

# Deposition Testimony of:

## **David Rainey**

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00314:05 Q. What is the TIGER team?  
06 A. It's a team of subsurface  
07 specialists who focus on issues of the  
08 subsurface that relate to operations.  
09 Q. Okay. And so what did they do  
10 for you?  
11 A. They -- they actually start from  
12 before lease access, they are the keeper of  
13 the basin model, the three-dimensional basin  
14 model. They do -- our biostratigraphers are  
15 part of the TIGER team and they operate  
16 throughout the whole exploration process, all  
17 the way from regional work through lead  
18 identification, through prospect maturation.  
19 Q. And so what did the TIGER team  
20 do in connection with the Macondo well?  
21 A. Then as it gets closer to  
22 operations when -- when a decision is made to  
23 test a prospect with the drill bit, then  
24 they -- the TIGER team makes the pore  
25 pressure prediction and the fracture gradient  
00315:01 prediction that is then handed over to the  
02 drilling engineers to design the well around  
03 it.  
04 Q. Now, as far as Macondo is  
05 concerned, give me -- well, first of all, the  
06 TIGER team is a group of people who -- who do  
07 they report to?  
08 A. The manager of the TIGER team is  
09 a gentleman called Pinky Vincent.

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00315:12 Q. And who does he report to?  
13 A. I think at the time -- I think  
14 two weeks before the incident we had elevated  
15 Pinky from reporting to the exploration  
16 manager, who at the time was Jay Thorseth,  
17 and elevated him to reporting to me.  
18 Q. Okay. Let's kind of talk -- if  
19 we can go by broad brush, let's try.  
20 Sometime spring of 2009, I think is more or  
21 less when the decision was made to go forward  
22 on the Macondo; is that correct?  
23 A. I can't say for certain.  
24 Q. Well, we can get some documents  
25 if we need to.  
00316:01 A. Yeah.  
02 Q. Whenever that was made, what did  
03 the TIGER team do before and after?  
04 A. Before they -- some of the  
05 specialists would probably have been involved  
06 in the evaluation of the prospect --

07 Q. Okay.  
08 A. -- doing a specialist  
09 geophysical analysis to demonstrate that it  
10 was a valid prospect.  
11 Q. And somehow that information  
12 would have to get up the line to you,  
13 correct?  
14 A. In a very general sense, yes.  
15 They keep me informed as to whether the  
16 prospect is still valid and still one that  
17 would merit the possibility of testing with  
18 the drill bit.  
19 Q. Who is Robert Bodek?  
20 A. He is operations geologist in  
21 the TIGER team.  
22 Q. He is in the TIGER team?  
23 A. Yes.  
24 Q. Because he did work on this  
25 Macondo well, did he not?  
00317:01 A. Yes, I believe he did.

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00317:10 Q. Educate me. What is their role  
11 specifically?  
12 A. Well, we just talked about the  
13 TIGER team role. The aspect of defining the  
14 prospect and describing the prospect, that  
15 sits with the exploration teams.  
16 Q. The exploration teams. That was  
17 under you --  
18 A. That's correct.

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00317:21 Q. -- because you're VP in charge  
22 of exploration?  
23 A. Yeah.  
24 Q. Okay. So -- and there are AFEs  
25 that you have signed, and we'll look at some  
00318:01 of those.  
02 A. Right.  
03 Q. But before you sign an AFE, you  
04 have to have some reasonable expectation that  
05 you're going to hopefully find something --  
06 A. That's correct.  
07 Q. -- is that right?  
08 A. Okay. And someone then has done  
09 some type of work anticipating where you  
10 might find something and what you might find;  
11 is that correct?  
12 A. That's correct.

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00318:20 Q. Let's say -- how long were you  
21 VP of exploration?  
22 A. Up to the point of the incident,  
23 about five years.  
24 Q. About five years. Okay. And  
25 during that five years, you also -- did you  
00319:01 get paid by salary and bonuses or what?  
02 A. Salary and bonuses.  
03 Q. Okay. And were the bonuses in  
04 part dependent upon how successful you are --  
05 were in finding good wells?  
06 A. That's correct.  
07 Q. That makes sense as your job,  
08 right?  
09 A. Right. Yes.

Page 323:05 to 324:24

00323:05 Q. (BY MR. BOWMAN) I guess what  
06 I'm trying to get at, and maybe I'm wrong,  
07 but it seems like there has to be some degree  
08 of working together between exploration and  
09 drilling and completion, correct?  
10 A. Correct.  
11 Q. Yeah, because you have to have  
12 an interest in whether that well is drilled  
13 and comes up, right?  
14 A. I do.  
15 Q. Okay. And is that -- we'll  
16 explore some e-mails later as time goes by.  
17 But is that the reason you were kept up  
18 oftentimes on what was going on as far as  
19 drilling on wells?  
20 A. Obviously I have an interest in  
21 the progress of the well.  
22 Q. Okay. Now, then, I'm going to  
23 show you, I think, what was marked as  
24 Exhibit 3202 yesterday. I've just opened it  
25 to you.  
00324:01 A. This page?  
02 Q. That page. And up at the top it  
03 says something about you antic- -- this is on  
04 the Macondo well. And you can look and make  
05 sure it is the Macondo well.  
06 A. Yeah.  
07 Q. Something about anticipate six  
08 strings. Do you see that?  
09 A. Where should I be looking?  
10 Q. Well, I think it's up at the  
11 top.  
12 A. Six string. Okay.  
13 Q. Yeah. Do you know how many  
14 strings there ended up being used on the

15 Macondo?  
16 A. I know we used up some of our  
17 contingency, so I am -- I would assume it was  
18 more than six.  
19 Q. Okay. Now, you are the -- you  
20 would sign the AFEs on the Macondo and --  
21 along with two other people. What -- do you  
22 remember what the original estimate was for  
23 the Macondo?  
24 A. Not off the top of my head, no.

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00325:04 Q. When you were asked to raise the  
05 AFE. Let's say you were asked to raise it  
06 from a hundred to 139 million, what would you  
07 consider?  
08 A. I'd need more context to answer  
09 the question. I --  
10 Q. Well, do you remember whether  
11 you signed or did not sign more than one AFE  
12 for the Macondo well?  
13 A. I can't actually remember.  
14 Q. You can't remember. Can you  
15 remember if the Macondo well cost more than  
16 it was anticipated to cost?  
17 A. I believe it did.  
18 Q. But you can't remember how much?  
19 A. Not off the top of my head.  
20 Q. Even by tens of millions of  
21 dollars?  
22 A. Not off the top of my head, no.

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00326:04 Q. (BY MR. BOWMAN) Okay. Well,  
05 when you would sign an increased AFE, would  
06 you ask anybody why?  
07 A. Yes, I'd expect to have that  
08 explained.  
09 Q. And who would you ask?  
10 A. It would be the -- whoever  
11 brought the AFE to me. And usually it would  
12 be the drilling team.  
13 Q. Okay. Do you remember who it  
14 was on the Macondo?  
15 A. No.  
16 Q. You just have no memory at all  
17 on that today?  
18 A. Well, I know who some of the  
19 engineers were, but I don't know specifically  
20 who brought me the AFE.  
21 Q. Okay. Do you know who any of  
22 the engineers on the Macondo were?

23 A. I know Mark Hafle.  
24 Q. Anybody else?  
25 A. I know David Sims was in the  
00327:01 line somewhere. I think John Guide. Those  
02 are the three in particular that I remember.  
03 Q. Do you remember actually talking  
04 to them?  
05 A. Not specifically, no.  
06 Q. No. Do you remember any  
07 discussion at all talking to any of those  
08 three people about the Macondo well before  
09 the blowout?  
10 A. I do remember discussions around  
11 AFEs, but I don't remember the details of  
12 those discussions.  
13 Q. Do you remember generally what  
14 was said?  
15 A. Conversation around the AFEs.  
16 Q. Okay. I'm going to hand you  
17 what has been previously marked as 2370. Do  
18 you remember that?  
19 A. I don't remember this specific  
20 e-mail.  
21 Q. Okay. Well, if you'd go to the  
22 third page. Do you recognize your signature?  
23 A. It doesn't look like the e-mail  
24 was sent to me. But, yes, I do recognize my  
25 signature.  
00328:01 Q. And what's the date of that?  
02 A. September 30, '09.

Page 328:09 to 329:08

00328:09 Q. (BY MR. BOWMAN) So -- well,  
10 just clear it up. What is a document called  
11 "Execute Financial Memorandum"? What is that  
12 document?  
13 A. That's a financial memorandum  
14 which provides the approval to drill the well  
15 within -- there is an estimate of what the --  
16 what the cost will be.  
17 Q. Okay.  
18 A. And then the AFE is actually the  
19 document that releases the funds.  
20 Q. Okay. And this very first  
21 financial memorandum that you signed talks  
22 about risk and it has key risks and other  
23 significant points. Do you remember who put  
24 that in those risks on this document?  
25 A. This being a financial document,  
00329:01 this was probably written by one of the  
02 financial people.  
03 Q. Okay. Did they have the  
04 expertise to be able to figure out that  
05 subsurface and drilling risk include a narrow

06 pore pressure and fracture gradient window?  
 07 A. They will have talked to the  
 08 drilling team as to what the risks were.

Page 331:23 to 333:13

00331:23 Q. Okay. And you don't remember  
 24 how much the well ended up costing you?  
 25 A. No.  
 00332:01 Q. Okay. And do you remember how  
 02 much extra time it took than anticipated?  
 03 A. No. Again it was a very complex  
 04 well because it started with one rig. That  
 05 rig got hit by a storm. There were costs  
 06 associated with the storm. And then we  
 07 brought on another rig. So the financial  
 08 approvals are quite complicated.  
 09 Q. Uh-huh. So sitting here today  
 10 you don't know how much longer it took to  
 11 complete the well than originally  
 12 anticipated?  
 13 A. Not off the top of my head, no.  
 14 Q. You don't know if it was two  
 15 days or two months?  
 16 A. It was more than two days.  
 17 Q. Less than two months?  
 18 A. I don't know.  
 19 Q. Don't know. Okay.  
 20 Let me ask you this now. You  
 21 are a geologist, right?  
 22 A. I am.  
 23 Q. And this well -- by the time the  
 24 production casing was put down this well, did  
 25 BP believe that it knew where the pay zones  
 00333:01 where?  
 02 A. I believe we did, yes.  
 03 Q. Okay. I mean, because if you  
 04 don't know where the pay zones were, you  
 05 don't know where the oil is going to come  
 06 from, right?  
 07 A. Right.  
 08 Q. Now, I have seen something that  
 09 indicates that after the blowout, and  
 10 specifically I think it's in June of 2010, BP  
 11 found out that there was a -- I guess higher  
 12 pay zone than they knew about or anticipated.  
 13 Now --

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00333:15 Q. (BY MR. BOWMAN) Have you heard  
 16 that, number one?  
 17 A. I don't believe I have, no.  
 18 Q. You never heard that. Well, let

19 me -- let's mark this.  
20 (Exhibit No. 3226 was marked.)  
21 Q. (BY MR. BOWMAN) Let me show you  
22 what's been marked as 3266 [sic]. This is a  
23 part of a report that was done. It's part of  
24 a report BP-HZN-BLY00173428. Some sort of BP  
25 investigation team analysis.

00334:01 MR. LANCASTER: Counsel, do you not  
02 have a complete copy of the document to give  
03 to the witness?  
04 MR. BOWMAN: No, I don't.  
05 MR. LANCASTER: All right.  
06 Q. (BY MR. BOWMAN) Now, can you  
07 look at that particular part I just handed  
08 you. And it shows sands identified. Do you  
09 see where it says, Table 1: Sands Identified  
10 on the Macondo well? It's that chart down on  
11 the bottom.  
12 A. Okay. Yeah. Got it.  
13 Q. Yeah. And you can see that the  
14 very first one says: Identified as a  
15 possible hydrocarbon June 2010 not a major  
16 pressure.  
17 Now, how would -- how could that  
18 have happened?  
19 MR. LANCASTER: Object to form.  
20 A. So I do remember something  
21 about -- I don't know whether it's this or  
22 not -- a zone that on the logs was ambiguous  
23 and was not clearly pay. That's all I  
24 remember. But -- so if it is -- it wasn't  
25 clear -- my understanding, my memory -- and I

00335:01 was -- say this was when I was in Robert. So  
02 I was very much on the edge of it. This was  
03 a zone that was not clearly pay -- would  
04 not -- would not have been measured as pay  
05 under normal circumstances. But there were  
06 some special circumstances that could have  
07 led to it being a zone that might have been  
08 an unusual lithology that might have had  
09 hydrocarbons in them. I'm sure you know that  
10 not all log analysis is unambiguous.  
11 Q. (BY MR. BOWMAN) I have been  
12 told that.  
13 And you can have a flow -- I  
14 mean, you can have a flow from a nongood  
15 hydrocarbon zone, can you not?  
16 MR. LANCASTER: Object to form.  
17 A. Again, I'm -- I'm not a  
18 reservoir engineer.  
19 Q. (BY MR. BOWMAN) Well, you're a  
20 geologist. You can actually have a flow from  
21 water, can't you?  
22 A. You can.  
23 Q. You can.



24                   So who -- who was it that made  
25 this discovery in June of 2010 about this --

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00336:20           Q.       Okay.  Actually, let me ask you  
21 a few things right now.  Have you talked to  
22 anyone from Halliburton about the Macondo  
23 blowout?  
24           A.       Not that I'm aware of.  
25           Q.       Do you have any opinion sitting  
00337:01 here today about the cement job Halliburton  
02 did on the HORIZON?

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00337:04           Q.       No?  
05           A.       No.  
06           Q.       And, likewise, do you have any  
07 opinions about any of the mud logging that  
08 was done by Sperry on the HORIZON?  
09           A.       No.  
10           Q.       Now, excluding lawyers, has  
11 anyone talked to you about what they think  
12 happened on the cement job on the Macondo  
13 well?  
14           A.       Certainly not in any detail.  I  
15 know I've had conversations with many people  
16 on what we thought happened, but not with  
17 anybody that probably had any more expertise  
18 than I have.  
19           Q.       Well, here's what I'm getting  
20 at.  You know we're going to have a trial  
21 coming up.  And I want to find out, are you  
22 going to be able to come in and say, well, I  
23 think this about the cement job or that about  
24 the cement job, or are you just going to be  
25 able to offer no opinions and no facts about  
00338:01 the cement job?  
02           A.       I don't have the expertise to  
03 offer any opinion on the cement job.  
04           Q.       One way or the other.  That's  
05 fine.  
06                   And the same on the mud logging  
07 done by Sperry?  
08           A.       That's -- would be the same.

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00338:11 (Exhibit No. 3227 was marked.)

Page 339:02 to 341:25

00339:02 Q. (BY MR. BOWMAN) This April 7th  
03 memo which has been identified as 3227, the  
04 question was who is Mr. Thorseth and what did  
05 he have to do with the Macondo well?

06 A. Mr. Thorseth is the exploration  
07 manager under whom the Macondo well was  
08 drilled, and he is a direct report of mine.

09 Q. And by "exploration manager,"  
10 what did he do on this? What did he do?

11 A. He's the manager of the  
12 exploration team. The TIGER team did report  
13 to him. But, again, he's not an operational  
14 person.

15 Q. He takes everything up to the  
16 start of the operations. And then he must  
17 continue monitoring operations?

18 A. He has the same interest that I  
19 do in watching the progress of the well to  
20 test the prospect that he's worked; in Jay's  
21 case, from before the lease sale through  
22 acquiring the lease through getting approval  
23 to drill the well.

24 Q. Okay. Because if you look at  
25 this e-mail, it's fairly specific. It talks  
00340:01 about Dave -- and that's you, right?

02 A. That is correct.

03 Q. He's writing: Dave, our  
04 recommendation is to drill another 100 to 135  
05 feet then TD, log and run 7-inch production  
06 casing.

07 Now -- and that's signed "Jay,"  
08 right?

09 A. That's correct.

10 Q. That sounds a little bit to me  
11 like an operational decision. In other  
12 words, what size production casing and how  
13 long you run it and when you TD the hole.  
14 Explain to me how his job overlaps with the  
15 operations on these points.

16 A. This is really a recommendation  
17 based on subsurface information that we have  
18 effectively tested the prospect. Because he  
19 goes on to say: We are not interested in  
20 deepening to secondary target because --

21 I mean, I believe there is no  
22 indication of reservoir on seismic. The well  
23 is calibrated in eastern Mississippi Canyon  
24 on sand presence and seismic which is -- that  
25 techol- -- that science has matured since  
00341:01 Macondo went to forum. And when Jay  
02 presented the prospect to forum, he presented  
03 a primary target and a secondary target. And  
04 the primary target was one that the well  
05 ultimately tested and the secondary target  
06 was deeper.

07                   When we told Mr. Daly that we  
08 were effectively at TD, he said, well, what  
09 about the secondary target that you told me  
10 about when you brought the prospect to  
11 target -- to forum? So Jay -- that push went  
12 back down and Jay came back and said, no, we  
13 see -- we don't actually see any  
14 prospectivity any more deeper, and these were  
15 the reasons. Therefore, in conversations  
16 with the drillers, this looks to me like we  
17 tested the primary reservoir and we need to  
18 drill a rathole and finish the well.

19                   So this was about -- is there  
20 deeper prospect- -- is there deeper  
21 prospectivity to drill for.

22           Q.       Okay. So Mr. Thorseth is  
23 keeping up -- is he reading the seismics that  
24 are being taken while the well is being  
25 drilled?

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00342:02           A.       He certainly isn't doing any  
03 technical work, but he's the manager of the  
04 team that has monitored the prospect and the  
05 well from a subsurface perspective.

06           Q.       (BY MR. BOWMAN) So the TIGER  
07 team is reporting to him and they are  
08 continuing to monitor the seismics on the  
09 well?

10           A.       I don't know what you mean by  
11 seismic on the well.

Page 343:05 to 345:15

00343:05           Q.       Well, the third bullet point:  
06 New seismic data since last year.

07                   What seismic data is he talking  
08 about?

09           A.       It sounds like we acquired some  
10 new seismic data over the prospect. But that  
11 seismic data --

12           Q.       Okay. Okay. Well, explain the  
13 prospect. Maybe that's where we're having a  
14 little communication problem.

15           A.       Okay. You understand the  
16 concept of seismic?

17           Q.       I think so. But go ahead and  
18 explain -- answer my question about what is a  
19 prospect.

20           A.       The prospect is defined on  
21 seismic data, calibrated to other wells  
22 around about. So the seismic data is  
23 essentially a sonic record of the subsurface.

24 You know?  
 25 Q. Uh-huh.  
 00344:01 A. And based on that we get  
 02 indications of prospectivity but we don't  
 03 know if there are all the elements that you  
 04 need to be present to have a hydrocarbon  
 05 accumulation.  
 06 Q. And somebody makes then a  
 07 determination and decides to drill  
 08 ultimately?  
 09 A. And then the ultimate test of  
 10 whether there is an oil field present or not  
 11 is with the drill bit.  
 12 Q. That's what happened on the  
 13 Macondo, correct?  
 14 A. That's correct.  
 15 Q. Okay. So would Mr. Thorseth and  
 16 the TIGER team continue to monitor seismic  
 17 during the drilling of this well?  
 18 A. They would. It looks like they  
 19 got some new seismic data.  
 20 Q. Okay.  
 21 A. And I don't know the timing of  
 22 that, but it was certainly since Jay took the  
 23 prospect to the exploration forum. And the  
 24 team will continue to work it and will -- as  
 25 the well is drilled, they will be applying  
 00345:01 that data back into the seismic to calibrate  
 02 the seismic.  
 03 Q. Now, as the well is being  
 04 drilled and as they are going down to the  
 05 anticipated pay zones, what testing do they  
 06 do to see what those pay zones show?  
 07 A. After the pay zones are drilled,  
 08 then we run wireline logs which make variety  
 09 of physical measurements. And on the basis  
 10 of those measurements, we determine whether  
 11 there is reservoir present and whether the  
 12 reservoir contains hydrocarbons.  
 13 Q. And would Mr. Thorseth and his  
 14 team monitor those wireline logs?  
 15 A. Yes.

Page 345:18 to 345:24

00345:18 (Exhibit No. 3228 was marked.)  
 19 Q. (BY MR. BOWMAN) I think that's  
 20 what you were telling me about earlier.  
 21 Who is Mr. Daly?  
 22 A. He is the global head of  
 23 exploration, and I have a dotted line  
 24 relationship to him.

Page 346:02 to 347:09

00346:02 (Exhibit No. 3229 was marked.)  
 03 Q. (BY MR. BOWMAN) That's from you  
 04 again to Mr. Daly. And this is April 15th,  
 05 right?  
 06 A. Yeah.  
 07 Q. Now, you're recommending that --  
 08 you're recommending that you TD at the  
 09 current depth, right?  
 10 A. That's correct.  
 11 Q. Okay. So you stayed involved,  
 12 as far as from your production side, all the  
 13 way through the drilling down to TD, right?  
 14 A. I don't understand the reference  
 15 to production.  
 16 Q. Okay. Well, yesterday you were  
 17 saying you were a geologist and you didn't  
 18 get involved in drilling and completion. But  
 19 even though you're not directly involved in  
 20 drilling and completion, you seem to stay up  
 21 on what's going on, enough so that April 15th  
 22 you make a recommendation that you don't  
 23 drill -- that BP not drill any deeper, right?  
 24 A. Because there is no -- we don't  
 25 see prospectivity. There is only -- the  
 00347:01 purpose for drilling wells is to test for  
 02 prospectivity.  
 03 Q. Sure. So your side and your  
 04 team stayed involved enough to make  
 05 recommendations on the prospectivity, right?  
 06 A. That's correct.  
 07 Q. Okay. Again, working hand in  
 08 hand, so to speak, with drilling and  
 09 completion?

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00347:11 A. The drilling and completions  
 12 have no input into the presence or absence of  
 13 prospectivity.  
 14 Q. (BY MR. BOWMAN) Right. But  
 15 you're making a recommendation on whether  
 16 they drill or not?  
 17 A. That's correct.

Page 347:20 to 348:05

00347:20 (Exhibit No. 3230 was marked.)  
 21 Q. (BY MR. BOWMAN) This is a few  
 22 days earlier. You see Sunday -- well,  
 23 actually, it's later. It's April 18th,  
 24 right?  
 25 A. Uh-huh.  
 00348:01 Q. Two days before the blowout.

02 And it's from Mr. Thorseth, again, to you?  
 03 A. Yeah.  
 04 Q. And who are these other people?  
 05 A. The names down here --

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00348:07 A. -- in the e-mail?  
 08 Q. Yeah. And who are they and what  
 09 do they do?  
 10 A. Okay. So Jay -- let me give you  
 11 the context for the e-mail first.  
 12 Q. Sure. Please do.  
 13 A. So when we make a discovery,  
 14 there is then a process around how that  
 15 discovery is handed over to our development  
 16 organization. So a team is created that is a  
 17 combination of explorers and what we would  
 18 call appraisers slash developers.  
 19 And then their role now is to  
 20 make a recommendation to Mr. Daly and  
 21 Mr. Shaw, who is the head of the global  
 22 developments organization, whether this  
 23 discovery merited being developed. So this  
 24 is Jay making a recommendation to me as to  
 25 what -- or who the members of that appraisal  
 00349:01 review board should be, the discovery review  
 02 board.  
 03 So he said I, Jay Thorseth, will  
 04 be the chair. And now because we're moving  
 05 more into -- we're talking about development,  
 06 so we're now beginning to see more engineers  
 07 come in here. So Rob Marshall is the manager  
 08 of subsea engineering. And that this was  
 09 going to be developed because it was a small  
 10 discovery. It was going to be a subsea  
 11 development.  
 12 Jami Zinkham was the resource  
 13 appraisal advisor. Charlos Ward, I don't  
 14 know who that is. It looks like a project  
 15 engineer. It's going to be the project  
 16 manager in the developments organization if  
 17 it went forward.  
 18 Bryan Ritchie is the exploration  
 19 team leader. Russ Stauffer is the commercial  
 20 manager. Important, obviously, because this  
 21 is a big commercial decision.  
 22 Doris Reiter is the resource  
 23 team leader for Pompano because this -- if  
 24 this was developed, it would be a tieback to  
 25 Pompano.  
 00350:01 And then Kelly McAughan was the  
 02 reservoir engineer for the prospect and was  
 03 the keeper of all the reservoir engineering  
 04 knowledge on the prospect and on the well.

Page 350:07 to 350:07

00350:07 (Exhibit No. 3231 was marked.)

Page 350:11 to 351:07

00350:11 So Exhibit 3231 is an e-mail  
12 from you and it's dated April 20th?  
13 A. Right.  
14 Q. And it indicates logging is  
15 complete, production casing has been set, and  
16 temporary abandonment is at progress. The  
17 well is a discovery.  
18 A. Uh-huh.  
19 Q. What do you mean by "the well is  
20 a discovery"?  
21 A. It discovered hydrocarbons.  
22 Q. Okay. And how do you know that?  
23 How did you know that on April 20th, 2010?  
24 A. We had drilled -- we had drilled  
25 the target section and we had wireline logged  
00351:01 the target section.  
02 Q. Okay. And who had looked at  
03 those wireline logs?  
04 A. I'm sure people in my  
05 organization had and people upstream in the  
06 developments organization, I'm sure, had  
07 looked at those logs.

Page 351:11 to 352:14

00351:11 Q. Now, did those wireline logs,  
12 did anyone do any kind of calculation from  
13 those logs about anticipated recovery  
14 amounts?  
15 A. I -- by this time frame, I don't  
16 know if that work had been done. That would  
17 have been the role of this team, frankly.  
18 Prior to drilling the well, predictions had  
19 been made and the well came in very close to  
20 prognosis.  
21 Q. Uh-huh. Okay. One reason I was  
22 asking that question is, I took the  
23 deposition a couple of weeks ago of -- I  
24 can't remember what her name is. In  
25 financial, very bright lady. And she said  
00352:01 that y'all set the original anticipated  
02 recovery of barrels when you started the  
03 well, and that as far as she knew, that had  
04 never been updated for any more recent data.  
05 Is that the way y'all -- BP  
06 would do business, that is, they wouldn't

07 update the data as they got more wire log  
 08 information?  
 09 A. By April the 20th, given that we  
 10 were, say, I don't know, within a week of  
 11 having run the logs, given that that would  
 12 have been the role of this team to do that  
 13 work, no, I'm not surprised it hasn't been  
 14 done.

Page 352:20 to 352:25

00352:20 Q. Okay. The e-mail of the 20th  
 21 looks like Mr. Thorseth is still there but  
 22 now we have a couple of other people that  
 23 look like they're different. Who are they?  
 24 Why did you send it to them?  
 25 A. Mr. Addison --

Page 353:02 to 353:02

00353:02 A. -- and Michelle --

Page 353:04 to 358:23

00353:04 A. -- Judson?  
 05 Mr. Addison was the vice  
 06 president of appraisal, project appraisal in  
 07 the global projects organization. So he  
 08 would have been the receiver of this project.  
 09 Michelle Judson is the vice  
 10 president of resource appraisal, which is  
 11 really an advisory role reporting to  
 12 Mr. Daly.  
 13 Q. Okay. So it looks like that you  
 14 were the person that had the right to declare  
 15 the well a discovery?  
 16 A. That's correct.  
 17 Q. Okay. And going in you thought  
 18 you had a very high likelihood of having a  
 19 good well, correct?  
 20 A. In what time frame? Going into  
 21 what?  
 22 Q. Before you started drilling the  
 23 Macondo well?  
 24 A. It was a good prospect, yes.  
 25 Q. Yeah. And -- okay. Let me show  
 00354:01 you what is Tab 19 which has been marked  
 02 previously as Exhibit 572. It appears to be  
 03 an e-mail from you on the 26th. And that is  
 04 to -- to me, a lot of people in drilling and  
 05 completion. You've got Mr. Sims, Mr. Guide,  
 06 Mr. Hafle, Mr. Morel, Mr. Cocalles,  
 07 Mr. Sepulvado. Both Sepulvados.



08 Mr. Vidrine. Why did you send this?  
09 A. As it says in the first  
10 sentence: I have a standing agenda item on  
11 my leadership team staff meeting. Or in  
12 recognitions so -- recognizing people who  
13 have done a good job.  
14 Q. So this was sent to them kind of  
15 indicating that all of them had gone more or  
16 less above and beyond, as far as you were  
17 concerned?  
18 A. That's the way it seemed at the  
19 time.  
20 Q. Okay.  
21 A. So my direct reports had taken  
22 the trouble to recognize their colleagues in  
23 the drilling -- in the wells team.  
24 Q. Okay.  
25 A. Because they were the ones who  
00355:01 had tested the prospect for us.  
02 Q. But was it your idea to send  
03 this? Or did Mr. Thorseth say this would be  
04 a good idea? Or how did that e-mail actually  
05 come into being?  
06 A. I don't know. I tried -- when  
07 people are recognized at my staff meeting, I  
08 try to let those individuals know.  
09 Q. Would they be at your staff  
10 meeting?  
11 A. The people who -- the  
12 addressees?  
13 Q. Yes, sir.  
14 A. No, they would not.  
15 Q. No. And you copied Mr. Ian  
16 Little?  
17 A. That's correct.  
18 Q. Okay. Again, you don't know if  
19 it was your idea or Mr. Thorseth or somebody  
20 else's idea that you put this e-mail together  
21 and send it to all these people?  
22 A. No. But it's something that I  
23 try to do if somebody's -- if somebody around  
24 my table recognizes an individual, if I can  
25 speak to them face to face, I will. But if  
00356:01 it's -- if I know it's not going to be  
02 possible to speak face to face, this group is  
03 not on my floor, many of them are in the  
04 field, I probably decided the easiest way for  
05 me to do this is by e-mail.  
06 Q. Okay. Now -- and what were you  
07 actually trying to recognize them for, do you  
08 know?  
09 A. They had put a lot of effort  
10 into drilling this well. And ultimately the  
11 prospect had been tested and the well was at  
12 TD and it was a discovery, so it seemed

13 appropriate to say thank you.  
14 Q. By March 26th it was at TD and  
15 you were -- as far as you were concerned, it  
16 was a discovery?  
17 A. That's correct.  
18 Q. And did y'all -- and you say:  
19 It demanded more than its fair share.  
20 What did you mean by that?  
21 A. There were difficult parts to  
22 the well. The well was difficult.  
23 Q. Had you heard the term "well  
24 from hell" by then?  
25 A. No, not at that point.  
00357:01 Q. Not at that point?  
02 A. No.  
03 Q. While you hadn't heard that  
04 term, you did know it had been exceedingly  
05 difficult to drill that well? Was that what  
06 you were trying to share here, that it was  
07 really hard and they had done a great job?  
08 A. It was certainly more difficult  
09 than the recent wells that we had drilled.  
10 Q. And what do you remember at this  
11 date, March 26th, making it so difficult?  
12 A. I don't remember what I  
13 remembered on this date.  
14 Q. Do you remember if there were  
15 various kicks?  
16 A. I imagine I was aware of the  
17 kicks and the lost circulation.  
18 Q. And the lost circulation. How  
19 about a stuck pipe, were you aware of that?  
20 A. I probably was. I'm sure I was.  
21 Q. Because you -- again, because  
22 you kept up with what was going on?  
23 A. Yeah.  
24 Q. Now, sitting here today knowing  
25 what you have found out in the last year,  
00358:01 would you still have sent this e-mail  
02 congratulating everybody for such a good job?  
03 A. That's a hypothetical question.  
04 MS. KUCHLER: Object to the form of the  
05 answer.  
06 A. Knowing what I knew then, this  
07 seemed like the right thing to do.  
08 Q. (BY MR. BOWMAN) I understand  
09 that.  
10 My question now is, this is a  
11 little over a year later, knowing what you  
12 know today, would you have still sent this  
13 same e-mail?  
14 A. In this situation at this time  
15 in the well, knowing what I knew then, this  
16 seemed like the right thing to do.  
17 Q. Not saying it wasn't. In --

18 March 26th. I'm saying we're sitting here  
19 today June 3rd -- I think it's the 3rd --  
20 would you send an e-mail to these same people  
21 today congratulating them for a job well  
22 done, going above and beyond?  
23 A. Clearly today, no.

Page 361:12 to 361:15

00361:12 Q. (BY MR. BOWMAN) Mr. Rainey, I'm  
13 going to give you an exhibit that's  
14 previously been marked as 2422 that is Tab 31  
15 in the binder.

Page 362:15 to 363:18

00362:15 Q. And what did you have to do with  
16 the relief wells?  
17 A. Looks like I had been asked to  
18 comment on the seismic interpretation of the  
19 top hole section and how that might have  
20 related to what we had seen in the Macondo  
21 top hole section.  
22 Q. Okay. By the way, who did the  
23 wireline on the Macondo well? Was it  
24 Schlumberger? Or do you know?  
25 A. I don't -- it probably was  
00363:01 Schlumberger, but I couldn't say that for  
02 certain.  
03 Q. That's fine. I'm going to hand  
04 you now what is Tab 29, which has previously  
05 been marked 1146. It's a series of e-mails  
06 where you're copied.  
07 Can you look at the very last  
08 page -- well, next to last page at the top  
09 where it says: Here is my first pass at the  
10 SOO letter?  
11 A. Uh-huh.  
12 Q. And the last sentence: While  
13 the Nile P&A timing is a critical path to us,  
14 the MMS unit group may not see it that way.  
15 What is the Nile P&A timing  
16 that's being talked about?  
17 A. I believe we had some obligation  
18 to P&A a well on Nile.

Page 363:21 to 363:23

00363:21 Q. The "we" being, of course, BP,  
22 right?  
23 A. I believe that to be the case.

Page 366:02 to 366:10

00366:02 Q. Okay. Did you get involved in  
 03 any way with the centralizer issue on the  
 04 Macondo well?  
 05 A. I don't believe I did.  
 06 Q. Okay. Have you ever been  
 07 involved in any issues as to the number of  
 08 centralizers that should or would not be used  
 09 on a well?  
 10 A. Not that I'm aware of.

Page 366:13 to 366:24

00366:13 Q. How about did you get involved  
 14 in the use of a long string for the -- on the  
 15 production casing in this well?  
 16 A. I don't believe so.  
 17 Q. Okay. You were aware or were  
 18 you not aware that a long string was  
 19 ultimately used?  
 20 A. I am aware of it.  
 21 Q. Were you aware of it at the time  
 22 it was being used?  
 23 A. I first became aware on that  
 24 daily summary report --

Page 367:01 to 367:15

00367:01 A. -- when I saw the words  
 02 "production casing." And I actually thought  
 03 it was a mistake because I had not seen that  
 04 before. I always seen "production liner."  
 05 Q. And who did you ask about that?  
 06 A. I didn't.  
 07 Q. You just -- you saw it, you  
 08 thought it was a mistake and you just went  
 09 on --  
 10 A. I thought it was a typo by the  
 11 geologist who was preparing the report.  
 12 Q. And based on that, you just  
 13 assumed it was a typo and you went on your  
 14 way?  
 15 A. Yeah.

Page 372:22 to 374:20

00372:22 (Exhibit No. 3235 was marked.)  
 23 Q. (BY MR. BOWMAN) It is August of  
 24 2009 from you. Ian Little. Start out  
 25 August 19th from Mr. Little to you. Again,  
 00373:01 who is Mr. Little?  
 02 A. He was the -- I don't remember  
 03 what his title was at the time, but he was  
 04 essentially the drilling manager for the

05 HORIZON.  
 06 Q. Okay. Pretty high up?  
 07 A. Yes.  
 08 Q. All right. So why is he sending  
 09 you and Mr. Thorseth this information about  
 10 logging and being critical of Schlumberger's  
 11 recent performance, that type stuff?  
 12 A. Can I read the e-mails?  
 13 Q. Sure.  
 14 A. So, again, just trying to piece  
 15 it together from these e-mails, it looks like  
 16 I was -- we were in conversations around  
 17 costs for the Macondo well.  
 18 Q. Yeah.  
 19 A. I had noticed that the costs for  
 20 evaluating Macondo were significantly higher  
 21 than the actual costs for evaluating the  
 22 Isabella well. Isabella was essentially a  
 23 very similar well, at least in terms of what  
 24 we thought Macondo was going to be, to  
 25 Macondo.

00374:01 And I asked the question why --  
 02 why did you allow seven days for evaluating  
 03 Macondo well when we evaluated Isabella in  
 04 four and a half days.  
 05 Q. So at this time you're involved  
 06 in the cost of the evaluation on the Macondo,  
 07 right?  
 08 A. I'm asking questions about the  
 09 cost, yes.  
 10 Q. Why are you asking questions as  
 11 opposed to one from the drilling side?  
 12 A. Because the budget for the  
 13 exploration well comes through exploration.  
 14 Q. Okay.  
 15 A. It comes through me.  
 16 Q. That's the reason you approve  
 17 the AFE?  
 18 A. That's correct. Or people in my  
 19 line. Mike Daly. Because most of these  
 20 wells are beyond my authority.

Page 394:20 to 395:05

00394:20 Q. Okay. In the case of Macondo,  
 21 was BP the operator of both the lease and the  
 22 Macondo well?  
 23 A. That's correct.  
 24 Q. And so as the operator of the  
 25 lease and the well, it would have been BP who  
 00395:01 would have been in the position to direct and  
 02 control the drilling of the Macondo well; is  
 03 that a fair statement?  
 04 A. In conversations with the  
 05 partners, yes.

Page 395:15 to 396:06

00395:15 Q. Did you have any decision-making  
 16 authority over Macondo operations?  
 17 A. Only to the extent of the  
 18 stratigraphy and the prospectivity that we  
 19 were testing. But in terms of actual  
 20 operations, no.  
 21 Q. So if I were to ask you  
 22 questions about specific drilling activities  
 23 such as conducting the negative test,  
 24 converting the float collar, those kinds of  
 25 things, you would not be able to shed any  
 00396:01 light on how and when that was done on the  
 02 Macondo?  
 03 A. Absolutely not, no.  
 04 Q. So what was the purpose of you  
 05 receiving the daily reports and monitoring  
 06 the well's progress?

Page 396:08 to 398:02

00396:08 A. I have an interest in the  
 09 progress of the well. The well is to test  
 10 the prospect that my teams have developed  
 11 over, in many cases, many years. And we like  
 12 to stay in touch with the wells so that we  
 13 understand the progress and when we're going  
 14 to get to target.  
 15 Q. (BY MS. KUCHLER) Did you ever  
 16 provide any feedback on operational issues to  
 17 the well's team leader for the Macondo well,  
 18 John Guide?  
 19 A. I don't believe so.  
 20 Q. Did you ever provide any  
 21 feedback on operational issues to the well  
 22 site leaders on the rig?  
 23 A. I don't believe so.  
 24 Q. Did you ever provide any  
 25 feedback on operational issues to the  
 00397:01 drilling engineers?  
 02 A. I don't believe so.  
 03 Q. Now, earlier, I believe in  
 04 response to Mr. Bowman's question, you  
 05 mentioned that you saw something in an e-mail  
 06 that you thought was a typographical mistake  
 07 with respect to the long string versus the  
 08 liner, and that you didn't take it upon  
 09 yourself to try to investigate that.  
 10 A. Uh-huh.  
 11 Q. Was there ever a time that you  
 12 received information in a daily report or  
 13 otherwise about operational activities

14 related to the Macondo well and you did  
 15 intervene to investigate or provide resources  
 16 or anything of that sort?

17 A. Not that I can think of off the  
 18 top of my head.

19 Q. So if you had seen, for example,  
 20 in a daily report a reference to a negative  
 21 test where there was 1,400 pounds of pressure  
 22 on the drill pipe and none on the kill line,  
 23 is that something that from your position you  
 24 would have questioned?

25 A. No, I would not. And I don't  
 00398:01 believe I would have seen that on the summary  
 02 report.

Page 403:12 to 404:06

00403:12 Q. Let's turn our attention back to  
 13 the relationship between BP and Anadarko with  
 14 respect to the Macondo well.

15 A. Uh-huh.

16 Q. Part of your job was to go out  
 17 and see if you could find investors to  
 18 participate in the well; is that right?

19 A. That's correct.

20 Q. And you explored it with several  
 21 companies, right?

22 A. Uh-huh.

23 Q. And in the end Anadarko ended up  
 24 with a 25 percent working interest as a  
 25 nonoperator in that lease; is that right?

00404:01 A. That's correct.

02 Q. And BP had a 65 percent  
 03 interest, right?

04 A. That's correct.

05 Q. And BP was the operator, right?

06 A. That's correct.

Page 420:16 to 420:20

00420:16 Q. Do you agree that the operator  
 17 is responsible for the day-to-day activities  
 18 of and decisions executed by personnel on the  
 19 rig?

20 A. Yes.

Page 423:18 to 424:04

00423:18 Q. You do know that a cement bond  
 19 log was never run on the production casing  
 20 cement job for the Macondo; is that right?

21 A. I've heard that, yes.

22 Q. Are you aware of anyone from

23 Anadarko ever visiting the DEEPWATER HORIZON  
 24 while the Macondo well was being drilled?  
 25 A. No.  
 00424:01 Q. And you know, of course, that no  
 02 one from Anadarko was stationed on the rig  
 03 like the company men for BP, right?  
 04 A. Right.

Page 425:19 to 426:17

00425:19 So on March 15th Mr. Ishii wrote  
 20 to Mr. Beirne, and at Bullet Point No. 3,  
 21 requested a copy of the rig contract?  
 22 A. Okay.  
 23 Q. And then would you read for the  
 24 record, please, Mr. Beirne's response in the  
 25 first paragraph on the third page.  
 00426:01 A. I sent a note on our drilling  
 02 group regarding the HORIZON contract. As you  
 03 are aware, drilling contracts are highly  
 04 confidential and it is not customary to share  
 05 with other companies, including co-owners.  
 06 Q. So Mr. Beirne refused to provide  
 07 to one of the co-owners a copy of the  
 08 drilling contract; is that right?  
 09 A. He's making a statement. I  
 10 don't know whether he ultimately refused or  
 11 not.  
 12 Q. Well, the statement here is that  
 13 it isn't even customary to share that  
 14 contract with the other companies who are  
 15 paying a portion of the cost of the well; is  
 16 that right?  
 17 A. That's what the statement says.

Page 447:17 to 448:10

00447:17 Q. Whose responsibility would it be  
 18 to monitor whether the actual drilling margin  
 19 falls below the drilling margins set forth in  
 20 the permit?  
 21 A. I would expect the drilling team  
 22 would be aware of what they're obligations  
 23 were.  
 24 Q. Who's -- what does the drilling  
 25 team comprise? What is the drilling team  
 00448:01 comprised of? Who's on that team?  
 02 A. The drilling engineers, the  
 03 drilling supervisors, and the subsurface  
 04 representatives on that team.  
 05 Q. All with BP, correct?  
 06 A. We engage our contractors as  
 07 well.  
 08 Q. Anadarko wasn't one of BP's



09 contractors, was it?  
10 A. It was not.

Page 450:10 to 453:15

00450:10 Are you aware of anyone from  
11 MOEX ever visiting the DEEPWATER HORIZON?  
12 A. Not off the top of my head, no.  
13 Q. Do you have any reason to  
14 believe that anyone ever did?  
15 A. No.  
16 Q. Did MOEX have any personnel  
17 stationed on the DEEPWATER HORIZON?  
18 A. No, not that I'm aware of.  
19 Q. Are you personally aware of  
20 anyone from MOEX ever providing technical  
21 input on the operations of the Macondo well?  
22 A. I'm not personally aware, no.  
23 Q. What about any input from MOEX  
24 with regard to the temporary abandonment  
25 procedure for the Macondo well?  
00451:01 A. Not that I'm aware of.  
02 Q. Are you aware of anyone from  
03 MOEX providing any technical input with  
04 regard to design of the Macondo well?  
05 A. Again, I believe the well design  
06 would have been shared with MOEX. And I'm  
07 not aware of any input received from MOEX.  
08 Q. You're not aware of any  
09 technical input?  
10 A. Technical input.  
11 Q. Directing your attention to  
12 Tab 18 in the binder that you --  
13 A. The binder?  
14 Q. -- just had. Yes.  
15 And that is the AFE for  
16 expenditure dated -- I believe it's  
17 October 1st, 2009. Yes.  
18 You testified earlier with  
19 regard to this AFE. And you'll note that on  
20 this exhibit there is a signature from  
21 Mr. Ishii-San, president of MOEX offshore?  
22 A. Uh-huh.  
23 Q. And attached to this is a Basis  
24 of Design document, two pages?  
25 A. Yep.  
00452:01 Q. Do you have any knowledge of any  
02 well design materials other than what's  
03 attached to this AFE being provided to MOEX  
04 offshore?  
05 A. I don't personally have any  
06 knowledge, no.  
07 Q. Do you have reason to believe  
08 anything else was provided to them?  
09 A. I have no reason to believe

10 either way.  
 11 Q. All right. Do you have any  
 12 personal knowledge of anyone from MOEX being  
 13 involved in the decision to call total depth  
 14 at 18,360 feet?  
 15 A. I have no personal knowledge of  
 16 that.  
 17 Q. Do you have any personal  
 18 knowledge of any operational decision  
 19 regarding drilling of the Macondo well made  
 20 by MOEX?  
 21 A. I have no personal knowledge,  
 22 no.  
 23 Q. And my last question is: Would  
 24 you agree with me that MOEX was not a member  
 25 or a participant in the BP drilling team that  
 00453:01 you've testified about earlier today?  
 02 A. No, they were not a member of  
 03 the wells team for Macondo.  
 04 Q. And they did not participate in  
 05 what the wells team or drilling team did in  
 06 the course of their work?  
 07 A. I don't know if there were  
 08 conversations with MOEX technical staff or  
 09 not.  
 10 Q. You have no personal  
 11 knowledge --  
 12 A. No, I have --  
 13 Q. -- one way or the other?  
 14 A. I have no personal knowledge one  
 15 way or the other.

Page 454:03 to 455:19

00454:03 Q. I want to turn your attention to  
 04 what I believe is Tab 1 of Ms. Kuchler's  
 05 binder. And that's Exhibit 572 and you were  
 06 asked some questions earlier about that. Do  
 07 you recall that?  
 08 A. I do.  
 09 Q. All right. And I believe you  
 10 were asked some questions about it,  
 11 and without any other historical documents  
 12 other than March 26th --  
 13 A. Right.  
 14 Q. -- Exhibit 572 in front of you,  
 15 and you said that you believed that the wells  
 16 team had reached total depth at the time that  
 17 you sent this March 26th e-mail. So I'm  
 18 going to show you a couple of documents.  
 19 I'll mark the Daily Operations Drilling  
 20 Report March 26, 2010 as Exhibit 3242 and ask  
 21 you to take a look at that?  
 22 (Exhibit No. 3242 was marked.)  
 23 Q. (BY MR. LANCASTER) I'm also

24 going to hand you Exhibit 2370, it looks  
 25 like, which was discussed earlier, which  
 00455:01 contains the three financial memoranda, and  
 02 I've highlighted some language at the back of  
 03 the third financial memoranda, and give you a  
 04 minute to look at both of those.  
 05 A. Okay. Okay.  
 06 Q. Having had a chance to look at  
 07 those documents, does that refresh your  
 08 recollection as to whether or not the wells  
 09 team had reached total depth as of March 26,  
 10 2010?  
 11 A. Yes. And clearly the well had  
 12 not reached total depth --  
 13 Q. All right.  
 14 A. -- on March the 26th.  
 15 Q. At the time that you sent your  
 16 March 26th e-mail, were you aware that the  
 17 well had encountered losses and taken a kick  
 18 on March 8th, and that the well had cost more  
 19 and taken longer than originally anticipated?

Page 455:24 to 456:19

00455:24 A. The details, I'm not sure. But  
 25 certainly, yes, this had -- whole -- this had  
 00456:01 been a difficult well to this point, and I  
 02 was aware that they had taken kicks and lost  
 03 circulation.  
 04 Q. Okay. What is the date of your  
 05 signature on the financial memoranda that I  
 06 put in front of you?  
 07 A. 30th of March.  
 08 Q. All right. And does the  
 09 financial memoranda that I put in front of  
 10 you that you signed on the 30th of March  
 11 indicate that the well had taken losses?  
 12 A. Yes, it does.  
 13 Q. Does it indicate that the well  
 14 had taken at least one kick?  
 15 A. It does.  
 16 Q. And does the financial memoranda  
 17 reflect a request to allocate more funds  
 18 because the well had taken longer and cost  
 19 more than originally anticipated?

Page 456:21 to 457:13

00456:21 A. It does, I believe, involve a  
 22 request for additional funds to complete the  
 23 well.  
 24 Q. (BY MR. LANCASTER) Okay. Now,  
 25 having had your recollection refreshed with  
 00457:01 respect to the context around Exhibit 26,

02 look at the sentence that reads: I know that  
03 this well had demanded more than its fair  
04 share of your time and attention and wanted  
05 you to know that it has not gone unnoticed or  
06 unrecognized.

07 What were you trying to  
08 communicate to David Sims and John Guide and  
09 Mark Hafle and Brian Morel and Brett Cicales  
10 and Maurice Sepulvado and Ronald Vidrine and  
11 Don Lupe [phonetic] early when you -- when  
12 you wrote that? And Mr. Bodek, for that  
13 matter?

Page 457:15 to 459:06

00457:15 A. I was trying to recognize the  
16 fact that this had been a difficult well. I  
17 knew that it had required a lot more than  
18 eight hours a day for five days a week. They  
19 had worked very hard to get the well to this  
20 point. And it looks like this point was --  
21 the whole section above the target section.  
22 And I just wanted to recognize them for what  
23 they had accomplished.

24 Q. (BY MR. LANCASTER) All right.  
25 And you say: Thank you for your commitment  
00458:01 but to remain by far the highest performing  
02 exploration wells team in the Gulf of Mexico.

03 What were you saying to them  
04 when you wrote that?

05 A. I was congratulating them again  
06 on the work they had done in the well to this  
07 point and consistent with the work that they  
08 had done over the previous years and previous  
09 wells.

10 Q. And were you aware even  
11 generally of the safety record of the  
12 DEEPWATER HORIZON that it had achieved up to  
13 that date?

14 A. I was.

15 Q. Okay. And you were asked a  
16 question about knowing everything you know  
17 today, would you still have written that  
18 e-mail or something to that effect, and I  
19 believe your answer was no, but you weren't  
20 asked why. Why wouldn't you write the same  
21 e-mail today?

22 A. Knowing what we know now and  
23 what happened after this, it would just be  
24 inappropriate to send a congratulatory e-mail  
25 like this given the impact of the incident.

00459:01 Q. Do you have any firsthand  
02 knowledge as to whether or not any of the men  
03 who you sent this e-mail to did anything  
04 wrong in connection with what happened on

05 April 20th?  
06 A. No, I don't.

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00468:07 I want to make sure, though,  
08 that the record is clear. Do you have the  
09 daily ops report that I put in front of you  
10 from March 26th? I ask you to take a look at  
11 it to refresh your recollection.  
12 A. (Indicating.)  
13 Q. Right. The date of the ops  
14 report I marked -- what's the Exhibit number  
15 I put on there?  
16 A. 3242.  
17 Q. Right. So Exhibit 3242, that  
18 daily ops report, is that the kind of daily  
19 report that you would receive during the  
20 drilling of the Macondo well?  
21 A. No --  
22 Q. Okay.  
23 A. -- I would not receive this.  
24 Q. What kind of daily report would  
25 you receive related to the Macondo well?  
00469:01 A. I receive a report that is one  
02 or two or three sentences that summarizes the  
03 subsurface information that is of interest to  
04 an explorer.