marianas
23 originally. The Marianas' rig schedule, originally the
24 Marianas started the Macondo.
25 Q. And when the Marianas was selected to drill
00239:01 the Macondo well was consideration given to the
02 suitability of its BOP, its blowout preventer, for the
03 conditions expected to be encountered at the Macondo
04 well?
05 A. Could you be -- could you give me a little bit
06 more detail on what -- what you mean by "conditions"?
07 Q. Well, yes. For example, temperature and
08 pressure.
09 A. Yes, we of would have considered temperature
10 and pressure and whether the BOP was suitable.

Page 240:23 to 241:09

00240:23 Q. (BY MS. LAWRENCE) Now when the Deepwater
24 Horizon was selected to resume drilling the Macondo
25 likewise was consideration given to the suitability of
00241:01 its BOP stack for that particular well?
02 A. Again, they were being looked at as part of
03 the process that -- of using the -- the Horizon for
04 Macondo.
05 Q. And did you know whether the temperature
06 ratings of the rubber components were rated in the range
07 of the temperatures that you anticipated encountering at
08 the Macondo well?
09 A. I -- I don't know.

Page 241:15 to 241:24

00241:15 Q. Do you recall anyone associated with
16 Transocean raising any concerns or issues regarding the
17 suitability of the BOP on the Deepwater Horizon for the
18 Macondo well?
19 A. I don't recall anybody raising an issue to me
20 on the BOP.
21 Q. And do you recall any concerns or even just
22 issues regarding the suitability of the Deepwater
23 Horizon for drilling the Macondo well-being raised by
24 anyone associated with Transocean?

Page 242:02 to 242:08

00242:02 Q. (BY MS. LAWRENCE) Yeah. Do you recall any
03 concerns or issues raised regarding the suitability of
04 the Deepwater Horizon, the rig in general to drill the
05 Macondo well by anyone associated with Transocean?
06 A. I don't recall.
07 Q. And if you can turn to tab 3, which I'll label
08 7 -- 77 -- 7072. The Bates numbers are

Page 242:14 to 242:20

00242:14 Q. (BY MS. LAWRENCE) It's an e-mail from Jake
15 Skelton dated May 4th, 2008, to a number of individuals
16 including yourself regarding forward plan for BOP
17 annulars. I think you testified today through -- or
18 what position did Jake Skelton hold in May of 2008?
19 A. Yes, he was the wells team leader for the
20 Horizon.

Page 242:22 to 243:09

00242:22 the e-mail to yourself, and then I'm wondering if you
23 can explain to me what he's talking about.
24 A. It's a -- it's a discussion around the -- the
25 BOP before going to P&A on Tomorrow.
00243:01 Q. Okay. And he says, "We will test only the
02 upper annular prior to running the BOP stack for the P&A
03 on Tomorrow. The Houston office will contact MMS Monday
04 morning to inform them that the P&A work on Tomorrow
05 will be conducted with only the upper annular, with the
06 lower annular locked out." Do you see that?
07 A. Yes.
08 Q. Did I read that correctly?
09 A. That's what it says.

Page 243:17 to 243:19

00243:17 Q. But in general what would it mean for the BOP
18 to function during the P&A work on Tomorrow using only

19 the upper annular, with the lower annular locked out?

Page 243:21 to 243:24

00243:21 A. Again, without knowing the specifics and going
22 through this again with -- with the people involved, the
23 lower annular would be locked out would mean that it
24 wasn't -- it wasn't in a position to operate.

Page 244:06 to 244:16

00244:06 Q. (BY MS. LAWRENCE) But was it a plan that you
07 found acceptable?
08 A. I can't recall. I mean, the note says that --
09 that Jacob talked to me, but I -- I can't recall where
10 we -- where we ended up with this.
11 Q. Do you recall objecting to it?
12 A. I don't recall the specifics of the
13 discussion.
14 Q. Would performing P&A work on a well like the
15 Tomorrow using only the upper annular, would that ever
16 be acceptable to you?

Page 244:18 to 245:16

00244:18 A. Again, I'd need to see the details that went
19 behind this and the discussions that took place. We'd
20 need to review more details. I don't recall.
21 Q. (BY MS. LAWRENCE) The next sentence says,
22 "Wholesale change-out of both annulars will be done
23 prior to the Freedom well." Do you recall if this
24 change-out did, in fact, occur prior to either the
25 Freedom well or the commencement of the drilling on the
00245:01 Macondo?
02 A. I don't recall.
03 Q. Down at the bottom it says the risks that were
04 discussed, No. 1, annular tests -- upper annular tests
05 on surface and fails on sea floor mitigation two
06 options: A, pull the LMRP and repair the annulars; B,
07 depending at what point in the P&A operations this
08 failure happens, call MMS and discuss finishing the P&A
09 operations with drill pipe RAMs only. Second option,
10 No. 2, MMS requests that both annulars are working prior
11 to BOP stack, A, result would be changing gears and
12 start repairs after starting mobilization to Tomorrow's
13 starts. B; feel this is a low probability scenario and
14 we are willing to take that risk.
15 Why would MMS request that both annulars be
16 working prior to running the BOP stack?

Page 245:18 to 245:21

00245:18 A. I guess I -- I mean, that -- that's the

19 statement that Jake is making, is that if we -- if we --
20 if this request was made, the MMS may require that we --
21 that both the annulars be working.

Page 246:10 to 246:13

00246:10 Q. (BY MS. LAWRENCE) From an engineering and a
11 well control standpoint what -- what would be the
12 problem with using one annular versus two? Why would
13 the MMS ever request that both be used?

Page 246:15 to 246:19

00246:15 A. I can't answer what the MMS would say.
16 Q. (BY MS. LAWRENCE) But from an engineering and
17 a well control standpoint generally, never mind the MMS,
18 what would be the concern using just one as opposed to
19 both annulars?

Page 246:21 to 247:03

00246:21 A. So you're not talking about this situation;
22 you're talking about just generally?
23 Q. (BY MS. LAWRENCE) Generally what would be the
24 concerns? If you were going to debate whether or not to
25 do it, what would be the possible concerns?
00247:01 A. Considering the -- that you don't have a
02 backup to the -- the one annular, so it's a redundancy
03 concern.

Page 247:06 to 249:24

00247:06 Q. Now I just want to ask you to give me an
07 overview of your involvement with the Macondo well and
08 ask generally, because when we talked to a lot of
09 witnesses, they all see things from a certain
10 perspective, they all have particular rules and I want
11 and get a sense of what your role actually was. From
12 your perspective tell me about your involvement with the
13 Macondo well, what you remember from the beginning to
14 the end, what was your involvement with the Macondo
15 well?
16 A. So Macondo was an ILX well, infrastructure led
17 exploration well. That was a well that was being
18 proposed from within my area or responsibility in the
19 Gulf of Mexico. So my engineering team would have been
20 asked to plan that well and work with the exploration
21 team and other teams in order to put that plan in place.
22 So that's what -- my involvement would be it's my team
23 doing the planning. We would be following the well
24 planning process during that period. So I would be a --
25 a stage -- a -- part of the stage gate process in the
00248:01 well planning process. I would be involved in endorsing

02 and passing through the well as it moved through the
 03 well planning process. It was going to be drilled by a
 04 rig -- initially the -- there was some discussion
 05 with -- well, the initial plan was to put the well onto
 06 the Marianas, which wasn't a rig that was in my area at
 07 the time. It was in another area of the Gulf of Mexico
 08 drilling, completing production wells.

09 Initially there was a discussion about who
 10 would oversee the actual operation, and initially it was
 11 going to be the person who oversaw where that rig
 12 usually works, but it was then eventually decided it
 13 would be -- it would be brought into exploration and
 14 appraisal, therefore the operations would be conducted
 15 by the Marianas by a wells team leader reporting to me.
 16 So I would be getting involved in the operations as well
 17 as the engineering.

18 And subsequently the Marianas spudded the well
 19 in October and -- and the wells team leader for the
 20 Marianas reported to me for me while the Marianas
 21 conducted operations through until it was released, and
 22 that was through December. There was -- obviously, the
 23 Marianas was -- the well was suspended. The Marianas
 24 was -- was removed from the -- the location due to the
 25 hurricane damage that it sustained.

00249:01 There was then a decision made to take the
 02 Horizon to Macondo, and that was during the period in
 03 which the wells team for the Horizon reported to me
 04 through to April the 2nd. And then obviously I -- I
 05 left the Gulf of Mexico at that point. And from
 06 April 2nd the -- I didn't have any involvement in the
 07 Macondo.

08 Q. Okay. This morning you mentioned the term
 09 keeper well. What's a keeper well?

10 A. A keeper well is a well that we want to keep
 11 and put into production at some later date.

12 Q. So as opposed to one that's drilled solely for
 13 exploration purposes to gather geological information?

14 A. Yes, the wells will normally drill in
 15 exploration and appraisal. We will drill them to get --
 16 gather data, and we may suspend them until we come back
 17 to gather more data, but they're not designed as
 18 long-term keeper wells that we will eventually put
 19 beyond production, tied into some sort of production
 20 facility.

21 Q. Okay. And do you recall if the Macondo was
 22 planned from the beginning to be a keeper well?

23 A. To my recollection that was the desire, to
 24 plan the well as a keeper well.

Page 250:01 to 251:18

00250:01 What's -- what does that -- what is the stage gate
 02 process? What does the term mean?

03 A. It's -- it's a well planning process. The
 04 stage gate means that the well planning and activities

05 are split into stages from appraise, select, define,
 06 execute; and at the end of each of those stages there is
 07 a review of the well planning process. Within each of
 08 the stages there is a set of activities, a set of
 09 deliverables that should be done at each stage, and
 10 that's what's checked off at each stage. And there is
 11 a -- there get -- the well proceeds through the -- the
 12 planning process once it's passed through each gate.

13 Q. At what stage in that process is the casing
 14 design for the well developed?

15 A. The casing -- the -- the -- during the early
 16 stages there is a lot of options looked at, so the
 17 subsurface team would come up with their objective for
 18 the well, so that the depths and the general area in
 19 which they wish to target the well.

20 Then the wells team and the subsurface teams
 21 would look at that, they'd look at various options as to
 22 how we could achieve the objectives that the exploration
 23 team want. So during that we're appraising the options
 24 as to how to drill the well, so there will be many
 25 options developed that meets the objectives that the
 00251:01 exploration team would like to achieve with the well.

02 And then at the end of appraise that's a stage
 03 gate that there will be -- there will be generic designs
 04 that will go with each of those options, and then at the
 05 end of appraise there will be a gate which will pass
 06 into select where you will select the one option that
 07 you're going to go with, and then you'll be refining
 08 your design during select.

09 And in define you've selected to find --
 10 you've selected the -- the option you're going to focus
 11 on and work. So in define you would work the details of
 12 that design, and that's when you would normally finalize
 13 the -- the casing design.

14 But through the whole process you're -- you're
 15 working on the casing design.

16 Q. So you would already be drilling the well by
 17 the time you finally finalize the casing design?

18 A. No.

Page 251:20 to 252:04

00251:20 Q. (BY MS. LAWRENCE) This all takes place still
 21 in the planning stage before --

22 A. Yes.

23 Q. Okay.

24 A. The define to execute is the stage that you
 25 pass through that says the well is ready to go into
 00252:01 execute phase which is the drilling phase.

02 Q. Okay. And at what stage or stages is it
 03 necessary to obtain approvals from MMS or the agency
 04 that was then known as MMS?

Page 252:06 to 252:22

00252:06 A. So the application to drill would be submitted
 07 during that process.
 08 Q. (BY MS. LAWRENCE) Okay. And is the
 09 application to drill essentially the primary approval
 10 that needs to be obtained?
 11 A. Yes.
 12 Q. And then you refer to the term of the
 13 well-being spudded in October of 2009, and what
 14 precisely does that mean to spud a well?
 15 A. To spud a well means to start drilling
 16 operations on the well, so actually start to drill a
 17 hole in the -- in -- in the sea floor.
 18 Q. In the sea floor, okay. And do you recall
 19 when time wise this planning process for the Macondo got
 20 started?
 21 A. I don't recall exactly when it started, but it
 22 was late 2008, early 2009.

Page 254:03 to 254:04

00254:03 MR. FIELDS: Will that be 7074?
 04 Q. (BY MS. LAWRENCE) Yes, Exhibit 7074, the

Page 255:11 to 256:05

00255:11 Q. Yes, up to 8. Which I will label as -- we're
 12 up to 7075. The Bates number is 2179,
 13 BP_HZN_2179MDL00386127, an e-mail from Andrew Frazelle
 14 on February 2nd of 2009 to yourself, and then two
 15 e-mails follow below it. The first one is dated
 16 February 2nd, also dated February 2nd, 2009, in which
 17 Andrew Frazelle wrote to yourself and others, Kevin Lacy
 18 has confirmed with Neil Shaw that the priority for the
 19 Marianas is to keep it an H-2 well and all efforts
 20 should be placed on delivering the plans for this well
 21 on completion to Dorado SS No. 4. I believe the assets
 22 is looking at a start date of April 1; however, we
 23 should do everything possible to target a March 15 start
 24 date. The SP priority is to keep the H-2 possible
 25 farm-out before or during hurricane season, possible
 00256:01 stack during hurricane season and then the Macondo while
 02 after hurricane season until the end of the contract.
 03 And I want to ask you about this process.
 04 What causes the priorities in terms of what well is
 05 going to be drilled next by what rig to shift like this?

Page 256:07 to 257:06

00256:07 Q. (BY MS. LAWRENCE) Why isn't it just, you
 08 know, you choose them and put them in order and that's
 09 the order they happen?
 10 A. There is a lot of factors involved in deciding
 11 the well -- what schedule wells go on. There -- so

12 there's generally a process for going through that.
 13 There is a rig schedule review meeting that Kevin leads
 14 with the whole of the SPU, so they talk about, you know,
 15 what is the priorities coming up, which wells, and then
 16 there is a dialogue with the wells team about -- about
 17 that schedule and getting it laid out. Lots of
 18 different things are factored into that. I'm not always
 19 aware of all the things personally input into that
 20 because I'm not at that particular meeting that they --
 21 that the -- the leadership team can lay out.

22 Q. But the factors that you mentioned that
 23 cause -- cause these plans to change, what are the
 24 factors that impact?

25 A. Again, as I said, lots of factors. It could
 00257:01 be an issue on a well they need to go to to do that
 02 well. It could be there is, you know, the -- the
 03 priorities for the SPU might be different, it might
 04 change. I guess it's very difficult to go in without a
 05 specific -- being able to go in a specific situation and
 06 talk about it?

Page 259:15 to 259:23

00259:15 Q. (BY MS. LAWRENCE) Before we resume right
 16 where we left off, Mr. Little, I thought of a question I
 17 had meant to ask you earlier. I just want to go back
 18 and pick it up. You had testified this morning that you
 19 had yourself some experience on drilling rigs on the
 20 platforms, and I think particularly in the North Sea?

21 A. Yes, that's correct.

22 Q. What, if any -- what is your experience, if
 23 any, with the negative pressure test?

Page 259:25 to 260:13

00259:25 A. Could you rephrase the question?

00260:01 Q. (BY MS. LAWRENCE) Yes, when you were involved
 02 in drilling, when you were actually on platforms did you
 03 ever -- let's start with did you ever conduct one?

04 A. I don't recall conducting a negative test.

05 Q. Okay. Did you observe them during the times
 06 that you were on rigs?

07 A. I don't recall observing a negative test at
 08 the times I was working on the rigs.

09 Q. Okay. While you were -- in the three years
 10 that you served in the Gulf of Mexico did you have,
 11 like, a specific understanding yourself of what
 12 procedurally was done on the rig to conduct a negative
 13 pressure test?

Page 260:15 to 260:16

00260:15 A. I mean, I -- I didn't have -- I didn't review

16 a procedure for a negative test, no.

Page 261:03 to 261:08

00261:03 Q. -- for whatever reason you had been yourself
04 visiting the rig, you were one of the people visiting
05 the rig on the evening of the 20th of April and for
06 whatever reason no one else was there who could do the
07 negative pressure test and you were asked could you do
08 it, could you have done it? Could you have done it?

Page 261:10 to 261:15

00261:10 A. I -- I guess when you say "done," there would
11 be a lot of steps involved. You mean do the program,
12 actually do -- physically do it or analyze it?
13 Q. Right, the negative pressure test, could you
14 have, you know, either done the steps or instructed the
15 rig crew how to do the steps there that night?

Page 261:17 to 261:18

00261:17 A. I mean, is that a hypothetical situation? I
18 mean --

Page 261:20 to 261:24

00261:20 A. -- I don't know. I haven't been in that
21 situation. I haven't thought about that. By the time
22 you sit down and -- and talk to the right people and get
23 everyone involved and, you know, maybe, but I don't
24 know.

Page 262:15 to 262:23

00262:15 MR. ROBERTS: I want -- I want to raise a
16 point of order. We are running a 100 percent response
17 from the witness of "I don't know" when you raise the
18 objection; form. Now, I'm going to go back and for the
19 benefit of the Court we're going to count this and see
20 if I'm right, but right now it's running one to one.
21 And I don't know if this is code for I don't know, but
22 it's going to be very obvious to the Court. So I just
23 want to raise my point.

Page 271:07 to 271:23

00271:07 Q. And then later on, as you've described --
08 first of all, what happened to the Marianas that caused
09 it to cease continuing to drill the Macondo?
10 A. A hurricane came through late in the season
11 and caused damage to the -- the Marianas.

12 Q. Okay. So when, as you indicated earlier, the
 13 Deepwater Horizon went to the Macondo and resumed
 14 drilling did you feel as though you had to scramble then
 15 or that you had all the time that you needed to plan
 16 your way forward drilling the well?

17 A. Well, the well plan had already been prepared.
 18 It was basically modifying it for the fact that we were
 19 using a different rig.

20 Q. And did you feel that you had adequate time to
 21 do that?

22 A. I wasn't aware of any issues at the time that
 23 we did.

Page 272:05 to 274:07

00272:05 MS. LAWRENCE: 2080. The Bates number is

06 BP_HZN_2179MDL000377089.

07 Q. (BY MS. LAWRENCE) It's an e-mail accompanied
 08 by an attachment. The e-mail is dated January 7th of
 09 2009 from David Sims to yourself and Richard Harland,
 10 describing -- entitled "TOR Kodiak Loss of 13 625 Casing
 11 Integrity NPT Review." Are you following with me?

12 A. Yes.

13 Q. Okay. And then the first paragraph of the
 14 attachment, it says, Incident overview. On November 15,
 15 2008, Kodiak Sidetrack/Bypass Core project being
 16 executed by the Transocean Deepwater Horizon, suffered
 17 complete loss of mud returns resulting in a 33 day, 31
 18 MM -- presumably million -- NPT event, which culminated
 19 in the permanent P&A of the well-bore prior to achieving
 20 all project objectives.

21 What is an NPT event?

22 A. A non-productive time.

23 Q. Okay. Do you recall what incident this is
 24 describing? What happened at the Kodiak sidetrack
 25 project that's -- that this document is addressing?

00273:01 A. The -- yeah, I do recall. It was a well that
 02 we had reentered. While we were in process of drilling
 03 we had a major lost circulation event, which we
 04 discovered to be a -- or believed to be a hole in the
 05 13-and-5/8-inch casing.

06 Q. And what ultimately happened with regard --
 07 with the Kodiak well after that happened? What became
 08 of the well?

09 A. We -- we completely abandoned it.

10 Q. Okay. If you could turn to tab 27, which will
 11 be Exhibit 2081, which is similar to, but not identical
 12 to, I think, one that was marked this morning -- this
 13 wasn't the one that was marked this morning -- which is
 14 an e-mail from David Sims, January 16th, 2009 to Mark
 15 Hafle and yourself. "Mark, I've discussed the" -- the
 16 Bates number is BP_HZN_2179MDL000355508 -- "I've
 17 discussed the implications of this with Al and told him
 18 not to order any 10-and-three-quarter-inch. We will
 19 either run a production liner before we leave or abandon

20 the open hole and plan on redrilling it when we come
21 back to complete the well.

22 You spoke this morning about the option. You
23 said there were multiple options for making the Macondo
24 well into a -- a production well a keeper; is that
25 right?

00274:01 A. No, I don't think I did say that. I think I
02 said there was multiple options being reviewed in the --
03 in this note which relate to how we could leave the
04 well.

05 Q. Okay. How you could leave the well so that it
06 could later be completed as a production well?

07 A. Yes.

Page 274:10 to 274:20

00274:10 Q. What are those options? How could -- what are
11 the different ways that could be done?

12 A. So the options that they were talking about
13 here are listed in the -- the e-mail from Jasper, or
14 some of the options.

15 Q. Okay. So one is to do what ultimately
16 happened at the Macondo, which is to run what's called a
17 production casing, is that correct, a long string
18 production casing?

19 A. These are different options, I think, than
20 were -- what was eventually done, from my reading of it.

Page 274:25 to 276:22

00274:25 Q. (BY MS. LAWRENCE) Right, generally speaking,
00275:01 your engineering background, your experience with BP,
02 and your involvement with the planning and drilling of
03 this well what are the ways in which you can -- what are
04 the options for drilling the well, then temporarily
05 abandoning it and being able to come back and complete
06 it for production, as you said, at a later date?

07 A. So the options that would be available are
08 ones that I would see -- and I'm not saying
09 comprehensive, given the time frame we have here.

10 Q. Okay.

11 A. We could have drilled the well through the --
12 the section, logged it, ensured there was hydrocarbons
13 there, and then abandoned that section to come back
14 later and completely redrill it and either run a liner
15 or a long string, or we could --

16 Q. Okay.

17 A. So -- or we could have drilled it, ran a long
18 string; drilled it, ran a liner would be three options.

19 Q. Okay. So there is one where you -- you
20 leave -- you just cem- -- as it's called, cementing the
21 open hole, and you leave it at that?

22 A. Yeah, that was -- this is option 1 in Jasper's
23 note.

24 Q. Okay. What do you do then? You just -- you
 25 don't run either a liner or a production casing; you
 00276:01 cement the hole you've drilled and temporarily abandon
 02 the well?
 03 A. That's right.
 04 Q. Okay. The long string production casing,
 05 that's what was done in the case of the Macondo? You
 06 actually set what's called a long string production
 07 casing; is that right?
 08 A. I believe that's the case, from what I've
 09 read.
 10 Q. Okay. And then the liner, can you explain to
 11 me what that is and how is it different than the
 12 production casing?
 13 A. A liner would be a shorter section of casing
 14 that's cemented across the open hole, but doesn't extend
 15 all the way back to the wellhead.
 16 Q. Okay. And what is -- do you know what the
 17 term tieback refers to, a liner with a tieback?
 18 A. So that would be eventually to tie back the
 19 top of that liner back to the wellhead.
 20 Q. Okay. And do you know why with regard to the
 21 Macondo they chose the long string production casing
 22 option?

Page 276:24 to 277:11

00276:24 A. I don't know the reasons why that that was
 25 selected at the end of the well, no.
 00277:01 Q. (BY MS. LAWRENCE) Okay. Was that not the
 02 plan when you spudded the well?
 03 A. The well design was -- the -- the casing
 04 depths changed as the well was drilled, so the -- the
 05 plan had changed by the time I had left.
 06 Q. Okay. Had that been the original plan?
 07 A. There was an original plan to have a long
 08 string, but then drill below it and then potentially
 09 install another liner, I believe, if there was more
 10 productivity, because there was a plan to go, I believe,
 11 deeper than we eventually did.

Page 277:21 to 280:25

00277:21 What do you know about -- what's your
 22 recollection of the plan to use nitrified or nitrified
 23 foamed cement in the Macondo well?
 24 A. I don't know the details of what the plan was.
 25 Q. Well, was that a component of the plan from
 00278:01 the beginning in the -- the time that you were involved
 02 with the well?
 03 A. I don't recall.
 04 Q. You don't recall whether it was or it wasn't?
 05 A. No.
 06 Q. And what about the use of centralizers? Was

07 the use of centralizers in the final casing, whatever it
 08 would be, part of the plan when -- from when you were
 09 involved with the well?

10 A. I don't recall the details of what was in the
 11 plan. I mean, it would normally would be in the ca- --
 12 the casing program, what the centralization plan was,
 13 but I don't know what was in -- I don't recall what was
 14 in the Macondo original plan.

15 Q. Okay. Can you turn to tab 28, which I'll
 16 label Exhibit 2082. This is -- now, this one I know is
 17 similar, but is not exactly the same as an exhibit that
 18 was marked earlier this morning, and I just want to ask
 19 you about the topic. The Bates number's
 20 BP_HZN_2179MDL000208159. Do you recognize this e-mail
 21 chain? It begins on August 19th of 2009. You're
 22 responding to David Rainey with an explanation that, The
 23 additional evaluation time that was included in Macondo
 24 estimate was to account for the deeper well depth and
 25 the fact that the Isabella well the logging was
 00279:01 conducted was zero nonproductive time, NPT.
 02 Schlumberger's recent performance on our wells has not
 03 been this good, hence the team included more time. For
 04 information evaluation in Isabella is 4.4 days and in
 05 the Macondo estimate we have assumed 7 days. Thanks,
 06 Ian.

07 And David Rainey has responds to you and Jay
 08 Thorseth on August 19th of 2009, So, If we were at
 09 30,000 feet plus 25 kpsi or 400 degrees F, I would
 10 support this, period. For a typical MC well, hyphen, we
 11 should expect zero NPT for logging, period. So, comma,
 12 while I support the additional time resulting from the
 13 inefficiencies of the kit relative to the Horizon, I did
 14 not support the incremental 2.6 days for logging.
 15 Challenge then is to work with Schlumberger to make sure
 16 we have zero NPT. Please don't think that I don't
 17 appreciate the degree of the challenge. I do - but I
 18 feel it is a challenge we should take on.

19 Did I read that correctly?

20 A. Yes.

21 Q. Okay. And if you follow all the way up the --
 22 you inquire, Do you want us to re-do a cost estimate?

23 He indicates, "If that's what it takes."

24 You say, "Dave, I don't see making the change
 25 being a big issue."

00280:01 He says, "agreed."

02 And you e-mail, at the very top, David Sims on
 03 August 20th, 2009, saying, David, Please see email
 04 trail. Dave Rainey wants us to take out the extra
 05 logging days from Macondo DD, slash, 10K and PT cost.
 06 Can you please have Mark update the one pager and FM. I
 07 would not change the NTE number or re-do the DCUS.

08 What's the FM?

09 A. The financial memorandum.

10 Q. Okay. Now, if you can turn to tab 29, which
 11 I'll label as 2083, because it wasn't separately marked

12 this morning. It's an e-mail, the Bates number is
 13 BP_HZN_2179MDL000208171, an e-mail dated Mark 20 --
 14 August 20, 2009 from Mark Hafle to Trent Fleece,
 15 referencing "AFE will be the PT number... which just
 16 changed this morning following Ian Little review with
 17 Dave Rainey... it's going to be down a hole 3 days and
 18 3.6 million. Pmcan, Pmcan, used to be the standard, but
 19 that is getting cloudy now that the focus is on
 20 performance.

21 Clearly he is referring to the e-mail we just
 22 saw, which in the back and forth you've just had on that
 23 day with him altering the -- the logging time built into
 24 the Macondo estimate, as you describe in the e-mail.
 25 But I want to ask you, AFE, what's that stand for?

Page 281:14 to 281:25

00281:14 A. (Continued) The AFE stands for authorization
 15 for expenditure.
 16 Q. (BY MS. LAWRENCE) Okay. And do you know what
 17 the PT number means?
 18 A. It's a reference to the -- the one-page -- the
 19 format that we have for -- it contains the well cost and
 20 performance, and PT is performance target.
 21 Q. Okay. And is that document you've just
 22 described sometimes referred to within BP as the one
 23 pager?
 24 A. Yes, I mean, this -- this e-mail refers to the
 25 Macondo one-pager --

Page 282:02 to 282:08

00282:02 A. -- that -- that all of this content refers
 03 back to.
 04 Q. Okay. And then the -- the word Pmcan, do you
 05 know what that is?
 06 A. It's a -- I assume it's a typo because it
 07 should be -- I would -- I would take that to mean Pmean,
 08 P-m-e-a-n.

Page 282:10 to 282:13

00282:10 the word Pmean does appear, P-m-e-a-n. So what does
 11 Pmean mean?
 12 A. So that's the mean cost statistically
 13 calculated.

Page 282:19 to 282:24

00282:19 Q. Well, did -- when he says Pmean used to be the
 20 standard, is that the, in fact, the case? What was the
 21 Pmean typically used for?
 22 A. So Pmean in the FM, for the financial

23 memorandum the Pmean would be what we would put in as
 24 the -- as the cost in a mean basis.

Page 283:09 to 283:25

00283:09 Q. Okay. While the Macondo well was being
 10 drilled did you experience any loss returns?
 11 A. Yes, we did.
 12 Q. On one occasion or more than one occasion?
 13 A. On -- my recollection is more than one
 14 occasion.
 15 Q. While the Macondo well was being drilled did
 16 the team experience any kicks?
 17 A. Again, my recollection is that we did have
 18 kicks during drilling the Macondo well.
 19 Q. On one occasion or more than one occasion?
 20 A. My recollection is more than one occasion.
 21 Q. Okay. Did anyone ever express to you in any
 22 form concerns that the ROP, or the rate of progress,
 23 essentially the rate at which the well was being drilled
 24 was potentially interfering with effective kick
 25 detection?

Page 284:02 to 284:14

00284:02 A. I don't recall being asked that.
 03 Q. (BY MS. LAWRENCE) Do you recall any
 04 discussions about that taking place around you among
 05 team members?
 06 A. I don't recall.
 07 Q. Do you recall seeing any e-mail correspondence
 08 raising those types of concerns?
 09 A. I don't recall.
 10 Q. Do you recall anything about, like, the Tiger
 11 team being -- or expressing concerns that their ability
 12 to anticipate the conditions that they were going to
 13 encounter, including kicks, was impeded by the speed
 14 with which the rig crew was drilling ahead?

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00284:16 A. I don't recall seeing anything like that.
 17 Q. (BY MS. LAWRENCE) Okay. Did you ever
 18 experience any concerns like that, given that you
 19 encountered multiple incidents of lost returns and
 20 multiple incidents of kicks while the well was being
 21 drilled?

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00284:23 A. I don't recall having -- or discussing those
 24 concerns or those concerns being raised before me.
 25 Q. (BY MS. LAWRENCE) Okay. Was it your opinion

00285:01 that the members of the Tiger team or the professionals
 02 responsible for analyzing the core pressure and the
 03 geologic information, trying to anticipate what the well
 04 conditions would be as they drilled ahead had adequate
 05 time to analyze the data that they needed to analyze?
 06 A. No issues were raised to me, so I don't know
 07 in that specific case the answer to that.
 08 Q. Okay. So from your perspective no news was
 09 good news?

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00285:11 A. I was -- no issue was raised to me.
 12 Q. (BY MS. LAWRENCE) If you could turn to
 13 tab 30, which I will label Exhibit 2084. It's an
 14 e-mail, the Bates number is BP_HZN_2179MDL000208476.
 15 It's an e-mail from Mark Hafle dated August 25th, 2009.
 16 The subject is "Failed Float Equipment NPT." It reads,
 17 "David, as a" -- he writes to David Sims. "David, as a
 18 follow-on to last week's staff meeting presentation by
 19 Jake, I have started a little project with Alex to
 20 investigate recent NPT associated with 'failed' float
 21 equipment." Issues are: 1, we have a lot of old "FE"
 22 in inventory. 2, some engineers do not want to run
 23 "old" FE, fearing another failure... 3, Al Crane,
 24 slash, cost & estimate management, slash, way forward.
 25 I'll have Alex compiling the failures for at least the
 00286:01 past 12 months as a starting point. Will likely want to
 02 do some equipment tear downs at Stress Engineering to
 03 see if there are issues with long term storage of FE. I
 04 see funding for some, slash, all of this through the
 05 Macondo pre-spud AFE, as we are being asked to run some
 06 of this material. We will present cost estimate, slash,
 07 engineering proposal before committing funds to be
 08 spent, and will also get Tom Seely involved, once we
 09 know the scope of the NPT. Would appreciate your
 10 thoughts. Thanks. Regards, Mark Hafle.
 11 Have I read that correctly?
 12 A. You appear to have read that correctly, yes.
 13 Q. Okay. The float collar equipment that was
 14 used in the Macondo well, do you know where it came
 15 from?
 16 A. I don't know.
 17 Q. Do you know if it was materials that BP or a
 18 subcontractor had on hand and were stored somewhere or
 19 if it was recently -- if it was procured
 20 contemporaneously with going into the well?
 21 A. I don't know.
 22 Q. Okay. Had you ever heard any concerns of this
 23 nature about failures associated with old or stored
 24 float equipment?
 25 A. I don't recall anything.

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00287:09 Q. (BY MS. LAWRENCE) You testified earlier that
 10 your understanding of the BP well site leader's duty and
 11 responsibilities included being familiar with the
 12 negative pressure test that takes place on a drilling
 13 rig, correct?
 14 A. I'm not sure if I termed it exactly that way.
 15 Q. Well, what -- what was your -- tell me, what
 16 was your understanding of the well site leaders? Do
 17 they need to be familiar, in your opinion, with the
 18 negative pressure test?
 19 A. I think they were -- my problem was is they
 20 would have been through being familiar through being
 21 well site leaders working in the Gulf of Mexico because
 22 this procedure was done on a regular basis.
 23 Q. Okay. And what did you understand the well
 24 site leader's role to be in regarding interpreting the
 25 results of the negative well pressure tests prior to
 00288:01 temporary abandonment of the well?
 02 A. I hadn't seen anything written down exactly
 03 what their role was around that exact operation.
 04 Their -- their role on the rig was BP's representatives
 05 to ensure that the program was being executed in
 06 alignment with our -- our procedures and our standards,
 07 and that was their role to work with Transocean, with
 08 the other service providers on the rig to ensure that
 09 our -- the operations conducted on the rig were in
 10 alignment with our standards and procedures.
 11 Q. Okay. Did you know that Earl Lee, an
 12 individual who served in 2009 and early 2010 as a well
 13 site leader on the Deepwater Horizon? Are you
 14 acquainted with him? Do you know who he is?
 15 A. Yes, I know who he is.
 16 Q. Okay. Were you aware that as recently as a
 17 few weeks ago Earl Lee could not himself have
 18 interpreted a negative pressure test?

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00288:20 A. I'm not aware of that.
 21 Q. (BY MS. LAWRENCE) It's not something he is
 22 trained to do or knows how to do?

Page 288:24 to 292:17

00288:24 A. I'm not aware of that.
 25 Q. (BY MS. LAWRENCE) You're not aware of that?
 00289:01 A. No.
 02 Q. Okay. And Lee Lambert, are you -- do you know
 03 who that is?
 04 A. Yes, he's a trainee well site leader.
 05 THE REPORTER: He's a trainee?
 06 THE WITNESS: Well site leader.
 07 Q. (BY MS. LAWRENCE) So he was a -- a trainee

08 well site leader in February, March, and April of 2010,
09 is that correct, on the Deepwater Horizon?

10 A. I believe -- I don't know for sure if he was
11 on the Deepwater Horizon those dates, but he was a
12 trainee well site leader that was in -- in our group at
13 the time, yes.

14 Q. Okay. And do you know if he served on the
15 Deepwater Horizon from time to time?

16 A. I don't know for sure the dates he was out
17 there, but I believe he did.

18 Q. Okay. Do you know if he's since become --
19 graduated, I guess, if you will, from a well site leader
20 in training or a future well site leader to a regular
21 well site leader in rotation?

22 A. I don't know.

23 Q. Okay. And do you know that he as recently as
24 a few weeks ago had not been trained to and does not
25 know how to interpret the results of the negative test?

00290:01 A. I don't know.

02 Q. Could you turn to tab 32, please. This is an
03 exhibit that's previously been marked as Exhibit 566,
04 and it's in an e-mail format. It's not addressed to
05 you, but it describes -- the e-mail contains a
06 description of a procedure, and I'll read into the
07 record. It says, Quick ops note for the next few days.
08 No. 1, test casing per APD to 250/2500 psi; No. 2, RAH
09 to 8367 feet; 3, displaced seawater from there to above
10 the wellhead; 4, with seawater in the kill close annular
11 and do a negative test, 2350 psi differential.

12 MR. FIELDS: Approximately.

13 MS. LAWRENCE: Approx- -- yeah, it has --
14 I don't know what to call that symbol.

15 Q. (BY MS. LAWRENCE) 5, open annular and
16 continue displacement; 6, set a 300-foot balanced cement
17 plug with 5 BBLs, presumably barrels, in DP; 7, POOH
18 approximately 100 to 200 feet above top of cement and
19 drop "neft" ball, slash, DS volume; 8, spot corrosion
20 inhibitor in the open hole; 9, POOH to just below the
21 wellhead or above with a 3 and one half stringer if
22 desired wash with a 3 and one half inch. Do not rotate.
23 A separate one will not be made to wash, as the
24 displacement will clean up the wellhead, close
25 parentheses; No. 10, POOH and make LIT, slash, LVS runs;
00291:01 No. 11, test casing to 1,000 psi with seawater,
02 parentheses, non-MMS, slash, bp DWOP, close parentheses,
03 surface plug.

04 A, confirm BBLs, barrels to pressure up on
05 original casing test versus BBLs to test surface plug
06 should be done last due to volume differences and fluid
07 compressibility, hyphen, seawater versus SOBM, close
08 parentheses; B, plot on chart, slash, send to Houston
09 for confirmation.

10 Have I read that correctly?

11 MR. FIELDS: I think you just inserted one
12 extra word.

13 MS. LAWRENCE: Where is that?
 14 MR. FIELDS: Should be -- I think you said
 15 should be done less as opposed to should be less, if I
 16 heard you correctly.
 17 MS. LAWRENCE: In what line?
 18 MR. FIELDS: Oh, in 11A.
 19 MS. LAWRENCE: 11A.
 20 MR. RUBINSTEIN: You also didn't read the
 21 flag status, follow up flag and flag status.
 22 MS. LAWRENCE: Oh, in the title.
 23 MR. RUBINSTEIN: Yeah.
 24 MS. LAWRENCE: In the heading, correct.
 25 MR. RUBINSTEIN: Right.

00292:01 Q. (BY MS. LAWRENCE) Yeah, confirm BB -- 11A,
 02 confirm BBLs to pressure up on original casing test
 03 versus BBLs to test surface plug should be less due to
 04 volume differences in fluid compressibility, hyphen,
 05 seawater versus SOBM. Have I got it right now?
 06 A. Appears to be all right.
 07 Q. Okay. Do you recognize what procedures are
 08 outlined in this document?
 09 A. I have not seen this document before.
 10 Q. I realize that, but if it outlines procedures
 11 and you're, you know, familiar with drilling and
 12 procedures on drilling rigs, does it make sense to you?
 13 A. I don't know the context in which it was
 14 written, so I -- I can't make a comment on the area.
 15 Q. I'm not asking you to comment. I'm just
 16 asking you if you can recognize as a procedure what
 17 procedures, procedure or procedures it sets forth?

Page 292:19 to 294:20

00292:19 A. I mean, it doesn't call this a procedure.
 20 It's an ops note.
 21 Q. (BY MS. LAWRENCE) I realize that, but it sets
 22 forth a series of steps that would appear to be
 23 procedure; would you agree or disagree?
 24 A. It sets forth a series of steps. I -- without
 25 knowing the -- the -- more context around it, I can't
 00293:01 say whether it's a procedure or not.
 02 Q. Okay. Do you see anywhere in these steps this
 03 document setting forth a procedure by which to conduct a
 04 negative pressure test, as you understand it?
 05 A. I mean, as I said, I -- I don't see this being
 06 labeled a procedure.
 07 Q. Okay. It does or it doesn't look like a
 08 procedure to you?
 09 A. It's not labeled as a procedure. Without more
 10 data on this or more background, I can't comment.
 11 Q. Okay. And step 4, it does reference doing a
 12 negative test?
 13 A. It does.
 14 Q. Okay. Are you able to tell from just looking
 15 at the steps as written on this document whether it sets

16 forth instructions to displace to seawater before or
 17 after conducting a negative test?
 18 A. Displace what to seawater?
 19 Q. Displace to seawater.
 20 A. But displace what to seawater? What --
 21 Q. Whatever.
 22 A. Again, I -- I mean, without knowing more
 23 details, I can't comment on what was intended by this
 24 specific.
 25 Q. I know, and I'm just asking you in -- in terms
 00294:01 of -- of what's written. What does it appear to you? A
 02 step -- does the place involving displace to seawater
 03 appear to you to occur before or after the step
 04 involving doing a negative test?
 05 A. Step 3 says displace to seawater from there to
 06 above the wellhead.
 07 Q. Okay. Followed by step 4, which is the one
 08 that includes the negative test?
 09 A. Yes.
 10 Q. Okay. And I want to ask you to look at
 11 tab 33, which has previously been labeled as
 12 Exhibit 570. Do you recognize this document?
 13 A. No, I haven't seen this document before.
 14 Q. Okay. I want you to look at Page 3 of this
 15 document where it says "Temporary Abandonment Procedure"
 16 and it too sets forth a series of steps 1 through 8 and
 17 I want you to just look at steps 1 through 8 in this
 18 document and compare them to steps 1 through 11 on
 19 Exhibit 566 and tell me if it looks like the same
 20 procedure to you.

Page 294:22 to 295:04

00294:22 A. So could you ask me the question again?
 23 Q. (BY MS. LAWRENCE) Yeah. The temporary
 24 abandonment procedures on the third page of Exhibit 570,
 25 and I want you to compare it to steps 1 through 11 on
 00295:01 the single page of Exhibit 566 and tell me if it appears
 02 to be the same procedure to you.
 03 A. It's not -- it doesn't directly correlate
 04 across, no.

Page 295:11 to 296:06

00295:11 Q. (BY MS. LAWRENCE) On -- I just want to go
 12 back and ask you one question with regard to
 13 organizational structure at BP. I've heard you and
 14 other witnesses refer to D&C, drilling and completions?
 15 A. Yes.
 16 Q. And then I've also heard you refer to E&A,
 17 exploration and appraisal?
 18 A. Yes.
 19 Q. Particularly with regard to your position in
 20 the Gulf of Mexico. What was the relationship, if any,

21 between D&C and E&A while you were serving in the Gulf
22 of Mexico for BP?
23 A. Exploration and appraisal as it affected my
24 role was part of the overall D&C organization --
25 Q. Okay.
00296:01 A. -- after May 2008.
02 Q. Okay. So post May 2008 reorganization E&A was
03 essentially a subset or a subpart of --
04 A. Of the overall --
05 Q. -- the larger D&C?
06 A. That's correct.