

Deposition Testimony of:

James Bement

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Page 7:11 to 7:13

00007:11 JAMES RUSSELL BEMENT
12 was called as a witness by the Plaintiffs and,
13 being first duly sworn, testified as follows:

Page 7:15 to 7:20

00007:15 QUESTIONS BY MR. PALMINTIER:
16 Q. Would you once again state your full name
17 and your residence address for the record,
18 please?
19 A. James Russell Bement, [REDACTED]
20 [REDACTED]

Page 7:24 to 9:16

00007:24 Q. Okay. And what's your occupation?
25 A. I'm the Vice President of Sperry
00008:01 Drilling.
02 Q. Now in April of 2010, what was your
03 actual job title?
04 A. April of this year -- oh, 2010?
05 Q. Yeah.
06 A. Yes, sir. I was the Vice President of
07 Sperry.
08 Q. Okay. And the reason I asked it that way
09 is because we have seen a lot of Vice
10 Presidencies and then with a -- a qualifier after
11 it.
12 In April of 2010, and the -- and the
13 months before, what was your qualifier after Vice
14 President; in other words, what -- what was your
15 Division or Area?
16 A. Drilling and Evaluation is our Division
17 within Halliburton.
18 Q. And so your job title would have been
19 Vice President --
20 A. PS -- I'm the Product Service Line Vice
21 President.
22 Q. Yes. Okay.
23 A. And then the -- the Division represents
24 multiple Product Service Lines.
25 Q. Okay. And what particular Product
00009:01 Service Line did you specifically address
02 yourself to back in April of 2010?
03 A. The Sperry -- Sperry Drilling.
04 Q. Sperry Drilling.
05 A. (Nodding.)
06 Q. What sets Sperry Drilling off from the
07 other Sperry Divisions and other Halliburton
08 Divisions?
09 A. Well, Sperry is a Product Service Line.
10 It's made up of multiple subproducts, so

11 directional drilling, LWD, service data logging,
12 GeoBalance, multilateral. Those are subproduct
13 lines underneath the Sperry PSL.
14 And then Sperry is part of the Drilling
15 and Evaluation Division, so other -- you
16 understand the other product lines or --

Page 9:24 to 12:09

00009:24 Q. I'm just trying to get to know a little
25 bit about you. All of us have read a lot about
00010:01 you now. We get to put the face and the name
02 together and ask you a few questions. And I, as
03 leadoff, kind of get to get some background from
04 you and --
05 A. Okay.
06 Q. One of the things we -- I'm -- I'm just
07 curious about is how you got to that position.
08 And how should I -- should I just say Vice
09 President of Sperry?
10 A. Yes, sir.
11 Q. How did you get to that position?
12 What -- what career course did you take?
13 A. So, starting with the very beginning?
14 Q. Yes.
15 A. Graduated University of Texas at
16 Arlington in 1981. I was recruited and hired by
17 Gearhart Industries that was headquartered in
18 Fort Worth, Texas.
19 Q. Okay.
20 A. Gearhart, I was -- I worked in business
21 development. That's a wireline company, wireline
22 perforating, so we did open hole and cased hole
23 wireline.
24 In 19 -- I believe it was '88, '87, '88,
25 Halliburton acquired Gearhart Industries. At
00011:01 that time, I was in Sales in Dallas, Texas, for
02 Gearhart.
03 Q. Okay.
04 A. They -- they merged Gearhart. And at
05 that time, Welex was a product line underneath
06 Halliburton. Those two product lines were merged
07 into Halliburton Logging at that time.
08 Q. All right.
09 A. Then in approximately 1995, I became
10 Sales Manager for Halliburton in the Mid-Con
11 based in Oklahoma City.
12 And then in 1996, I became the business
13 Development Manager for Halliburton in Oklahoma
14 City for the entire Mid-Con Region.
15 Q. Okay.
16 A. Then in '98, I believe, I transferred to
17 Houston as the Business Development Manager for
18 Halliburton. This was post-Dresser acquisition,
19 so the portfolio had increased to include the

20 Dresser entities, which included Sperry, Security
21 DBS, and Baroid.

22 Q. Okay.

23 A. And then in 19 -- or, no, 2000, I believe
24 that's correct, I joined Sperry as the Global
25 Business Development Manager.

00012:01 And in 2003, I became the Vice President
02 of Security DBS, which is our Drill Bit Product
03 Service Line.

04 Q. Okay.

05 A. 2007, I became the Region Vice President
06 for Canada.

07 And then in 2009, returned to Sperry, as
08 the Vice President. So my career pretty much
09 resides within Drilling and Evaluation.

Page 21:06 to 21:22

00021:06 Q. Well, your responsibility as Vice
07 President in April and today, one of the reasons
08 why it is as dynamic as it is in sales, is that
09 correct, or --

10 A. No, not just sales. Operations,
11 technology development, people development,
12 talent --

13 Q. Yes, sir.

14 A. -- global processes, procedures,
15 fundamental strategy for the Product Service
16 Line.

17 Q. Yes.

18 A. We developed the strategy and the
19 processes to be rolled out by the various
20 geographies. So we have a matrix organization,
21 Global PSL, or Product Service Line. I
22 apologize, I keep saying "PSL."

Page 23:10 to 23:14

00023:10 Q. Okay. Now, we will get into the
11 specifics of your relationship with BP. But
12 did the -- did your experience -- that is, the
13 company's experience with the DEEPWATER
14 HORIZON -- change your relation with BP?

Page 23:16 to 24:07

00023:16 A. No, sir. I mean, specific to the Gulf of
17 Mexico, obviously, there was, you know, the
18 slow-down of the work. We worked very closely
19 with them in the relief efforts. So specific to
20 the Gulf of Mexico, you -- you could say that
21 business environment changed from -- from one of
22 Exploration and Development to more of a relief

23 er -- effort near term.
24 On a global basis, BP remains our second
25 largest customer globally. I believe Sperry,
00024:01 from a product line basis, I believe we're their
02 largest well placement supplier. So on a global
03 basis, our relationship with BP remained quite --
04 quite positive, quite favorable.
05 Q. (By Mr. Palmintier) Okay. It wasn't
06 favorable on the DEEPWATER HORIZON in April of
07 2010, though, was it?

Page 24:09 to 24:17

00024:09 A. Actually, it was quite -- quite positive.
10 April 10, 2010?
11 Q. (By Mr. Palmintier) In April of 2010.
12 A. Yes, sir.
13 Q. Okay. You, of course, recognize that
14 there -- there in the record is there evidence
15 that there was difficulty and distress between BP
16 and Halliburton leading up to the DEEPWATER
17 HORIZON, correct?

Page 24:19 to 25:04

00024:19 A. I'm unaware of any stress. The Macondo,
20 that -- that well drilled quite well for --
21 for -- for us. I mean, our performance was good.
22 Relationship was good --
23 Q. (By Mr. Palmintier) I wasn't
24 commenting --
25 A. -- in my opinion.
00025:01 Q. -- on your performance. I was saying the
02 relationship with BP was strained in the run-up
03 to the explosion and fire that killed 11 men,
04 wasn't it?

Page 25:06 to 25:07

00025:06 A. I'm totally unaware of any -- of strain
07 or stress at that time, no, sir.

Page 28:03 to 28:05

00028:03 Q. You are aware, then, that BP was about to
04 pull its business from Sperry prior to the
05 commencement of the Macondo Project, correct.

Page 28:13 to 28:24

00028:13 A. There were those discussions, yes.
14 Q. (By Mr. Palmintier) Okay. And you were

15 made aware of those discussions and took place --
16 took part in the corresponding discussions among
17 the Sperry and Halliburton folks that were
18 responsible, correct?

19 A. Yes, sir.

20 Q. Do you recall those discussions that you
21 had with your colleagues at Sperry in response to
22 the dissatisfaction or concerns of BP?

23 A. Yes, sir. Actually, I met with Mr. Guide
24 and Mr. Sims with BP to discuss --

Page 29:08 to 29:19

00029:08 Your folks that were in these discussions
09 talking about what BP was demanding, were they
10 acquiescent in the BP opinion, or did they merely
11 say, "They're the customer. We've got to do
12 whatever they need to -- they -- they need us to
13 do"?

14 A. No. I think the -- the discussions were
15 very specific to the tools themselves. It was
16 not related to personnel, dissatisfaction with
17 personnel. It was very specific to the
18 technologies and -- and that the failures that we
19 had had related to the 8-inch tools.

Page 39:04 to 39:07

00039:04 Q. You were worried you were going to lose
05 the business; isn't that true?

06 A. There was a -- yes, there was a chance we
07 would be replaced on that rig. Yes.

Page 74:05 to 74:05

00074:05 Q. Okay. What did you do post-explosion?

Page 74:07 to 75:09

00074:07 A. Post-explosion? I mean, anything
08 specific that -- I mean, there was a lot of
09 activities -- I think more specifically was
10 our -- the implementation of Mr. Gisclair, John
11 Gisclair, the importance of the realtime data.
12 So we engaged John in that endeavor to -- to
13 evaluate that data, make sure we made that very
14 public, and in order to educate both
15 Committees -- you know, Congressional Committees,
16 as well as that document ultimately went public.
17 But it was to educate the industry on that data.

18 I think that would be my primary action,
19 was support of Mr. Gisclair.

20 Q. (By Mr. Palmintier) And John Gisclair was

21 looking at the data transmitted through INSITE
22 Anywhere from the rig to Houston, correct?
23 A. Yes, sir.
24 Q. And he was evaluating the -- the run
25 reports from the Mud Logger's terminal that were
00075:01 received in Houston, correct?
02 A. Yes, sir.
03 Q. And you put him to that task; is that
04 right?
05 A. Yes, sir.
06 Q. And what did you -- what instruction did
07 you give him when you asked him to do that?
08 A. In collaboration with Stephanie Bragg,
09 also, her --

Page 75:15 to 76:14

00075:15 A. I asked John to pull the data together
16 and to pull -- you know, initially, we wanted to
17 pull that data into a form that we could go to
18 the Congressional Hearings. We had been
19 requested to come to DC and meet with some of the
20 Committees, and so we wanted to really put that
21 in an educational format.
22 We needed to educate the Committees in
23 terms of what the data is, what it could do, and
24 then we also shared with them that without any
25 activities the data would be very difficult to
00076:01 interpret.
02 And -- so that was some of the initial
03 efforts as it relates to the data.
04 Q. (By Mr. Palmintier) Remember that the
05 printouts were illustrated by Mr. Gisclair in the
06 margin, where he gave explanations for changes in
07 the informational flow? Do you remember that?
08 A. Yes, sir.
09 Q. Did you ask him to do that?
10 A. I asked him to give his interpretation
11 and -- some of it was interpretation, some of it
12 was his findings from interviews that he had had
13 with our two Mud Loggers that were on the
14 HORIZON.

Page 76:21 to 78:22

00076:21 Q. Have you talked to him about those
22 interviews?
23 A. Just briefly.
24 Q. What did you discuss with him?
25 A. Oh, my first concerns were their health
00077:01 and well-being, how are they doing, et cetera,
02 and then --
03 Q. Okay.
04 A. -- were they able to recall the events,

05 were they able to give you -- because there was a
06 significant amount of the activities that are
07 missing.

08 You know, unfortunately, those that did
09 not survive have a -- have probably the best
10 understanding of some of those activities. So,
11 you know, there's a lot of data that was missing
12 at the time.

13 Q. Those two individuals were Joe Keith and
14 who else?

15 A. Cathleenia Willis.

16 Q. Okay. All right. And so in terms of
17 post-accident -- and when I say "post-accident,"
18 I mean after the explosion happened.

19 A. Yes, sir.

20 Q. -- your involvement with the DEEPWATER
21 HORIZON event in April of 2010 was to oversee
22 John Gisclair's explanation for the Mud Loggers'
23 results that were generated through INSITE
24 Anywhere. Is that right or wrong?

25 A. I would -- I would say that's not
00078:01 completely correct. I think more -- more
02 accurately would be that I facilitated the
03 selection of John Gisclair as -- as a person that
04 had expertise and knowledge of the HORIZON
05 layout. A very articulate gentleman, and he's
06 also very good teacher. And so we -- we selected
07 him and asked him. But in terms of general
08 oversight, not being a Mud Logger myself or an
09 INSITE expert, it wasn't like I could give him
10 direction.

11 So I didn't give oversight. I think that
12 would be the incorrect term.

13 Q. Okay. You -- you got him to do the
14 project, and he did the project?

15 A. That's correct.

16 Q. To your approval?

17 A. Yes, sir.

18 Q. And you -- other than that function,
19 working with Mr. Gisclair, did you do anything
20 else post-accident relative to the DEEPWATER
21 HORIZON?

22 A. No, sir.

Page 80:15 to 80:25

00080:15 Q. The Mud Loggers didn't have their written
16 logs, did they?

17 A. I believe they were destroyed in the
18 explosion.

19 Q. That's a "Yes"?

20 A. Yes.

21 Q. Or a "No," they didn't have them?

22 A. No, they didn't have them.

23 Q. And they -- and they -- and they weren't

24 recorded by computer, were they?
25 A. Not the -- no.

Page 81:16 to 82:09

00081:16 Q. Because it would been very helpful to
17 have had their actual notes rather than to have
18 to rely on their memories, correct?
19 A. Yes, sir.
20 Q. I mean, you're aware that both of these
21 individuals profess having had at least
22 post-traumatic stress disorder or some type of
23 psychological impact from being in the explosion,
24 correct?
25 A. Yes. Understandable.
00082:01 Q. Do you have any idea why they weren't
02 recorded on computer before the explosion and
03 fire in April of --
04 A. The version of INSITE --
05 Q. -- 2010?
06 A. -- that is -- that was on the Macondo was
07 the latest version at that time. The newest
08 version now has a digital logbook, so it's in
09 realtime.

Page 84:01 to 84:18

00084:01 Q. Okay. How does one obtain a license to
02 use the INSITE Anywhere software?
03 A. It's part of the contract. It's really
04 just a commercial term.
05 Q. All right.
06 A. A license can be acquired on a per-well
07 basis, or on a project basis, or annual basis.
08 Q. Okay. With regard to the Macondo Well,
09 how was that handled by Sperry?
10 A. The contract was directly with BP, and
11 then INSITE -- you're talking about INSITE
12 specific or INSITE Anywhere?
13 Q. INSITE Anywhere.
14 A. INSITE Anywhere can be -- that's up to
15 the Operator. In this case, BP can -- they --
16 they control who has access to IN -- INSITE
17 Anywhere. So in this case, it would have been BP
18 employees, as well as Partners.

Page 86:07 to 86:19

00086:07 Q. Okay. I'm going to show you a document
08 that has been previously marked as Exhibit 614 in
09 Mr. Gisclair's deposition. I don't think it's on
10 my CD. It's -- it's an INSITE Anywhere Access
11 Log. Do you recognize that?

12 A. I have not looked at this one
13 specifically, but I've seen previous logs before.
14 Q. Okay. And does that -- this was told to
15 us that this was the access log for the Macondo
16 Well or for the DEEPWATER HORIZON between
17 April 16th of 2010 through April the 20th. Is
18 that right?
19 A. That's what it states, yes, sir.

Page 88:07 to 88:09

00088:07 Exhibit 640, which is the Master Service
08 Agreement between BP Exploration and Production,
09 Inc., and Halliburton Energy Services, Inc.

Page 88:13 to 89:03

00088:13 Q. All right. If you look at the -- I guess
14 it's Page 204, the Bates numbers end in 2162.
15 A. Yes, sir.
16 Q. There are some WHEREAS's at the top of
17 the page. And I'm interested in the third one,
18 it says "CONTRACTOR," which is Halliburton,
19 "represents that it has the requisite skills,
20 experience and resources to carry out the WORK to
21 the reasonable satisfaction of COMPANY" -- which
22 is BP in this case -- "in accordance with the
23 terms and conditions specified herein."
24 A. Yes, sir.
25 Q. Did I read that correctly?
00089:01 A. Yes, sir.
02 Q. And was that a representation that
03 Halliburton was making to BP?

Page 89:05 to 90:16

00089:05 A. Yes, sir.
06 Q. (By Mr. Dart) Okay. And then if you go
07 to Page 3 of 352, the Bates number ends in 2211.
08 A. 2211?
09 Q. (Indicating.)
10 A. Okay.
11 Q. All right. And under the general terms
12 and conditions, Section 1, 1.1 says, "CONTRACTOR
13 has been selected for the performance of the WORK
14 on the understanding that it is qualified in the
15 class of work involved and that CONTRACTOR shall
16 exercise all reasonable skill, care, and
17 diligence in the performance of the WORK and
18 shall carry out the WORK in accordance with the
19 requirements of the CONTRACT and to"
20 intentionally -- or I'm sorry -- "and to
21 internationally recognized good oilfield

22 practices and standards."
 23 Did I read that correctly?
 24 A. Yes, sir.
 25 Q. Was that a -- an obligation that
 00090:01 Halliburton undertook pursuant to this Agreement?
 02 A. As per the Master Service Agreement, yes,
 03 sir.
 04 Q. Yes. And that included all the work that
 05 was done on the DEEPWATER HORIZON on the Macondo
 06 Well; is that correct?
 07 A. Yes, sir.
 08 Q. All right. Then Section 1.2 says, "The
 09 WORK which is to be provided by the CONTRACTOR
 10 shall comprise but not necessarily be limited to,
 11 the provision of management, engineering,
 12 supervision, labor, plant, equipment, and
 13 materials" in "support" of "COMPANY'S operations,
 14 all as generally described herein."
 15 Did I read that correctly?
 16 A. Yes, sir.

Page 91:10 to 91:25

00091:10 Q. Okay. What engineering services were
 11 contemplated in the provision of services that
 12 your Division rendered to BP for the Macondo
 13 Well?
 14 A. We provided directional drilling
 15 services, LWD, MWD, and Surface Data Logging.
 16 Q. Okay. Is that it?
 17 A. And then the real-time connectivity with
 18 the INSITE.
 19 Q. Okay. And from an Engineering
 20 standpoint, you were doing what, designing those
 21 systems and making sure that they operated and
 22 functioned properly?
 23 A. At the global level, I'm supporting the
 24 capabilities of the Gulf of Mexico Business Unit
 25 to be able to execute those.

Page 93:14 to 95:01

00093:14 Q. Did Halliburton consult with any third
 15 party -- third parties in the performance of its
 16 contract with BP on the Macondo Well?
 17 A. Not that I'm aware, no, sir.
 18 Q. All right. Did Halliburton seek out
 19 expertise from BP?
 20 A. Absolutely.
 21 Q. In the performance of its contract with
 22 BP on the Macondo Well?
 23 A. Yes, sir.
 24 Q. All right. And what -- what form of
 25 consultation did that comprise?

00094:01 A. It's -- it's an ongoing. As part of the
 02 Operations, I mean, we -- we certainly depend on
 03 the expertise that BP has, and there is a
 04 drilling engineering, pore pressure analysis,
 05 those areas that BP brought to the Team as they
 06 lean on our directional drilling task, you know,
 07 executional roles, so it's a collaborative effort
 08 of leaning on the expertise in their various
 09 areas of -- of profession, so to speak.
 10 Q. Okay. In -- insofar as it concerned data
 11 monitoring --
 12 A. M-h'm.
 13 Q. -- the -- the INSITE system --
 14 A. M-h'm.
 15 Q. -- was there any expertise that you
 16 relied upon from BP in that regard?
 17 A. It's my understanding that -- well, BP
 18 has a number of subject matter experts within
 19 their organization. I believe during the
 20 drilling phase that BP was fairly -- they were
 21 utilizing their own subject matter expert in the
 22 area of pore pressure prediction and working with
 23 our Mud Loggers in -- in the data evaluation.
 24 We had offered additional expertise, but
 25 it was commercially not accepted to add in
 00095:01 addition to that.

Page 95:04 to 95:22

00095:04 Q. (By Mr. Dart) And what sort of additional
 05 expertise are you talking about that you offered
 06 to BP?
 07 A. We have what we refer to as our Advanced
 08 Drilling Technologist, ADT, services.
 09 Q. All right.
 10 A. That tend to work -- that they -- they do
 11 a higher level of Engineering, torque and drag,
 12 pore pressure prediction, a variety of things
 13 that they can add -- add incremental value to a
 14 Project or -- or a challenge. In this case, they
 15 were not utilized. I believe BP depended on
 16 their own subject matter experts in this area.
 17 Q. Okay. How would that advance service,
 18 had it been provided by Halliburton, how would
 19 that have enabled BP or Transocean or anybody
 20 monitoring the data to foresee the eventual
 21 blowout that occurred on April 20th of 2010?
 22 A. I --

Page 95:24 to 96:07

00095:24 A. -- I can't -- yeah, I can't speculate on
 25 what may or may not have occurred. You -- the
 00096:01 question originally was around additional

02 expertise that we had within the organization or
03 what BP might have access to.

04 Q. (By Mr. Dart) All right. Well, what
05 advantage would this advanced system have given
06 BP and/or Transocean in the -- in their ability
07 to monitor data from the well?

Page 96:10 to 98:17

00096:10 A. The actual monitoring of data, it would
11 have really been around drilling optimization,
12 as -- as I spoke, added eyes on pore expertise in
13 areas of pore pressure prediction, vibration
14 analysis, PWD analysis, torque and drag, those --
15 those areas.

16 Q. (By Mr. Dart) Okay. Now, Halliburton had
17 Mud Loggers, as you said, on the rig; is that
18 right?

19 A. Yes, sir.

20 Q. And they had the INSITE data available to
21 them?

22 A. Yes, sir.

23 Q. That was their source of data from the
24 well?

25 A. That's correct.

00097:01 Q. So that all the data that the Halliburton
02 employees had in the Mud Loggers' trailer or
03 whatever you call that -- Pod --

04 A. Cabin.

05 Q. -- cabin, was the same data that was
06 available on the beach through the INSITE
07 Anywhere System; is that right?

08 A. Yes, sir, and on the rig.

09 Q. And on the rig?

10 A. (Nodding.)

11 Q. Okay. Who else had the INSITE data
12 available to them besides the Halliburton Mud
13 Loggers?

14 A. So you had those on the rig, it's -- it's
15 replicated throughout the rig on monitors. So
16 the Driller, is -- is it -- was that your
17 question --

18 Q. Yes.

19 A. -- I'm sorry?

20 Q. Yes, it was.

21 A. So the Driller or Assistant Driller,
22 there's oftentimes a Geologist during the
23 drilling process. Perhaps an Engineer. It's --
24 there's video feeds that -- that are looking at
25 the rig operations, that they can be seen. But

00098:01 then in the office in BP, there was a host of
02 BP -- I -- I can't speak to who was in their
03 Realtime Center in Houston.

04 Q. Okay.

05 A. And then, as we talked about earlier, the

06 INSITE Anywhere, other oper -- other Third
07 Parties or other interested Parties that were
08 granted access by BP had the ability to look at
09 that data, as well.
10 Q. All right. Did the Company Man, the Well
11 Site Leader on the rig, have INSITE data
12 available to him? Did he have a monitor in his
13 office?
14 A. I -- I believe on the HORIZON, the
15 Company Man does have his own monitor to all the
16 rig data, both rig sensors, as well as the -- the
17 INSITE data.

Page 99:12 to 99:23

00099:12 Q. Okay. Let's fix that mistake. And all
13 the data that was available to the Driller,
14 wellhead pressure --
15 A. Yes, sir.
16 Q. -- flow rates, flow in and flow out?
17 A. (Nodding.)
18 Q. What else?
19 A. Standpipe, all the pits are being
20 monitored.
21 Q. Hookload?
22 A. Hookload, gas sensors, all those. I -- I
23 think -- I think that's the majority of them.

Page 100:17 to 103:19

00100:17 Q. Okay. Now, you had mentioned that data
18 was -- had been bypassed on the evening of April
19 20th.
20 A. (Nodding.)
21 Q. Are you talking about flow through the
22 diverter that went around the Sperry-Sun
23 instrumentation?
24 A. Yes, sir. When -- when -- when
25 Mr. Gisclair started pulling some of the data
00101:01 together, through his interviews is where we
02 determined that during part of the process, post
03 the negative test, I believe they were unloading
04 the riser into the boat, and so some of the
05 sensors were bypassed at that time.
06 Q. Okay. And who -- who determined that the
07 sensors would be bypassed?
08 A. That would be BP and Transocean, in terms
09 of whatever that process or procedure is for
10 unloading the riser, that Team would have made
11 that assessment or decision.
12 Q. Who determines the location of the
13 Sperry-Sun sensors on the flow lines?
14 A. Typically, it's a collaborative effort.
15 Sperry would make recommendations where a sensor

16 should be located, or optimum location. Then
17 it's typically -- the responsibility then is on
18 the rig and the Operator, in terms of the process
19 where it would be the optimum place. In this
20 case, I believe -- I believe the rig made the
21 decisions as to where the sensors would be.

22 Q. How long had Sperry-Sun been providing
23 this data monitoring to the DEEPWATER HORIZON?

24 A. I believe we were doing Surface Data
25 Logging from the day the HORIZON first came out.

00102:01 Sperry was on that rig from Day One, I believe.
02 So directional LWD and surface data logging, we
03 had been on from the beginning.

04 Q. I thought I had seen, in -- in the letter
05 that you all were discussing earlier this
06 morning, you had -- you had said to BP that we
07 have had -- worked together since 2004 or
08 something? Was that --

09 A. Many years, yes, sir. I don't remember
10 the exact date, but that's correct.

11 Q. Okay. So -- so it's your understanding
12 that the Sperry-Sun sensors for realtime
13 monitoring were placed in -- when -- when the rig
14 was in Korea, when it was being built?

15 A. The Sperry sensors weren't put on at that
16 time, I don't -- I don't believe. I don't know
17 that for a fact. I'd -- I wouldn't think the
18 Sperry sensors were put on until it arrived in
19 the Gulf of Mexico.

20 Q. Okay. And you say that the -- the
21 placement of those sensors is a collaborative
22 effort between Sperry and Transocean, or BP, or
23 who?

24 A. As -- as you stated, the rig was built in
25 Korea, so there were sensors that were initially

00103:01 part of the rig that -- that the rig -- were
02 critical to the rig Operators, that -- so that
03 had been in the initial design. Additional
04 sensors that the Mud Logger was post. So optimum
05 placement was discussed in collaboration with
06 Transocean --

07 Q. Right.

08 A. -- in this case.

09 Q. Transocean had its own system --

10 A. Yes, sir.

11 Q. -- the HiTec System, right?

12 A. Ab -- absolutely, that's correct.

13 Q. Okay. And the Sperry-Sun monitoring
14 system was in addition to that --

15 A. That --

16 Q. -- designed-in system?

17 A. Yes, sir --

18 Q. Okay.

19 A. -- that's correct.

Page 104:21 to 104:25

00104:21 Q. (By Mr. Dart) Okay. You were asked this
22 morning about the -- I don't know what you'd call
23 it, the Addendum to the Agreement with BP, where
24 credit was given for downtime, right?
25 A. Yes, sir.

Page 119:08 to 120:12

00119:08 Q. All right. I want to circle back a
09 little bit to the background, your background. I
10 understand that your degree is in Business, you
11 do not have an Engineering degree. And -- and am
12 I correct, you do not have any other technical
13 degrees; is that right?
14 A. That's correct.
15 Q. All right. And am I also correct that
16 you do not hold yourself out as a technical
17 expert in the field of, for instance, mud
18 logging?
19 A. That is correct.
20 Q. All right. And -- and you also do not
21 hold yourself out as a technical expert in the
22 field of petrophysics, correct?
23 A. That is correct.
24 Q. You also do not hold yourself out as a
25 expert in the field of geology, correct?
00120:01 A. That is correct.
02 Q. Okay. And, in fact, is there any
03 technical area when it comes to drilling
04 deepwater wells that you hold yourself out as a
05 technical expert?
06 A. No, sir.
07 Q. All right. Now, how many employees do
08 you have working under you?
09 A. We have -- I believe it's around 8,100
10 right now, globally --
11 Q. All right.
12 A. -- within Sperry.

Page 120:18 to 120:23

00120:18 Q. Right. How many -- how many people fall
19 under your jurisdiction as Vice President of
20 Sperry?
21 A. My Direct Reports?
22 Q. Yes.
23 A. I believe there's 14.

Page 121:04 to 121:08

00121:04 Q. So in terms of the entire umbrella of the

05 organization that falls under you within Sperry,
06 approximately how many employees? Is it that
07 8,100?
08 A. Yes, sir.

Page 121:20 to 123:14

00121:20 Q. Okay. And I take it that you believe
21 that you have been able to effectively manage
22 this organization or this -- let me back up a
23 little bit.
24 Within these 8,100 employees at Sperry, I
25 take it that a number of them are subject matter
00122:01 experts in highly technical fields such as
02 wirelining or mud logging, correct?
03 A. Yes, sir.
04 Q. All right. I take it that you feel
05 you've been able to effectively manage your
06 organization even though you're not a technical
07 expert; is that fair?
08 A. Yes, sir.
09 Q. Okay. And you believe that you've also
10 been an effective Leader of this technical
11 organization without being a technical expert?
12 A. Yes, sir.
13 Q. And why do you feel that you've been able
14 to be an effective Manager and Leader of a
15 technical organization, even though you,
16 yourself, are not a technical expert?
17 A. First, I would -- I would say the growth
18 that we've had around the world globally from a
19 business perspective. I think
20 technology-specific, we've introduced some of the
21 first of its kind technology in the industry, our
22 leading technology. And then our growth in
23 different environments, both from a drilling
24 formation evaluation, GeoBalance, multilateral,
25 all those, we're either No. 1 or No. 2 in our
00123:01 chosen field.
02 Q. Okay. And you believe that even though
03 you're not a technical expert in any particular
04 field within Sperry, that what you bring to the
05 table as a Manager and Leader are management
06 skills and leadership skills?
07 A. Yes, sir.
08 Q. Okay. And so would you agree with me
09 that, based upon your experience, one does not
10 have to be a technical expert in any particular
11 field in order to be an effective Manager of an
12 organization that has technical areas underneath
13 it?
14 A. Yes, sir.

Page 124:09 to 125:06

00124:09 Q. Okay. And what is the E-mail string
10 that's behind Tab 33A, Bates No. HAL_1205678?
11 A. What is this -- this E-mail from?
12 Q. Yes. And you -- I guess you can start
13 with the first one. It's from Mr. Sweatman to
14 Mr. Roth and yourself, and just give us generally
15 what is the subject matter?
16 A. (Reviewing document.) This is generally
17 just snippets of information that Ron has that he
18 is sharing with Tommy and I, Mr. Roth and myself,
19 and he's making some observations.
20 And then he's asking my assistance, can I
21 comment on the 14.2 pound per gallon from the
22 Sperry's PWD, et cetera. So he's asking can I
23 provide some assistance from a PWD perspective.
24 Q. All right. And they're attaching and
25 referencing the End of Well Report for Macondo,
00125:01 correct?
02 A. I believe that is correct, yes, sir.
03 Q. All right.
04 MR. LANCASTER: So we'll mark the
05 E-mail string that's behind Tab 33A as
06 Exhibit 5181. And if you can affix that to the

Page 125:20 to 125:22

00125:20 MR. LANCASTER: And we will mark
21 this version of the End of Well Report attached
22 to Exhibit 5181 as Exhibit 5182.

Page 126:22 to 127:13

00126:22 Q. -- Exhibit 5182. Just turn to -- track
23 the Bates numbers to Bates No. 683. It's about
24 the third page in.
25 A. Okay.
00127:01 Q. Do you see it says "SECTION 1 WELL
02 SUMMARY," quote: "Sperry Drilling Services
03 (Unit #82418) was contracted to perform surface
04 data logging and pore pressure prediction
05 services by BP Exploration and Production for the
06 Macondo Prospect..." -- I'll skip the numbers,
07 "...in Mississippi Canyon Block 252." Do you see
08 that, sir?
09 A. Yes, sir.
10 Q. All right. And is that description
11 consistent with your understanding of the
12 services that Sperry Drilling Services provided
13 to BP for the Macondo Prospect?

Page 127:15 to 128:23

00127:15 A. I would -- I'd have to assume, yes.

16 Q. (By Mr. Lancaster) Okay. And Unit
 17 No. 82418, do you know what that's a reference
 18 to?
 19 A. That would be to a Mud Logging Unit, I
 20 believe.
 21 Q. Okay. Then if you'll turn to Bates
 22 No. 685, which is two pages further in, do you
 23 see under Section 1.4, "LOGGING SERVICES SUPPLIED
 24 AND EQUIPMENT USED," do you see that there's a
 25 list of the services supplied and equipment used
 00128:01 at Macondo?
 02 A. Yes, sir.
 03 Q. And the third one down is a "Flow Out
 04 Sonic Meter." Do you see that?
 05 A. Yes, sir.
 06 Q. Do you know what a flow-out sonic meter
 07 is?
 08 A. In general, yes.
 09 Q. Okay. And in general, can you describe
 10 what a flow-out sonic meter was or is?
 11 A. It's a -- it's an acoustic tool that
 12 would measure the volumes of flow through that
 13 particular outlet.
 14 Q. Okay. And do you know where the flow-out
 15 sonic meter would typically be located on a rig
 16 like the HORIZON?
 17 A. No, sir.
 18 Q. All right. It says, further down, "Pit
 19 volumes sensors (x16)." Do you understand that
 20 to mean that there were 16 pit volume sensors
 21 installed on the Macondo Well, Sperry sensors?
 22 A. That would be my understanding from this
 23 document.

Page 129:11 to 130:04

00129:11 And then further down, fourth from the
 12 bottom, we see "Standpipe pressure (x2)."
 13 A. (Nodding.)
 14 Q. What do you understand that to be a
 15 reference to?
 16 A. That would be two sensors on the
 17 standpipe.
 18 Q. All right. Also known as the drill pipe,
 19 right?
 20 A. Right.
 21 Q. And then if you'll go below that, under
 22 "Services Supplied by Sperry Drilling services,"
 23 do you see where it says: "Connection Flow
 24 Monitoring Program (CFM)." Do you see that?
 25 A. Yes, sir.
 00130:01 Q. Are you familiar with Sperry's Connection
 02 Flow Monitoring program?
 03 A. Very basic. This is where we're
 04 monitoring the flow at each connection.

Page 130:14 to 130:19

00130:14 Q. (By Mr. Lancaster) I'm going to hand you
15 what we've marked as 5183. Unfortunately, it's
16 the only copy I have, pulled it off the Internet,
17 so we'll get additional copies made perhaps over
18 lunch.
19 A. (Nodding.)

Page 131:02 to 131:24

00131:02 Q. All right. Do you recognize Exhibit 5183
03 as a page from the Halliburton Sperry-Sun website
04 describing the Connection Flow Monitor?
05 A. Yes, sir.
06 Q. And does that appear to be an accurate
07 description of how the Connection Flow Monitor
08 works that Sperry provides to its customers?
09 A. Yes, sir.
10 Q. Would you read into the record the
11 highlighted sentences that I've indicated on
12 Exhibit 5183?
13 A. "Every time the pumps are shut down, a
14 profile response curve is created and compared to
15 the reference curve. Equipment drainage,
16 drilling fluid compressibility and" drilled --
17 "drilling fluid thermal expansion are thus
18 accounted for and deviations can be attributed to
19 abnormal conditions. These unexpected deviations
20 are recognized and appropriate alarms are then
21 triggered."
22 And then further down highlighted,
23 "Alarms can be configured to distinguish between
24 this and a kick for easy identification."

Page 132:04 to 132:12

00132:04 But the way I read that, is it says that
05 the connection flow monitoring program, every
06 time the pumps are shut down, looks at the
07 pressure response versus a reference curve,
08 that's been established, and can distinguish
09 between whether or not you're getting the
10 pressure response you would expect to see, or
11 you're getting an abnormal response that might be
12 a kick indicator. Is that fair?

Page 132:14 to 133:03

00132:14 A. Yes, sir.
15 Q. (By Mr. Lancaster) All right. And it
16 also says that if the response deviates from the

17 reference curve in an abnormal way, that alarms
18 are triggered, right?

19 A. Yes, sir.

20 Q. And this was a system or service that was
21 installed and operating on the DEEPWATER HORIZON
22 by Sperry, correct?

23 A. Yeah, I believe on the CFM services,
24 the -- I believe Macondo was the first one where
25 we had done it.

00133:01 Q. All right. So let me show you --

02 MR. LANCASTER: And we'll mark it as

03 Exhibit 5184. And we've got extra copies of this

Page 133:14 to 133:20

00133:14 Q. Right. But what I -- I -- what I'm
15 asking is: This CFM Connection Flow Monitoring
16 Program, that when the pumps are off, compares
17 the response to a reference curve. If that had
18 been utilized between 9:10 and 9:14, it might
19 have detected in -- an abnormal response and
20 might have alarmed. Is that how the CFM works?

Page 133:22 to 133:23

00133:22 A. To your question that it might have,
23 "Yes."

Page 134:04 to 134:09

00134:04 Q. Okay. Do you have any reason why the
05 Connection Flow Monitoring Program would not have
06 been utilized by the Sperry Mud Loggers on the
07 evening of April 20th, while they were going
08 through the Temporary Abandonment Procedure?

09 A. No, sir.

Page 135:19 to 137:08

00135:19 Q. (By Mr. Lancaster) The -- go back to the
20 end of Well Report, please, that you have in
21 front of you. If you'll look at the next page,
22 "MONITORED PARAMETERS," it indicates that
23 "Continuous Gas Percentage in Air" was one of the
24 things that Sperry monitored on the DEEPWATER
25 HORIZON Rig, correct?

00136:01 A. Yes, sir.

02 Q. "Flow In & Flow Out," another parameter
03 that was monitored, correct?

04 A. Yes, sir.

05 Q. "Gas (Analysis)," another parameter that
06 was monitored by Sperry-Sun, correct?

07 A. Yes, sir.

08 Q. Further down, "Mud Volume" was another
09 parameter that was monitored, correct?

10 A. Yes.

11 Q. And below that, "Pump Pressure (Stand
12 Pipe Pressure," that was another parameter that
13 was monitored by Sperry-Sun on the DEEPWATER
14 HORIZON, including on April 20th, 2010, correct?

15 A. Yes, sir.

16 Q. And then further down, at the bottom,
17 "Connection Flowback Monitoring (CFM)," we see
18 that again as a parameter that was monitored by
19 Sperry-Sun on the DEEPWATER HORIZON, correct?

20 A. Yes, sir.

21 Q. And then under "PERSONNEL," it says,
22 "1.6," "Four INSITE (Loggers) continuously
23 monitored all operations during the drilling of
24 OCSG-32306 001" -- I'll skip the rest of the
25 numbers -- "while maintaining well" databases.

00137:01 Did I read that correctly?

02 A. Yes, sir.

03 Q. And is continuous monitoring of
04 operations by Sperry-Sun Mud Loggers, is that
05 consistent with the duties that they provide as
06 part of their mud logging services on a rig such
07 as the DEEPWATER HORIZON?

08 A. Yes, sir.

Page 137:10 to 138:15

00137:10 Q. (By Mr. Lancaster) All right. Now, on
11 April 20th, 2010, during the Temporary
12 Abandonment -- well -- let me skip that -- or
13 rephrase it.

14 On April 20th, 2010, after they had
15 concluded the negative pressure test, at
16 approximately 8:55 p.m. in the evening, up until
17 the time of the blowout, other than continuously
18 monitoring the well, are you aware of any other
19 duty or duties that the Mud Logger on tour had
20 that evening?

21 A. I'm not aware of any request or
22 additional duties that may have -- he may have
23 been requested to perform.

24 Q. All right. So as far as you're aware --
25 are aware, based upon all the information you've
00138:01 been able to glean and the people that you've
02 spoken to, the only duty that Joseph Keith had on
03 the evening of April 20th, while they were doing
04 the Temporary Abandonment of the well, was to
05 monitor the well, correct?

06 A. That's the only one I'm aware of, yes,
07 sir.

08 Q. All right. And spesqui -- specifically,
09 when I say "monitor the well," the responsibility
10 that Joseph Keith had on April 20th, during the

11 Temporary Abandonment Procedure, was to
12 continuously monitor the well using the monitored
13 parameters such as flow in and flow out and
14 standpipe pressure and CFM to see if there were
15 any indications of a kick, correct?

Page 138:17 to 141:17

00138:17 A. He was managing those duties in
18 conjunction with all the other activities that
19 were under -- underway on the rig. I do know
20 that following Mr. Gisclair's interview with him,
21 there were -- as I stated earlier, I think
22 some -- some of this was not within his
23 visibility. Sensors had been bypassed. A number
24 of activities were underway. And everything was
25 being performed under the assumption that we had
00139:01 a successful negative test.

02 Q. (By Mr. Lancaster) Okay. Well, let's
03 break that down into pieces.

04 First of all, Mr. Keith wasn't performing
05 any other activities, whether it was moving a
06 crane, or transferring something from one pit to
07 another. He was -- as a Mud Logger, he -- he was
08 to endeavor to be aware of those, but he wasn't
09 actually performing any other activities on the
10 rig, other than monitoring the well for purposes
11 of kick detection, on the night of April 20th,
12 when they were doing the Temporary Abandonment,
13 fair?

14 MR. BOWMAN: Objection, form.

15 A. That is my understanding. He had no
16 other duties.

17 Q. (By Mr. Lancaster) Right. Okay. And you
18 indicated that at certain points in time, certain
19 sensors may not have been available to him, so
20 let's deal with that.

21 At some point in time, he loses his flow
22 out sensor, or his -- or his ability -- they
23 bypass the flow out sensors, so his ability to
24 compare flow in to flow out, he doesn't have that
25 on the Sperry system, correct?

00140:01 A. That's my understanding.

02 Q. All right. But at all times, Mr. Keith,
03 as far you were aware, was able to man -- to
04 monitor standpipe pressure, correct?

05 A. That's my understanding, as well.

06 Q. All right. And at all times, as far as
07 you're aware, he also had Connection Flowback
08 Monitoring available, as well, correct?

09 A. I -- I have to assume that, yes.

10 Q. All right. And he also had -- to the
11 extent he was able to stay in communication with
12 and be aware of how transfers were being made
13 from pit to pit, he still had his pit volume

14 sensors available, correct?

15 A. That's my understanding.

16 Q. All right. Now, if you'll turn to Tab 1
17 of your binder. Tab 1 is actually an excerpt
18 from Exhibit 4477, which is the Contract between
19 BP and Halliburton. In an effort to save some
20 trees, we've grabbed Pages 121 of 352 to Pages
21 148 of 352, and this is the section that deals
22 with Mud Logging services. Do you see that?

23 A. Yes, sir.

24 Q. All right. And specifically, I'd like to
25 turn your attention to Paragraph 10.10, which is
00141:01 at Page 128 of 352. And under "10.10 MONITORING
02 PRIORITIES," it says: "This section defines the
03 Mud Logging activities which are to take
04 precedence during each type of operational
05 activity. This is to avoid ancillary functions
06 acting to the detriment of the prime
07 responsibility of the Mud Logging service, that
08 being well monitoring and safety."

09 The first question I have is: Were you
10 involved in negotiating the Contract between
11 Halliburton and BP, which is Exhibit 4477?

12 A. No, sir.

13 Q. All right. Did you review the Contract
14 between Halliburton and BP prior to it being
15 executed?

16 A. Not the in -- not the Contract in its
17 entirety, no, sir.

Page 143:03 to 143:09

00143:03 Q. Okay. The -- when -- when it says that
04 "the prime responsibility of the Mud Logging
05 service" is well monitoring and safety, what does
06 that mean to you?

07 A. Exactly what it says; that it's a --
08 that's the primary responsibility, is the logging
09 and the communication of the data.

Page 145:19 to 148:22

00145:19 Q. The first question is: How many people
20 within Halliburton Sperry, nonlawyers, have you
21 had conversations with who have said they had a
22 conversation with Joseph Keith?

23 A. Only one, Mr. Gisclair.

24 Q. Okay. And in this one conversation or
25 one person that you had a conversation with,
00146:01 Mr. Gisclair, where he said that he had talked to
02 Mr. Keith, when did you talk to Mr. Gisclair?
03 Give me the circumstances around that
04 conversation that you had with Mr. Gisclair.

05 A. Well, as -- as I shared earlier, I'd

06 asked Mr. Gisclair to put together as much
07 information as he could from the recorded data
08 that we had, and that when he met with Mr. Keith
09 and Ms. Willis, that he kind of piecemeal the
10 activities, at least from a Mud Logger
11 perspective.

12 So during -- basically what John shared
13 with me was that he had had those conversations,
14 and actually they had multiple short
15 conversations, as I recall. I can't tell you how
16 many. But it was during -- during that
17 conversation that Joe -- or Mr. Keith made it
18 very clear that he was working under the premise
19 of the negative test being successful, that he
20 felt at no time that anything was out of the
21 ordinary, that he was in control of his tasks.
22 He -- he was a little frustrated that -- that --
23 and he had shared concerns that he didn't have
24 visibility to the flow out, but that he could
25 perform his duty. Just -- I -- I guess that's
00147:01 the general conversation.

02 Q. Okay. Now, as the Vice President of
03 Sperry, is it your expectation that your Mud
04 Loggers will be less vigilant during a procedure
05 such as a temporary abandonment of a well where
06 they're going to underbalance the well, that
07 they're going to be less vigilant because they
08 think, "Gee, I've got good cement down there"?
09 Is that your expectation, as a Vice President of
10 Sperry?

11 A. Absolutely not.

12 Q. Okay. So your expectation is, regardless
13 of how bad or good they think the cement job was,
14 that during the temporary abandonment of a well
15 where you're going to underbalance it, that the
16 Mud Logger will remain vigilant at all times in
17 monitoring the well for purposes of kick
18 detection, true?

19 A. Yes, sir.

20 Q. All right. You said that Mr. Gisclair
21 indicated to you that Mr. Keith had some
22 frustration over -- expressed some frustration
23 over not having his flow out sensor, but he -- he
24 still believed he could perform his duties as the
25 Mud Logger. Did I capture that correctly?

00148:01 A. That is correct.

02 Q. All right. And as we indicated before,
03 at all times he was able to monitor his drill
04 pipe pressure, right?

05 A. That's -- that's my understanding, as
06 well, yes, sir.

07 Q. All right. And he also had "stop the
08 job" authority. If he thought that his ability
09 to accurately monitor the well for kick detection
10 purposes was compromised in any way, including by

11 not having a flow out sensor, he had the
12 authority to stop the job on the rig, true?

13 A. That is true.

14 Q. All right. And to your knowledge, he
15 never endeavored to stop the job on the rig on
16 the evening of April 20th, true?

17 A. My understanding -- that is true.

18 Q. All right. Now, you were going to say
19 something about your understanding, and just
20 always wanted to make sure there's nothing in the
21 weeds -- you were going to say something about
22 your understanding. What were you going to say?

Page 148:24 to 154:04

00148:24 A. I guess all I was going to say was that
25 during the interviews, John shared that I guess
00149:01 Cathleenia initially expressed concerns to the
02 Assistant Driller of this process, and that was
03 when it was communicated, "We'll be fine, we've
04 got a good negative test. We'll let you know
05 when you'll get visibility back."

06 And she had shared that with Joe at the
07 shift. And so this is where John was trying to
08 understand the activities that were going on
09 that -- because there were a lot of simultaneous
10 activities going on at the rig, and so he's
11 trying to make sense of the data, with that
12 activity around.

13 Q. (By Mr. Lancaster) Okay.

14 A. That's really all I was going to add.

15 Q. Okay. And that reference to Cathleenia
16 Willis expressing concerns, do you recall whether
17 that was in connection with the flow out sensor,
18 or was that in connection with the mud being
19 transferred to the DAMON BANKSTON?

20 A. That was the mud being transferred.

21 Q. All right. Okay. Now, if you'll turn to
22 Tab 2 of your binder. Tab 2 has been previously
23 marked as Exhibit 609. It's the SDL Field
24 Procedures. Do you recog -- have you seen this
25 document before?

00150:01 A. Yes, sir.

02 Q. All right. "SDL" stands for Surface Data
03 Logging; is that correct?

04 A. That's correct.

05 Q. All right. So these are the Surface Data
06 Logging Field Procedures that govern Sperry
07 Drilling Services Operations globally, correct?

08 A. Yes, sir.

09 Q. And then -- and Exhibit 609, "SDL Field
10 Procedures," this would have been in effect on --
11 as of April 20th, 2010, correct?

12 A. Yes, sir.

13 Q. All right. You were asked some questions

14 earlier by Counsel about sensor installation. If
15 you'll turn to Bates numbered Page 8829, there's
16 a Section 7 entitled "SDL SENSOR INSTALLATION."
17 Do you see that?
18 A. Yes, sir.
19 Q. It says, quote: "Inspect all areas of
20 the rig where sensors are to be installed.
21 Discuss with all appropriate parties the
22 requirements for sensor installation in every
23 area where sensors will be required to be
24 installed. Discuss with all involved parties as
25 to the best time and methods of sensor
00151:01 installation as to ensure the installation is
02 carried out in a safe manner." Did I read that
03 correctly?
04 A. Yes, sir.
05 Q. All right. And that's consistent with
06 what you described earlier as the sensor
07 installation is a -- on the rig is -- the
08 installation of -- bah. Back up, okay.
09 Start over. Okay. The installation of
10 Sperry sensors on a rig like the DEEPWATER
11 HORIZON, what's described in Section 7, "SDL
12 SENSOR INSTALLATION," that's consistent with what
13 you described before as being part of a
14 collaborative process, correct?
15 A. That is correct.
16 Q. All right. Now, if you'll turn to the
17 next page, the SDL field procedures become more
18 specific about this collaborative process,
19 because they break it out by type of sensor. Do
20 you see that?
21 A. Yes, sir.
22 Q. All right. And under "Standpipe Pressure
23 Transducer," Section 7.3, it says: "Prior to
24 rigging up the Standpipe Pressure (SPP)"
25 transducer -- "transducer, check with the
00152:01 Driller to ensure that it is safe to do so.
02 Inform the Driller that it is SDL policy that all
03 fittings from the standpipe manifold to the
04 transducer must be SDL equipment, but he must
05 inspect all the fittings and give his approval
06 for installation."
07 Did I read that correctly?
08 A. Yes, sir.
09 Q. And the next section, 7.3.2: "With the
10 Driller present, select a location on the
11 standpipe manifold where a constant pressure
12 reading can be obtained during all phases of rig
13 operation." Did I read that correctly?
14 A. Yes, sir.
15 Q. So with respect to the standpipe pressure
16 transducer as described by the SDL field
17 procedures, the collaboration that takes place is
18 between the SDL Field Representative and the

19 Driller, correct?
 20 A. Yes, sir.
 21 Q. All right. No reference there to the BP
 22 Company Man or any other Company Men, correct?
 23 A. No, sir.
 24 Q. All right. If you go to Section 7.7.
 25 "Flowline Flow Out Sensor," do you see where it
 00153:01 says, quote: "Inspect the flow line with the
 02 Driller in order to select a location for the
 03 flow out sensor." Did I read that correctly?
 04 A. Yes, sir.
 05 Q. 7.7.2, quote: "If an opening in the
 06 flowline suitable for the SDL flow out sensor
 07 does not exist, have the Rig Welder cut an
 08 opening and weld the SDL flow sensor mounting
 09 flange in place." Did I read that correctly?
 10 A. Yes, sir.
 11 Q. And so with respect to the flow out --
 12 flowline flow out sensor in the SDL field
 13 procedure, the collaboration that's described
 14 takes place between the SDL Field Representative
 15 and the Driller, along with potentially the Rig
 16 Welder, correct?
 17 A. Yes, sir.
 18 Q. Okay. Again, with respect to the flow
 19 out -- flowline flow out sensor, there's no
 20 requirement in the SDL field procedures or
 21 reference to the BP Company Man or any other
 22 Company Man as being part of the installation of
 23 the flow out sensor, correct?
 24 A. That is correct.
 25 Q. All right. Do you know for a fact
 00154:01 whether anyone from BP was involved in selecting
 02 the location of the flow sensor on the DEEPWATER
 03 HORIZON?
 04 A. I do not, no.

Page 154:20 to 155:21

00154:20 Q. You indicated that post the explosion,
 21 Mr. Gisclair did this work analyzing the
 22 real-time data. And I'm paraphrasing now. I
 23 tried to write it down as you were speaking, but
 24 you basically said, "We made it very public
 25 and -- and shared it with the industry, or
 00155:01 something to that effect." Do you recall that?
 02 A. That's correct.
 03 Q. Why did you believe that it was important
 04 to make Mr. Gisclair's analysis or investigation
 05 public and share it with the industry?
 06 A. To be quite honest with you, I think that
 07 we believed that it was the only document,
 08 because we had lost the Activity Logs, the Daily
 09 Reports, Morning Reports, et cetera, that had
 10 been lost in the fire. We certainly had lost the

11 input of those individuals that lost their lives.
 12 So it was the one baseline that we had,
 13 and we felt like we owed that to the industry to
 14 at least build to that baseline, to try to fill
 15 in the activities, and encouraged others to
 16 participate to that baseline.

17 Q. Okay. As Vice President of Sperry, did
 18 you believe that it was important for the benefit
 19 of the industry and the public at-large to share
 20 the results of Mr. Gisclair's investigation?

21 A. Yes, sir.

Page 157:02 to 157:18

00157:02 Q. (By Mr. Lancaster) So behind Tab 18,
 03 Halliburton Bates No. 0048475, is apparently an
 04 excerpt from an earlier exhibit, 2002. And you
 05 indicated that this was the performance guarantee
 06 that was put in place for the Kodiak Well,
 07 correct?

08 A. Yes, sir.

09 Q. All right. The -- and I just want to
 10 follow up on a couple of things and be clear.
 11 This performance guarantee you testified was
 12 something that was conceived of and discussed
 13 internally first, within Sperry Halliburton,
 14 correct?

15 A. Yes, sir.

16 Q. All right. So at no time did BP come to
 17 you, or to your knowledge, anybody else at Sperry
 18 and demand a performance guarantee, right?

Page 157:24 to 157:25

00157:24 A. No one from BP demanded a performance
 25 guarantee.

Page 165:16 to 165:19

00165:16 Q. Okay. There's nothing inherently wrong
 17 with Management trying to get its personnel to
 18 reduce the nonproductive time in the oil
 19 industry, is there?

Page 165:21 to 166:01

00165:21 A. No, sir.

22 Q. (By Mr. Lancaster) All right. And, in
 23 fact, are you aware of anything that BP did that
 24 was detrimental to safety on the Macondo Well
 25 when it came to trying to produce [sic]
 00166:01 nonproductive time?

Page 166:06 to 166:07

00166:06 A. I'm not aware of anything specific, no,
07 sir.

Page 171:12 to 171:16

00171:12 Q. In any of the conversations that you had
13 with Mr. Sims or Mr. Guide, did they ever
14 indicate to you in any way, shape, or form that
15 they were inclined to compromise safety in order
16 to reduce NPT?

Page 171:19 to 171:24

00171:19 A. Not at all.
20 Q. (By Mr. Lancaster) Did Mr. Guide or
21 Mr. Sims in any way, shape, or form indicate to
22 you that their Management had ever suggested to
23 them that they should compromise safety in order
24 to reduce NPT?

Page 172:02 to 172:05

00172:02 A. No, sir.
03 Q. (By Mr. Lancaster) Okay. The truth is
04 that all your dealings with BP, they struck you
05 as safety conscious people, didn't they?

Page 172:09 to 172:13

00172:09 A. Yes, sir.
10 Q. (By Mr. Lancaster) Okay. Did you ever
11 have any conversations with Mr. Guide and
12 Mr. Sims specific to the Macondo Well?
13 A. No, sir.

Page 173:01 to 173:04

00173:01 Prior to April 20th, 2010, had you ever
02 spoken with anybody from BP specific to the
03 Macondo Well?
04 A. I don't believe so, no, sir.

Page 174:05 to 176:17

00174:05 On the issue of training of Mud Loggers,
06 in your role as Vice President, do you get
07 involved in the issue of the extent of training
08 or a kind of training as given to the Mud
09 Loggers?

10 A. I review all the -- the development plans
11 and -- and training structures for all our sub
12 PSLs.

13 Q. And is there a formal document that's a
14 development plan that Sperry-Sun has in -- put in
15 place with respect to the training of its Mud
16 Loggers?

17 A. Yes. There's a -- well, development in a
18 sense of the progression, career progression that
19 goes through from entry level, perhaps as a
20 sample catcher, up through an ADT Senior Advanced
21 that requires the -- or that outlines the
22 competencies required to -- you know, to progress
23 up that level.

24 Q. Does the development plan indicate the
25 different levels of training that a Mud Logger
00175:01 receives as they progress through their career?

02 A. Yes, sir.

03 Q. All right. And is the development plan a
04 formal document within Sperry that is updated
05 periodically?

06 A. Yes, sir.

07 Q. And is it the kind of document that has
08 an authorization or a document owner, an SPA,
09 anything like that?

10 A. H'm, yes, it should be under our -- our
11 training competency program that's laid out.

12 Q. Okay. And do you have a -- for instance,
13 a copy of the development plan in your office
14 that you refer to from time to time?

15 A. My Strategic Business Manager for that
16 sub PSL is -- has that copy. He's in my office
17 and is a direct report to me.

18 Q. Okay.

19 A. As are the others. So that's something
20 we review from time to time.

21 Q. Who is your Strategic Business Manager?

22 A. For SDL?

23 Q. Yes.

24 A. That would be Ian Mitchell.

25 Q. Okay. Have you ever familiarized
00176:01 yourself with the level of training that Joseph
02 Keith had with respect to providing mud logging
03 services on the HORIZON?

04 A. I have not reviewed his particular
05 competency record. I do know that he's what we
06 call an F-15.

07 Q. Is that like a fighter plane?

08 (Laughter.)

09 A. The -- the ranges are from F-13 to F-17.
10 He's an F-15.

11 Q. (By Mr. Lancaster) Okay. And can you
12 enhance that at all as to what it means to be an
13 F-15 other than being a letter-alphanumeric
14 designation?

15 A. Just in general, he would be competent in
16 all the basic -- what we would refer to as our
17 basic mud logging services.

Page 176:25 to 178:09

00176:25 Q. Okay. If I was looking for a resource,
00177:01 whether it's a person or a document, within
02 Sperry to learn whether or not an F-15 is trained
03 and competent to deal with connection flow
04 monitoring, where would I find that information?

05 A. Specific to the personnel in the Gulf of
06 Mexico, that could be with Kirk Kronenberger,
07 who's the SDL Manager for the Gulf of Mexico. He
08 would have competency records for all his
09 personnel in the Gulf.

10 Q. All right. But, for instance, is --
11 is -- is there a -- an HR record or some kind of
12 record on, say, Joseph Keith, that if he were
13 trained in connection flow monitoring that would
14 be in his file?

15 A. Yes, that would be -- they would show up
16 as a competency that had been proven and
17 assessed.

18 Q. Okay. Are the competency records for Mud
19 Loggers, are those provided to the client, such
20 as BP?

21 A. Upon request we've done that.

22 Q. Do you know whether or not Mr. Keith's
23 competency records were ever provided to BP prior
24 to April 20th?

25 A. I do not know that. I know BP thought a
00178:01 lot of Joe. He's been on the HORIZON so --
02 for -- for many years. So -- but whether that
03 transparency of his competencies had been
04 provided, I do not know.

05 I do know that BP does look at our
06 personnel, and anyone that goes on BP rigs, their
07 CV is reviewed, which typically includes their
08 competencies. So they would have had full
09 visibility of that.

Page 180:06 to 180:10

00180:06 As of April 20th, 2010, were all
07 Sperry-Sun F-15 Mud Loggers trained in well
08 control?

09 A. I cannot confirm 100 percent that all
10 F-15 are in well control.

Page 183:18 to 183:25

00183:18 Q. Understood. But as far as -- as far as

19 Exhibit 1269, which is addressed to a number of
 20 SDLs, including Mr. Keith, and attaches this list
 21 from the RANDY SMITH TRAINING SOLUTIONS Well
 22 Control School, Mr. Keith's name does not appear
 23 on that list, fair?
 24 A. That is correct, his name is not on this
 25 list.

Page 185:25 to 187:07

00185:25 Q. All right. So Exhibit 4479 is an E-mail
 00186:01 from Mr. Jonathan Bellow to Mr. Keith and Kelly
 02 Gray, cc, Mr. Bodek, Paul Johnston, and Graham
 03 (Pinky) Vinson. Do you know Mr. Bellow?
 04 A. No, I do not.
 05 Q. All right. Do you see he starts the
 06 E-mail by saying: "Kelly, Joseph: How are
 07 things. I am feeling that you two may be
 08 overworked on our wells." Do you see that?
 09 A. Yes, sir.
 10 Q. He goes on towards the bottom and he
 11 says: "I want your opinions, please, would
 12 something like this work. Do you have another
 13 suggestion? I know cost is involved but I want
 14 to get this right and the dollars of an extra
 15 crew member are small compared to sidetrack.
 16 I'll leave you with this, if the overworking is
 17 an issue, then we must STOP the job, have a
 18 conversation on it and put a better plan in
 19 place."
 20 Do you see that?
 21 A. Yes, sir.
 22 Q. All right. Did anybody from your Team,
 23 your reports, anybody on the Sperry side ever
 24 come to you and say that they felt that any of
 25 the Mud Loggers on the HORIZON rig were being
 00187:01 overworked?
 02 A. No, sir.
 03 Q. All right. You see that Mr. Bellow, who
 04 I'll tell you is -- is from BP, is communicating
 05 to Mr. Keith and -- and Mr. Gray that if they did
 06 feel overworked, that he wanted to stop the job,
 07 and put a better plan in place. Do you see that?

Page 187:09 to 187:14

00187:09 A. Yes, sir.
 10 Q. (By Mr. Lancaster) All right. And -- and
 11 that strikes you as the kind of thing that a
 12 safety-conscious and -- and responsible company,
 13 it's the kind of communication that you like to
 14 see, right?

Page 187:16 to 187:21

00187:16 A. Yes, sir.
17 Q. (By Mr. Lancaster) All right. I take it
18 in Sperry's experience that on some rigs, there
19 are four Mud Loggers, and on some there's a
20 different number; is that fair?
21 A. That's correct.

Page 187:24 to 188:03

00187:24 If -- if there was a finite number of Mud
25 Loggers that were always necessary to have a safe
00188:01 operation, whether it was three or four or ten, I
02 take it that Sperry would insist on having that
03 finite number on a rig, correct?

Page 188:05 to 189:05

00188:05 A. Yes, sir. I mean, not only from a safety
06 perspective, but it's the scope. The reason
07 there's a variety of people is based on what
08 we're being asked to deliver contractually,
09 right?
10 Q. (By Mr. Lancaster) Okay.
11 A. That drives the number oftentimes. But,
12 you're right, safety would not be jeopardized.
13 Q. Right. But one of the things that we saw
14 in the contract that Sperry is always being asked
15 to deliver is -- is safe operations on its end,
16 from what it's doing, right?
17 A. Right.
18 Q. And so if the -- if the number is what
19 drove safety, whether it's two or four or six,
20 Sperry-Sun would do everything in its power to
21 make sure that it had the right number of
22 personnel for safe operations that it was
23 performing, correct?
24 A. Yes, sir.
25 Q. And I take it in Sperry's experiences,
00189:01 it's found that on deepwater rigs like the
02 HORIZON, it could safely discharge its Surface
03 Data Logging responsibilities with four Mud
04 Loggers, fair?
05 A. Yes, sir.

Page 189:16 to 189:24

00189:16 Q. All right. And as -- are -- are you
17 familiar with -- with the worldwide operations of
18 Sperry, even as they exist today?
19 A. Yes, sir.
20 Q. Is it fair to say that on some deepwater

21 rigs, Sperry has four Mud Loggers, and on other
22 deepwater rigs, even today, Sperry-Sun has six
23 Mud Loggers?
24 A. That's correct.

Page 190:03 to 190:07

00190:03 Q. Understood. Did -- do you feel that for
04 the scope of services delivered on the Macondo
05 Well that four Mud Loggers was the appropriate
06 number of Mud Loggers that Sperry-Sun provided to
07 BP?

Page 190:09 to 190:12

00190:09 A. I have no reason to doubt it wasn't. We
10 had been doing this -- basically the same format
11 for -- for a number of years and this scope of
12 services.

Page 191:05 to 191:08

00191:05 Q. All right. Exhibit 5185, can you
06 identify that for the record?
07 A. This is our Surface Data Logging
08 marketing brochure.

Page 191:17 to 191:23

00191:17 Q. All right. Does 5185, to the best of
18 your knowledge, accurately and -- well, start
19 with accurately -- does Exhibit 5185 accurately
20 set forth its description of services that Sperry
21 is offering to clients with respect to Surface
22 Data Logging?
23 A. Yes, sir.

Page 192:08 to 193:14

00192:08 Q. All right. It says: "Halliburton's
09 Surface Data Logging from Sperry Drilling
10 Services ensures you get the best information
11 from your well, so you make better drilling
12 decisions, faster."
13 Did I read that correctly?
14 A. Yes, sir.
15 Q. All right. Then it goes on. It says:
16 "With real time data acquisition, expert
17 interpretation, and instant access through a
18 fully-integrated network, these are the resources
19 you need to maximize the value of your Digital
20 Asset," end quote.

21 My question is: The reference to expert
22 interpretation, who's providing the expert
23 interpretation under Sperry's Surface Data
24 Logging to a customer like BP? Is that the
25 surface data logger?

00193:01 A. Again, it depends on the services that
02 we're delivering. So if it's basic -- if it's
03 the basic SDL services, then it would be the Mud
04 Logger. If it's more advanced, it could be an
05 ADT pore pressure. It could be, again, you know,
06 an expert in the pore pressure prediction, et
07 cetera. So the expert is really targeted to the
08 scope or -- or -- or services contracted.

09 Q. All right. So one of the things that
10 Sperry tells its customers and told BP, was that
11 its Mud Loggers, such as Joseph Keith, would
12 provide expert interpretation of the realtime
13 data acquisition, correct?

14 A. Yes, sir.

Page 193:17 to 195:21

00193:17 Q. (By Mr. Lancaster) All right. And that
18 expert interpretation, that would have included
19 the interpretation of the data as Mr. Keith was
20 continuously monitoring the well on April 20th,
21 correct?

22 A. That is correct.

23 Q. All right. And then it goes on, it says:
24 "Advanced monitoring, analysis, and evaluation
25 services that deliver vital information about
00194:01 well conditions, formation pressures, gas and
02 geology, giving you 'the big picture' to help you
03 drill faster, safer, better." Did I read that
04 correctly?

05 A. Yes, sir.

06 Q. And is it fair to say that drilling
07 faster and drilling safer are not necessarily
08 incompatible, are they?

09 A. That's correct.

10 Q. All right. So in Sperry's experience and
11 what it tells its customers is that you can drill
12 both fast and drill safe, correct?

13 A. In the right situations, yes.

14 Q. All right. And one of the things that
15 Sperry tells its customers in Exhibit 5185 is
16 that it has the services to help the customer
17 drill faster and safer, correct?

18 A. Yes, sir.

19 Q. And then the next paragraph says, quote,
20 "Highly-trained and experienced professionals,
21 skilled in monitoring, analysis and
22 interpretation of logging, engineering, and
23 geological parameters so you can have confidence
24 in the information that guides your

25 decision-making." Did I read that correctly?
00195:01 A. Yes, sir.
02 Q. And so one of the things that Sperry-Sun
03 tells its customers such as BP, is that when they
04 hire on Sperry-Sun and their surface data
05 loggers, they're getting highly trained and
06 experienced professionals, correct?
07 A. Yes, sir.
08 Q. Sperry-Sun also told BP that when it --
09 when Sperry-Sun comes on a rig like the HORIZON,
10 that the highly trained and experienced
11 professionals like Mr. Keith are skilled in
12 monitoring and analyzing the data -- logging data
13 they are seeing, correct?
14 MR. PALMINTIER: Objection, form.
15 A. That is correct.
16 Q. (By Mr. Lancaster) All right. And
17 they -- and Sperry-Sun also told BP that they
18 wanted BP to have confidence in the information
19 that the Sperry-Sun Mud Loggers were monitoring
20 and analyzing so that it could guide BP's
21 decision-making, correct?

Page 195:23 to 196:03

00195:23 A. Yes, sir.
24 Q. (By Mr. Lancaster) All right. And part
25 of BP's decision-making on the evening of
00196:01 April 20th, 2010, was whether to continue the
02 Temporary Abandonment Process to completion,
03 correct?

Page 196:05 to 196:05

00196:05 A. That is correct.

Page 196:22 to 197:03

00196:22 Q. But in terms -- and -- and you raise a
23 good point. In terms of the individuals on the
24 rig who are charged with continuously monitoring
25 the well through a Temporary Abandonment Pro --
00197:01 Procedure for evidence of a kick, the two main
02 people charged with that are the Mud Logger and
03 the Driller, correct?

Page 197:06 to 197:13

00197:06 A. That's correct. I think, you know, you
07 also have to identify there are activities that
08 occur during different components of that
09 abandonment, that there's more eyes required,
10 there's more accountabilities, more ownership.

11 So you -- you'd have to speak to what
12 specifically is going on, what you're doing, and
13 then who all was responsible.

Page 197:24 to 198:09

00197:24 Q. All right. An OIM has a number of
25 different responsibilities that may call his or
00198:01 her attention to some point on the rig at any
02 point in time, correct?
03 A. Right.
04 Q. It is not the responsibility of the OIM
05 to constantly or continuously have eyes on a
06 monitor, monitoring the rig. They have other
07 things to do. They may look at a monitor from
08 time to time, but they also have other
09 responsibilities, correct?

Page 198:11 to 198:18

00198:11 A. Correct.
12 Q. (By Mr. Lancaster) All right. The same
13 with the Company Man, the Company Man has a
14 number of responsibilities on the rig, correct?
15 A. That's correct.
16 Q. And at any given point in time, he may be
17 called to any part of the rig to do other things
18 other than monitor a well, correct?

Page 198:20 to 199:05

00198:20 A. That's correct.
21 Q. (By Mr. Lancaster) He has a monitor
22 that's available to him. In fact, he may be in
23 the Driller's Shack, he may be in his office, he
24 may be in the galley where there might be a
25 monitor. He may, from time to time, work at a
00199:01 monitor, but as -- as far as you're aware in your
02 experience in the industry, it is not his
03 responsibility to continuously monitor the well
04 for a kick, correct? He has other things to do,
05 fair?

Page 199:08 to 199:22

00199:08 A. That's correct.
09 Q. (By Mr. Lancaster) All right. Now --
10 A. My only comment was there would be
11 certain activities that you would make that a
12 priority, and that there would be multiple eyes,
13 but in terms of continuous monitoring --
14 Q. Right.
15 A. -- yeah.

16 Q. So in terms of continuous monitoring of
17 the well for evidence of a kick, the two
18 personnel that are charged with that
19 responsibility and would have been charged with
20 that responsibility on the evening of April 20,
21 2010, are the Driller and the Mud Logger,
22 correct?

Page 199:24 to 201:04

00199:24 A. Those are the two people that are
25 primary.
00200:01 Q. (By Mr. Lancaster) Okay. In fact, if
02 you'll turn to Page 4 of Exhibit 5185, it says:
03 "Surface Data Logging from Sperry Drilling
04 Services provides an effective means of capturing
05 and monitoring critical drilling data, so you can
06 use information proactively to keep things
07 moving, even in the most challenging wells." Is
08 that a true statement by Sperry?
09 A. Yes, sir.
10 Q. All right. The next line, quote,
11 "Providing the first line of defense SDL
12 specialists monitor the drilling conditions to
13 identify and communicate any hazardous or unusual
14 conditions and ensure the surface equipment is
15 operating correctly." Is that a true statement
16 by Sperry-Sun?
17 A. Yes. Using all the correct processes and
18 procedures, yes.
19 Q. Right. So in the eyes of Sperry-Sun,
20 with respect to its surface data loggers, it
21 regards its Mud Loggers as the first line of
22 defense, doesn't it?
23 A. Yes.
24 Q. All right. And -- and they are
25 considered by Sperry-Sun to be the first line of
00201:01 defense because their responsibility is to
02 continuously monitor the well for any sign of a
03 hazardous or unusual condition; isn't that right?
04 A. That's correct.

Page 202:03 to 202:08

00202:03 Q. Well, between 9:00 -- 9:09 and 9:14 when
04 the pumps were off and the drill pepper --
05 pressure was rising, are you aware of any
06 confounding factor that would have kept Mr. Keith
07 from noticing that the pressure was increasing
08 when it should -- should have been flatlined?

Page 202:11 to 202:11

00202:11 A. No, sir. I'm not aware of anything.

Page 203:12 to 203:22

00203:12 Q. (By Mr. Lancaster) The bottom of the well
13 was at 18,360 feet.
14 A. (Nodding.)
15 Q. The drill pipe was at 8,367 feet.
16 A. Right.
17 Q. That's two miles of wellbore that was
18 occupied by 240-plus degree hydrocarbons, and the
19 Mud Logger somehow misses it. Did Mr. Gisclair
20 ever give you a sound explanation for how your
21 Mud Logger could miss a two-mile, 500-barrel kick
22 in process?

Page 204:01 to 204:04

00204:01 A. He did not give me any indication of that
02 or why anyone else did not pick up on it.
03 Q. (By Mr. Lancaster) All right.
04 A. Or if, indeed, they didn't pick up on it.

Page 204:08 to 204:12

00204:08 Q. Yes. And you were asked about this.
09 This has previously been marked as Exhibit 4331
10 at Mr. Roth's deposition, it looks like. Do you
11 see that?
12 A. Yes, sir.

Page 204:16 to 205:14

00204:16 Q. (By Mr. Lancaster) So Mr. Gisclair is
17 writing to yourself and Mr. Roth on July 21st,
18 2010, and he's discussing his analysis of what
19 the data was indicating to him, correct?
20 A. Yes, sir.
21 Q. And at least as of this date, Mr. Gis --
22 Dis -- Gisclair believes that he has identified
23 "...the time when the rig crew realized they were
24 in a well control situation." Correct?
25 A. Yes, sir, to his opinion based on the
00205:01 information that he has.
02 Q. Right. And the way I read this document,
03 and you tell me if I'm reading this wrong, he
04 places the -- that time, when the rig crew
05 realized they were in a well control situation,
06 at some time around 21:10 to 21:14. Is that
07 right?
08 A. That's what he is indicating, yes, sir.
09 Q. All right. And the -- the blowout
10 doesn't occur until 9:43. So that's

11 approximately 33, 28 to 33 minutes prior to
12 blowout, Mr. Gisclair believed the rig crew
13 realized they were in a well control situation;
14 is that right?

Page 205:16 to 205:18

00205:16 A. That is -- based on this document, that
17 would be Mr. Gisclair's interpretation on the
18 data that he had.

Page 206:15 to 207:05

00206:15 Q. Okay. Is it the expectation of
16 Sperry-Sun, that when there are transfers or
17 dumping of returns into pits, that the Mud
18 Loggers will be aware of what's going on and in
19 communication with the Driller?
20 A. Yes. But I know from the interview, I
21 recall -- it's not in this note -- or in -- in
22 this document, but I know from the interview that
23 John had with Joe, that he was doing the best he
24 could with all the number of pits that were
25 active, keeping track. And -- and I know that
00207:01 there was either some communication or attempt to
02 communication, as I recall from my conversation
03 with John, based on his interview with Joe, that
04 that communication had either occurred or been
05 attempted.

Page 207:16 to 207:24

00207:16 (Exhibit No. 5186 marked.)
17 Q. (By Mr. Lancaster) All right. So why
18 don't we go ahead and throw Exhibit No. 5186
19 label onto that E-mail strand.
20 A. (Complying.)
21 Q. And behind Tab B is, I believe, the
22 attachment, the TOC Review PowerPoint, and we'll
23 throw Exhibit 5187 on the attachment.
24 (Exhibit No. 5187 marked.)

Page 208:08 to 211:08

00208:08 Q. All right. So you're part of this E-mail
09 from Mr. Vargo to yourself, May 7th, 2010?
10 A. Yes, sir.
11 Q. And what's your recollection of the
12 circumstances surrounding this E-mail and the
13 attachment?
14 A. The conversation really, I think,
15 started -- there were a couple of conversations,
16 I think, or concepts that Richard was trying to

17 address. While we had no open hole logs or
18 access to that data, I had suggested that he look
19 at the LWD logs and see if there were any
20 potential sands or zones of interest. And if he
21 did his calculation of the top cement, were we
22 sufficiently covered, based on that.
23 So he did that calculation.
24 Q. All right.
25 A. And that calculation was done without any
00209:01 formation evaluation. I believe Schlumberger had
02 provided the open hole logs, so we had no
03 petrophysical data.
04 So that was one -- one point, I believe.
05 And then -- and then, again, I think just
06 validating some of the cement volume
07 calculations.
08 Q. Okay. So let's go through that and
09 unpack that a little bit.
10 A. Okay.
11 Q. So you asked Mr. Gisclair, is that right,
12 to look for potential hydrocarbon zones further
13 up in the lithology; is that right?
14 A. It wasn't Mr. Gisclair. I -- I believe
15 I -- Mr. Gisclair would have been looking at the
16 realtime data from -- from an SDL, INSITE data.
17 Q. So who did you ask, then?
18 A. I believe I talked to -- well, I
19 mentioned to Richard Vargo, that to either talk
20 to Jan Erik, who's the Country Ops Manager -- or
21 Gulf of Mexico Ops Manager, to see if -- if he
22 didn't have access to the LWD logs, that could
23 Jan Erik or someone within the Sperry Team
24 provide that so he could do an overlay to see
25 what the cement top would have -- would have
00210:01 calculated to, relative to those indications of
02 potential sands or zones of interest.
03 Q. Right. Okay. So you have a conversation
04 with Mr. Vargo, where you say it might be a good
05 idea to look at the LWD logs to look at potential
06 sands of interest or hydrocarbon zones, fair?
07 A. Right.
08 Q. And when do you have this conversation
09 with Mr. Vargo? Clearly before May 7th, right?
10 A. Yes, sir.
11 Q. All right. Can you be more precise
12 between April 21st and May 7th as to when you had
13 this conversation with Mr. Vargo where you
14 suggested he should look at the LWD logs for --
15 A. As I --
16 Q. -- zones of interest?
17 A. -- as I recall, Richard was --
18 Mr. Vargo was fairly responsive, so I would
19 assume no more than 48 hours prior to this is
20 when I spoke with him.
21 Q. Okay. And then after having this

22 conversation with Mr. Vargo, where you suggest he
 23 might look at the LWD logs, he sends a TOC Review
 24 PowerPoint that includes a page on the LWD logs
 25 and identifying potential zones of interest,
 00211:01 correct?
 02 A. That is correct.
 03 Q. All right. And your color copy is better
 04 than my black-and-white copy, but I see four
 05 arrows. And this is on the slide entitled
 06 "Comparison of LWD Logs and Potential Coverage of
 07 Cement Across Zones of Interest," which we've
 08 labeled as Exhibit 5187.

Page 211:11 to 213:20

00211:11 Q. (By Mr. Lancaster) Okay. Four arrows
 12 there, right? Five arrows, my bad. Five arrows,
 13 correct?
 14 A. On the log itself?
 15 Q. Yes.
 16 A. Yes, there's five arrows.
 17 Q. Right. So there's a little -- it says,
 18 "Potential Zones of Interest, Hydrocarbon Bearing
 19 Zones," and five arrows shoot up from that
 20 description, correct?
 21 A. That's correct.
 22 Q. And can you tell me approximately how
 23 high up in the formation the fifth arrow is?
 24 A. It looks like it's at 17,500.
 25 Q. Right. Although the arrow actually goes
 00212:01 up a little bit above that. It's more about
 02 17,000 --
 03 A. 480 or --
 04 Q. -- 480?
 05 A. -- 470.
 06 Q. 480, 470, somewhere in there. Okay.
 07 Did Mr. Vargo ever explain to you what he
 08 was seeing where he thought there was a potential
 09 zone of interest at approximately 17,480?
 10 A. A -- again, Mr. Vargo, nor I, nor anyone
 11 within Halliburton had the -- the actual open
 12 hole logs to do any kind of hardro -- hydrocarbon
 13 calculations or anything. So we were merely
 14 using this as a correlation, and potential. And
 15 so the -- the question was really, had we -- had
 16 we placed -- had cement volume been calculated
 17 and placed to the required level, and I believe
 18 it's 500 feet above the highest zone of interest.
 19 And so that -- that was the general
 20 question that we were seeking, not knowing which,
 21 if any, of these zones were hydrocarbon bearing.
 22 Q. Fair enough. And so even sitting here
 23 today, you don't know whether or not there was a
 24 hydrocarbon zone at 17,480, correct?
 25 A. I have no data that would indicate any of

00213:01 these, other than we know that the hydrocarbon
02 came from somewhere. But, yes --
03 Q. All right.
04 A. -- you're correct.
05 Q. We went over some things that you're not
06 an expert in. You're not a Cementing Expert, I
07 take it, correct?
08 A. No, sir.
09 Q. You're not an expert in foam cement, I
10 take it?
11 A. No, sir.
12 Q. Have you ever looked at the Post Job
13 Report for the Macondo Well for the cement job?
14 A. No, sir.
15 Q. Do you know whether or not -- in the Post
16 Job Report, whether or not the Cementing
17 Specialists that actually performed the cementing
18 job determined whether or not they hit their top
19 of cement target?
20 A. No, I do not.

Page 214:02 to 214:04

00214:02 Q. Do you recall receiving Exhibit 3116 on
03 or around June 12th, 2010?
04 A. Yes, sir.

Page 215:03 to 215:21

00215:03 Q. All right. Do you understand, or did you
04 have an understanding of why you were being cc'd
05 on Exhibit 3116?
06 A. Yes, sir. I -- yeah, the -- we were
07 getting several questions, both internally,
08 externally, there was a lot of things we didn't
09 know, a lot of data we didn't have. And so
10 there's a couple of E-mails here that -- I'm
11 assuming that you haven't looked ahead. But
12 Mr. Sweatman had asked for support from Sperry as
13 it related to pressure evaluation. So he was --
14 he was looking for assistance from perhaps my
15 GeoBalance Team. And then also for petrophysical
16 assistance, and so I offered up two gentlemen to
17 help with those specific questions.
18 You know, unfortunately, because we
19 didn't have any data, I think any efforts to try
20 to answer those questions were basically -- I
21 mean, that was kind of the end of the story.

Page 216:19 to 218:05

00216:19 Q. Okay. Well, turn to the next page, it
20 says -- two top bullets. One is, "Why 2 top

21 zones were not in BP's plan to locate TOC above
 22 them at the required 500 ft of cement fill?"
 23 Next bullet, "Why only 2 hydrocarbon
 24 zones reported by" P -- "by BP vs the 5 indicated
 25 on the Sperry log?"
 00217:01 Do you know what those two bullet points
 02 are a reference to?
 03 A. I -- I believe it's back to -- well,
 04 Bullet No. 2, "Why only 2 hydrocarbon zones" was
 05 the question of what we looked at previously on
 06 the Sperry log; that there were potential five
 07 zones of interest, whether they were hydrocarbon
 08 bearing or not.
 09 I think that was one of the questions
 10 they were trying to answer, which they had no
 11 data -- or Schlumberger logs, access to those
 12 logs, to actually prove that.
 13 I can't speak to question No. 1. I --
 14 again, I was not there.
 15 Q. Okay. But we see that at least as early
 16 as May 7th and continuing on through June of
 17 2010, people that you were communicating with
 18 within Halliburton Sperry-Sun, were identifying
 19 potential hydrocarbon zones higher up in the
 20 reservoir, correct?
 21 A. I don't know if anything changed from the
 22 initial log until we've got -- and today, I
 23 haven't seen anything different. But from day --
 24 from this date, or prior to this, the LWD log was
 25 all that we had that would be indicative of those
 00218:01 five potential zones.
 02 I'm unaware if any other formation
 03 evaluation data was provided, or that we were
 04 able to gain access to, that would prove
 05 different.

Page 218:08 to 219:08

00218:08 Q. Right. I'm not asking whether or not
 09 you're able to confirm it. My -- my point was:
 10 At least as early as May 7th, 2010, and
 11 continuing through June, people within Sperry and
 12 Halliburton had identified potential hydrocarbon
 13 bearing zones as high up as 17,480 feet, correct?
 14 A. Yeah. Zones of interest, I -- yeah.
 15 That was -- that was the -- really the question.
 16 Q. Right.
 17 A. Were they -- were they hydrocarbon
 18 bearing.
 19 Q. Right.
 20 A. (Nodding.)
 21 Q. And do you remember in -- in May and June
 22 of 2010, sitting in on -- on meetings where that
 23 was discussed, whether or not these higher
 24 hydrocarbon zones were potentially -- or these

25 higher sands were potentially hydrocarbon zones?
 00219:01 A. I never attended those. If there were
 02 meetings, I never attended them.
 03 Q. All right. You were -- your -- your --
 04 the limit of your participation was being copied
 05 in on certain E-mails. Is that fair?
 06 A. That's correct. And providing who I
 07 thought could assist if they had the data.
 08 Q. Okay.

Page 222:12 to 225:03

00222:12 (Exhibit No. 5188 marked.)
 13 Q. (By Mr. Lancaster) The middle E-mail from
 14 Mr. Sweatman is to Mr. Chemali and yourself. Do
 15 you have an understanding of why Mr. Sweatman was
 16 E-mailing you on the June 28th, 2010 regarding
 17 his conversation with Jeff Moss of ExxonMobil?
 18 A. Yes, sir. Again, Roland is the Chief
 19 Petrophysicist for Sperry, and he was the
 20 individual I had identified when we were trying
 21 to answer some of these questions. And Ron is
 22 sharing with us information that he had picked up
 23 from -- from Jeff Moss, again, that this may be
 24 an overlooked sand or a -- a productive zone at
 25 17,720.
 00223:01 Q. Okay. It says: "Jeff is on the BOP and
 02 Rig Equipment JITF..."
 03 Do you understand what "JITF" is in
 04 reference to?
 05 A. That was one of the Joint Industry Task
 06 Force Teams.
 07 Q. Okay. And he goes on, he says: "Last
 08 month, the Well Operations Procedures JITF" and
 09 in parens, "('Procedures') briefly discussed an
 10 upper" hydrocarbon "zone" in parens "(HP gas) not
 11 having the required 500 feet of cement above it.
 12 For some unknown reason, this didn't get into the
 13 May 17 JITF (Equipment & Procedures) report to
 14 DOI."
 15 Do you have an understanding of what I've
 16 just read as is the reference to?
 17 A. Yes, sir.
 18 Q. Okay. And what -- what is it -- what is
 19 it referring to when they say that "...the Well
 20 Operations Procedures JITF...discussed an upper"
 21 hydrocarbon "zone (HP gas) not having the
 22 required 500 feet of cement above it," what's
 23 that referring to?
 24 A. As I understand, the Regulatory
 25 Requirements are that cement top has to be 500
 00224:01 foot above the highest producing zone. What --
 02 again, what I believe is missing here is that
 03 there was no data confirming that it was a
 04 hydrocarbon zone.

05 Q. Right. And -- and I'm not asking whether
06 or not you're able to confirm it.

07 A. Right.

08 Q. I'm more interested in the fact that
09 people were talking about it.

10 A. Correct.

11 Q. And so as of June 28th, we have another
12 communication involving yourself, and now
13 Mr. Sweatman and Mr. Chemali, where it says that
14 at a -- at a "...Well Operations Procedures
15 JITF...an upper" hydrocarbon "zone (HP gas) not
16 having the required 500 feet of cement above it,"
17 first of all, is that you understand to be a
18 reference to the Macondo Well?

19 A. Yes, sir.

20 Q. All right. And you said that the JITF is
21 a Joint Industry Task Force, correct?

22 A. That is correct.

23 Q. And it says: "For some unknown reason,
24 this didn't get into the May..." Joint Industry
25 Task Force "(Equipment & Procedures) report to
00225:01 DOI." Do you know what -- who DOI is a reference
02 to?

03 A. Department of Interior.

Page 225:10 to 225:24

00225:10 Q. Okay. In any event, you were aware that
11 one of your people, Mr. Sweatman, was reporting a
12 conversation that he had with a Jeff Moss out of
13 a Joint Industry Task Force where the potential
14 hydrocarbon zone not having 500 feet of cement
15 above it was being discussed among members of the
16 Joint Industry Task Force as early as June 28,
17 2010, correct?

18 A. Yes, sir.

19 Q. All right. Did that strike you as a
20 significant issue at all, at -- at the time that
21 you received this E-mail and, again, back in May
22 of 7th of 2010 when -- when Mr. Vargo identified
23 the potential zone at 17,480 feet? Did these
24 strike you as potentially significant issues?

Page 226:01 to 228:10

00226:01 A. Not as significant. I -- I remember
02 having a conversation with Mr. Chemali as that,
03 "Has there ever been any release of the open hole
04 data within one of these Task Force where we
05 would know or where the Task" -- "Task Force
06 would know that there was actually hydrocarbon
07 present in that upper sand."

08 Q. Okay.

09 A. And I believe Mr. Chemali confirmed that

10 he was unaware of any open hole data released.

11 Q. Okay. Well, to your knowledge, did you,
12 or anybody else from Halliburton, go to any
13 Government agency and specifically ask if they
14 had available data which might be able to provide
15 further information as to whether or not there
16 were hydrocarbon zones above 17,800 feet?

17 A. I did not, and I'm not aware of anyone
18 else that did.

19 Q. Okay. Did you or anybody else, to your
20 knowledge, at Halliburton go to BP and ask BP if
21 they had information about a potential
22 hydrocarbon zone above 17,800 feet?

23 A. I did not, and I don't know if that
24 conversation happened.

25 Q. Did you or anyone else at Halliburton, to
00227:01 your knowledge, say, "Hey, look, these Parties in
02 discovery in this litigation are producing all
03 kinds of documents. Maybe we should go take a
04 look at the documents and see if they have
05 information about a hydrocarbon" -- "potential
06 hydrocarbon zone above 17,800 feet"?

07 A. I did not.

08 Q. As you sit here, did -- did
09 Mr. Chemali -- has Mr. Chemali ever indicated to
10 you, right up until today, being the -- the Chief
11 Petrophysicist as you've described him, that he
12 believes that there is, in fact, a hydrocarbon
13 zone on the Macondo Well above 17,800 feet?

14 A. He has yet to see any data, so,
15 therefore, he cannot confirm there is a
16 hydrocarbon-bearing zone.

17 Q. As you sit here today, are you aware of
18 anybody within Halliburton who has been able to
19 conclusively establish that there is, in fact, a
20 hydrocarbon zone on the Macondo Well above 17,800
21 feet?

22 A. I cannot confirm that, no, sir.

23 Q. Okay. Are you aware of any work that
24 doesn't involve lawyers that is being undertaken
25 by Halliburton, as you sit here today, to
00228:01 establish whether or not there is, in fact, a
02 hydrocarbon zone on the Macondo Well above 17,800
03 feet?

04 A. I'm unaware of any efforts.

05 Q. All right. Now, switching to our last
06 topic, and it's actually sort of revisiting a
07 topic that we touched on briefly earlier today.
08 We discussed how it is important for a Mud Logger
09 to be vigilant at all times in monitoring a well,
10 correct?

Page 228:13 to 228:13

00228:13 A. Yes, sir.

Page 228:16 to 228:23

00228:16 Q. And that is true regardless of whether or
17 not drilling is occurring, or whether or not you
18 are temporary abandon -- temporarily abandoning a
19 well and intentionally putting it in an
20 underbalanced state as part of the Temporary
21 Abandonment. Vigilance is the same regardless,
22 correct?
23 A. That is correct.

Page 229:18 to 230:01

00229:18 At approximately 8:00 p.m., the -- the
19 annulars are open, the well is restored to an
20 overbalanced state. They're now going to
21 temporarily abandon the well which involves
22 underbalancing the well as they're displacing to
23 seawater. And the Driller and the Mud Logger,
24 their responsibilities are to monitor that well,
25 understood?
00230:01 A. Yes, sir.

Page 230:04 to 230:20

00230:04 Q. (By Mr. Lancaster) Now -- and throughout
05 that time period, right up until the moment of
06 the blowout, the expectation of Sperry-Sun for
07 its Mud Logger, Joseph Keith, is that he was to
08 be vigilant and continuously monitor that well,
09 correct?
10 A. That is correct.
11 Q. And the only thing that he should have
12 had in his mind at that period of time, during
13 the Temporary Abandonment Process, was not a
14 football game, not what's going on at home, not
15 what a nice night it is out, but the only thing
16 that should have mattered to him was whatever he
17 had on his monitor displays in terms of what, if
18 anything, the well was communicating to him as to
19 whether or not it was in the process of a kick,
20 correct?

Page 230:24 to 231:06

00230:24 A. Yeah, I can't speak for his frame of
25 mind, but, yes, that should have -- that -- that
00231:01 would be his primary focus is on monitoring the
02 data.
03 Q. (By Mr. Lancaster) Right. And -- and not
04 just primary. This is actually an important
05 point. The -- the Mud Loggers are paid a good

06 wage, aren't they?

Page 231:08 to 231:17

00231:08 A. Yes.
09 Q. (By Mr. Lancaster) And they are -- and
10 I'm not going to ask for a precise number, but
11 can you give the Judge a ballpark of what Mud
12 Loggers on a deepwater rig like the HORIZON earn,
13 an F-15?
14 A. You don't want me to guess, so --
15 Q. Well --
16 A. -- estimate, 150.
17 Q. Right. So it's a six-figure job, right?

Page 231:21 to 232:11

00231:21 A. Yes, sir.
22 Q. Okay. And they have an array of
23 sophisticated monitors and sensors that are
24 provided to them on a rig like the DEEPWATER
25 HORIZON to assist them in performing their
00232:01 primary function, which is to monitor that well
02 continuously for detection of a kick, correct?
03 A. Correct.
04 Q. All right. And given that they are being
05 paid a six-figure wage, and they are being
06 promoted to customers as trained professionals,
07 is the expectation of Sperry-Sun that they will
08 have 100 percent of their attention focused on
09 their monitoring responsibilities during the
10 course of a Temporary Abandonment Procedure such
11 as what was taking place on April 20th, correct?

Page 232:14 to 233:03

00232:14 A. I think -- I think it's fair to say 100
15 percent of his focus on his duties. Monitoring
16 is one of those priorities, but he does have
17 other duties ongoing, you know, documentation, et
18 cetera, but priorities should be around
19 monitoring and focused on his duties.
20 Q. (By Mr. Lancaster) Right.
21 A. That is a correct statement.
22 Q. Right. But we -- we went over that,
23 though. Did Mr. Keith, on the evening of
24 April 20th, 2010, from the time that the negative
25 pressure test was declared a "pass" until the
00233:01 time that the blowout occurred, did he have any
02 other assigned task that evening, other than
03 monitoring that well for kick detection purposes?

Page 233:05 to 234:06

00233:05 A. As I recall, as we talked about, there
06 was a lot of -- he was having to keep up with the
07 mud, mud pits, too, because of the sensors, he
08 was unable to measure. So he was having to keep
09 all that by hand, keeping the logs.

10 So he had -- you know, I can't speak to
11 every one of his duties at -- at the time
12 while -- during the abandonment. Monitoring
13 was -- is certainly important, but he also was
14 keeping up with the various pits. I know there
15 was multiple pits being utilized, he's monitoring
16 that.

17 And then I can't -- I can't speak
18 specifically to documentation that he may have
19 been required to do while he was keeping these
20 logs, et cetera.

21 So there -- there were other things that
22 he was doing in addition to watching the
23 monitors.

24 Q. Okay. Did you ever read Mr. Keith's
25 deposition testimony?

00234:01 A. No, sir, I didn't.

02 Q. All right. So you don't know whether or
03 not he was filling out any paperwork between the
04 time the negative pressure test was declared a
05 "pass" and the -- and the blowout. You don't
06 know that, do you?

Page 234:08 to 235:04

00234:08 A. No, I do not know that. I did not read
09 his deposition.

10 What I'm referencing to was, you know,
11 interviews where Mr. Gisclair talked to him about
12 his responsibilities, and I -- I do recall him
13 talking about the -- keeping track of the mud
14 pits, and, et cetera. So he was -- he was
15 keeping up with that, in addition to watching the
16 monitors.

17 Q. (By Mr. Lancaster) Okay. So -- but
18 that's part of monitoring, is keeping track of
19 what's in the mud pits, right?

20 A. (Nodding.)

21 Q. Right?

22 A. Fair statement, yes.

23 Q. Okay. So go back to my original point,
24 which is other than continuously monitoring the
25 well for indicators of a kick, did Mr. Keith have
00235:01 any other assigned duties, to your knowledge, on
02 the evening of April 20th, during the Temporary
03 Abandonment Procedure?

04 A. Not to my knowledge.

Page 235:06 to 236:11

00235:06 Q. (By Mr. Lancaster) All right. Now, you
07 indicated that he was, in fact, monitoring the
08 mud work -- the mud pits and, by hand, keeping up
09 with the tallies of what was in the pits,
10 correct?
11 A. That's my understanding.
12 Q. All right. And you also indicated that
13 he would have been looking at his monitors to see
14 what the monitors were telling him about what was
15 happening down in the well, correct?
16 A. That's correct.
17 Q. We haven't talked much about alarms. Are
18 you familiar at all with how the alarms work on
19 the Sperry-Sun data analysis systems?
20 A. Not to -- no, sir.
21 Q. Okay. So you don't know whether or not
22 he had set alarms, for instance, for drill pipe
23 pressure or flow in, flow out? You don't know
24 if, on the evening of April the 20th, Mr. Keith
25 had actually set the alarms or inactivated them?
00236:01 A. I cannot confirm that, no, sir.
02 Q. Okay. So going back to my original
03 question, which is other than potentially taking
04 a break, and Mr. Keith testified he took a break
05 at one point in time, but during the time that
06 Mr. Keith is in that Driller's Shack, and -- and
07 it's April 20th, 2010, they're temporarily
08 abandoning that well, putting it in an
09 underbalanced state, 100 percent of his focus
10 should have been on monitoring activities,
11 correct?

Page 236:13 to 236:15

00236:13 Q. (By Mr. Lancaster) To the best of your
14 knowledge?
15 A. To the best of my knowledge, yes.

Page 237:11 to 237:13

00237:11 Q. Good afternoon, Mr. Bement. My name is
12 Amy Jaasma, and I'm here today with Ryan King.
13 We represent Transocean.

Page 238:05 to 240:02

00238:05 Q. In your role as Vice President of Sperry
06 Drilling, have you had an opportunity to work
07 with Transocean in the past?
08 A. Sure.
09 Q. How long would you say you've had that

10 opportunity?

11 A. Well, we're on -- we share many of the
12 same customers. So we're on several Transocean
13 rigs around the world. So that relationship
14 really is, I guess you could say, performance
15 driven and -- and related to our customers,
16 shared customer interest.

17 Q. Do you currently have Sperry employees on
18 Transocean rigs?

19 A. I can't name one off the top of my head,
20 but I'm almost certain we're on several rigs.

21 Q. Do you know how many years Sperry has had
22 employees on Transocean rigs?

23 A. Well, specific to the HORIZON, I believe
24 it's since 2004. Is that when the HORIZON came
25 out? I think from very first well we were on
00239:01 that well.

02 Q. At any time did any of the individuals
03 that you've dealt with at Transocean indicate to
04 you that they were indifferent to the health or
05 welfare of individuals who might be working on
06 their drilling rigs?

07 A. No, ma'am.

08 Q. At any time did any of the -- of the
09 individuals with whom you've dealt at Transocean
10 ever indicate to you that they were indifferent
11 to the environment in connection with their
12 drilling operations?

13 A. No, ma'am.

14 Q. In your position as Vice President for
15 Sperry Drilling, did you ever receive feedback
16 from your employees that Transocean employees
17 were conducting their jobs in a way that
18 indicated that they were indifferent to the
19 health and welfare of the individuals who were
20 working on their rigs?

21 A. No, ma'am.

22 Q. If you had received complaints or
23 concerns about the manner in which Transocean
24 employees were conducting their jobs, is it fair
25 to say that as Vice President of Sperry Drilling
00240:01 you would have taken some type of action to
02 protect your employees?

Page 240:04 to 240:04

00240:04 A. Yes, ma'am.

Page 240:10 to 242:06

00240:10 Q. But it's your understanding that

11 Mr. Keith was a Senior Mud Logger for Sperry?

12 A. Yes. He's an F-15. So that puts him mid
13 range in terms of qualifications, but

14 certainly with -- I believe he's got about 18
 15 years experience.

16 Q. Are you aware that Mr. Keith testified
 17 that he has attended Well Control School?

18 A. I was not aware that -- or he -- he never
 19 conveyed that to me. So I was not aware of that,
 20 no, ma'am.

21 Q. You have no reason to disagree with that
 22 fact if in -- if Mr. Keith testified that he did
 23 attend Well Control School?

24 A. I would have no reason to.

25 Q. Is it your understanding that Mr. Keith
 00241:01 was well -- well regarded in his ability to
 02 perform his job duties as a Mud Logger?

03 A. Yes, he was. As -- as I said -- as I
 04 shared with BP Counsel, the -- he was one of
 05 the -- the HORIZON crew that had been with them
 06 or been on that rig for so long, and they were
 07 quite pleased with the personnel on that rig.

08 Q. And you mentioned that, and -- and you
 09 talked earlier today about some of the concerns
 10 that BP did have about Sperry's performance on
 11 the rigs, but you indicated that at no time were
 12 those concerns about Mud Loggers and personnel;
 13 is that true?

14 A. That's correct.

15 Q. Do you know who Mr. Kronenberger is?

16 A. Kurt?

17 Q. Yes.

18 A. Yes, ma'am.

19 Q. And, in fact, I believe you testified a
 20 little earlier today that Mr. Kronenberger would
 21 have access to Mr. Keith's competency records?

22 A. Yes, ma'am.

23 Q. Do you trust Mr. Kronenberger's judgment
 24 regarding Mr. Keith's mud logging abilities?

25 A. Yes, ma'am.

00242:01 Q. Mr. Kronenberger gave his deposition in
 02 this case and testified that Mr. Keith is
 03 generally thought of as being particularly
 04 skilled at well monitoring. Is that also your
 05 understanding of Mr. Keith's reputation?

06 A. Yes, ma'am.

Page 242:14 to 242:19

00242:14 Q. Mr. Keith testified in his deposition
 15 that he was able to do his job on the evening of
 16 April 20th, 2010, and that he was able to
 17 continuously monitor the well. Given Mr. Keith's
 18 many years of experience, do you have any reason
 19 to doubt his testimony?

Page 242:21 to 242:24

00242:21 A. No, ma'am.
22 Q. (By Ms. Jaasma) In fact, given his
23 experience, you would take Mr. Keith at his word?
24 A. Yes, ma'am.

Page 243:01 to 243:25

00243:01 Q. (By Ms. Jaasma) Now, I believe you talked
02 a little bit earlier today about the fact that
03 you asked Mr. Gisclair to reconstruct the data
04 from April 20th, 2010?
05 A. Yes, ma'am.
06 Q. And who is Mr. Gisclair?
07 A. He is the Gulf of Mexico INSITE Manager.
08 So he supports the service data logging as well
09 as the INSITE connectivity with our cus --
10 customers.
11 Q. And he has experience in interpreting the
12 data?
13 A. Yes, ma'am.
14 Q. He actually trains Mud Loggers, correct?
15 A. Yes, ma'am.
16 Q. In interpreting the data?
17 A. Yes, ma'am.
18 Q. And also part of his class involves
19 understanding when and how to communicate with
20 the rig crew regarding the data and well
21 monitoring?
22 A. That is correct, yes, ma'am.
23 Q. You consider him to be an expert
24 regarding the INSITE data?
25 A. Yes, I do.

Page 244:02 to 244:04

00244:02 Q. (By Ms. Jaasma) You would trust his
03 opinion about how Mud Loggers perform their job
04 duties?

Page 244:06 to 244:12

00244:06 A. Yes, I would.
07 Q. (By Ms. Jaasma) Now, you know that
08 Mr. Gisclair reviewed that Sperry data in great
09 detail to try to make a determination as to
10 whether Mr. Keith missed something, missed some
11 evidence of a kick?
12 A. Yes, that's correct.

Page 244:14 to 244:18

00244:14 Q. (By Ms. Jaasma) Are you aware that

15 Mr. Gisclair testified in his deposition that to
16 him the drill pipe pressure changes amounted to a
17 curiosity, something that may very easily be
18 explained by minor rig activities?

Page 244:20 to 245:21

00244:20 A. I'm not aware of his testimony. He
21 certainly shared those comments with myself and
22 Tommy Roth when he was sharing the information as
23 he was doing his finding, yes, ma'am.

24 Q. Okay. So after Mr. Gisclair reviewed the
25 data, he had a meeting with you and Mr. Roth?

00245:01 A. We had a phone call.

02 Q. A phone call?

03 A. (Nodding.)

04 Yes, ma'am.

05 Q. With you and Mr. Roth?

06 A. Yes, ma'am.

07 Q. And during that conversation, he
08 indicated to you that the change in drill pipe
09 pressure amounted to a curiosity?

10 A. He didn't use those -- he didn't use the
11 word "curiosity." He referenced the fact that he
12 still was unable to connect whether there was an
13 activity that may have created the -- the subtle
14 change. You know, again, it was piecing all the
15 pieces, the activity with the data and with
16 the -- the interviews that he had had with
17 Joseph.

18 Q. Are you aware that Mr. Gisclair testified
19 that sitting there monitoring the data in
20 realtime, an increase like that wouldn't
21 necessarily cause panic?

Page 245:23 to 246:12

00245:23 A. I was not aware he testified to that, no,
24 ma'am.

25 Q. (By Ms. Jaasma) Did he communicate that
00246:01 idea to you in that phone conversation with
02 Mr. Roth?

03 A. Not in those specific words. He --
04 again, he emphasized there were very subtle
05 changes, and without understanding the
06 activities, there was nothing alarming or
07 obvious, I guess was more the words as opposed to
08 your words.

09 Q. Mr. Gisclair also testified that he
10 wouldn't have done anything any differently than
11 Mr. Keith had he been sitting in the Mud Logger's
12 chair. Are you aware of that?

Page 246:14 to 247:07

00246:14 A. Again, I'm not aware of his specific
15 testimony, no, ma'am.
16 Q. (By Ms. Jaasma) Okay. Did he communicate
17 to you at any time after his evaluation of the
18 data after he had interviewed Mr. Keith and after
19 he understood the various rig activities that
20 were going on, that had he been sitting in the
21 Mud Logger's chair he wouldn't have done anything
22 any differently than Mr. Keith?
23 A. Again, I don't think he -- he said to
24 that specific, but he did make comment that,
25 "Based on what I have, I see nothing that would
00247:01 indicate fur -- different actions than what
02 Mr. Keith took or didn't take."
03 Q. Given Mr. Gisclair's experience, as well
04 as his review of the data and his interviews with
05 Mr. Keith, do you have any reason to doubt
06 Mr. Gisclair's opinion?
07 A. No, ma'am.

Page 247:20 to 247:20

00247:20 Q. (By Ms. Jaasma) Exhibit 5180.

Page 248:03 to 248:11

00248:03 Q. Actually, No. 1 in that -- in that list
04 of five items. No. 1 references that BP
05 considered the Macondo Well to be a critical
06 well. Is that your reading of the document?
07 A. Yes. BP has a list on a global basis of
08 wells that they -- they classify as critical.
09 Q. Was it your understanding that the
10 Macondo Well was on that list of BP wells that
11 they considered to be critical wells?

Page 248:13 to 249:04

00248:13 A. Yes, ma'am, I believe it was.
14 Q. (By Ms. Jaasma) And why is that your
15 understanding?
16 A. My recollection of the -- the list --
17 and, again, critical -- the definition of
18 "critical" is a variety of things. It could be
19 because it's of an exploration state; could be
20 because of the depth or temperature; could be
21 because it's their first well in a given area, or
22 even a given country. So it's -- it's almost
23 like a startup, new rig, new operations.
24 So the definitions of "critical" varied,
25 but they had a list that -- that they kept,

00249:01 communicated with their various service partners.
02 Q. And it's your recollection that the
03 Macondo Well was on that list as a critical well?
04 A. Yes.

Page 250:02 to 250:10

00250:02 Q. (By Ms. Jaasma) Am I correct in my
03 understanding or belief that BP hired Sperry Mud
04 Loggers for its relief well efforts?
05 A. We did have mud logging on the relief
06 well, yes, ma'am. In fact, BP requested as many
07 of the HORIZON crew that would go back out on the
08 DDIII, with the obvious understanding of
09 Mr. Keith and Miss -- Ms. Willis, that as many of
10 them they requested.

Page 251:13 to 251:15

00251:13 Q. Mr. Bement, my name is Robert Guidry. I,
14 along with my Counsel, Milele St. Julien,
15 represent Anadarko.

Page 252:19 to 253:17

00252:19 Q. This is Exhibit 4477 that was referenced
20 earlier by Counsel for BP. This is an excerpted
21 version in order to save paper, but I'll direct
22 your attention to the third page of this exhibit,
23 which is BP-HZN-2179MDL00055744, which is
24 actually Page 128 of the document.
25 A. (Nodding.)
00253:01 Q. Do you recognize this document?
02 A. Yes, sir.
03 Q. You weren't involved in drafting this
04 document, were you?
05 A. No, sir.
06 Q. If I can turn your attention to
07 Section 10.9.2, "QUALITY CONTROL OF DATA." It
08 states: "CONTRACTOR shall: Obtain the signed
09 approval of COMPANY Representative for sensor
10 placement and hookup."
11 A. Yes, sir.
12 Q. Do you agree with that statement?
13 A. Yes, sir.
14 Q. Is it your understanding that the
15 placement of the sensors aboard the DEEPWATER
16 HORIZON must be approved by BP based on this
17 contract provision?

Page 253:19 to 254:12

00253:19 A. As -- as we discussed, I think it's a

20 collaboration between the Operator of the rig
21 and -- and the Surface Data Logger as to the
22 sensor placement. I do believe that's a
23 collaboration.

24 Q. (By Mr. Guidry) If Skip Clark testified
25 in the -- his 30(b)(6) for Halliburton, would you
00254:01 disagree with him if he said that the placement
02 of those sensors and the hookup of those sensors
03 must be approved by BP?

04 A. Well, clearly BP is ultimately the
05 Operator, and so whether approving directly with
06 us or approving in a -- approving in a
07 collaborative environment, in conjunction with
08 Transocean, they ultimately should have a say of
09 sensor placement or any components for
10 measurement.

11 Q. So you're saying that BP has the ultimate
12 say as to the placement of those sensors?

Page 254:14 to 254:14

00254:14 A. As the Operator, I believe that is true.

Page 255:09 to 255:11

00255:09 Q. (By Mr. Guidry) Do you know if this
10 document, the Field Procedures, supersedes the
11 contract between Halliburton and BP?

Page 255:13 to 255:17

00255:13 A. No, sir.

14 Q. (By Mr. Guidry) If the contract states
15 that BP must approve the sensor placement, does
16 it matter what the SDL Field Procedures even
17 state?

Page 255:19 to 255:20

00255:19 A. Only if there is a conflict with safety
20 process or procedures.

Page 259:03 to 259:03

00259:03 (Exhibit No. 5189 marked.)

Page 259:07 to 259:10

00259:07 Q. By its apparent serial number on the top,
08 it says "OCS-G 32306 001." Does that indicate to
09 you that this document refers to the DEEPWATER
10 HORIZON on the Macondo Well?

Page 259:14 to 260:10

00259:14 A. Yes. Yes.
 15 Q. And under "Mud Logging" -- "Logging
 16 Objectives," it says: "If an objective was
 17 partially delivered, i.e. not 100% compliance,
 18 regardless of reason or accountability, the
 19 answer must be No," and then following that
 20 there's a number of different statements made
 21 about Sperry's services, and either a "Yes" or
 22 "No" is to be indicated whether the objective was
 23 met. Do you see that?
 24 A. Yes, sir.
 25 Q. The first one says, "Contractor received
 00260:01 Statement of Requirements (SoR). Mud logging
 02 program included geologic review, sampling
 03 intervals and requirements, instrumentation
 04 requirements, agreed mud log format and met SoR,"
 05 and it says "Yes." Do you see that?
 06 A. Yes, sir.
 07 Q. Does that indicate to you that that
 08 particular objective was 100 percent met by
 09 Sperry as indicated by BP on its document?
 10 A. Yes, sir.

Page 260:12 to 260:16

00260:12 Q. (By Mr. Guidry) The same goes for the
 13 rest: "Mud logs reviewed daily with site
 14 supervisor when requested." Was -- was that
 15 objective met, according to this document?
 16 A. Yes, sir.

Page 260:18 to 260:22

00260:18 Q. (By Mr. Guidry) Next one, "Mud loggers
 19 immediately informed driller, tool pusher and
 20 company rep of any alarms." Does this document
 21 indicate that the objectives were -- were 100
 22 percent met?

Page 260:24 to 261:06

00260:24 A. Yes, sir.
 25 Q. (By Mr. Guidry) "Mud loggers identified
 00261:01 all operational events (pit level gains >2m3, gas
 02 level increases, pore pressure fluctuations (gas
 03 influx, pack-off, wash-out), drilling breaks) in
 04 a timely fashion and prevented associated NPT."
 05 Does this indicate that objective was 100 percent
 06 met?

Page 261:08 to 261:11

00261:08 A. Yes, sir.

09 Q. Do -- in fact, do any of the objectives
10 on this page indicate that they were not 100
11 percent met?

Page 261:13 to 261:24

00261:13 A. No, sir.

14 Q. (By Mr. Guidry) If you turn to the second
15 page, under "Mud Logger Equipment," it talks of
16 "Alarms, Computer system, Gas" chromaga --
17 "chromatograph, Lab equipment and" pressure
18 "unit, Sensors - Gas, Sensors - Pit level,"
19 Sensor - "Flow line," Sensor - "WOB, Torque, rpm,
20 depth, etc."

21 A. (Nodding.)

22 Q. Does this document indicate that any of
23 these items of equipment did not function per
24 specification?

Page 262:01 to 262:01

00262:01 A. No, sir, they're all "Yes."

Page 262:04 to 262:16

00262:04 Exhibit 1501, "Macondo Time Log Analysis" as
05 prepared by BP. Do you recognize this document?

06 A. No, sir, I don't believe I've seen this,
07 either.

08 Q. As you stated earlier, you can't
09 interpret the Sperry-Sun logging data without
10 knowing the operational planned activities that
11 have been -- that were happening at any given
12 time, correct?

13 A. That's correct.

14 Q. So this information that is in the
15 right-most margin, could not have been known just
16 by looking at the graphs, correct?

Page 262:18 to 262:24

00262:18 A. No, sir.

19 Q. (By Mr. Guidry) Okay.

20 A. Not without knowing the activities, as
21 you said earlier.

22 Q. So it takes a person on the rig knowing
23 what is going on to properly identify the issues
24 on this chart, correct?

Page 263:01 to 263:01

00263:01 A. That's correct.

Page 263:05 to 264:17

00263:05 Q. This is an E-mail, which at the top of
 06 the page is from Jim Grier, dated September 12,
 07 2010, to various individuals. And it is marked
 08 Halliburton -- HAL -- excuse me -- _1060808
 09 through 809. Have you seen this E-mail before?
 10 THE COURT REPORTER: It's previously
 11 marked?

12 A. No, sir. I don't believe so.

13 MR. GUIDRY: I don't believe it has
 14 been.

15 A. I don't -- I don't see my name.

16 MR. GUIDRY: We'll mark it as 5190.

17 (Exhibit No. 5190 marked.)

18 Q. (By Mr. Guidry) Well, if you look at the
 19 second page at the top, it says: "As we continue
 20 to review BP's internal report, we have noticed a
 21 number of substantial omissions and inaccuracies
 22 in" that "document."

23 "Halliburton remains confident that all
 24 the work it performed with respect to the Macondo
 25 well was completed in accordance with BP's
 00264:01 specifications for its well construction plan and
 02 instructions, and that it is fully indemnified
 03 under its contract for any of the allegations
 04 contained in the report.

05 "Deepwater operations are inherently
 06 complex and a number of contractors are involved
 07 which routinely make recommendations to a single
 08 point of contact, the well owner. The well owner
 09 is responsible for designing the well program and
 10 any testing related to the well. Contractors do
 11 not specify" the "well testing procedures or make
 12 decisions regarding testing procedures as that
 13 responsibility lies with the well owner."

14 Do you re -- do you agree with the
 15 statements in this E-mail that I just read to
 16 you?

17 A. Yes, sir.

Page 264:19 to 265:05

00264:19 Q. (By Mr. Guidry) Earlier, you were asked
 20 questions about Exhibit 5185, which was the
 21 "SPERRY DRILLING SERVICES" Brochure?

22 A. Yes. "SURFACE DATA LOGGING."

23 Q. What did you call them, I'm sorry?

24 A. "SURFACE DATA LOGGING."

25 Q. "SURFACE DATA LOGGING." Gotcha. All the
00265:01 statements in this brochure, at the Services
02 presupposes that the customer is not conducting
03 activities on the rig that would have prevented
04 Sperry from conducting its -- its services,
05 correct?

Page 265:07 to 265:07

00265:07 A. That's correct.

Page 265:10 to 265:13

00265:10 Q. (By Mr. Guidry) Are you aware that John
11 Gisclair and Joseph Keith testified that their
12 responsibilities for mud logging were to serve as
13 a second set of eyes for monitoring the rig?

Page 265:15 to 265:21

00265:15 A. Yes. I am aware that they testified to
16 that.
17 Q. (By Mr. Guidry) Does that comport with
18 your understanding of what their responsibilities
19 as Sperry Mud Loggers is, under the Contract with
20 BP?
21 A. Yes, sir, I believe so.

Page 268:08 to 268:11

00268:08 Q. (By Mr. Guidry) Does Sperry typically
09 recommend what monitoring should be done at each
10 stage of the well, or is that a BP
11 responsibility?

Page 268:13 to 269:03

00268:13 A. What -- what this note is referencing is
14 the opportunity to make recommendations to
15 specific scales or type of templates used in
16 various activities. The customer usually -- it's
17 standard that the customer tells us how they want
18 that data provided. And so this was an
19 opportunity to offer some improvement and some
20 recommendations how to change those scales to
21 match to the activity.
22 Q. (By Mr. Guidry) So typically, the
23 Operator requests what monitoring it wants on
24 each stage of the well?
25 A. That's correct.
00269:01 Q. And then Sperry will recommend what type
02 of monitoring for that particular purpose?

03 A. Right.

Page 272:18 to 272:19

00272:18 Q. What is the significance of the fact that
19 the SLB log data had not been released by BP?

Page 272:21 to 273:07

00272:21 A. As I mentioned earlier to BP, that we
22 talked about the multiple sands, there -- this is
23 the formation of -- the Schlumberger open hole
24 logs would be the document of record to the
25 formation evaluation, assessment,
00273:01 petrophysicist -- petrophysical measurements,
02 et cetera, and would be the data that would help
03 confirm, of the five potential zones, were they
04 hydrocarbon bearing and potential petrophysical
05 measurements.

06 Q. (By Mr. Bowman) So without that data,
07 what could Halliburton do?

Page 273:09 to 273:19

00273:09 A. That's correct. That's -- again, as --
10 as I mentioned earlier, we couldn't run any of
11 the analysis or perform any -- answer any of the
12 questions as it related to, was the top of cement
13 in the correct place, et cetera, because we did
14 not know which were and were not hydrocarbon
15 bearing zones.

16 Q. (By Mr. Bowman) Okay. Do you have any
17 idea why BP apparently had not released the data
18 to either the White House or to the Department of
19 Interior?

Page 273:21 to 273:21

00273:21 A. No, sir, I do not.

Page 275:10 to 276:06

00275:10 Q. The document -- yeah. We have two of
11 them in front. The document that was introduced
12 by previous Counsel as Exhibit 5158 [sic] is a
13 sales document, isn't it?

14 A. That's correct. It's a marketing
15 brochure, yes.

16 Q. Yes. And so, I mean, it obviously -- I
17 mean, common sense tells us that it puts its --
18 the best foot forward, it promotes the -- the
19 optimal view of whatever it is that is being sold

20 by Spe -- by Sperry, correct?
 21 A. That's a fair statement, yes, sir.
 22 Q. Okay. It is not something that you would
 23 offer to someone to demonstrate the details of
 24 what Sperry actually performs, is it?
 25 A. No, sir. It does not have the
 00276:01 engineering and -- and the answers in it, no,
 02 sir.
 03 Q. And you'd look to the contract between
 04 you and your customer in order to be able to get
 05 to that, wouldn't you?
 06 A. That's --

Page 276:08 to 276:10

00276:08 Q. (By Mr. Palmintier) All right. Because
 09 now --
 10 A. That's correct.

Page 279:15 to 280:03

00279:15 Q. You've -- you're not trained in mud
 16 logging. You know about mud logging from a sales
 17 and -- and organizational standpoint, but not
 18 from an expert standpoint, correct?
 19 A. That's correct.
 20 Q. Well, you -- you were led, by skilled
 21 Counsel, into saying that 100 percent of Joe
 22 Keith's attention should have been directed to
 23 his monitors. I could be wrong about that, but I
 24 thought I heard you say that.
 25 Isn't it fair to say that no human being
 00280:01 can de -- I mean, in your life experience, can --
 02 can devote 100 percent of his attention to any
 03 one thing?

Page 280:05 to 280:22

00280:05 A. That is a true statement. That's why I
 06 was trying to clarify with the B -- the gentleman
 07 from BP, that monitoring -- so he's monitoring
 08 pits, he had a number of activities he was doing,
 09 obviously looking at his monitor, looking at the
 10 data, but he's -- monitoring is -- is a broader
 11 statement that includes other activities. And I
 12 know for a -- I -- I know from my discussion with
 13 Mr. Gisclair that he was also keeping, you know,
 14 handbooks of his -- of the pits, so that's --
 15 that's a form of mon -- monitoring --
 16 Q. Yes, sir.
 17 A. -- but it's not looking at the monitor.
 18 Q. It's fair to say that it's physically
 19 impossible, in fact, for one person to do all of

20 those things and devote 100 percent of his
21 attention to all of them?
22 A. That -- that's correct.

Page 280:24 to 281:02

00280:24 Q. (By Mr. Palmintier) And -- and so he
25 would almost -- he'd have to be a robot, with --
00281:01 with multiple functions, or -- or -- or they
02 would need two people at this job?

Page 281:04 to 281:18

00281:04 Q. (By Mr. Palmintier) Especially when the
05 activity levels were as high as they are?
06 A. Well, fundamentally, that's why there's
07 redundancy on the rig, with multiple monitors,
08 because there are different critical points,
09 depending on the activity, that involve different
10 individuals on the rig.
11 Q. Yes, sir.
12 A. So the ability to quickly access and --
13 and watch that data, but your statement is
14 correct, yes, sir.
15 Q. It would have been better for them to
16 have two Mud Loggers in there, especially during
17 this intense time during the Temporary
18 Abandonment?

Page 281:20 to 282:07

00281:20 A. Again, it's -- it wasn't -- I don't think
21 Joe, based on my understanding from Mr. Gisclair,
22 that I have a lot of confidence in, that it was
23 something that perhaps he missed. Were there
24 other things that should have been watched?
25 Again, he didn't have full visibility of all of
00282:01 the sensors that have been pointed out.
02 So would -- would a second Mud Logger or
03 someone else been the answer? That -- I -- I
04 can't answer that, but it's a fair -- a fair
05 question, someone else --
06 Q. But it is fair to conclude that having
07 one was cheaper, isn't it?

Page 282:09 to 282:23

00282:09 A. Yes, sir.
10 Q. (By Mr. Palmintier) I mean, it's
11 apparent. If they'd have had --
12 A. Right.
13 Q. -- two, it would have cost them more
14 money, correct?

15 A. That's correct.
16 Q. And your experience with BP, especially
17 during this pre-Macondo time, was that every
18 chance that they got to save money, they did?
19 MR. LANCASTER: Objection, form.
20 Q. (By Mr. Palmintier) Isn't that a fair
21 statement?
22 A. Yeah. My personal involvement wouldn't
23 indicate that. I think, you know, certainly, the

Page 283:13 to 283:18

00283:13 Q. And Mr. Gisclair explained to you that
14 what happens to the Mud Logger during those
15 simultaneous operations is that his ability to
16 properly read his instrumentation and the -- and
17 the graphs is disrupted by all these operations
18 going on?

Page 283:21 to 283:21

00283:21 A. That's correct.

Page 284:04 to 284:14

00284:04 Q. And did he also explained to you that,
05 for example, the use of the heavy crane during
06 that -- that kind -- kind of operation, or the
07 offloading of heavy weights, such as the mud
08 supply down to the DAMON BANKSTON, can also
09 affect his -- his instrumentation, correct?
10 A. He did share that comment with me, as
11 well, yes, sir.
12 Q. And that is what was going on when Joe
13 Keith was being expected by BP, apparently, to
14 pay 100 percent attention to his instrumentation?

Page 284:16 to 284:19

00284:16 A. I can't confirm that. I -- so I -- I
17 take your statement. I don't recall, from
18 Mr. Gisclair's review, that crane activity was --
19 was the immediate activity going on.

ERRATA/CORRECTION PAGE

Deposition of James Russell Bement

Date of Deposition: September 20, 2011

[illegible]