

Deposition Testimony of:

Stephen Bertone

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Page 7:06 to 7:10

00007:06 STEPHEN RAY BERTONE,
07 having been first duly sworn, testified as
08 follows:
09 E X A M I N A T I O N
10 BY MR. LUNDY:

Page 8:02 to 8:05

00008:02 Q. All right. I understand that
03 you intend to take the Fifth Amendment; is
04 that correct?
05 A. Yeah.

Page 9:21 to 9:23

00009:21 Let me get your full
22 name:
23 A. Stephen Ray Bertone.

Page 10:03 to 12:01

00010:03 Q. (BY MR. LUNDY) Okay. Then go
04 ahead and read your statement.
05 A. All right. I take my job
06 responsibilities very seriously and am proud
07 of my years of faithful service to
08 Transocean. On April the 8th, 2003, I began
09 working on the Deepwater Horizon, and over
10 the next seven years I've spent well over a
11 thousand days and nights of my life working
12 and living on the rig.
13 On the night of April the 20th,
14 2010 when the explosions rocked the rig I was
15 one of the last to evacuate the vessel
16 because I was trying to uphold my
17 responsibilities to the crew and my company,
18 even after the two lifeboats had deployed.
19 The crew was like my family. I
20 lost my brothers that night. There is a void
21 that can never be filled. The nightmares
22 will not go away, and I still suffer. I am
23 sincerely humbled that the Coast Guard has
24 recognized my efforts to save the burning
25 vessel and to evacuate the injured as
00011:01 selfless and heroic, but I am not a hero. I
02 was merely doing my job.
03 I previously provided some
04 information to the Coast Guard and I was
05 hoping to provide more information today, but
06 due to the present and unique circumstances I
07 am reluctantly following the advice of my

08 counsel and declining to answer additional
09 questions at this time. My conscience is
10 clear, and I know in my heart I did nothing
11 wrong, but based on the advice of my
12 attorneys I respectfully decline to answer
13 any questions today based on my rights under
14 the Supreme Court case Ohio versus Reiner.
15 Q. Thank you. All right. What is
16 your age, Mr. Bertone?
17 A. Same answer.
18 Q. All right. Just so I'm clear,
19 instead of you saying "I'm taking the Fifth"
20 or saying the "Fifth Amendment," you're going
21 to tell me "same answer," which means to me
22 that you're taking the Fifth Amendment and
23 not going to respond to that question; is
24 that correct?
25 A. It means just what I had just
00012:01 read here.

Page 12:07 to 12:13

00012:07 Q. Have you been informed that
08 you're the subject of a grand jury
09 investigation?
10 A. Same answer.
11 Q. Have you been informed that you
12 are a target of a grand jury investigation?
13 A. Same answer.

Page 14:01 to 14:06

00014:01 Q. All right. You were assigned to
02 the Horizon in 2003; is that correct?
03 A. Same answer.
04 Q. You were chief engineer since --
05 on the Horizon since November 2008?
06 A. Same answer.

Page 15:06 to 15:14

00015:06 Q. All right. I'm going to ask
07 that you open your binder and look at tab
08 No. 2, which is Bates-stamped
09 TRN-MDL-00265564, and it's been marked as
10 Exhibit No. 4361. Okay.
11 This is -- does this document
12 reflect the statement you gave to Transocean
13 on April 21st, 2010 at 4:00 p.m.?
14 A. Same answer.

Page 15:24 to 16:16

00015:24 Q. In the statement you said that
25 around 17:30 hours there were issues with the
00016:01 well; is that correct?
02 A. Same answer.
03 Q. And you said that meetings were
04 held at 19:00 hours until approximately 21:30
05 hours regarding these issues; is that
06 correct?
07 A. Same answer.
08 Q. All right. Isn't it true that
09 there were many problems on the Deepwater
10 Horizon, prior to April 20th, 2010?
11 A. Same answer.
12 Q. Okay. Isn't it true that BP was
13 well aware of the many problems that the
14 Deepwater Horizon was experiencing, prior to
15 April 20th, 2010?
16 A. Same answer.

Page 17:12 to 18:11

00017:12 Mr. Bertone, you were aware that
13 an audit was performed on the Deepwater
14 Horizon in September 2009 on the date
15 September 13th through the 17th; is that
16 correct?
17 A. Same answer.
18 Q. And the document that we have
19 marked as Exhibit 4362 is the findings of the
20 audit that was performed in 2009. Do you
21 recognize this document?
22 A. Same answer.
23 Q. All right. And on Page 2 under
24 the "Executive Summary" we see findings from
25 the audit; is that correct?
00018:01 A. Same answer.
02 Q. All right. And isn't it true
03 that one of the findings in the audit which
04 is found on Page 2, four paragraphs down from
05 the "Findings of particular note were the
06 following," if you'll go down four
07 paragraphs, you'll see one of the findings
08 was that there was overdue planned
09 maintenance considered excessive 390 jobs,
10 amounting to 3,545 man-hours. Do you see
11 that?

Page 18:14 to 18:24

00018:14 Q. (BY MR. LUNDY) Do you see that
15 finding?
16 A. Same answer.
17 Q. Mr. Bertone, how much of the
18 planned maintenance was completed between

19 September 2009 and April 20th, 2010?
 20 A. Same answer.
 21 Q. Okay. Isn't it true that very
 22 little of the planned maintenance identified
 23 in this executive summary was performed
 24 between September 2009 and April 20, 2010?

Page 19:03 to 19:03

00019:03 A. Same answer.

Page 19:11 to 19:23

00019:11 Q. All right. You were aware that
 12 Transocean experienced a well control event
 13 in December 2009 with the displacement of --
 14 during which the displacement of mud was
 15 seawater, causing an un- -- an underbalanced
 16 condition in the well; you were aware of
 17 that, weren't you?
 18 A. Same answer.
 19 Q. Okay. Were you informed that
 20 this well control event occurred principally
 21 due to a failure to monitor flow in and out
 22 of the well which would have otherwise
 23 detected a kick?

Page 19:25 to 20:09

00019:25 A. Same answer.
 00020:01 Q. (BY MR. LUNDY) Okay. It's
 02 true, sir, isn't it true, that the driller
 03 sits in the drill shack in chair A and
 04 monitors the conditions downhole in the well
 05 by looking at computer screens?
 06 A. Same answer.
 07 Q. All right. And if the computer
 08 screens lock up, the driller cannot monitor
 09 what's going on downhole, is that correct?

Page 20:11 to 21:02

00020:11 A. Same answer.
 12 Q. (BY MR. LUNDY) Okay. Prior to
 13 April 20th you were aware of losses of power
 14 to driller's chair A, weren't you?
 15 A. Same answer.
 16 Q. All right. And these losses of
 17 power are commonly referred to by the crew as
 18 lockups; is that correct?
 19 A. Same answer.
 20 Q. All right. And the -- and the
 21 lockup means that when there is a loss of

22 power, the computer screen freezes up; is
23 that correct?
24 A. Same answer.
25 Q. Okay. And you were aware of
00021:01 multiple lockups prior to April 20th with
02 driller chair A; were you not?

Page 21:04 to 21:08

00021:04 A. Same answer.
05 Q. (BY MR. LUNDY) All right. And
06 BP was fully aware of the multiple lockups in
07 driller chair A prior to April 20th, 2010?
08 A. Same answer.

Page 21:10 to 21:13

00021:10 Q. (BY MR. LUNDY) All right. You
11 were aware that the rig had both total
12 blackouts and partial blackouts, prior to
13 April 20th, 2010, correct?

Page 21:15 to 21:19

00021:15 A. Same answer.
16 Q. (BY MR. LUNDY) And BP was fully
17 aware of the total blackouts and partial
18 blackouts prior to April 20th, 2010; is that
19 correct?

Page 21:21 to 21:21

00021:21 A. Same answer.

Page 22:02 to 22:04

00022:02 Q. And you were aware, sir, that BP
03 personnel had referred to this well as the
04 well from hell; is that correct, sir?

Page 22:06 to 22:13

00022:06 A. Same answer.
07 Q. (BY MR. LUNDY) All right. And
08 I'm going to talk to you now about negative
09 pressure testing. Isn't it true that on the
10 morning of April 20th, 2010 BP and TO
11 personnel argued about the results of a
12 negative test, in the pre-tour meeting?
13 A. Same answer.

Page 22:19 to 23:01

00022:19 Q. All right. And a negative
20 pressure test should always be done to
21 confirm a well's integrity, shouldn't it?
22 A. Same answer.
23 Q. And, in fact, these tests should
24 be performed because there should be some
25 expectation that the male -- the well might
00023:01 like integrity; is that correct?

Page 23:03 to 23:03

00023:03 A. Same answer.

Page 23:25 to 24:04

00023:25 Q. All right. And the desired
00024:01 result from the negative test is zero psi
02 pressure in the drill pipe and kill line and
03 zero to 3.5 fluid barrels -- barrels of fluid
04 returns from the drill pipe; is that correct?

Page 24:06 to 24:10

00024:06 A. Same answer.
07 Q. (BY MR. LUNDY) All right. And
08 the results experienced from the test was
09 1400 psi from the drill pipe and 15 barrels
10 of fluid return; isn't that correct?

Page 24:12 to 24:16

00024:12 A. Same answer.
13 Q. (BY MR. LUNDY) And based upon
14 these result BP knew that the well was
15 flowing and that well integrity had not been
16 achieved; isn't that correct?

Page 24:18 to 24:23

00024:18 A. Same answer.
19 Q. (BY MR. LUNDY) The obvious
20 warning that well integrity had not been
21 achieved was a topic of discussion in the
22 two-hour meeting in the drill shack before
23 the blowout on April 20th, 2010, wasn't it?

Page 24:25 to 25:04

00024:25 A. Same answer.
00025:01 Q. (BY MR. LUNDY) Despite an

02 unsuccessful negative pressure test, BP did
03 not consult its experts in Houston about the
04 findings; is that correct?

Page 25:06 to 25:15

00025:06 A. Same answer.
07 Q. (BY MR. LUNDY) Instead, BP
08 chose to displace the riser with seawater and
09 to reduce the hydrostatic pressure to below
10 the pressure in the reservoir; is that
11 correct?
12 A. Same answer.
13 Q. And this wanton and reckless
14 decision by BP resulted in the well becoming
15 underbalanced; isn't it?

Page 25:17 to 26:11

00025:17 A. Same answer.
18 Q. (BY MR. LUNDY) All right. Were
19 you aware that there was improper cement job
20 performed, on the Deepwater Horizon?
21 A. Same answer.
22 Q. And that prior to the cementing
23 there was no bottoms up circulation of the
24 well; isn't that correct?
25 A. Same answer.
00026:01 Q. And a bottoms up circulation of
02 the well is a procedure which helps to remove
03 drilling debris in order to effect a cement
04 job which would ensure the integrity of the
05 well; isn't that correct?
06 A. Same answer.
07 Q. All right. And despite that
08 objective, no bottoms up was done because the
09 bottom of this well was so fragile, BP didn't
10 want to risk fracturing it with that
11 procedure; isn't that correct?

Page 26:13 to 27:04

00026:13 A. Same answer.
14 Q. (BY MR. LUNDY) All right.
15 Isn't it true that a cement "bod" log --
16 cement bond log is a procedure that tests
17 cement integrity after placement to make sure
18 it's an effective barrier; isn't that
19 correct?
20 A. Same answer.
21 Q. All right. Isn't it true that
22 BP decided not to perform a cement bond log,
23 on the Deepwater Horizon?

24 A. Same answer.
25 Q. All right. In fact, there was a
00027:01 Schlumberger crew on the rig to perform the
02 cement bond log, and BP sent them home; isn't
03 that correct?
04 A. Same answer.

Page 29:09 to 29:14

00029:09 Q. (BY MR. LUNDY) Okay. You were
10 aware that the OptiCem centralizer model
11 demonstrated on April 18th that the use of
12 seven centralizers would result in severe gas
13 flow potential and definite cement
14 channeling; isn't that correct?

Page 29:16 to 29:16

00029:16 A. Same answer.

Page 29:21 to 29:25

00029:21 Q. (BY MR. LUNDY) You were aware
22 that on April 15th the OptiCem model showed
23 that twenty one centralizers would result in
24 minimum gas flow potential and no cement
25 channeling, correct?

Page 30:02 to 30:15

00030:02 A. Same answer.
03 Q. (BY MR. LUNDY) And BP was fully
04 aware of this fact, correct?
05 A. Same answer.
06 Q. You were aware that there were
07 six centralizers on the rig as of April 14th
08 and despite the fact that the OptiCem
09 centralizer model showed that the use of
10 seven centralizers result -- would result in
11 severe gas flow potential and definite cement
12 channeling. BP in conscious disregard for
13 the safety of the people on the DWH and the
14 environment recklessly chose to use six
15 centralizers; correct?

Page 30:17 to 30:17

00030:17 A. Same answer.

Page 31:02 to 31:09

00031:02 Q. You are familiar with the safety

03 devices on those engines; is that correct?
04 A. Same answer.
05 Q. All right. Didn't you say in
06 your testimony to the Coast Guard that you
07 were told that the engines exploded on
08 April 20th, 2010?
09 A. Same answer.

Page 31:11 to 31:17

00031:11 Q. (BY MR. LUNDY) All right isn't
12 it true that an unregulated fuel source into
13 one of the engines or any of the engines
14 resulting from a gas leak or a blowout such
15 as was experienced on April 20th, 2010 can
16 result in overspeed of the engine?
17 A. Same answer.

Page 31:19 to 31:22

00031:19 Q. (BY MR. LUNDY) All right.
20 Isn't it true that overspeed of an engine can
21 result in catastrophic failure of the engine,
22 including explosion?

Page 31:24 to 32:04

00031:24 A. Same answer.
25 Q. (BY MR. LUNDY) Are you familiar
00032:01 with the overspeed devices on the engines
02 that are designed to shut down fuel to the
03 engine when it -- when it increases to an
04 unsafe speed?

Page 32:06 to 32:12

00032:06 A. Same answer.
07 Q. (BY MR. LUNDY) The overspeed
08 device that shuts down fuel to the engine in
09 the event of overspeed not only shuts down
10 the engine, but gives an alarm and trips the
11 feeder breaker from the generator; is that
12 correct?

Page 32:14 to 32:19

00032:14 A. Same answer.
15 Q. (BY MR. LUNDY) Isn't it true
16 that at the time of the explosion the engines
17 that were running were increasing in speed up
18 until the point of the explosion?
19 A. Same answer.

Page 32:21 to 32:23

00032:21 Q. (BY MS. LUNDY) Isn't it true
22 that the overspeed safety devices failed on
23 April 20th, 2010?

Page 32:25 to 33:08

00032:25 A. Same answer.
00033:01 Q. (BY MR. LUNDY) Okay. You're
02 familiar with the term rig saver; is that
03 correct?
04 A. Same answer.
05 Q. A rig saver is a safety device
06 that shuts off ventilation of air into the
07 engine and thus a potential ignition source;
08 is that correct?

Page 33:10 to 33:15

00033:10 A. Same answer.
11 Q. (BY MR. LUNDY) All right.
12 Isn't it true that the rig savers on the
13 engines that were running that night also
14 failed?
15 A. Same answer.

Page 33:17 to 33:23

00033:17 Q. (BY MR. LUNDY) Are you familiar
18 with the term ESD or emergency shutdown?
19 A. Same answer.
20 Q. And the ESD closes dampers that
21 allows and turns off fans that supply air
22 into the engine room; is that correct?
23 A. Same answer.

Page 33:25 to 34:02

00033:25 Q. (BY MR. LUNDY) Isn't it true
00034:01 that the emergency shutdown system also
02 failed on the night of April 20th?

Page 34:04 to 34:15

00034:04 A. Same answer.
05 Q. (BY MR. LUNDY) Now, let's talk
06 about the backup generator -- Im sorry -- or
07 emergency generator. Isn't it true that
08 engines No. 3 and 4 were classified as
09 emergency generators?

10 A. Same answer.
11 Q. And the emergency system is
12 designed so that if the main engines that are
13 operating go down and after a ten-minute
14 lapse of time the emergency engines will then
15 start?

Page 34:17 to 34:24

00034:17 A. Same answer.
18 Q. (BY MR. LUNDY) And the
19 emergency engines are controlled by the
20 SIMRAD system; is that correct?
21 A. Same answer.
22 Q. All right. Isn't it true that
23 the emergency engines 3 and 4 failed to come
24 on-line on April 20th, 2010?

Page 35:01 to 35:07

00035:01 A. Same answer.
02 Q. (BY MR. LUNDY) And they failed
03 to come on-line after the explosion and after
04 there was a ten-minute gap following the
05 shutdown of the -- of the engines that were
06 running that night?
07 A. Same answer.

Page 35:09 to 36:09

00035:09 Q. (BY MR. LUNDY) All right. On
10 the -- after the explosion on April 20th,
11 2010 you and Mike Williams and Paul Meinhart
12 were asked by Captain Kuchta to attempt to
13 start the backup generator following the
14 explosions on April 20th; is that correct?
15 A. Same answer.
16 Q. And when the three of you got to
17 the backup generator Mr. Williams flipped the
18 switch from automatic to manual, hit the
19 reset button, and pressed the start button,
20 but the engine did not turn over; is that
21 correct?
22 A. Same answer.
23 Q. And Mr. Williams tried twice
24 more and nothing happened; is that correct?
25 A. Same answer.
00036:01 Q. All right then either
02 Mr. Williams or yourself or Mr. Meinhart or
03 all three of you opened, closed, then
04 reopened the main feed breaker, turned the
05 switch for the automatic sync on the stand-by
06 generator from automatic to manual, tried

07 again to reset and start the stand-by
08 generator, but the engine didn't turn over;
09 is that correct?

Page 36:11 to 36:16

00036:11 A. Same answer.
12 Q. (BY MR. LUNDY) Then after the
13 engine didn't turn over again one or the
14 three of you turned on the second battery
15 bank and tried again and, once again, the
16 engine failed to turn over; is that correct?

Page 36:18 to 36:21

00036:18 A. Same answer.
19 Q. (BY MR. LUNDY) So it is true
20 that the backup generators failed on the
21 night of April 20th, 2010; is that correct?

Page 36:23 to 37:04

00036:23 A. Same answer.
24 Q. (BY MR. LUNDY) You're familiar
25 with the term lost returns; are you not?
00037:01 A. Same answer.
02 Q. All right you're aware that
03 there were many events of lost returns on the
04 Deepwater Horizon, correct?

Page 37:06 to 37:10

00037:06 A. Same answer.
07 Q. (BY MR. LUNDY) You're aware
08 that thousands of barrels of mud were lost
09 into the formation; is that correct?
10 A. Same answer.

Page 37:12 to 37:21

00037:12 Q. (BY MR. LUNDY) All right. And
13 you were on the Deepwater Horizon on
14 March 8th, 2010; is that correct?
15 A. Same answer.
16 Q. You're aware that the well took
17 a kick and tools lost in the hole on
18 March 8th, 2010, correct?
19 A. Same answer.
20 Q. Isn't it true that BP controlled
21 the actions of all personnel on the DWH?

Page 37:23 to 38:01

00037:23 A. Same answer.
24 Q. (BY MR. LUNDY) Isn't it true
25 that BP had ultimate control and authority of
00038:01 all personnel on DWH?

Page 38:03 to 38:08

00038:03 A. Same answer.
04 Q. (BY MR. LUNDY) And after the
05 kick on March 8th and all the lost returns BP
06 did not instruct you or any other Transocean
07 employee to slow down the drilling process,
08 did it?

Page 38:10 to 38:15

00038:10 A. Same answer.
11 Q. (BY MR. LUNDY) In fact, BP was
12 instructing Transocean employees to drill as
13 fast as they possibly could because BP was
14 behind schedule and over budget on the
15 Deepwater Horizon; isn't that correct?

Page 38:17 to 38:23

00038:17 A. Same answer.
18 Q. (BY MR. LUNDY) Isn't it true
19 that BP needed to relocate the Deepwater
20 Horizon to another location in the Gulf
21 approximately 250 miles away and was pushing
22 to complete this well as fast as possible; is
23 that correct?

Page 38:25 to 39:04

00038:25 A. Same answer.
00039:01 Q. (BY MR. LUNDY) And because it
02 was behind schedule and over budget BP was
03 putting profits over safety of the personnel
04 on this rig; was it not?

Page 39:06 to 39:11

00039:06 A. Same answer.
07 Q. (BY MR. LUNDY) Isn't it true,
08 Mr. Bertone, you felt pressured by BP to take
09 shortcuts, compromising safety to the
10 personnel and the environment because BP was
11 behind schedule and over budget on this well?

Page 39:13 to 39:13

00039:13 A. Same answer.

Page 40:02 to 41:15

00040:02 Q. (BY MR. MORRISS) Mr. Bertone,
03 my name is Chad Morris. I represent BP. If
04 I ask you anything you don't understand, stop
05 me and tell me. I'll be happy to repeat it.
06 If you don't stop me, I'll assume you
07 understood the question. Is that clear?

08 A. Yes.

09 Q. As I understand it, in December
10 of 2003 as a Transocean employee you joined
11 the Deepwater Horizon; is that correct?

12 A. Same answer.

13 Q. And in November of 2008 you
14 became the chief engineer and maintenance
15 supervisor; is that correct?

16 A. Same answer.

17 Q. And from November 2008 until
18 April 20th, 2010 you served as maintenance
19 supervisor, also known as chief engineer,
20 correct?

21 A. Same answer.

22 Q. Now, your responsibility is
23 maintenance supervisor was to supervise and
24 control the maintenance and repair of
25 equipment on the Deepwater Horizon; is that
00041:01 correct?

02 A. Same answer.

03 Q. And if you'll turn to tab 1 in
04 your notebook, we'll mark this as
05 Exhibit 4363. Is this a rendition of the job
06 responsibilities of a maintenance supervisor
07 for Transocean?

08 A. Same answer.

09 Q. And if you'll look at the text
10 of this document, does it specifically
11 indicate that your responsibility was to make
12 certain that mechanical, electrical,
13 electronic, subsea, and information and
14 technology equipment on the rig was properly
15 maintained and functional?

Page 41:17 to 42:17

00041:17 A. Same answer.

18 Q. (BY MR. MORRISS) And if you'll
19 turn to tab 2, this is a document that's been
20 previously marked as Exhibit 3342. Is this
21 the maintenance procedure manual for
22 Transocean?

23 A. Same answer.
 24 Q. And if you'll turn to Page 5326,
 25 the numbers are on the bottom. 5326 is how
 00042:01 they end. If you'll look under the topic, it
 02 says "General," correct? Is that what it
 03 says?
 04 A. Same answer.
 05 Q. And under point No. 1 it says,
 06 "This manual describes Transocean's
 07 maintenance management system and supports
 08 Transocean's policies related to maintenance
 09 and inventory," correct?
 10 A. Same answer.
 11 Q. And if you'll turn over to
 12 Page 5330, four pages over, under Section 2
 13 this indicates that as maintenance supervisor
 14 you were responsible for the planning,
 15 execution, and accurate recording of the
 16 maintenance in accordance with the
 17 maintenance management system, correct?

Page 42:20 to 43:10

00042:20 Q. (BY MR. MORRISS) And if you'll
 21 go to Page 5339, this is under the section of
 22 "Core values." The procedure manual states
 23 that, "Ensuring the equipment remains
 24 reliable and available for use when required
 25 is essential to maintaining a safe working
 00043:01 environment and to prevent incident,"
 02 correct?
 03 A. Same answer.
 04 Q. Now, TO understood and you
 05 understood in April of 2010 that maintenance
 06 and repair of equipment was important to
 07 assure that the Transocean crew could monitor
 08 for well control events, close in the well
 09 during an influx of hydrocarbon, and prevent
 10 a fire and explosion on the rig; correct?

Page 43:12 to 43:19

00043:12 A. Same answer.
 13 Q. (BY MR. MORRISS) And TO
 14 understood, and you did, that if there was a
 15 failure to properly maintain and properly
 16 repair equipment, that it would in fact
 17 impair the crew's ability to detect well
 18 control, close in the well, and prevent fire
 19 and explosion on the rig, correct?

Page 43:21 to 44:03

00043:21 A. Same answer.
22 Q. (BY MR. MORRISS) And, in fact,
23 you would agree that TO's failure to properly
24 maintain and repair the equipment contributed
25 to the failure of TO's crew on April 20th of
00044:01 2010 to timely detect hydrocarbon influx,
02 close in the well, and prevent or minimize
03 fire and explosion on the rig floor, correct?

Page 44:05 to 44:13

00044:05 A. Same answer.
06 Q. (BY MR. MORRISS) Now, if you'll
07 turn back to tab 1, which is what we marked
08 previously as Exhibit 4363. This document
09 indicates that one of the responsibilities of
10 the maintenance supervisor was to mentor,
11 develop, and train crew members to ensure
12 that they were competent to work at their
13 next job level, correct?

Page 44:15 to 44:21

00044:15 A. Same answer.
16 Q. (BY MR. MORRISS) And this
17 document also indicates that one of your
18 duties was to ensure that all subordinates
19 have the necessary skills and experience to
20 fulfill their assigned task in a safe and
21 efficient manner, correct?

Page 44:23 to 45:11

00044:23 A. Same answer.
24 Q. (BY MR. MORRISS) And if you'd
25 turn to -- back to tab 2, which is the
00045:01 maintenance procedural manual, Exhibit 3342,
02 and if you'll turn to Page 5372, which will
03 be toward the back. The Transocean
04 maintenance procedure manual actually has a
05 section on personnel competency, correct?
06 A. Same answer.
07 Q. And your job or one of your
08 responsibilities as a maintenance supervisor
09 was to make sure that the crew working under
10 you were competent to perform their jobs,
11 correct?

Page 45:13 to 45:18

00045:13 A. Same answer.
14 Q. (BY MR. MORRISS) And, in fact,
15 this Transocean manual states that personnel

16 must be competent to perform the required
17 maintenance activities, on the company
18 equipment, correct?

Page 45:20 to 46:02

00045:20 A. Same answer.
21 Q. (BY MR. MORRISS) And it gives
22 specific duties and responsibilities to the
23 maintenance supervisor to make sure that the
24 personnel is familiar with the equipment,
25 that the personnel is properly monitored, and
00046:01 that the personnel has successfully completed
02 company required training, correct?

Page 46:04 to 46:07

00046:04 A. Same answer.
05 Q. (BY MR. MORRISS) And as
06 maintenance supervisor those responsibilities
07 would have fallen to you, correct?

Page 46:09 to 46:15

00046:09 A. Same answer.
10 Q. (BY MR. MORRISS) And the
11 obligation to train the employees on the
12 Transocean rig, the obligation to make sure
13 they were competent and able to repair and
14 maintain equipment, that responsibility fell
15 exclusively to Transocean, true?

Page 46:17 to 46:25

00046:17 A. Same answer.
18 Q. (BY MR. MORRISS) Now, there
19 were a number of employees on the rig that
20 reported to you; is that correct?
21 A. Same answer.
22 Q. And that would have included the
23 subsea team responsible for maintaining and
24 repairing the subsea equipment, correct?
25 A. Same answer.

Page 47:02 to 47:08

00047:02 Q. (BY MR. MORRISS) And that would
03 have included Owen McWhorter, Mark Hay, Chris
04 Pleasant, and Jay Odenwald, correct?
05 A. Same answer.
06 Q. And you and Transocean had the
07 responsibility to train and verify their

08 competency, correct?

Page 47:10 to 47:13

00047:10 A. Same answer.
11 Q. (BY MR. MORRISS) You were not
12 looking to BP to train the subsea team, were
13 you?

Page 47:15 to 47:19

00047:15 A. Same answer.
16 Q. (BY MR. MORRISS) And Transocean
17 was not looking to BP to train the subsea
18 team, was it?
19 A. Same answer.

Page 47:21 to 48:01

00047:21 Q. (BY MR. MORRISS) Now,
22 Transocean controlled the number of competent
23 people assigned to perform, repair and
24 maintenance on the Deepwater Horizon, is that
25 correct?
00048:01 A. Same answer.

Page 48:03 to 48:09

00048:03 Q. (BY MR. MORRISS) And you would
04 agree that to properly maintain the safety
05 critical equipment on the Deepwater Horizon
06 there were a certain number of qualified
07 people that would be necessary to carry out
08 that task, correct?
09 A. Same answer.

Page 48:11 to 48:16

00048:11 Q. (BY MR. MORRISS) And Transocean
12 knew and you knew before April 20th, 2010
13 that there were not -- there were not enough
14 maintenance and repair personnel to carry out
15 these safety critical responsibilities,
16 correct?

Page 48:18 to 48:23

00048:18 A. Same answer.
19 Q. (BY MR. MORRISS) And Transocean
20 had insufficient manpower on the Deepwater
21 Horizon on April 2010 to carry out these
22 safety critical repair and maintenance

23 functions, correct?

Page 48:25 to 49:04

00048:25 A. Same answer.
00049:01 Q. (BY MR. MORRISS) In fact, you
02 had conversations with employees that worked
03 for you about this insufficient manpower
04 problem, correct?

Page 49:06 to 49:12

00049:06 A. Same answer.
07 Q. (BY MR. MORRISS) You had a
08 discussion with Brent Mansfield who expressed
09 to you his concern that there were not enough
10 manpower, there was insufficient personnel to
11 perform maintenance and repair on the
12 Deepwater Horizon, correct?

Page 49:14 to 50:07

00049:14 A. Same answer.
15 Q. (BY MR. MORRISS) And if you'll
16 turn to tab 10 in your notebook and if you'll
17 look at Exhibit 3405, which is the Deepwater
18 Horizon follow-up rig audit dated September
19 2009 and if you'll turn to page numbers that
20 end in 601, and midway on that page there is
21 a section under "Power Plant." Do you see
22 that?
23 A. Yes.
24 Q. And this audit indicated that
25 engine No. 1 was overdue since May 2009 a
00050:01 planned 24,000-hour overhaul, while engine
02 No. 4 was overdue since June 2009 a planned
03 24,000-hour overall and 12,000-hour turbo
04 charger replacement. The maintenance
05 supervisor cited a lack of manpower as the
06 main reason for no progress.
07 Did I read that correctly?

Page 50:09 to 50:19

00050:09 A. Same answer.
10 Q. (BY MR. MORRISS) And, in fact,
11 you were a maintenance supervisor in
12 September -- May and September of 2009 on the
13 Deepwater Horizon, correct?
14 A. Same answer.
15 Q. And the maintenance supervisor
16 on the Deepwater Horizon indicated that it
17 was a lack of manpower that caused these

18 deficiencies in repair and maintenance,
19 correct?

Page 50:21 to 51:01

00050:21 A. Same answer.
22 Q. (BY MR. MORRISS) And instead of
23 addressing this problem with additional
24 competent workers, Transocean forced you to
25 prioritize corrective maintenance and
00051:01 repairs, correct?

Page 51:03 to 51:08

00051:03 A. Same answer.
04 Q. (BY MR. MORRISS) And by forcing
05 you to prioritize repair and maintenance,
06 some things were delayed in being repaired
07 and some things simply did not get repaired;
08 is that correct?

Page 51:10 to 51:13

00051:10 A. Same answer.
11 Q. (BY MR. MORRISS) And Transocean
12 consciously made these decisions to save
13 money, correct?

Page 51:15 to 51:20

00051:15 A. Same answer.
16 Q. (BY MR. MORRISS) And Transocean
17 consciously made these decisions knowing that
18 it would adversely affect the ability of your
19 crew to properly maintain and repair the
20 equipment, correct?

Page 51:22 to 52:17

00051:22 A. Same answer.
23 Q. (BY MR. MORRISS) Now, are you
24 familiar with the RMS system?
25 A. Yes.
00052:01 Q. And if you'll turn to tab 2,
02 which we previously looked at and is marked
03 as Exhibit 3342. And I'm going to get you to
04 turn to Page 5340. I say, Page 5340 is part
05 of the maintenance procedures manual, and the
06 section is headed "Maintenance Management
07 System," correct?
08 A. Same answer.
09 Q. And if you'll look under

10 Section 4.1 procedures, it indicates that the
 11 rig management system 2, RMS, is the approved
 12 company computerized maintenance management
 13 system and will be used by all installations
 14 and fleet spare, slash, pool equipment
 15 locations to ensure proper application of the
 16 MMS.
 17 Did I read that correctly?

Page 52:19 to 52:24

00052:19 A. Yes. Same answer.
 20 Q. (BY MR. MORRISS) And Transocean
 21 relies and did rely in April of 2010 on the
 22 RMS system to both record maintenance
 23 activities and to prompt the crew when
 24 maintenance and repair was due, correct?

Page 53:01 to 53:12

00053:01 A. Same answer.
 02 Q. (BY MR. MORRISS) And RMS
 03 replaced an existing system called EMPAC,
 04 E-M-P-A-C, correct?
 05 A. Same answer.
 06 Q. And this occurred following
 07 Transocean's acquisition of the Global
 08 Santa Fe, correct?
 09 A. Same answer.
 10 Q. And Transocean experienced
 11 significant problems with the system; is that
 12 correct?

Page 53:14 to 53:25

00053:14 A. Same answer.
 15 Q. (BY MR. MORRISS) And these
 16 problems included the fact that not all
 17 maintenance and repairs were being entered
 18 into the system, right?
 19 A. Same answer.
 20 MR. KINCHEN: Object to form.
 21 Q. (BY MR. MORRISS) And some of
 22 Transocean's employees reported work as
 23 having been completed when, in fact, the work
 24 had not been completed, correct?
 25 A. Same answer.

Page 54:02 to 54:05

00054:02 Q. (BY MR. MORRISS) And some tasks
 03 were simply lost during the conversion; is
 04 that correct?

05 A. Same answer.

Page 54:07 to 54:11

00054:07 Q. (BY MR. MORRISS) And you, sir,
08 have described the system at the time of the
09 Deepwater Horizon incident as a work in
10 progress, correct?
11 A. Same answer.

Page 54:13 to 54:15

00054:13 Q. (BY MR. MORRISS) And have said
14 it wasn't the easiest to use; is that
15 correct?

Page 54:17 to 55:10

00054:17 A. Same answer.
18 Q. (BY MR. MORRISS) And if you'll
19 turn to tab 10, which, again, is Exhibit
20 No. 3405, which is the audit of September
21 2009, and if you'll turn to Page 599, under
22 the section "Maintenance Management" the
23 audit found that maintenance management
24 system has recently been changed from
25 Transocean's former EMPAC system to the GSS
00055:01 Legacy RMS 2 system. Although training has
02 been provided for most personnel, many were
03 still coming to terms with the operation and
04 features of RMS 2. Although former
05 maintenance history has been copied across to
06 RMS 2, based on conversation and observation
07 it is evident that Transocean has not fully
08 set the rig up for success in terms of
09 maintenance and management.
10 Did I read that correctly?

Page 55:12 to 55:19

00055:12 A. Same answer.
13 Q. (BY MR. MORRISS) And, in fact,
14 you knew in September of 2009 that there were
15 problems with this maintenance management
16 system and that it adversely impacted your
17 crew's ability to maintain and repair the
18 equipment; is that correct?
19 A. Same answer.

Page 55:21 to 56:13

00055:21 Q. (BY MR. MORRISS) And if you'll

22 now turn to tab 11, this is Exhibit No. 3417
23 and is the audit that was done by ModuSpec;
24 is that correct?
25 A. Same answer.
00056:01 Q. And the audit done on
02 April 18th, 2010, before the Deepwater
03 Horizon incident, correct?
04 A. Same answer.
05 Q. And if you'll turn to
06 page ending in Bates 338, there is a section
07 that deals with the maintenance system
08 condition, correct?
09 A. Same answer.
10 Q. And this audit again noted that
11 even as late as April of 2010 Transocean was
12 continuing to have problems with the RMS
13 system, correct?

Page 56:15 to 56:24

00056:15 A. Same answer.
16 Q. (BY MR. MORRISS) Now, if you'll
17 turn back to tab 1 in your notebook, which
18 is -- again, is Exhibit 4363. Exhibit 4363
19 describes one of your duties as the
20 Transocean maintenance supervisor to
21 implement the follow-up requirements to
22 audits as issued by clients, regulatory
23 authorities, or rig management; is that
24 correct?

Page 57:01 to 57:06

00057:01 A. Same answer.
02 Q. (BY MR. MORRISS) All right.
03 And Transocean and you as maintenance
04 supervisor have the sole responsibility for
05 addressing maintenance and repair issues
06 identified during these audits, correct?

Page 57:08 to 58:03

00057:08 A. Same answer.
09 Q. (BY MR. MORRISS) You were shown
10 this previously, but if you'll turn to
11 Page 10, which is Exhibit 3405 -- excuse me,
12 tab 10. Tab 10, 3405 is the exhibit number,
13 and if you'll turn the Page 590 and this is
14 under the executive summary section, bullet
15 point 4 noted that overdue planned
16 maintenance considered excessive, 390 jobs,
17 amounting to 3,545 man-hours. With the
18 recent shift from EMPAC to RMS 2 maintenance

19 systems and revised maintenance scheduling
20 the backlog does not look as though it will
21 improve.
22 Did I read that correctly?
23 A. Same answer.
24 Q. And then attached to this audit,
25 if you turn to Page 8605, there is a listing
00058:01 of deficiencies that were noted in the audit;
02 is that correct?
03 A. Same answer.

Page 58:05 to 58:10

00058:05 Q. (BY MR. MORRISS) And each of
06 the deficiencies that were noted in this
07 audit, it would be Transocean's exclusive
08 responsibility to repair and cure these
09 deficiencies; is that correct?
10 A. Same answer.

Page 58:12 to 58:15

00058:12 Q. (BY MR. MORRISS) And to the
13 extent any of these deficiencies were not
14 cured, that responsibility would fall to
15 Transocean, correct?

Page 58:17 to 58:17

00058:17 A. Same answer.

Page 59:17 to 59:20

00059:17 Q. And would you agree that all the
18 items and deficiencies noted in the ModuSpec
19 audit, Exhibit 3417, the obligation to repair
20 those rested with Transocean?

Page 59:22 to 60:01

00059:22 A. Same answer.
23 Q. (BY MR. MORRISS) And to the
24 extent these deficiencies were not cured, the
25 responsibility for that lies with Transocean,
00060:01 correct?

Page 60:03 to 60:07

00060:03 A. Same answer.
04 Q. (BY MR. MORRISS) You would
05 agree that you have the power and the right
06 to stop rig operations anytime you thought

07 that there was an unsafe condition, correct?

Page 60:09 to 60:17

00060:09 A. Same answer.
 10 Q. (BY MR. MORRISS) And, in fact,
 11 all Transocean employees understood that they
 12 had that authority, correct?
 13 A. Same answer.
 14 Q. And as a maintenance supervisor
 15 it would have been part of your job
 16 responsibility to make sure they understood
 17 they had that right, correct?

Page 60:19 to 61:03

00060:19 A. Same answer.
 20 Q. (BY MR. MORRISS) Now, you were
 21 asked a few questions about your Coast Guard
 22 statement. I want to talk to you a little
 23 bit about the emerg- -- emergency disconnect
 24 system. Would you agree with me that there
 25 was a significant delay on the part of the
 00061:01 Transocean crew in activating the emergency
 02 disconnect system on April 20th, 2010?
 03 A. Same answer.

Page 61:05 to 61:13

00061:05 Q. (BY MR. MORRISS) And, in fact,
 06 you were in bed at the time of the first
 07 explosion, correct?
 08 A. Same answer.
 09 Q. And there had been some period
 10 of time that elapsed between when there was a
 11 known well control problem and hydrocarbons
 12 on the rig floor and when you first heard the
 13 explosion in your bedroom, correct?

Page 61:15 to 62:11

00061:15 A. Same answer.
 16 Q. (BY MR. MORRISS) And you got
 17 out of bed after the first explosion and
 18 began to get dressed to see if you could go
 19 lend assistance and figure out what was going
 20 on, correct?
 21 A. Same answer.
 22 Q. And while you were getting
 23 dressed there was a second explosion that
 24 knocked you down, correct?
 25 A. Same answer.
 00062:01 Q. And then you got dressed and

02 made your way toward the rig, ridge -- toward
03 the bridge; is that correct?
04 A. Same answer.
05 Q. And when you got to the bridge
06 you saw Chris Pleasant standing at the BOP
07 panel, correct?
08 A. Same answer.
09 Q. And you asked Chris whether he
10 had activated the EDS system, right?
11 A. Same answer.

Page 62:13 to 62:14

00062:13 Q. (BY MR. MORRISS) And he said he
14 had not, correct?

Page 62:16 to 62:19

00062:16 A. Same answer.
17 Q. (BY MR. MORRISS) He said he
18 needed permission to activate the EDS system,
19 correct?

Page 62:21 to 62:24

00062:21 A. Same answer.
22 Q. (BY MR. MORRISS) And then you
23 found Daun Winslow and you asked permission
24 to activate EDS, correct?

Page 63:01 to 63:05

00063:01 A. Same answer.
02 Q. (BY MR. MORRISS) He gave you
03 permission, but someone intervened and said
04 you needed the OIM permission before you
05 could activate the EDS, correct?

Page 63:07 to 63:10

00063:07 A. Same answer.
08 Q. (BY MR. MORRISS) You then found
09 Jimmy Harrell and obtained permission to
10 activate the EDS, correct?

Page 63:12 to 63:14

00063:12 A. Same answer.
13 Q. (BY MR. MORRISS) You then told
14 Chris Pleasant to activate the EDS, correct?

Page 63:16 to 63:25

00063:16 A. Same answer.
17 Q. (BY MR. MORRISS) And during
18 this entire period of time from when
19 hydrocarbons were noted to be on the rig
20 floor, through the first explosion, the
21 second explosion, making your way to the
22 bridge, and ultimately getting permission to
23 activate the EDS system there was a
24 significant delay in activating this safety
25 critical measure, correct?

Page 64:02 to 64:04

00064:02 A. Same answer.
03 Q. (BY MR. MORRISS) Now, are you
04 aware of Transocean's marketing statements?

Page 64:06 to 64:09

00064:06 A. Same answer.
07 Q. (BY MR. MORRISS) Did you know
08 that Transocean represents itself as being
09 the deepwater drilling expert?

Page 64:11 to 64:16

00064:11 A. Same answer.
12 Q. (BY MR. MORRISS) You understand
13 that Transocean represents itself as being
14 the world's largest offshore drilling
15 contractor, correct?
16 A. Same answer.

Page 64:18 to 64:21

00064:18 Q. (BY MR. MORRISS) And you
19 understand that Transocean represents that it
20 offers the most comprehensive turnkey
21 drilling service in the world, correct?

Page 64:23 to 65:03

00064:23 A. Same answer.
24 Q. (BY MR. MORRISS) And you and
25 Transocean understood that BP was relying on
00065:01 that expertise in drilling the Macondo well
02 and recognizing hydrocarbon gas in the
03 wellbore and closing in the well, correct?

Page 65:05 to 65:16

00065:05 A. Same answer.
06 Q. (BY MR. MORRISS) Now, you were
07 asked a few questions about the engine and
08 the overspeed devices and so I'll not repeat
09 that, but the engine itself was within your
10 realm of responsibility as it relates to
11 maintenance and repair, correct?
12 A. Same answer.
13 Q. And that would include the
14 safety devices on the engine, such as the
15 overspeed device, correct?
16 A. Same answer.

Page 65:18 to 65:22

00065:18 Q. (BY MR. MORRISS) And if there
19 was any failure of those devices because of
20 repair and maintenance, that would be the
21 responsibility of you and Transocean,
22 correct?

Page 65:24 to 66:03

00065:24 A. Same answer.
25 Q. (BY MR. MORRISS) You also had
00066:01 responsibility for the subsea team; is that
02 correct?
03 A. Same answer.

Page 66:05 to 66:08

00066:05 Q. (BY MR. MORRISS) And the subsea
06 team would have had responsible for replacing
07 the batteries in both the blue and the yellow
08 pod, correct?

Page 66:10 to 66:15

00066:10 A. Same answer.
11 Q. (BY MR. MORRISS) And you
12 understand that the manufacturer of the BOP
13 requires at a minimum replacement of the pod
14 batteries every 12 months, correct?
15 A. Same answer.

Page 66:17 to 66:22

00066:17 Q. (BY MR. MORRISS) And you
18 understand that the deadman system could not
19 activate the blind shear rams unless the

20 batteries in either the yellow or blue pod
 21 had sufficient charge to allow the hydraulics
 22 to operate correctly, correct?

Page 66:24 to 67:05

00066:24 A. Same answer.
 25 Q. (BY MR. MORRISS) And you and TO
 00067:01 were unable to provide any evidence that the
 02 batteries in the blue or yellow pod were
 03 replaced, as required by the manufacturer,
 04 correct?
 05 A. Same answer.

Page 67:07 to 67:13

00067:07 Q. (BY MR. MORRISS) And that's the
 08 kind of problem that results when your
 09 management maintenance system is faulty, when
 10 you don't have sufficient personnel, and when
 11 you don't have sufficient competent personnel
 12 on board to do repair and maintenance,
 13 correct?

Page 67:15 to 68:05

00067:15 A. Same answer.
 16 Q. (BY MR. MORRISS) Now, you
 17 understand that a solenoid is necessary to
 18 operate the -- both the blue and the yellow
 19 pod, correct?
 20 A. Same answer.
 21 Q. And the solenoids would fall
 22 under the responsibility of the subsea team,
 23 correct?
 24 A. Same answer.
 25 Q. And the subsea team would report
 00068:01 to you, correct?
 02 A. Same answer.
 03 Q. And you understand that problems
 04 were discovered post-incident with the
 05 solenoid 103 in the yellow pod, correct?

Page 68:07 to 68:19

00068:07 A. Same answer.
 08 Q. (BY MR. MORRISS) Now, you have
 09 filed a complaint against BP and Halliburton
 10 originally in the state of Delaware and then
 11 removed to Federal Court; is that correct?
 12 A. Same answer.
 13 Q. And you specifically allege in
 14 that complaint that the Deepwater Horizon was

15 not seaworthy, correct?
16 A. Same answer.
17 Q. You understand that the
18 seaworthiness of the rig fell to Transocean,
19 correct?

Page 68:21 to 68:24

00068:21 A. Same answer.
22 Q. (BY MR. MORRISS) And in part
23 the seaworthiness of the rig fell to you as
24 the maintenance supervisor, correct?

Page 69:01 to 69:06

00069:01 A. Same answer.
02 Q. (BY MR. MORRISS) And so to the
03 extent that in fact your allegation is
04 correct and the Deepwater Horizon was not
05 seaworthy, that is the responsibility of
06 Transocean, correct?

Page 69:08 to 69:08

00069:08 A. Same answer.

Page 72:03 to 72:11

00072:03 Q. Are you aware, sir that by
04 taking the Fifth Amendment here today in this
05 deposition the Court could find and rule
06 something that's called a negative or adverse
07 inference in which they would not permit you
08 to testify or provide evidence concerning
09 certain matters in your personal injury case;
10 are you aware of that?
11 A. Same answer.

Page 77:25 to 79:16

00077:25 Q. (BY MR. FLEMING) Sir, under
00078:01 tab 22 of your binder, this is an exhibit
02 that's been previously marked as
03 Exhibit 3339, and these appear to be
04 interview notes taken by Simon Watson, Derek
05 Hart, and Jana Judkins from you in an
06 interview on June 24th, 2010, correct.
07 A. Same answer.
08 Q. And the statements that you gave
09 in your interview were, in fact, correct and
10 accurate; were they not?
11 A. Same answer.

12 Q. Was there anything in -- and if
 13 you need a minute to look over it, that's
 14 fine. Is there anything in the transcription
 15 of your interview notes beginning on Pages 3,
 16 going to Page 11 that, sitting here today,
 17 you would want to change?
 18 A. Same answer.
 19 Q. So; is that fair for me to
 20 assume that everything in here is indeed
 21 accurate and you have no changes to make?
 22 A. Same answer.
 23 Q. If you turn to Page 5 of the
 24 interview notes, there is a statement about
 25 three fourths down the page, and this is
 00079:01 after the explosion this had occurred and you
 02 were on the bridge. This statement states,
 03 Steven, went through the port transit room,
 04 up the stairs, and to the bridge. He walked
 05 in on Captain Curt, and just to clarify
 06 Captain Kurd is Captain Curt Kuchta, correct?
 07 A. Same answer.
 08 Q. He walked in on Captain Curt
 09 yelling at Andrea Fleytas. He said Curt was
 10 screaming at her asking why she had activated
 11 EDS and saying they were not in distress. Do
 12 you see that, sir?
 13 A. Same answer.
 14 Q. And that is, in fact, an
 15 accurate statement of what happened on the
 16 bridge on April 20th, correct?

Page 79:18 to 80:14

00079:18 A. Same answer.
 19 Q. If you turn with me to Page 8 of
 20 your interview notes. This is a little bit
 21 further down the timeline when you were
 22 loading up the life raft. First full
 23 paragraph states, "At this point Stan Carden,
 24 Chad Murry and Randy Ezel were attempting to
 25 get Wyman's gurney safely into the life raft,
 00080:01 but was having difficulty. David Young was
 02 already in the life raft with one other
 03 person that he does not recall. Steven had
 04 still not loaded the life raft, but he had
 05 his eyes locked with David. He recalls
 06 Captain Curt saying 'leave him' referring to
 07 Wyman. Steven said, 'hell no' and swung
 08 Wyman's gurney into the life raft and jumped
 09 in after him."
 10 Do you see that, sir?
 11 A. Same answer.
 12 Q. That is an accurate statement of
 13 what happened on the life raft on April 20th;
 14 is it not?

Page 80:21 to 81:16

00080:21 A. Same answer.
 22 Q. Turn to the Page 10 of your
 23 interview notes second-to-last paragraph down
 24 states, "Steven was not on the rig the last
 25 time the stack went down." And to clarify,
 00081:01 the stack we're talking about here is the BOP
 02 stack, correct?
 03 A. Same answer.
 04 Q. "Steven was not on the rig the
 05 last time the stack went down, but he was
 06 aware of one or two solenoids on the yellow
 07 pod that were not functioning. He was told
 08 by subsea that it wasn't something to worry
 09 about and that they planned to replace them
 10 the next time the stack was brought up."
 11 Do you see that?
 12 A. Yes, I do.
 13 Q. And, again, that is an accurate
 14 statement concerning the BOP stack and the
 15 status of that stack on April 20th, correct?
 16 A. Same answer.

Page 82:13 to 83:05

00082:13 Q. (BY MR. FLEMING) You were asked
 14 some questions about the cement job. Just to
 15 clarify, you were the chief engineer on the
 16 Horizon. As the chief engineer on the
 17 Horizon, you would not have any
 18 responsibility for any aspect of the cement
 19 job, would you?
 20 A. Same answer.
 21 Q. You weren't overseeing it?
 22 A. Same answer.
 23 Q. You have no knowledge about the
 24 contents of the cement job, do you?
 25 A. Same answer.
 00083:01 Q. And you were not aware that
 02 Halliburton had run an OptiCem model prior to
 03 April 20th, predicting the severe gas flow
 04 potential, were you?
 05 A. Same answer.

Page 83:08 to 84:20

00083:08 turn with me to tab 14 of your binder,
 09 please. This has been pre -- this is the
 10 Lloyd's Register survey. It has previously
 11 marked as Exhibit 929. Did you participate
 12 in the Lloyd's Register survey, sir?

13 A. Same answer.
 14 Q. You're aware that the Lloyd's
 15 survey -- the Lloyd's Register survey was
 16 being conducted on the Horizon from March 9th
 17 to March 26th, 2010?
 18 A. Same answer.
 19 Q. If you turn with me to -- if you
 20 look down at the Bates numbers there, the
 21 ones ending with 573. Do you see that
 22 Page 573 is the beginning of the Deepwater
 23 Horizon summary report; do you see that, sir?
 24 A. Same answer.
 25 Q. And if you turn to Page 81 and
 00084:01 then the ones ending 81, there is a heading
 02 marked "Key findings from the perception
 03 survey" up there at the top. Do you see
 04 that, sir?
 05 A. Same answer.
 06 Q. And do you see on the first
 07 bullet point there it states, only
 08 46.3 percent of participants felt that if
 09 their actions led to a potentially risky
 10 situation, e.g., forgetting to do something,
 11 damaging equipment, dropping an object from
 12 height, they could report it without any fear
 13 of reprisal.
 14 Do you see that, sir?
 15 A. Same answer.
 16 Q. Were you aware, sir, that nearly
 17 half of the Horizon crew felt that their
 18 actions -- felt that if their actions led to
 19 a potentially risky situation, they could
 20 report it without any fear of reprisal?

Page 84:22 to 85:09

00084:22 A. Same answer.
 23 Q. (BY MR. FLEMING) On the second
 24 bullet point, it says, 43.6 percent of
 25 participants felt some of the workforce is
 00085:01 uncomfortable with calling TOFS when unsafe
 02 situations occur; do you see that?
 03 A. Same answer.
 04 Q. And to clarify, TOFS stands for
 05 time out for safety, correct?
 06 A. Same answer.
 07 Q. Were you aware, sir, that nearly
 08 half of the Horizon crew felt this way?
 09 A. Same answer.

Page 85:23 to 86:14

00085:23 Q. No such time out for safety was
 24 ever called on the Horizon, was it?

25 A. Same answer.
 00086:01 Q. Turn with me to the Bates
 02 numbers 585. The box up at the top that says
 03 "Weaknesses." One of the last italicized
 04 quotes here states, "Run it, rig it, fix it,
 05 that's how they work and the Drilling
 06 Department should be held more accountable
 07 than what they are (currently) are."
 08 Do you see that, sir?
 09 A. Same answer.
 10 Q. From your experience as a chief
 11 engineer on board the Horizon, this is an
 12 accurate statement concerning the maintenance
 13 philosophy of Transocean, is it not?
 14 A. Same answer.

Page 86:16 to 86:18

00086:16 Q. (BY MR. FLEMING) The
 17 maintenance philosophy of Transocean was to
 18 run it, break it, fix it, correct?

Page 86:20 to 87:18

00086:20 A. Same answer.
 21 Q. (BY MR. FLEMING) Turn with me
 22 to tab 4, please, and I think this is now the
 23 third copy of exactly the same exhibit you've
 24 seen before with yet another exhibit number
 25 on it. This is the follow-up rig audit
 00087:01 September 2009. This one is marked
 02 Exhibit 1887, which I think is exactly the
 03 same as the one that you were shown by BP and
 04 by the PSC, but since it's in this binder,
 05 you can take a look at it. If you could turn
 06 to Pages 7 and 8, please.
 07 Down at the bottom of Page 7
 08 there is a statement that reads, "The
 09 turnover personnel on the rig has been high
 10 over the last two years with personnel either
 11 being attracted to other contractors or move
 12 to new-builds within the Transocean fleet."
 13 Do you see that, sir?
 14 A. Same answer.
 15 Q. (BY MR. FLEMING) That is, in
 16 fact, a correct statement under your
 17 knowledge; is it not?
 18 A. Same answer.

Page 87:20 to 87:23

00087:20 Q. (BY MR. FLEMING) And did you
 21 have any issues with losing personnel as the

22 chief engineer on board the Horizon?
23 A. Same answer.

Page 88:13 to 88:17

00088:13 Q. (BY MR. FLEMING) Is it your
14 understanding that people left the Horizon
15 because they were concerned about the
16 maintenance record on board the Horizon?
17 A. Same answer.

Page 89:03 to 89:08

00089:03 Q. (BY MR. FLEMING) From your
04 experience as the chief engineer on the
05 Horizon was there, in fact more maintenance
06 to be performed on the Horizon than any other
07 vessel within the Transocean fleet?
08 A. Same answer.

Page 89:10 to 89:18

00089:10 Q. (BY MR. FLEMING) If you turn
11 the page to Page 8, the last sentence of the
12 paragraph reads, "Any further dilution of
13 experienced personnel may be detrimental to
14 the performance of the rig."
15 Do you see that, sir?
16 A. Same answer.
17 Q. That is, in fact, an accurate
18 statement under your view; is it not?

Page 89:20 to 89:25

00089:20 A. Same answer.
21 Q. (BY MR. FLEMING) And was there
22 any further dilution of experienced personnel
23 that was, in fact, detrimental to the
24 performance of the rig, in your experience as
25 the chief engineer of the Horizon?

Page 90:02 to 90:04

00090:02 A. Same answer.
03 Q. (BY MR. FLEMING) That did, in
04 fact, occur; did it not?

Page 90:06 to 90:10

00090:06 A. Same answer.
07 Q. (BY MR. FLEMING) As chief
08 engineer you did not feel you had the

09 necessary personnel to perform adequate
10 maintenance tasks; did you?

Page 90:12 to 91:01

00090:12 A. Same answer.
13 Q. (BY MR. FLEMING) Turn with me
14 to Page 11, please. About halfway down this
15 page there is a statement that reads, The
16 spare pod is not 100 percent complete
17 before -- I'm sorry, the spare pod is not
18 100 percent complete, being deficient in
19 solenoid valves, and the SEM needs to be
20 refurbished by Cameron."
21 Do you see that, sir?
22 A. Same answer.
23 Q. This is, in fact, an accurate
24 statement as far as you were aware as the
25 chief engineer for the Horizon, correct?
00091:01 A. Same answer.

Page 91:03 to 91:06

00091:03 Q. (BY MR. FLEMING) The spare pod
04 was not 100 percent complete, being deficient
05 in solenoid valves, as of April 20th, 2010,
06 correct?

Page 91:08 to 91:11

00091:08 A. Same answer.
09 Q. (BY MR. FLEMING) This was not
10 fixed as of April 20th, was it?
11 A. Same answer.

Page 91:13 to 92:02

00091:13 Q. (BY MR. FLEMING) Turn with me
14 to Page 12, please. The last full sentence
15 on Page 12 reads, "With the excessive overdue
16 maintenance and the recent introduction of
17 more maintenance routines it would appear
18 that the maintenance department is struggling
19 to stay in touch with the planned maintenance
20 schedule."
21 Do you see that, sir?
22 A. Same answer.
23 Q. And, again, the same question,
24 this is, in fact, an accurate statement as
25 far as you were concerned as a chief engineer
00092:01 on the Horizon as of April 20th, 2010?
02 A. Same answer.

Page 92:04 to 92:16

00092:04 Q. (BY MR. FLEMING) Turn to
05 Page 14, please. Second-to-the-last
06 paragraph from the bottom reads, Control of
07 alarms and defeats and bypasses was not well
08 managed. In fact, no single person could
09 attack -- could account for which alarms,
10 et cetera, were overridden or indeed for what
11 reason.
12 Same question, this is, in fact,
13 an accurate statement concerning the
14 condition of the alarms on board the Horizon
15 as of April 20th, 2010, correct?
16 A. Same answer.

Page 92:18 to 92:21

00092:18 Q. (BY MR. FLEMING) You were aware
19 of the results of this audit as chief
20 engineer on the Horizon; were you not?
21 A. Same answer.

Page 92:23 to 93:01

00092:23 Q. (BY MR. FLEMING) And you were
24 asked to fix some of the items that were
25 identified on the -- on this September 2009
00093:01 audit, correct?

Page 93:03 to 93:06

00093:03 A. Same answer.
04 Q. (BY MR. FLEMING) BP never
05 requested a rig shutdown to deal with any of
06 these maintenance items, did they?

Page 93:08 to 93:16

00093:08 A. Same answer.
09 Q. (BY MR. FLEMING) As the chief
10 engineer on board the Horizon do you believe
11 that the Horizon and its systems, which you
12 personally were responsible for, were ready
13 and prepared to handle an emergency
14 situation, the like of which you saw on April
15 20th?
16 A. Same answer.

Page 93:18 to 93:23

00093:18 Q. (BY MR. FLEMING) Would the
 19 failure of the Horizon and its systems to be
 20 prepared for a catastrophe like this such as
 21 on April 2009, was that a contributing factor
 22 in any of the incidents that happened on
 23 April 20th?

Page 93:25 to 95:15

00093:25 A. Same answer.
 00094:01 Q. (BY MR. FLEMING) Turn with me
 02 to tab 2 of your binder, and we're going to
 03 mark this as Exhibit 4364. This is a copy of
 04 your complaint that you filed against BP and
 05 Halliburton, correct?
 06 A. Same answer.
 07 Q. If you turn with me to Page 5 of
 08 the complaint, Paragraph 13. You make some
 09 allegations against Halliburton. I'm not
 10 going to go through the entire paragraph. I
 11 would just simply ask you, I would like you
 12 to provide any personal knowledge that you
 13 have concerning Paragraph 13 to me here, sir.
 14 A. Same answer.
 15 Q. Could you do that, sir?
 16 A. Same answer.
 17 Q. You have no personal knowledge
 18 of any of the allegations that you raised in
 19 Paragraph 13, correct?
 20 A. Same answer.
 21 Q. You have no evidence to support
 22 any of the issues that you have raised in
 23 Paragraph 13, correct?
 24 A. Same answer.
 25 Q. Same question with Paragraph 15
 00095:01 where you allege that all defendants are
 02 negligent and negligent per se, grossly
 03 negligent, and reckless. I would like you,
 04 if you could, sir, to provide me with any
 05 personal information that you have concerning
 06 any of the alleges that you have raised in
 07 Paragraph 15 of your complaint, sir.
 08 A. Same answer.
 09 Q. You have no such evidence, do
 10 you, sir?
 11 A. Same answer.
 12 Q. You have no personal knowledge
 13 of any of the defendants being negligent,
 14 including Halliburton, correct?
 15 A. Same answer.

Page 102:03 to 105:20

00102:03 Q. Do you have any knowledge of the

04 joint operating agreement governing the
05 relationship between BP, Anadarko, and MOEX
06 Offshore?
07 A. Same answer.
08 Q. Do you understand that the joint
09 operating agreement had BP as the operator of
10 the Macondo well?
11 A. Same answer.
12 Q. Do you understand that MOEX
13 Offshore was designated as a nonoperating
14 party in the JOA?
15 A. Same answer.
16 Q. And do you understand that BP
17 under the JOA had the exclusive right and
18 duty to conduct or cause to be conducted all
19 activities or operations?
20 A. Same answer.
21 Q. To your knowledge, MOEX Offshore
22 did not have the -- that same right?
23 A. Same answer.
24 Q. Do you understand that BP as the
25 operator was the contractor for deploying any
00103:01 drilling rigs, tools, machinery, any
02 equipment, materials, supplies, and
03 personnel?
04 A. Same answer.
05 Q. To your knowledge, MOEX Offshore
06 did not have that same right?
07 A. Same answer.
08 Q. Did you have any personal
09 contact or communications with MOEX or any of
10 its representatives in connection with the
11 Macondo well?
12 A. Same answer.
13 Q. Did you have any discussions
14 with MOEX or its representatives in
15 connection with any technical matters related
16 to the Macondo well?
17 A. Same answer.
18 Q. Did you provide any technical
19 information to MOEX in connection with the
20 Macondo well?
21 A. Same answer.
22 Q. To your knowledge, did BP as the
23 operator ever consult with MOEX or its
24 representatives with respect to any health,
25 safety, and environmental obligations as the
00104:01 operator?
02 A. Same answer.
03 Q. To your knowledge, did MOEX or
04 its representatives provide any technical
05 input related to the production casing that
06 was used for the Macondo well?
07 A. Same answer.
08 Q. To your knowledge, did MOEX or

09 its representatives provide any technical
 10 input related to the type or number of
 11 centralizers used for the Macondo well?
 12 A. Same answer.
 13 Q. To your knowledge, did MOEX or
 14 its reps provide any technical input related
 15 to the determination that the float collar
 16 had converted on the Macondo well?
 17 A. Same answer.
 18 Q. To your knowledge, did MOEX or
 19 its representatives provide any technical
 20 input related to decisions about the cement
 21 job for the Macondo well?
 22 A. Same answer.
 23 Q. To your knowledge, did MOEX or
 24 its representatives provide any technical
 25 input related to the decision to accept the
 00105:01 results of the negative pressure test on the
 02 Macondo well?
 03 A. Same answer.
 04 Q. To your knowledge, did MOEX or
 05 its representatives provide any technical
 06 input related to the temporary abandonment
 07 procedure for the Macondo well?
 08 A. Same answer.
 09 Q. To your knowledge, did MOEX or
 10 its representatives provide any technical
 11 input related to the use of heavy spacer
 12 material in connection with the displacement
 13 process in the deten- -- in the temporary
 14 abandonment process for the Macondo well?
 15 A. Same answer.
 16 Q. To your knowledge, did anyone
 17 from MOEX ever visit the Deepwater Horizon in
 18 connection with drilling or the attempt to
 19 temporary abandon the Macondo well?
 20 A. Same answer.

Page 107:15 to 108:18

00107:15 Q. Mr. Bertone, my name is Geoff
 16 Gannaway, I represent Cameron International
 17 Corporation, and I have a few questions to
 18 ask you. You don't have any reason to
 19 believe that Cameron personnel or equipment
 20 played any role in the blowout on the
 21 Deepwater Horizon, do you?
 22 A. Same answer.
 23 Q. You don't have any reason to
 24 believe that Cameron personnel or equipment
 25 played any role in the oil spill at the
 00108:01 Macondo well, do you?
 02 A. Same answer.
 03 Q. You don't have any reason to
 04 believe that Cameron personnel or equipment

05 played any role in any injuries that you've
 06 alleged in your lawsuit, do you?
 07 A. Same answer.
 08 Q. Do you have any evidence or
 09 personal knowledge regarding Cameron
 10 personnel or equipment playing any role in
 11 the blowout, the -- the oil spill, or in your
 12 alleged injuries?
 13 A. Same answer.
 14 Q. Is it true that the Transocean
 15 personnel that were responsible for
 16 maintaining the Deepwater Horizon and the BOP
 17 reported to you?
 18 A. Same answer.

Page 109:20 to 110:07

00109:20 Q. You don't have any knowledge of
 21 actions of Cameron personnel related to the
 22 Deepwater Horizon BOP, do you?
 23 A. Same answer.
 24 Q. You don't have any knowledge of
 25 any communications to or from Cameron related
 00110:01 to the Deepwater Horizon BOP, do you?
 02 A. Same answer.
 03 Q. Prior to April 20th of 2010 you
 04 and Transocean knew that early kick detection
 05 and rapid shut-in is key to successful well
 06 control?
 07 A. Same answer.

Page 110:09 to 110:14

00110:09 Q. (BY MR. GANNAWAY) Prior to
 10 April 20th, 2010 is it true that you and
 11 Transocean knew that the Deepwater Horizon
 12 BOP was designed to assist with well control
 13 in conjunction with early kick detection?
 14 A. Same answer.

Page 110:16 to 110:21

00110:16 Q. (BY MR. GANNAWAY) Is it true
 17 that prior to April 20th, 2010 you and
 18 Transocean knew that the Deepwater Horizon
 19 was design to rapidly shut-in a well in the
 20 event the well started to flow?
 21 A. Same answer.

Page 110:23 to 111:01

00110:23 Q. (BY MR. GANNAWAY) In
 24 April 20th, 2010 there was no early detection

25 by the people hired to monitor the well?
00111:01 A. Same answer.

Page 111:03 to 111:08

00111:03 Q. (BY MR. GANNAWAY) Isn't it true
04 that on April 20th, because people hired by
05 Transocean did not detect the kick, there was
06 no attempt made to rapidly shut in the well
07 when the BOP started to flow -- I'm sorry,
08 with the well started to flow?

Page 111:10 to 111:16

00111:10 A. Same answer.
11 Q. (BY MR. GANNAWAY) In fact,
12 because the people hired by Transocean did
13 not detect the kick, there was no attempt
14 made to activate the BOP until after the
15 hydrocarbons were in the risers above the
16 BOP; is that right?

Page 111:18 to 111:23

00111:18 A. Same answer.
19 Q. (BY MR. GANNAWAY) And because
20 the people hired by Transocean did not detect
21 the kick, there was no attempt made to
22 activate the BOP until after the blowout had
23 occurred, right?

Page 111:25 to 112:06

00111:25 A. Same answer.
00112:01 Q. (BY MR. GANNAWAY) Because of
02 the decisions about the integrity of the well
03 that allowed the uncontrolled flow of
04 hydrocarbons on April 20th, the blowout
05 preventer was not actually used to prevent a
06 blowout, right?

Page 112:08 to 112:15

00112:08 A. Same answer.
09 Q. (BY MR. GANNAWAY) Rather,
10 because of the decisions about the integrity
11 of the well which allowed an uncontrolled
12 flow of hydrocarbons on April 20th, the
13 blowout preventer was first activated or
14 attempted to be activated after the blowout
15 had already occurred, right?

Page 112:17 to 112:22

00112:17 A. Same answer.
18 Q. (BY MR. GANNAWAY) And for that
19 reason it's true that the BOP was not given
20 the chance to prevent the explosion, the
21 blowout, or the oil spill at the Deepwater
22 Horizon on the Macondo well?

Page 112:24 to 112:24

00112:24 A. Same answer.

Page 113:01 to 113:10

00113:01 Q. (BY MR. GANNAWAY) Would you
02 agree that at the time the BOP was first
03 attempted to be activated following the
04 blowout on April 20th that the flow from the
05 Macondo well was severe?
06 A. Same answer.
07 Q. Prior to April 20th did you and
08 Transocean know that the Deepwater Horizon
09 BOP was not designed, manufactured, or tested
10 to close and seal on a severely flowing well?

Page 113:13 to 113:19

00113:13 A. Same answer.
14 Q. (BY MR. GANNAWAY) Prior to
15 April 20th did you and Transocean know that
16 the Deepwater Horizon BOP was designed,
17 manufactured, and tested in accordance with
18 API 16?
19 A. Same answer.

Page 113:21 to 113:24

00113:21 Q. (BY MR. GANNAWAY) Prior to
22 April 20th, 2010 did you and Transocean know
23 that the testing required by API 16 for
24 blowout preventers was static testing?

Page 114:02 to 114:07

00114:02 A. Same answer.
03 Q. (BY MR. GANNAWAY) Prior to
04 April 20th, 2010 did you and Transocean know
05 that the Deepwater Horizon BOP had not been
06 subjected to dynamic flow testing?
07 A. Same answer.

Page 114:09 to 114:14

00114:09 Q. (BY MR. GANNAWAY) Prior to
10 April 20th, 2010 you're not aware of
11 Transocean or yourself ever requesting that
12 the Deepwater Horizon BOP be subjected to
13 dynamic flow testing, are you?
14 A. Same answer.

Page 114:16 to 114:22

00114:16 Q. (BY MR. GANNAWAY) Despite the
17 fact that dynamic flow testing was never
18 requested, it's true, isn't it, that on
19 April 20th, 2010 a severe uncontrolled
20 hydrocarbon flow situation was allowed to
21 arise in the Macondo well?
22 A. Same answer.

Page 114:24 to 115:03

00114:24 Q. (BY MR. GANNAWAY) When do you
25 believe that the EDS or emergency disconnect
00115:01 system for the Deepwater Horizon BOP was
02 first attempted to be activated on
03 April 20th, 2010?

Page 115:05 to 115:09

00115:05 A. Same answer.
06 Q. (BY MR. GANNAWAY) It was first
07 attempted to be activated after the first
08 explosion had occurred on the Deepwater
09 Horizon, correct?

Page 115:11 to 115:16

00115:11 A. Same answer.
12 Q. (BY MR. GANNAWAY) And it was
13 first attempted to be activated after a
14 second explosion had occurred on the
15 Deepwater Horizon, correct?
16 A. Same answer.

Page 115:18 to 115:24

00115:18 Q. (BY MR. GANNAWAY) Who was it
19 that attempted to activate the EDS for the
20 first time on April 20th, 2010?
21 A. Same answer.
22 Q. Are you aware of any other
23 attempt to activate the Deepwater Horizon

24 blowout preventer on April 20th, 2010?

Page 116:01 to 116:05

00116:01 A. Same answer.
02 Q. (BY MR. GANNAWAY) Is it true
03 that there was confusion on April 20th as to
04 whether permission to activate the EDS was
05 needed?

Page 116:07 to 116:11

00116:07 A. Same answer.
08 Q. (BY MR. GANNAWAY) Is it true
09 that there was confusion on April 20th, 2010
10 as to who could give permission to activate
11 the EDS on the Deepwater Horizon?

Page 116:13 to 116:18

00116:13 A. Same answer.
14 Q. (BY MR. GANNAWAY) Is it true
15 that there was confusion on April 20th as to
16 whether whatever permission was required had
17 actually been given?
18 A. Same answer.

Page 116:20 to 117:03

00116:20 Q. (BY MR. GANNAWAY) It's true
21 that after the initial explosion on the
22 Deepwater Horizon you saw a fire in the moon
23 pool?
24 A. Same answer.
25 Q. In fact, the moon pool was
00117:01 completely engulfed in flames when you saw
02 it?
03 A. Same answer.

Page 117:05 to 117:10

00117:05 Q. (BY MR. GANNAWAY) It's your
06 belief that the MUX cables and the hydraulic
07 lines that lead subsea to the BOP had been
08 destroyed by either the explosion or the
09 flames, right?
10 A. Same answer.

Page 117:12 to 117:15

00117:12 Q. (BY MR. GANNAWAY) And you
13 believe that those cables and the line for

14 the hydraulics were destroyed before anybody
15 tried to activate the BOP, right?

Page 117:17 to 117:22

00117:17 A. Same answer.
18 Q. (BY MR. GANNAWAY) You don't
19 believe that any amount of armoring of the
20 MUX cables would have kept them intact in
21 light of the explosion and flames on the
22 Deepwater Horizon, do you?

Page 117:25 to 117:25

00117:25 A. Same answer.

Page 118:09 to 120:09

00118:09 E X A M I N A T I O N
10 BY MR. RUSSO:
11 Q. Mr. Bertone, Gary Russo, I
12 represent Weatherford.
17 My questions, just to speed this
18 up a little bit, will relate to a Weatherford
19 float collar that was in the 7-inch long
20 string. Is it okay if I just refer to "float
21 collar," you'll know I'm talking about that
22 float collar, on the Macondo?
23 A. Yes.
24 Q. You're aware as the Transocean
25 chief engineer generally of the function and
00119:01 use of a float collar; are you not?
02 A. Same answer.
03 Q. You would agree with me that the
04 float collar serves three functions: a
05 landing profile for the plugs, it helps
06 reduce surge pressure when running in auto
07 fill mode, and it assists in keeping the
08 cement in place to prevent backflow into the
09 production casing? Will you agree with me
10 that those are the three functions of the
11 float collar?
12 A. Same answer.
13 Q. You'll agree that the -- that
14 there are no functions and use of a float
15 collar and certainly not at Transocean nor BP
16 had any other purpose for running the float
17 collar in the Macondo other than the three I
18 just mentioned?
19 A. Same answer.
20 Q. You're unaware of any evidence
21 that would indicate that the float collar did
22 not perform those functions that I just

23 discussed with you?
24 A. Same answer.
25 Q. You -- are you aware of any
00120:01 technical information that would indicate
02 that a float collar can be used as a barrier
03 to the flow of hydrocarbon or a gas?
04 A. Same answer.
05 Q. In fact, you know that a float
06 collar is not to be used as a barrier, it's
07 never represented as a barrier to the flow of
08 hydrocarbon or gas?
09 A. Same answer.