

Deposition Testimony of:

Micah Sandell

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Page 7:08 to 7:08

00007:08 MICAH SANDELL,

Page 7:14 to 8:03

00007:14 Q. I'm Guy Matthews, and I
15 represent the PSC, the MDL, multi-district
16 litigation, plaintiffs.
17 Who are you represented by?
18 A. I'm represented by Paul and Nick
19 Simon.
20 Q. All right. Would you -- for the
21 record, would you state your name? You've
22 already said it 20 times, but do it again.
23 A. My name is Micah Sandell.
24 Q. All right. How old are you?
25 A. 41.
00008:01 Q. Okay. And you are employed by
02 Transocean?
03 A. Yes.

Page 9:05 to 9:22

00009:05 Q. Okay. So when did you graduate
06 from high school?
07 A. I don't remember the date.
08 Q. Sir?
09 A. I don't remember the date.
10 Q. Okay. Did you graduate when you
11 were 18?
12 A. No.
13 Q. When?
14 A. 19.
15 Q. Okay. And what's your
16 employment history, oh, up to the time eight
17 years ago, I guess, or nine years ago?
18 Bring -- give me your employment history up
19 to your employment with Transocean, if you
20 would.
21 A. I worked for Olan Mills before I
22 went to R&B Falcon and then Transocean.

Page 10:16 to 11:03

00010:16 Q. You don't?
17 How long had you been employed
18 by Transocean up to April the 20th, 2010?
19 A. 14 -- counting with R&B Falcon
20 is 14 years.
21 Q. Okay. Did you ever work as a
22 roustabout?
23 A. Yes.

24 Q. Okay. When you originally
25 started with Reading & Bates, R&B, what did
00011:01 you do?
02 A. Roustabout.
03 Q. Roustabout? All right.

Page 11:06 to 11:15

00011:06 What'd you do after that?
07 A. Crane operator.
08 Q. Crane operator? Okay.
09 A crane operator on what?
10 A. I don't remember the rig's name.
11 Q. But it was on rigs? In other
12 words, it wasn't necessarily -- it wasn't
13 onshore? They were rigs that are set up on
14 offshore --
15 A. Offshore rigs.

Page 11:21 to 11:24

00011:21 Q. Drilling rigs?
22 How long had you been on the
23 DEEPWATER HORIZON?
24 A. Eight years.

Page 12:16 to 12:20

00012:16 Q. Okay. What -- what were your
17 functions as a crane operator?
18 A. Just offloading boats, moving
19 lifts on the deck. When the rig floor calls
20 for tools, put tools on the rig floor.

Page 13:08 to 13:11

00013:08 A. On the advice of counsel, I
09 decline to answer any questions based on my
10 Fifth Amendment privileges as supported by
11 the Supreme Court of the United States.

Page 14:09 to 14:23

00014:09 Q. Have you testified before MMS?
10 A. I take the Fifth.
11 Q. Did you testify about the
12 explosion on -- that happened on April
13 the 20th before the MMS and Coast Guard in
14 Kenner, Louisiana?
15 A. I take the Fifth.
16 Q. Have you reviewed or read your
17 testimony that I previously referred to

18 before the Coast Guard?
19 A. I take the Fifth.
20 Q. Is there anything about your
21 testimony before the Coast Guard that you
22 would like to change?
23 A. I take the Fifth.

Page 15:25 to 16:10

00015:25 Q. You have previously testified
00016:01 that you were on the crane and you saw
02 drilling mud coming up and maybe gas and
03 water -- hydrocarbons coming up from the rig
04 floor and then it ceased and you thought it
05 had stopped and then you saw dark, black
06 smoke, smelled gas, and maybe other stuff
07 spewing from the degasser.
08 Would you want to change your
09 testimony about that?
10 A. I take the Fifth.

Page 16:14 to 16:23

00016:14 Q. You also have testified that
15 there were two explosions, the first
16 explosion apparently was a ball of fire that
17 rolled over you, maybe. And the second one
18 occurred when you were walking down some
19 stairs going to the -- to wherever the boat
20 was that was on the rig.
21 Do you want to change your
22 testimony about that?
23 A. Take the Fifth.

Page 17:23 to 18:01

00017:23 Q. Isn't it a fact that you were on
24 the DEEPWATER HORIZON when the blowout
25 incident occurred on April the 20th?
00018:01 A. I take the Fifth.

Page 18:05 to 18:08

00018:05 Q. Isn't it a fact that even the
06 crane you were operating on was behind in
07 maintenance by around 100 hours?
08 A. I take the Fifth.

Page 18:14 to 18:16

00018:14 Q. Isn't it a fact that as far as
15 you're aware of, BP didn't care how much

16 Transocean was behind on maintenance --

Page 18:20 to 18:21

00018:20 Q. -- and, in fact, instructed
21 Transocean to keep going and keep going?

Page 18:24 to 18:24

00018:24 A. Take the Fifth.

Page 19:15 to 19:16

00019:15 (Exhibit No. 3477 marked for
16 identification.)

Page 19:23 to 21:02

00019:23 Q. That is a Yahoo News interview
24 report in May 2010. And it says, "Crane
25 operator Micah Sandell, 40, of Leesville,"
00020:01 Louisiana, "was in the cab 30" foot "off the
02 deck when he saw the water and mud shoot up
03 out of the derrick."
04 Is that true?
05 A. Take the Fifth.
06 Q. "He knew immediately it was a
07 blowout."
08 Is that true?
09 A. Take the Fifth.
10 Q. "And he got on the radio to tell
11 the crew to move to the front of the rig" --
12 A. Take the Fifth.
13 Q. -- is that true?
14 Let me at least ask the question
15 before you take the Fifth.
16 "When the gushing stopped after
17 a few minutes, Sandell took a deep breath,"
18 said, "'Oh, good, they got it under control.'
19 Suddenly, vapor and spray began shooting out
20 of" the "goosenecked pipe on the starboard
21 side of the deck, followed by thick, black
22 smoke."
23 Is that true?
24 A. Take the Fifth.
25 Q. And the gooseneck that's
00021:01 referred to there is the degasser?
02 A. I take the Fifth.

Page 21:16 to 21:22

00021:16 Q. "Then something exploded."

17 Is that true?
18 A. I take the Fifth.
19 Q. "Sandell was knocked to the
20 floor, and fire engulfed the cabin. Certain
21 he was about to die, the devout Baptist" --
22 Baptist, huh? Take the Fifth?

Page 22:02 to 22:03

00022:02 MR. MATTHEWS:
03 I would.

Page 22:05 to 22:23

00022:05 Q. "Clapped his hands over his head
06 and cried, 'Oh, God. No.' But after a few
07 seconds, he stood up and realized the
08 fireball had passed him over. He made it
09 halfway down the stairs before another blast
10 occurred, throwing him 15 feet to the steel
11 deck. He got up again and ran, feeling his
12 way along the deck rail around the port side
13 toward the lifeboats."
14 Is that an accurate statement?
15 A. I plead the Fifth.
16 Q. Do you recall that you made a
17 witness statement or wrote out a witness
18 statement on the DAMON BANKSTON right after
19 you had evacuated the DEEPWATER HORIZON? Do
20 you recall that?
21 A. I take the Fifth.
22 (Exhibit No. 3478 marked for
23 identification.)

Page 23:04 to 23:16

00023:04 Q. Have you compared your witness
05 statement with the newspaper article of
06 Exhibit 3478?
07 A. I take the Fifth.
08 Q. Is there a difference between
09 the two statements?
10 A. I take the Fifth.
11 Q. In the newspaper article, you
12 were concerned about fire and explosion and
13 being knocked down the stairs, but you didn't
14 say anything about that in your witness
15 statement, did you?
16 A. I take the Fifth.

Page 23:19 to 23:20

00023:19 (Exhibit No. 3479 marked for

20 identification.)

Page 23:22 to 24:16

00023:22 Q. And I'm marking Tab 8 as
23 Exhibit 3479. And on page 2 of that article,
24 you make an interesting comment. This is
25 apparently a printout from a local TV
00024:01 station.
02 You said, quote, "'They always
03 tell us that we have safety devices and
04 warnings and they got ways of shuttin' it in,
05 and don't seem like -- and don't seem like
06 they had nuttin,' says Micah Sandell."
07 Did you say that?
08 A. I plead the Fifth.
09 Q. Don't you know, in fact, that's
10 really what did happen, that there were
11 several different warning systems on this rig
12 and they were either bypassed or shut off?
13 From 18,000 foot below when this gas came
14 into the production casing to the time it hit
15 the rig floor, there were no warning systems?
16 A. I plead the Fifth.

Page 25:13 to 25:14

00025:13 (Exhibit No. 3480 marked for
14 identification.)

Page 25:17 to 25:23

00025:17 Is that your testimony -- is
18 that a true transcript, a copy, of your
19 testimony between the -- between -- before
20 the Joint United States Coast Guard/Minerals
21 Management Service Board and Investigation --
22 the Marine Board of Investigation on May
23 the 29th, 2010?

Page 26:01 to 26:01

00026:01 A. I plead the Fifth.

Page 28:13 to 28:20

00028:13 Q. In the Harris County district
14 court complaint, did you allege that BP over
15 the last ten years had been fined by the
16 Mineral Management Service at least five
17 times for loss of well control, shutting
18 down -- failure or inability to shut down in

19 an emergency because the safety devices had
20 been bypassed?

Page 28:24 to 28:25

00028:24 Q. Bypassing relays for pressure
25 safety high/low on producing wells --

Page 29:04 to 29:07

00029:04 Q. -- improperly installing a fire
05 diverter system?
06 Did you allege that in the
07 complaints in Harris County?

Page 29:10 to 29:10

00029:10 A. I take the Fifth.

Page 29:25 to 32:06

00029:25 Q. I want to start off by
00030:01 discussing how, if at all, job functions --
02 your job functions as a Transocean crane
03 operator aboard the DEEPWATER HORIZON
04 affected other operations taking place on the
05 rig.

06 A. I plead the Fifth.

07 Q. You're aware when you're working
08 on the DEEPWATER HORIZON that crane movements
09 can cause the rig to sway, right?

10 A. I take the Fifth.

11 Q. And you're aware that this rig
12 movement can affect the flow-out levels and
13 pit volumes?

14 A. I take the Fifth.

15 Q. So crane movement could impair
16 the ability to monitor a flow-out versus
17 flow-in?

18 A. I take the Fifth.

19 Q. And crane -- crane movement
20 could also impair the ability to monitor pit
21 levels, correct?

22 A. I take the Fifth.

23 Q. But crane movement would not
24 impair the ability to monitor drill pipe
25 pressure, correct?

00031:01 A. I take the Fifth.

02 Q. Have you ever modified or been
03 told to modify your activities with the crane
04 in order to avoid affecting the ability to
05 monitor flow or pit levels?

06 A. I take the Fifth.

07 Q. But you're aware it is a good
 08 well control practice to stop any operations
 09 which are impairing the ability to monitor
 10 the well?
 11 A. I take the Fifth.
 12 Q. And Transocean expects its rig
 13 crew to follow that practice and not allow
 14 crane movement if it affects the ability to
 15 monitor the crew?
 16 A. I take the Fifth.
 17 Q. Or to monitor the well? Excuse
 18 me.
 19 A. I take the Fifth.
 20 Q. When you're operating the
 21 cranes, the driller can contact you as the
 22 crane operator at any time to stop the crane
 23 operations, right?
 24 A. I take the Fifth.
 25 Q. The same would be true for the
 00032:01 mud logger: Anytime they believe the crane
 02 needs to be shut down for whatever reason,
 03 they can contact you on the radio and tell
 04 the crane operator to stop operating the
 05 cranes?
 06 A. I take the Fifth.

Page 32:10 to 33:24

00032:10 Q. On April 20, 2010, did the drill
 11 crew or mud loggers report that crane
 12 movements were affecting the pit level?
 13 A. I take the Fifth.
 14 Q. On April 20, 2010, did the drill
 15 crew or mud loggers report that crane
 16 movements were affecting their ability to
 17 monitor for flow?
 18 A. I take the Fifth.
 19 Q. On April 20, 2010, while you
 20 were on duty in the crane, you had access to
 21 radio communication, correct?
 22 A. I take the Fifth.
 23 Q. You never heard any transmission
 24 over your radio requesting crane operations
 25 to stop, did you?
 00033:01 A. I take the Fifth.
 02 Q. You never heard any radio
 03 transmission that the drillers or mud loggers
 04 were having trouble monitoring the well,
 05 correct?
 06 A. I take the Fifth.
 07 Q. In your experience, if the
 08 driller is having difficulty monitoring the
 09 well, the driller will contact the crane
 10 operator to order you to stop the crane
 11 operations, right?

12 A. I take the Fifth.
 13 Q. In your experience, it would be
 14 typical for the Transocean assistant driller,
 15 the Transocean toolpusher, or the Transocean
 16 duct pusher to let you know if you need to
 17 cease crane operations, right?
 18 A. I take the Fifth.
 19 Q. In fact, you know it is expected
 20 that the Transocean driller or others on the
 21 drill crew will contact you if they are
 22 unable to monitor well data due to crane
 23 operations?
 24 A. I take the Fifth.

Page 34:15 to 35:05

00034:15 Q. And that is when you saw mud
 16 coming out of the drill floor and shooting
 17 all the way up the derrick?
 18 A. I take the Fifth.
 19 Q. The top of the derrick is
 20 approximately 200 feet tall, correct?
 21 A. I take the Fifth.
 22 Q. And you didn't hear any noise at
 23 this point, like a release of gas or anything
 24 like that?
 25 A. I take the Fifth.
 00035:01 Q. The mud shooting up all the way
 02 up to the derrick only lasted for a short
 03 period of time, several seconds, and then it
 04 quit?
 05 A. I take the Fifth.

Page 35:12 to 39:07

00035:12 Q. So after these few seconds, the
 13 mud stopped coming out of the derrick
 14 altogether?
 15 A. I take the Fifth.
 16 Q. At that point, you thought the
 17 drill crew had everything under control?
 18 A. I take the Fifth.
 19 Q. But they didn't, right?
 20 A. I take the Fifth.
 21 Q. A few seconds after the mud
 22 stopped coming out of the derrick, mud and
 23 gas began coming out of a different source;
 24 isn't that true?
 25 A. I take the Fifth.
 00036:01 Q. Transocean's drill crew had
 02 diverted the flow to the mud gas separator,
 03 correct?
 04 A. I take the Fifth.
 05 Q. And you knew this because

06 several seconds after mud stopped coming --
07 stopped shooting all the way up the derrick,
08 that mud and gas started instead coming out
09 of the degasser?
10 A. I take the Fifth.
11 Q. Specifically, the mud came out
12 of the degasser first, right?
13 A. I take the Fifth.
14 Q. Followed by gassy smoke, second?
15 A. I take the Fifth.
16 Q. The degasser or mud gas
17 separator is on the starboard aft of the
18 derrick, right?
19 A. I take the Fifth.
20 Q. The mud gas separator aboard the
21 DEEPWATER HORIZON is goosenecked, correct?
22 A. I take the Fifth.
23 Q. And you had a clear view of the
24 degasser?
25 A. I take the Fifth.
00037:01 Q. In fact, it was straight in
02 front of you, wasn't it?
03 A. I take the Fifth.
04 Q. And gooseneck means that the mud
05 gas separator just points back down directly
06 onto the deck, correct?
07 A. I take the Fifth.
08 Q. And that mud and gas coming out
09 of the degasser was so strong and so loud
10 that it just filled up the whole back deck
11 with gassy smoke, right?
12 A. I take the Fifth.
13 Q. This gassy smoke was vented
14 directly onto the rig floor through the mud
15 gas separator, correct?
16 A. I take the Fifth.
17 Q. You did not see the mud or gas
18 being diverted overboard away from the rig
19 floor, did you?
20 A. I take the Fifth.
21 Q. So we have the mud shooting all
22 the way up the derrick for several seconds,
23 then mud and gas venting onto the rig floor
24 through the degasser, and after all of this
25 is when you heard the first explosion,
00038:01 correct?
02 A. I take the Fifth.
03 Q. The explosion sounded as though
04 it came from the degasser, right?
05 A. I take the Fifth.
06 Q. And after the first explosion is
07 when you turned the air conditioner off in
08 your crane?
09 A. I take the Fifth.
10 Q. And this was because you didn't

11 want the gassy smoke that was now enveloping
 12 the rig floor to get sucked into your air
 13 conditioner, right?

14 A. I take the Fifth.

15 Q. And right after you turned the
 16 AC off in your crane is when the second
 17 explosion occurred?

18 A. I take the Fifth.

19 Q. The whole back deck exploded and
 20 knocked you to the back of your cab?

21 A. I take the Fifth.

22 Q. And after the second explosion,
 23 the flames that were previously near you went
 24 away and, instead, the flames shot up
 25 straight up over the derrick?

00039:01 A. I take the Fifth.

02 Q. According to what you witnessed
 03 the evening of April 20, 2010, the degasser
 04 tank on top of the motor shed on the
 05 starboard side of the derrick exploded and
 06 started the first fire, correct?

07 A. I take the Fifth.

Page 42:03 to 42:11

00042:03 Q. Putting this particular drill

04 aside, do you recall hearing the general
 05 alarm sound the evening of April 20, 2010?

06 A. I take the Fifth.

07 Q. No one told you during your
 08 safety drill on April 18, 2010, that certain
 09 alarms on the DEEPWATER HORIZON were
 10 inhibited, did they?

11 A. I take the Fifth.

Page 42:17 to 42:21

00042:17 Q. At any time did you learn that
 18 certain alarms on the DEEPWATER HORIZON were
 19 deactivated so they would not sound
 20 automatically?

21 A. I take the Fifth.

Page 44:08 to 44:12

00044:08 Q. Besides your position as crane
 09 operator and roustabout, you had no other
 10 experience in the oil and gas industry,
 11 right?

12 A. I take the Fifth.

Page 44:23 to 44:25

00044:23 Q. Okay. So you never held the
 24 position of a mud logger?
 25 A. No.

Page 45:06 to 48:08

00045:06 Now, turning to your time as a
 07 Transocean crane operator aboard the
 08 DEEPWATER HORIZON, on April 20, 2010, you
 09 were not new to the DEEPWATER HORIZON rig,
 10 were you?
 11 A. I take the Fifth.
 12 Q. You were familiar with the
 13 DEEPWATER HORIZON rig and the DEEPWATER
 14 HORIZON rig crew, right?
 15 A. I take the Fifth.
 16 Q. You had been on multiple hitches
 17 aboard the DEEPWATER HORIZON while it was
 18 stationed at the Macondo during the months of
 19 January through April 2010?
 20 A. I take the Fifth.
 21 Q. And on April 20, 2010, you had
 22 been aboard the DEEPWATER HORIZON for
 23 approximately five days prior to the
 24 incident, correct?
 25 A. I take the Fifth.
 00046:01 Q. You knew that under Transocean's
 02 policies every Transocean employee on the rig
 03 has stop-the-job authority, correct?
 04 A. I take the Fifth.
 05 Q. And you're aware that if you
 06 feel that there is any situation where safe
 07 operations are not taking place, you have the
 08 obligation to stop those activities?
 09 A. I take the Fifth.
 10 Q. Could you please turn to Tab 4
 11 in your binder, which was previously marked
 12 as Exhibit 2337. You'll see this is an
 13 April 16, 2010, e-mail from Ronnie Sepulvado
 14 to numerous individuals aboard the DEEPWATER
 15 HORIZON.
 16 Now, if you look four lines down
 17 the list of individuals indicating to whom
 18 this e-mail was sent, it indicates DWH crane
 19 operator, correct?
 20 A. I take the Fifth.
 21 Q. DWH Crane Operator is an e-mail
 22 address that the crane operators on the DWH
 23 have access to, correct?
 24 A. Take the Fifth.
 25 Q. As one of the crane operators
 00047:01 aboard the DEEPWATER HORIZON at this time,
 02 you would have received this e-mail, correct?
 03 A. I take the Fifth.
 04 Q. And if you turn the page, you

05 can see the e-mail is attaching the forward
 06 plan for April 16, 2010, and lists the
 07 upcoming critical path operations, correct?
 08 A. Take the Fifth.
 09 Q. And we know by looking at the
 10 next page, there's information regarding the
 11 boats being loaded with Schlumberger CBL
 12 tools and the deck offloading to boats,
 13 correct?
 14 A. Take the Fifth.
 15 Q. So we know there was information
 16 in this forward plan which you received
 17 regarding crane activity, correct?
 18 A. Take the Fifth.
 19 Q. So you received these forward
 20 plans while you were aboard the deep --
 21 DEEPWATER HORIZON. And from these plans that
 22 you received, you were aware of the upcoming
 23 drilling operations that the drill crew would
 24 be conducting on the DEEPWATER HORIZON as
 25 well, correct?
 00048:01 A. Take the Fifth.
 02 Q. Similarly, the other individuals
 03 received these forward plans such as we see
 04 Joseph Keith, the mud logger, and the drill
 05 floor and the Transocean toolpusher would
 06 likewise be aware of any crane operations
 07 that were being conducted, correct?
 08 A. Take the Fifth.

Page 48:12 to 49:14

00048:12 Q. In addition, you regularly
 13 attended pretower meetings, right?
 14 A. Take the Fifth.
 15 Q. And at these pretower meetings,
 16 you discussed the upcoming operations that
 17 were going to take place on the rig?
 18 A. Take the Fifth.
 19 Q. Besides the crane operators, the
 20 Transocean drillers would also routinely
 21 attend these pretower meetings, correct?
 22 A. Take the Fifth.
 23 Q. As well as the Transocean
 24 assistant drillers?
 25 A. Take the Fifth.
 00049:01 Q. And the Transocean toolpushers?
 02 A. Take the Fifth.
 03 Q. And other members of the
 04 Transocean drill crew?
 05 A. Take the Fifth.
 06 Q. Part of your roles and
 07 responsibilities as a crane operator are to
 08 observe proper rig operating procedures,
 09 correct?

10 A. Take the Fifth.
11 Q. And report any unsafe practices,
12 any incidents, potential hazards, or abnormal
13 situations, right?
14 A. Take the Fifth.

Page 51:08 to 52:12

00051:08 Q. One of the purposes of this task
09 safety think procedure is to assist the
10 Transocean rig crew in identifying hazards;
11 is that true?
12 A. Take the Fifth.
13 Q. It's part of Transocean's safety
14 procedures?
15 A. Take the Fifth.
16 Q. And if you follow a task safety
17 think procedure, you reduce the chance of an
18 injury?
19 A. Take the Fifth.
20 Q. You reduce the chance of harm to
21 the environment?
22 A. I take the Fifth.
23 Q. And you reduce the risk of the
24 operation that you are conducting?
25 A. I take the Fifth.
00052:01 Q. And you are aware of task safety
02 think procedures regarding crane operations
03 such as the one in front of you, which is
04 marked Exhibit 2338, correct?
05 A. Take the Fifth.
06 Q. Do you know if there are task
07 safety think procedures for crane operations
08 during pressure testing of a casing string?
09 A. Take the Fifth.
10 Q. Wouldn't you expect there to be
11 a task safety think procedure for crane
12 operations during a negative pressure test?

Page 52:17 to 52:25

00052:17 Q. Do you know if there are task
18 safety think procedures for crane operations
19 during temporary abandonment procedures?
20 A. Take the Fifth.
21 Q. Wouldn't you expect there to be
22 a task safety think procedure for crane
23 operations during temporary abandonment
24 procedures?
25 A. Take the Fifth.

Page 53:18 to 53:21

00053:18 Q. Wouldn't you expect there to be
19 a task safety think procedure for drilling
20 operations generally during temporary
21 abandonment?

Page 53:24 to 53:24

00053:24 A. Take the Fifth.

Page 54:01 to 54:18

00054:01 Q. Mr. Sandell, I want to direct
02 your attention to a document which
03 Mr. Matthews, counsel for the PSC, marked
04 earlier this morning, Exhibit 3478, which was
05 your witness statement to the Coast Guard.
06 Do you have that in front of
07 you?
08 A. No.
09 Q. I can grab you a copy. I can
10 actually show you this one. And on that
11 witness statement, did you write -- did you
12 identify Jimmy Harrell as the person in
13 charge of the vessel?
14 A. I take the Fifth.
15 Q. And Jimmy Harrell was a
16 Transocean OIM aboard the DEEPWATER HORIZON,
17 correct?
18 A. Take the Fifth.

Page 60:12 to 61:06

00060:12 Q. Do you intend to continue
13 asserting your Fifth Amendment privilege
14 against self-incrimination in response to my
15 questions today?
16 MR. DOYLE:
17 Yes.
18 A. Yes.
19 EXAMINATION BY MR. HARTLEY:
20 Q. Do you have an understanding of
21 what that means in terms of your lawsuit and
22 potential further testimony in this case?
23 MR. DOYLE:
24 Take the Fifth.
25 A. Take the Fifth.
00061:01 EXAMINATION BY MR. HARTLEY:
02 Q. Do you understand that by
03 pleading your Fifth Amendment privilege
04 against self-incrimination, that certain
05 adverse inferences may be drawn in response
06 to those questions that you are asked?

Page 61:10 to 61:16

00061:10 A. Take the Fifth.
11 EXAMINATION BY MR. HARTLEY:
12 Q. Do you understand that by
13 asserting your Fifth Amendment privilege
14 against self-incrimination, you may not be
15 allowed to testify in any further proceedings
16 on those topics that you are asked today?

Page 61:19 to 61:19

00061:19 A. Take the Fifth.

Page 63:04 to 63:22

00063:04 Q. When did you first start working
05 for Transocean?
06 A. Don't remember.
07 Q. 10, 12, 14 years ago, any sort
08 of time frame?
09 A. About 14.
10 Q. My understanding is you started
11 as a roustabout; is that right?
12 A. Yes.
13 Q. How long did you work as a
14 roustabout?
15 A. Three years.
16 Q. From there did you move directly
17 to crane operator?
18 A. Yes.
19 Q. How long had you been a crane
20 operator for Transocean before going to the
21 DEEPWATER HORIZON?
22 A. I don't remember.

Page 64:23 to 64:25

00064:23 Q. Is crane operation a part of a
24 routine negative pressure test procedure?
25 A. Take the Fifth.

Page 65:19 to 66:01

00065:19 Q. On April 20, 2010, did the
20 activities on the DEEPWATER HORIZON deviate
21 from your prior experience with displacement
22 and temporary abandonment procedures?
23 A. Take the Fifth.
24 Q. Was there an abnormal number of
25 activities going on on the DEEPWATER HORIZON
00066:01 on April 20, 2010?

Page 66:04 to 66:08

00066:04 A. I take the Fifth.
05 EXAMINATION BY MR. HARTLEY:
06 Q. Were you concerned about the
07 simultaneous operations going on on the
08 DEEPWATER HORIZON on April 20, 2010?

Page 66:11 to 66:15

00066:11 A. Take the Fifth.
12 EXAMINATION BY MR. HARTLEY:
13 Q. Were you aware that simultaneous
14 operations were going on on the DEEPWATER
15 HORIZON on April 20, 2010?

Page 66:18 to 67:22

00066:18 A. Take the Fifth.
19 EXAMINATION BY MR. HARTLEY:
20 Q. Were you aware that mud was
21 moving between and among the various pits on
22 the rig?
23 A. Take the Fifth.
24 Q. Did that concern you at all?
25 A. I take the Fifth.
00067:01 Q. I think in response to
02 Ms. Thibault's questions for BP, she asked
03 you about the crane operation and its effect
04 on the rig. Do you remember that?
05 A. Yes.
06 Q. The gantry crane movement will
07 affect the pit levels on the rig, won't they?
08 A. Take the Fifth.
09 Q. It makes it more difficult to
10 monitor pit levels flow-in and flow-out while
11 the crane is moving?
12 A. Take the Fifth.
13 Q. It also makes it more difficult
14 to monitor pit volumes flow-in and flow-out
15 when mud is moving between and among various
16 pits?
17 A. I take the Fifth.
18 Q. When you arrived on the
19 DEEPWATER HORIZON on April 15, 2010, from
20 that point until April 20th, you gained an
21 understanding that the rig crew was in a
22 hurry to finish operations, didn't you?

Page 67:25 to 68:04

00067:25 A. Take the Fifth.
00068:01 EXAMINATION BY MR. HARTLEY:

02 Q. You understood that there was a
03 sense of urgency among the rig crew to finish
04 the Macondo well and move on to the Nile?

Page 68:07 to 68:10

00068:07 A. Take the Fifth.
08 EXAMINATION BY MR. HARTLEY:
09 Q. You knew the operations were
10 behind schedule?

Page 68:13 to 68:16

00068:13 A. Take the Fifth.
14 EXAMINATION BY MR. HARTLEY:
15 Q. You knew the operations were
16 over budget?

Page 68:19 to 68:23

00068:19 A. Take the Fifth.
20 EXAMINATION BY MR. HARTLEY:
21 Q. Had you heard that from your
22 conversations or attendance at morning
23 meetings on the rig?

Page 75:09 to 75:17

00075:09 Q. Instead, you understand that the
10 BOP, which wasn't activated until after the
11 well was actually blowing out, actually
12 sealed the well until some later events
13 caused the flow to continue, correct?
14 A. I take the Fifth.
15 Q. The BOP was not defective in any
16 way, was it?
17 A. I take the Fifth.

Page 77:11 to 77:19

00077:11 Q. Indeed, you understand that the
12 well was blowing out before there was even
13 any attempt to activate the BOP, correct?
14 A. I take the Fifth.
15 Q. And you would agree that the
16 blowout preventer played no role in the
17 initial flow of hydrocarbons from the Macondo
18 well formation, correct?
19 A. I take the Fifth.

Page 77:23 to 78:21

00077:23 Q. And you'll agree with me that
 24 once the flow began, there was no attempt to
 25 activate the BOP until after the well control
 00078:01 had been lost, the blowout had occurred, and
 02 the hydrocarbons were past the BOP, correct?
 03 A. I take the Fifth.
 04 Q. And you'll agree with me that
 05 the rig crew did not recognize the influx of
 06 hydrocarbons and did not act to control the
 07 well until hydrocarbons had passed through
 08 the BOP and into the riser, correct?
 09 A. I take the Fifth.
 10 Q. You would agree with the
 11 findings of the chief council's report that
 12 hydrocarbons had entered the riser well
 13 before the crew attempted to activate the BOP
 14 and even a perfectly functioning BOP could
 15 not have prevented the explosion that killed
 16 11 men on April 20th, right?
 17 A. I take the Fifth.
 18 Q. And for the same reasons, you
 19 would agree, would you not, that the BOP
 20 could not have prevented the explosion that
 21 caused any of your alleged injuries?

Page 78:24 to 78:24

00078:24 A. I take the Fifth.

Page 85:17 to 88:03

00085:17 Q. I'm going to hand you a -- a
 18 document that's going to be marked as -- or
 19 is being marked as Exhibit 3482.
 20 Do you recognize Exhibit 3482 as
 21 a photograph of the DEEPWATER HORIZON
 22 drilling rig?
 23 A. I take the Fifth.
 24 Q. The gantry crane that we've
 25 heard about today, that crane is located in
 00086:01 the center of the stern of the vessel in this
 02 photograph, isn't it?
 03 A. I take the Fifth.
 04 Q. And that crane moves on rails
 05 from the port side to the starboard side?
 06 A. I take the Fifth.
 07 Q. And you also see on this
 08 photograph there are certain things called
 09 out with notes. Do you see those?
 10 A. Are you talking about these?
 11 Q. Yes.
 12 A. Yes.
 13 Q. Do you see up top, the first one
 14 on the left, something called out as a vent

15 line?
16 A. I take the Fifth.
17 Q. Do you know the difference
18 between an elbow and a gooseneck?
19 A. I take the Fifth.
20 Q. Now, the vent line at the top of
21 that rig is not a gooseneck. It's an elbow,
22 isn't it?
23 A. I take the Fifth.
24 Q. Do you see the note underneath
25 that one called out as the MGS vacuum line?
00087:01 A. I take the Fifth.
02 Q. Can you tell whether the MGS
03 vacuum line is a gooseneck?
04 A. I take the Fifth.
05 Q. You can't tell in this photo,
06 can you?
07 A. I take the Fifth.
08 Q. But you can tell that the vent
09 line is not a gooseneck, can't you?
10 A. I take the Fifth.
11 Q. Now, in this photo the gantry
12 crane is centered on the rig, isn't it?
13 A. I take the Fifth.
14 Q. And on April 20th when you were
15 in the cab of the gantry crane, it wasn't in
16 this position, was it?
17 A. I take the Fifth.
18 Q. How heavy was the gantry crane?
19 A. I take the Fifth.
20 Q. In fact, the gantry crane, if
21 not centered on the rig, would cause it to
22 list either to the starboard or the port,
23 wouldn't it?
24 A. I take the Fifth.
25 Q. And that list would affect the
00088:01 monitoring of the mud wells on the rig,
02 wouldn't it?
03 A. I take the Fifth.