

Deposition Testimony of:

Keith Daigle

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Page 9:08 to 9:09

00009:08 KEITH DAIGLE,
09 having been duly sworn, testified as follows:

Page 9:14 to 9:18

00009:14 Q. My name's Duke Williams, and
15 along with my associate Chris Zainey --
16 A. Uh-huh.
17 Q. -- we're here on behalf of the
18 Plaintiffs' Steering Committee in the

Page 12:14 to 12:22

00012:14 Q. Okay. Any -- were you
15 interviewed by the Bly investigation team?
16 Do you know what that was?
17 A. I was not interviewed by the Bly
18 investigation team.
19 Q. Okay. Did you participate in
20 any way in any of the investigative efforts
21 undertaken by the Bly investigation team --
22 A. No, sir.

Page 12:25 to 13:08

00012:25 Q. Okay. Have you read the Bly
00013:01 report?
02 A. No, I have not.
03 Q. Now, what did you do -- other
04 than talk to your attorneys, what did you do
05 to prepare for this deposition this morning?
06 A. Visit -- you know, I was with my
07 attorneys for a couple of days, Jim, Chad,
08 and Kim.

Page 13:15 to 13:25

00013:15 Q. Okay. And when -- when exactly
16 did you meet with your attorneys? Was it
17 last week, this weekend?
18 A. A little bit last week and a
19 little bit the first part of this week.
20 Q. Okay. Two days, three days?
21 A. Two -- two and a half days.
22 Q. Okay. And how many hours a day
23 did you -- did y'all meet?
24 A. Averaged about six to seven
25 hours a day the first two days.

Page 16:11 to 17:18

00016:11 Q. Okay. What was your -- what was
12 your job title on April 20, 2010?

13 A. I was the Gulf of Mexico wells
14 operations advisor.

15 Q. And could you describe for us,
16 please, exactly what -- what that job
17 encompassed?

18 A. I was a -- a -- I supported
19 the -- all the Gulf of Mexico wells
20 operations teams through interaction input as
21 appropriate. I was sometimes used as a
22 sounding board for individuals or teams to
23 bounce things off of me.

24 I was also part of our well site
25 leader deployment team, which included the --
00017:01 our operations managers and HR. I also would
02 coordinate, with the assistance of the
03 operations managers, our annual well site
04 leader meetings.

05 I was also the GoM tag for our
06 Well Site Leader Deepwater for the Future
07 program and the GoM tag for our Gulf -- our
08 global D&C operations network.

09 Q. Global D&C operations network?

10 A. Yes, sir.

11 Q. Okay.

12 A. That's a network that combines
13 all the global pieces.

14 Q. Okay. I want to talk about each
15 of these a little bit, but the -- the second
16 to last, you were the GoM -- Gulf of Mexico
17 tag. What is -- what is -- explain for the
18 record what tag means.

Page 17:22 to 18:12

00017:22 Q. What was -- what was the second
23 to last one, the GoM tag for?

24 A. Well Site Leader of the Future
25 program?

00018:01 Q. That's right, right.

02 A. Yeah. Basically I was the
03 person that was the representative for the
04 GoM group where these individuals were
05 assigned to, they reported to me.

06 The program is run from North
07 American Gas. It's an onshore program. And
08 they had to have somebody from the Gulf of
09 Mexico assigned. They have to be assigned to
10 a GoM representative, and I'm the person
11 that -- that they've put overseeing these
12 individuals.

Page 18:16 to 18:20

00018:16 When you say a GoM tag, are you
17 talking about the Gulf -- excuse me. I'm
18 sorry -- the Gulf of Mexico strategic
19 performance unit, SPU?
20 A. Yes, sir.

Page 19:06 to 20:21

00019:06 Q. Okay. You -- you've
07 described -- it was a bad question.
08 But you've described what sounds
09 to me like a relationship between well site
10 leaders onshore or attached to the North
11 American Gas business unit and well site
12 leaders working in drilling and completions,
13 exploration and -- and production. Is that
14 right?
15 A. Yes.
16 Q. Okay. So you interacted with --
17 with both groups; is that correct?
18 A. Yes, sir.
19 Q. Could you describe for me what
20 your interaction with both of those groups
21 was?
22 A. What the -- the Well Site Leader
23 of the Future deepwater program, it's a -- a
24 group of candidates that are well site
25 leaders that have graduated from a previous
00020:01 program called the Well Site Leader of the
02 Future.
03 Then they move into the -- a --
04 the deepwater position, and they have a coach
05 assigned to them who is onshore who manages
06 their training and -- and -- and
07 evaluations and -- and verifying mentoring
08 is -- is taking place.
09 My role was to -- basically I
10 was the one that approved their expenses
11 and -- and -- and made sure their
12 scheduling -- where they were -- what rigs
13 they were going to to train on --
14 Q. Okay.
15 A. -- for that piece.
16 Q. Okay. So -- so yours, at least
17 in that respect, what you've just described,
18 the Well Site Leader of the Future program,
19 your job is primarily -- it sounds to me at
20 least like it's primarily administrative --
21 A. Yes.

Page 21:05 to 21:08

00021:05 Q. Well, what -- what is the
06 population of well site leaders that you
07 identify to pull in to this Well Site Leader
08 of the Future program?

Page 21:12 to 22:04

00021:12 A. It's the -- the onshore group,
13 the NAG, North American Gas, identifies the
14 amount of people, personnel, that would be
15 assigned to this program. And this coach is
16 assigned to these individuals, which this
17 first class was five, and they have a series
18 of modules that they have to complete.
19 They work offshore in a
20 rotation, and -- and they spend time with the
21 well site leaders that are on the -- the Gulf
22 of Mexico rigs for mentoring and training.
23 And they look to those guys for mentoring and
24 training.
25 They have those modules to
00022:01 complete, and they have a series of -- of --
02 of courses they have to complete in town.
03 That's the program. It's -- it's driven from
04 NAG.

Page 22:09 to 23:03

00022:09 Q. Now, if they successfully
10 complete this -- this program, do they go
11 back to NAG or do -- do you pull them
12 offshore and use them in deep water Gulf of
13 Mexico drilling operations?
14 A. If they successfully complete
15 the program, then they would roll into a well
16 site leader in the deep water Gulf of Mexico.
17 Q. Okay. Was -- was there any type
18 of chronic shortage of well site leaders in
19 deep water Gulf of Mexico during the period
20 2008 to 2010?
21 A. Not that I'm aware of.
22 Q. Okay. Had -- had anybody ever
23 told you that there was a concern about the
24 depth of the bench, so to speak, in qualified
25 well site leaders available to work in deep
00023:01 water Gulf of Mexico?
02 A. I don't recall anybody talking
03 to me about that.

Page 24:10 to 25:02

00024:10 Q. Okay. What -- what is -- just
11 briefly tell me what your educational

12 background is.
 13 A. Graduated high school 1976.
 14 Q. Okay. Any college or --
 15 A. No.
 16 Q. -- any specialized engineering
 17 training?
 18 A. No, sir.
 19 Q. Have you ever worked as a well
 20 site leader onshore or offshore?
 21 A. Yes, I have.
 22 Q. Okay. And the training to be a
 23 well site leader, you picked that up on the
 24 job, I take it, correct?
 25 A. Yes, sir.
 00025:01 Q. And in-house BP courses or
 02 training?

Page 25:05 to 26:03

00025:05 A. Yes, there was training.
 06 EXAMINATION BY MR. WILLIAMS:
 07 Q. And how long have you worked for
 08 BP?
 09 A. Since 1997.
 10 Q. What was your first job with BP?
 11 A. My first job was -- actually, I
 12 worked with Amoco -- it was Amoco before
 13 BP -- in '97. I hired on with Amoco in 1997
 14 and came aboard as a well site leader.
 15 Q. Okay. And how long did you work
 16 in that capacity?
 17 A. Worked in that capacity until
 18 2006.
 19 Q. And then what'd you do?
 20 A. Then I was moved into this role
 21 of this GoM, Gulf of Mexico, wells operation
 22 advisor.
 23 Q. You still in that job today?
 24 A. Yes, sir.
 25 Q. Okay. Have your
 00026:01 responsibilities or job duties changed in any
 02 way since April 20, 2010?
 03 A. No, sir.

Page 27:03 to 27:24

00027:03 Q. So just assume that the next few
 04 questions I ask you about the Well Site
 05 Leader of the Future program only deal with
 06 deep water Gulf of Mexico. Okay?
 07 A. Oh, okay.
 08 Q. So who is in charge of
 09 administering that program?
 10 A. It is now Martin Breazeale.

11 Q. Okay. And do you work for him?
 12 A. No, sir.
 13 Q. Okay. Who do you report to?
 14 A. Today?
 15 Q. Correct.
 16 A. Today I report to Chris Harder.
 17 Q. And what's his job title?
 18 A. Operations manager.
 19 Q. And on April 20, 2010, who --
 20 who was it that you reported to?
 21 A. David Rich.
 22 Q. And before David Rich, did you
 23 report to Ian Little?
 24 A. That's correct.

Page 28:14 to 31:24

00028:14 What exactly do you do with
 15 respect to administering or assisting in the
 16 administration of the Well Site Leader of the
 17 Future program?
 18 A. All I do is approve expenses and
 19 verify scheduling on what rigs these
 20 individuals are going through by
 21 communication with the coach that they're
 22 assigned to from the North American Gas
 23 group.
 24 Q. Okay. Okay. Let's -- let's
 25 move on to the -- another component of your
 00029:01 job as you described a little while ago. And
 02 that is you -- you coordinate the annual well
 03 site leader meetings?
 04 A. Yes, sir.
 05 Q. Okay. Tell me -- just
 06 describe -- give us an overview of -- of your
 07 job duties related to coordination of the
 08 annual well site leader meetings.
 09 A. Okay. Well, we'll -- we'll
 10 land -- we'll have a meeting and get-together
 11 with the operations managers. We'll sit down
 12 and decide the date, where the venue, and
 13 then we'll start putting together the agenda.
 14 Q. Now, this -- is this just an
 15 annual meeting? It only happens once a year,
 16 more or less? I mean, I -- I guess --
 17 A. Yeah. Years past we -- we
 18 would -- we were doing two, but the last
 19 couple of years have been annually.
 20 Q. Okay. Is there any reason you
 21 went from -- that you know of that you went
 22 from having approximately two a year to -- to
 23 one annually?
 24 A. No, sir.
 25 Q. Who is responsible for devising
 00030:01 the program for the annual meeting?

02 A. Are you referring to the -- the
03 agenda or just --
04 Q. Yeah, the agenda, what's going
05 to be discussed, what topics are going to be
06 covered during the --
07 A. That would be -- the operations
08 managers will be involved, myself. We'll
09 have HR in the room. Our HSE folks will be
10 in the room. So we can just look at what the
11 agenda needs to look like, you know,
12 according to that -- that year, that day.
13 Q. Okay. Does that meeting last
14 one or two or three days? How long does it
15 last normally?
16 A. It's -- it's a combination of
17 several meetings. You'll -- you'll start
18 up -- you'll start your first round and kind
19 of -- kind of draft up an agenda, and then it
20 will take a series of two or three follow-up
21 meetings to get the final agenda.
22 Q. Okay. And how long does the
23 annual meeting normally last?
24 A. On average, a day and a half.
25 Q. Now, during -- during the
00031:01 meeting, I -- there are well site leaders who
02 are working offshore or engaged elsewhere who
03 cannot physically attend the annual well site
04 leader meeting, correct?
05 A. Yes, sir.
06 Q. Do they -- is -- are provisions
07 made or some accommodation made to allow them
08 to participate by telephone or over a
09 computer, via e-mail, or in any other way?
10 A. Well, we have -- we have the
11 meetings once a year, but we have them -- we
12 have them two weeks apart. So you have
13 one -- one -- one meeting. The first meeting
14 you get -- you get these guys that are on
15 days off or -- or available, and then you --
16 the next meeting you capture the guys that
17 were offshore.
18 Q. Okay. So everybody -- all well
19 site leaders in -- in deep water get to
20 attend this meeting in a perfect world?
21 A. In -- in -- that is the intent,
22 you know, scheduling, you know, but that is
23 the intent to have it two meetings apart like
24 that to where we can get the -- the group.

Page 32:14 to 33:19

00032:14 Q. What do you do as a well's
15 operations person?
16 A. I support all the well's
17 operations teams in the Gulf of Mexico,

18 again, providing interaction or input, as --
 19 as appropriate.
 20 Q. Well -- okay.
 21 A. You know, used as a sounding
 22 board at times for -- for individuals that
 23 want to bounce ideas or thoughts off of me.
 24 Q. And would those individuals
 25 you're talking about be well site leaders?
 00033:01 A. It could be well site leaders.
 02 It could be drilling engineers. For the most
 03 part, it's -- it's -- it's drilling engineers
 04 in-house and the team that sits in -- in
 05 Houston.
 06 Q. Okay. Well, if a well's team
 07 leader has an issue with, like, a -- a well
 08 site leader, would you get involved in -- in
 09 that dialogue? Is that the type of thing
 10 you're talking about?
 11 A. Say that again, please.
 12 Q. Well, I'm trying to get an
 13 appreciation for exactly what you do -- what
 14 you do as a well's operations advisor.
 15 Now, you know, are you -- are
 16 you just a go-to guy if somebody has a
 17 problem or an issue, they need somebody to
 18 talk to? Is -- is that when people come to
 19 you?

Page 33:22 to 35:09

00033:22 A. It could -- it could be not
 23 necessarily a problem. It could be just
 24 something to discuss, you know. It's not
 25 necessarily a problem every time they -- that
 00034:01 they -- they contact me.
 02 EXAMINATION BY MR. WILLIAMS:
 03 Q. And you could be contacted by
 04 anybody, like a well's team leader --
 05 A. Yes, sir.
 06 Q. -- or a well site leader?
 07 A. I would be contacted by a well's
 08 team leader.
 09 Q. Would the wells -- would they
 10 contact you regarding safety or HSE issues?
 11 A. They may. They may. They may.
 12 You know, not every time I'm involved in --
 13 it's up to the individual to decide whether
 14 he needs -- he or she needs to bring me
 15 involved.
 16 Q. What would be the -- I mean,
 17 is -- is there any one topic or one area that
 18 occupied most of your time in this role
 19 addressing?
 20 A. No, sir.
 21 Q. What about scheduling, moving

22 well site leaders from one facility to
 23 another facility offshore?
 24 A. So what's the question again?
 25 Q. Did you get involved in that?
 00035:01 A. Yes, I've been involved in that.
 02 Q. Okay. What about the grading or
 03 assessment of individual well site leaders?
 04 Did you get involved in that at all?
 05 A. I was involved in the -- the
 06 meetings, and I may or may not provide input
 07 in it, but it was strictly a -- a well's team
 08 leader's role and operations managers around
 09 a -- the ranking of well site leaders.

Page 35:25 to 36:10

00035:25 And my question is with respect
 00036:01 to the grading of well site leaders -- well
 02 site leaders, their competence is assessed
 03 and -- and graded, is it not?
 04 A. I'm not aware of a competency --
 05 well site leaders being ranked in competency.
 06 Q. Have you ever seen a list where
 07 they're ranked in -- in order of numerical
 08 grade that's been assigned to areas of
 09 competency?
 10 A. I've seen a list.

Page 36:13 to 38:03

00036:13 My question, though, is you
 14 described to me participating or at least
 15 sitting in on meetings where wells' team
 16 leaders and operations managers discuss how
 17 well or discuss the competence of well site
 18 leaders, correct?
 19 A. No, sir.
 20 Q. Okay. Well, let's try again.
 21 Tell me what those meetings are all about.
 22 A. It's around the ranking for
 23 behaviors -- well, HSE and -- and -- and --
 24 and other areas. It's not about the
 25 competency for that exercise that you're
 00037:01 talking about.
 02 Q. Okay. Well, whatever the
 03 ranking exercise is, I -- what I would like
 04 to know is what input do you personally
 05 provide into that process?
 06 A. I don't have any direct input
 07 in -- into the ranking of the well site
 08 leaders for that exercise that you're
 09 referring to.
 10 Q. Okay. Well, why -- why are you
 11 at these meetings?

12 A. In case they want to bounce
13 an -- something off of me about an individual
14 that I may know, but that's the only time
15 that I'm involved in -- in -- in that --
16 during that meeting.
17 Q. Okay. Perfect. I mean, I
18 understand that. So if they just want your
19 personal view on a particular person or
20 issue, they may ask you, correct?
21 A. If -- yes.
22 Q. Okay.
23 A. And if I know about it, I can
24 give them input.
25 Q. Okay. But you don't have a
00038:01 primary role in this process; is that a fair
02 statement?
03 A. Yes, sir.

Page 38:06 to 39:13

00038:06 Q. Now, the last thing you
07 mentioned to me when you're giving these
08 subcategories of areas of responsibility you
09 have, was G -- was Gulf of Mexico tag global
10 D&C; is that right?
11 A. Yes, sir.
12 Q. I got that right?
13 A. Yes, sir.
14 Q. Okay. Now, same drill here.
15 Just briefly explain to me exactly what your
16 job duties are with respect to that -- that
17 part of your overall job.
18 A. The company created a series of
19 networks to incorporate the global -- the
20 global piece, all the different SPUs, the
21 strategic performance units. And -- and they
22 all identified a -- a person in each one of
23 these business units. And the network was --
24 was -- was -- was -- was built to help past
25 lessons learned, discuss high-potential
00039:01 incidents or accidents.
02 We would meet once a month via
03 telecom, and -- and each SPU would -- would
04 discuss a recent incident. And that way the
05 communication could be passed on to
06 individuals. And that's basically what --
07 that's basically what the network was.
08 And they had some areas of --
09 you know, of -- of actions, you know, that
10 we -- that we would combine and -- and then
11 we'd communicate learnings and -- and
12 understanding of these incidents with --
13 with -- with all the SPUs around the world.

Page 39:19 to 40:01

00039:19 This was kind of a -- a
20 gathering, at least by telephone, of drilling
21 and completions folks group-wide to share
22 lessons learned; is that a fair statement?
23 A. Discuss incidents that had
24 happened since the previous call and -- and
25 talk through any lessons that were learned
00040:01 from these incidents. Yes, sir.

Page 40:12 to 40:13

00040:12 Q. Do you know John Guide?
13 A. Yes, I do.

Page 44:05 to 44:07

00044:05 Keith Daigle; and under you is John Guide,
06 the wells team leader, correct?
07 A. Yes, sir.

Page 47:05 to 47:12

00047:05 Q. Okay. Have you ever done a
06 negative pressure test while -- while you
07 were working offshore as a well site leader?
08 A. Yes, I have.
09 Q. Have you ever heard of something
10 called bladder effect as it relates to a
11 negative pressure test?
12 A. No, I have not.

Page 48:04 to 48:05

00048:04 (Exhibit No. 4064 marked for
05 identification.)

Page 48:07 to 50:01

00048:07 Q. Have you had a chance to read
08 the e-mail?
09 A. Yes, sir.
10 Q. Okay. And this e-mail is from
11 you to several people, correct, the -- the
12 first e-mail in the string?
13 A. Yes, sir.
14 Q. And then a fellow by the name of
15 Robert Sanders responds and says he's added a
16 few notes denoted in red. And he is -- he's
17 talking about the fest notes attached to this
18 e-mail.

19 Is -- is -- is that a fair
 20 assumption?
 21 A. Yes, he's providing additional
 22 comments to be included in the PDP Fest.
 23 Q. Okay. What -- what does PDP
 24 Fest mean, for the record? Explain that so
 25 when the judge reads this, he'll know what
 00049:01 we're talking about.
 02 A. PDP stands for personal
 03 development plan. It's a tool BP uses that
 04 will talk about the individual's history in
 05 boxes and then development opportunities in a
 06 series of boxes, like one to two years kind
 07 of what -- what's some development, where
 08 this person may want to -- to be, then it
 09 goes to two to four, and then it gets out to
 10 five to six years.
 11 So that's all updated yearly by
 12 each well site leader and reviewed by the
 13 team leads.
 14 Q. Is it the team leader -- the
 15 wells team leader that gets that information
 16 or does the interview of the particular well
 17 site leader?
 18 A. The wells team leader will
 19 gather all of his or hers PDPs from the well
 20 site leaders. And they will have the
 21 conversation back and forth around the
 22 updated version for what's development, you
 23 know, what's some opportunities for this
 24 individual, what are some other operations
 25 that he or she may be able to -- to -- to
 00050:01 go --

Page 50:04 to 50:08

00050:04 Q. And -- and what part do you play
 05 in this process?
 06 A. In 2008 I kept up the
 07 spreadsheet for the -- the operation for
 08 the -- for the GoM --

Page 50:10 to 50:15

00050:10 A. -- for that -- for that -- that
 11 year.
 12 Q. And the spreadsheet you're
 13 talking about is the spreadsheet that's
 14 attached, right?
 15 A. Yes, sir.

Page 50:21 to 51:07

00050:21 Did you only do that in 2008?
 22 It sounds like you only did it for a little
 23 while and --
 24 A. After 2008 it -- it -- it kind
 25 of involved to where HR played a -- played a
 00051:01 bigger role in it, the ops managers took more
 02 of a -- a role into it. I don't remember or
 03 recollect if I -- if I kept the sheet in
 04 2009.
 05 I think 2008 was my last time
 06 that I actually was charged with keeping up
 07 with it.

Page 51:20 to 53:15

00051:20 There are -- I'll call it three
 21 primary categories here in the spreadsheet:
 22 Comments, future, and development, correct?
 23 A. Yes.
 24 Q. There are two other categories,
 25 the name of the well site leader, and -- and
 00052:01 the team leader for that well site leaders
 02 identified out to the right, correct?
 03 A. Yes, sir.
 04 Q. Okay. So we've got comments,
 05 future and development, in between.
 06 Who -- who inputs that
 07 information or who provides the information
 08 that goes into each one of those three boxes,
 09 comments, future, and development?
 10 A. The comments, future, and
 11 development would come from the wells team
 12 leader for that well site leader.
 13 Q. Okay.
 14 A. I captured it as a scribe, so we
 15 had the documentation.
 16 Q. Gotcha.
 17 So the -- in the normal course
 18 of -- of events, when the PD -- PDP Fest is
 19 conducted, the wells team leader would sit
 20 with his well site leaders, have a discussion
 21 with them about their hopes, desires, what
 22 they're interested in, where they want to go,
 23 what they want to do, whether they're happy
 24 with things, unhappy with things, that type
 25 of stuff, correct?
 00053:01 A. No. The wells team leaders would
 02 have the conversations with their well site
 03 leaders about their PDP and -- and make sure
 04 it's updated, capture any comments, future
 05 and development opportunities.
 06 Then the wells team leaders,
 07 operations managers, and myself would go --
 08 we'd sit in a room. And this is what they
 09 called the fest.

10 Each individual's PDP would be
 11 discussed, and the appropriate team leader
 12 would comment around the -- you know,
 13 comments, future, and development.
 14 But they all came in with
 15 updated PDPs for the fest.

Page 53:22 to 54:07

00053:22 Q. Okay. Now, this is 29
 23 September 2008, correct, this particular
 24 spreadsheet?
 25 A. Yes, that's the date.
 00054:01 Q. Would one of these be done
 02 annually? I know you -- you said that, you
 03 know, the process changed a little bit. You
 04 may not have actually put it together. But
 05 is something like this done every year?
 06 A. Yes, it's -- it's -- it's
 07 done -- it's done yearly --

Page 54:10 to 54:14

00054:10 Q. And who does it now or who's
 11 responsible for inputting this stuff now?
 12 A. It's Charlie Holt, which is
 13 our -- our Gulf of Mexico org capability
 14 manager --

Page 54:16 to 55:21

00054:16 A. -- and HR.
 17 Q. Now, the -- is there any
 18 importance or significance to the numbering
 19 system in the -- on the left-hand side? Are
 20 these fellows being -- is Mr. Doucet, for
 21 instance, No. 1 because he's better than the
 22 rest or is that just the way it fell out?
 23 A. No, sir, there's nothing that
 24 would identify this as any kind of ranking.
 25 It's just the way the fest was presented.
 00055:01 Q. Okay. There's some discussion
 02 for some of these folks, like you -- take a
 03 look at No. 15, Martin Breazeale.
 04 He said he wants -- wants to get
 05 to a level F position, wants the level F
 06 grade. I -- I've seen that in, you know, a
 07 fair number of documents last night when I
 08 was looking at some of this stuff.
 09 And could you -- could you just
 10 explain for us generally what the difference
 11 between F and G and H, what -- what all that
 12 means?

13 A. That's -- H, G, and then F, it's
 14 a series of -- of -- of levels that the
 15 company uses that it relates to pay your --
 16 your -- your salary is -- is what that is.
 17 So a -- a G would get a little
 18 more than the H, an F would get a little more
 19 than the G. I don't know the exact numbers or
 20 how the -- the strategies, I don't -- I don't
 21 deal with that.

Page 55:24 to 56:07

00055:24 Q. -- would -- would somebody
 25 who's -- who's got an F rating or a grade
 00056:01 have -- in addition to more pay, have more
 02 responsibility typically than somebody with a
 03 G or H rating?
 04 A. No, sir.
 05 Q. Okay. So it's strictly matter
 06 of pay?
 07 A. Yes.

Page 57:05 to 57:11

00057:05 Do you recall -- I know this is
 06 a long time ago -- but do you recall any
 07 discussion during the fest or any discussions
 08 leading up to the actual PDP Fest this year
 09 about Mr. Vidrine not -- not being
 10 particularly happy or wanting to move to a
 11 less stressful job, anything like that?

Page 57:14 to 57:14

00057:14 A. No, sir, I don't remember.

Page 58:21 to 60:09

00058:21 Q. Okay. Mr. Daigle, could you
 22 turn to Tab 9 in your book, please.
 23 And take a look at the e-mail -- Tab 9 by the
 24 last four Bates numbers are 3049.
 25 Could you tell us what -- what
 00059:01 this is, please, identify this for us?
 02 A. This e-mail?
 03 Q. Yes, sir, and -- and its
 04 attachment.
 05 A. Second to the -- okay.
 06 Q. Okay. Could you describe for
 07 the record what -- what Tab 9 is?
 08 A. Well, Tab 9 is a -- an e-mail
 09 from Allen Pere to myself and others, and
 10 what's attached is the pore pressure frac

11 gradient peer review.
 12 Q. And is that the peer review for
 13 the Macondo well?
 14 A. Yes, it's pertaining to Macondo.
 15 Q. Okay. And the -- attached to
 16 it -- let me ask you a couple of questions
 17 about the e-mail.
 18 Why would you be copied on this
 19 e-mail; do -- do you know?
 20 A. Yes, sir.
 21 Q. Okay. Tell us, please.
 22 A. I was part of the peer review
 23 team.
 24 Q. Okay. Were you part of the pore
 25 pressure frac gradient peer review team?
 00060:01 A. I was part of the pore -- part
 02 of the Macondo peer review which included the
 03 pore pressure frac gradient peer review.
 04 Q. Okay. Do you have any training
 05 in geophysics or petrophysics, any formal
 06 training?
 07 A. No, sir.
 08 Q. How about geology?
 09 A. No, sir.

Page 61:16 to 62:02

00061:16 Q. Okay. Well, the e-mail
 17 indicates and -- that there's an attachment
 18 to the e-mail called Macondo PPFG peer review
 19 findings.doc. And the next Bates number is
 20 3050, which would indicate that this was the
 21 attachment to the e-mail.
 22 And my question's pretty simple.
 23 If you can't answer it by looking at it,
 24 that's fine. Is this the pore pressure frac
 25 gradient peer review report?
 00062:01 A. Yes, it appears to be that, it
 02 is the peer review report.

Page 62:18 to 63:02

00062:18 Now, if you go to the last page
 19 of the attachment, it's Bates 3052, the last
 20 section says Desired outcomes. And the last
 21 bullet point says, "Documentation of the
 22 review and any major accident risks that need
 23 to be expressed to relevant business
 24 leaders."
 25 What major accident risks
 00063:01 existed with respect to the drilling of the
 02 Macondo well?

Page 63:05 to 63:05

00063:05 A. I do not recall.

Page 63:08 to 63:10

00063:08 we're going to attach that as Exhibit 4065.
09 (Exhibit No. 4065 marked for
10 identification.)

Page 63:17 to 63:23

00063:17 Q. And if you could, turn to Tab 10
18 for me. And the same drill here, just take a
19 look at the covering e-mail and the
20 attachment, and I'm going to ask you a
21 couple -- some questions about -- about this.
22 But go ahead and take a look at it real quick
23 first.

Page 64:14 to 65:10

00064:14 Okay. Now, this is -- and,
15 again, don't let me put words in your mouth.
16 I'm just trying to get through this and get
17 you on down the road here.
18 But you're copied on this --
19 this e-mail, correct?
20 A. Yes, sir, I am.
21 Q. And -- and this one is from
22 Allen Pere as well, correct?
23 A. Yes, sir.
24 Q. Okay. And could you tell us
25 what is attached to this e-mail?
00065:01 A. This is -- the attachment is
02 the -- the -- the -- the Macondo peer review
03 feedback.
04 Q. Okay. Now, turn to the -- the
05 second page. And they're actually numbered
06 right above the Bates number. You see the
07 black number there? And I want you to go to
08 page 2, which would be Bates 8091. Are we on
09 the same --
10 A. Yes, sir.

Page 65:22 to 65:25

00065:22 Q. Now, are you -- you -- you part
23 of this peer review team or are you reviewing
24 what the peer review team has done?
25 A. Part of the peer review team --

Page 66:03 to 66:09

00066:03 Q. And as part of the peer review
04 team, what was -- what was this team tasked
05 with -- with doing, just generally?
06 A. It was tasked at reviewing all
07 the -- all the -- the work done around the
08 design of the well and -- and the procedures
09 to -- to drill -- to drill the well.

Page 67:15 to 68:23

00067:15 What input were you asked to
16 give to this peer review effort?
17 A. Pieces around the operational
18 part of -- of the well.
19 Q. Okay. Now, turn to page 3,
20 which would be Bates 8092, it's the very next
21 page. Can you -- yeah. I can't either.
22 Here, I got -- found this this morning, if
23 that will help.
24 Just off to the -- on the
25 right-hand side of that bubble, it says,
00068:01 "Drilling advisor Keith Daigle," correct?
02 A. Yes, sir.
03 Q. Okay. Now, there are others
04 listed on that slide, others, you know,
05 around the -- in the colored portion of it
06 where you are and others listed in the center
07 under core team, correct?
08 A. Yes, sir.
09 Q. Now, is this the peer review
10 team or is this the Macondo team as it
11 existed back in June of 2008?
12 A. This was the Macondo team and --
13 and not the peer review team.
14 Q. Okay. So you were actually
15 going to be part of the Macondo team,
16 correct?
17 A. Yes.
18 Q. As drilling advisor, which was
19 your job?
20 A. Yes, sir.
21 Q. And -- and you were also on the
22 peer review team, correct?
23 A. Yes, sir.

Page 69:06 to 70:18

00069:06 Now, the -- that slide is titled
07 Overall Impressions, correct?
08 A. Yes, sir.
09 Q. Now, are these the overall
10 impressions of the peer review team, the team

11 that you were on?
 12 A. That is correct.
 13 Q. Okay. And it says, "Team did a
 14 lot of good work. Robust design supported by
 15 good data and analysis."
 16 That design would include the
 17 initial well design, casing design, that type
 18 of thing?
 19 A. Yes, sir.
 20 Q. Okay. Shallow hazard, are you
 21 talking about -- were they talking about
 22 shallow water hazard right there?
 23 A. That is correct.
 24 Q. Okay.
 25 A. Shallow water hazard.
 00070:01 Q. And pore pressure and frac
 02 gradient analysis.
 03 TD, is that target depth? Is
 04 that what TD means in the context of this
 05 slide or does it mean something else? Or
 06 total depth?
 07 A. Total depth.
 08 Q. Okay. Criteria guidelines.
 09 APB mitigation, what -- what
 10 does that mean, APB?
 11 A. APB stands for annular pressure
 12 build-up.
 13 Q. Okay. Was there any initial
 14 calculation that you recall of maximum
 15 anticipated surface pressure?
 16 A. I do not recall.
 17 Q. Do you know what MASP means?
 18 A. Yes, I do.

Page 71:07 to 74:05

00071:07 Q. Okay. Let's -- let's go back to
 08 this slide. Go to the last bullet point. It
 09 says, "Well location is" -- "is conducive to
 10 a fast track schedule."
 11 Do you -- is that -- should that
 12 have been conducive or can you tell me?
 13 A. I don't know.
 14 Q. Okay. It says, "Low risk of
 15 shallow hazards, Extra Salt location."
 16 What -- what does that mean?
 17 A. I -- I don't recall what -- what
 18 that -- what that means.
 19 Q. Do you -- can you tell me what
 20 the significance might be or why --
 21 A. No.
 22 Q. -- it's even in the peer review
 23 report?
 24 A. I don't remember. I don't know
 25 why it's in there.

00072:01 Q. Okay. Do you have to take extra
02 precautions when you're drilling through salt
03 versus drilling -- not drilling through salt?
04 A. Yeah, it's different -- a little
05 different than -- than -- than regular
06 drilling, it is.
07 Q. Do you recall whether or not
08 salt was an issue with respect to the Macondo
09 Well No. 1?
10 A. No, sir, I do not.
11 Q. Okay. And then it says, "Low
12 risk of No Drilling Surprises."
13 Can you tell us what that means
14 exactly?
15 A. No drilling surprises was -- is
16 a BP term of -- of things that could arise
17 during a well operation. I don't know
18 exactly what the list looks like, but that
19 says that there was a very low risk of -- of
20 surprises.
21 Q. Okay. Bad surprises or --
22 A. I don't -- I don't know.
23 Q. Okay.
24 A. Surprises, you know.
25 Q. So, in other words, at this
00073:01 point at least, the peer review team thought
02 that it -- it was a predictable well from
03 a -- a risk standpoint?
04 A. It was a -- it was identified as
05 a low risk for surprises.
06 Q. Okay.
07 A. Drilling surprises.
08 Q. Okay. Why don't you turn to the
09 next page, which will be page 5, Bates 0 --
10 8094.
11 And -- and maybe -- maybe this
12 is saying the same thing, but you've got peer
13 review objectives here. And the third
14 paragraph says, "No show stoppers identified
15 for this well."
16 Is -- is that basically same
17 thing that's said in the prior slides, that
18 there are low risk of surprises?
19 A. I don't know. I don't know if
20 that -- if that's saying the same thing, no,
21 sir.
22 Q. Okay. How -- how is -- have you
23 ever used the phrase "show stopper" in --
24 in -- in your work with BP?
25 A. Not that I'm aware of, no.
00074:01 Q. Okay. Down at the bottom,
02 there's a -- the last paragraph says,
03 "Risk management."
04 Do you see that?
05 A. Yes, sir.

Page 74:25 to 76:16

00074:25 Q. Yeah. Where -- a question is
 00075:01 asked, "Have the major risks of the well been
 02 adequately identified and addressed with
 03 clear mitigations and contingency planning?"
 04 And then immediately following
 05 the question is an answer. And the answer
 06 is, "Yes, all major risks" -- I think it's
 07 supposed to be "risks" -- "are addressed and
 08 mitigations developed."
 09 Did I read that correctly?
 10 A. Yes, sir.
 11 Q. Okay. Who supplies the answer
 12 to that question is my question.
 13 A. The answer to the question is
 14 the peer review team.
 15 Q. Okay. Thank you.
 16 And would that hold true for the
 17 other questions asked? The next one is, "Are
 18 the mitigation and/or contingencies
 19 identified for the high-impact risks
 20 sufficient to minimize the impact on the well
 21 performance?
 22 Answer, "Yes. Clarify forward
 23 plans for subsurface failure case scenario
 24 (water contact, stringers, etc.)."
 25 And that -- that answer would be
 00076:01 supplied by the peer review team, correct?
 02 A. Yes, sir.
 03 Q. Okay. Thank you.
 04 Now, if you could turn to Slide
 05 No. 7, it says, "Open Water Define Stage
 06 Focus Areas." And the first bullet point in
 07 that slide is, "Open Water ECD" manage --
 08 "Management."
 09 Could you define open water ECD
 10 management for us, please?
 11 A. Open water ECD management -- ECD
 12 stands for equivalent circulating density.
 13 Q. Okay.
 14 A. And management is exactly what
 15 it says there, managing the density of the
 16 fluid while you're in open water.

Page 76:22 to 77:06

00076:22 Q. Okay. The -- it says, "Educate
 23 rig on Fast Drill ECD plan and Hodges jetting
 24 method."
 25 Could you explain for the record
 00077:01 what that means, please?
 02 A. Yes. That's two type of --
 03 of -- of procedures that we use in -- in

04 jetting in the well and then also drilling
05 ahead once you've jetted in to manage the ECD
06 to a certain number.

Page 79:09 to 79:13

00079:09 Q. Okay. Okay. We're done --
10 we're done with that, and we're going to
11 attach that as Exhibit 4 -- 4066.
12 (Exhibit No. 4066 marked for
13 identification.)

Page 79:17 to 79:18

00079:17 Mr. Daigle. And that will be Bates 9880,
18 Tab 11.

Page 79:24 to 80:19

00079:24 Q. Okay. This is -- and I'm
25 referring to the bottom e-mail, the first in
00080:01 this e-mail string. This is an e-mail from
02 you to R.J. Doucet?
03 A. That's correct.
04 Q. And -- and Paul Lockwood.
05 Who -- who are those two -- two guys?
06 A. Those two guys are well site
07 leaders.
08 Q. Okay. And there -- can you --
09 this is back -- this is July 2009. They're
10 well site leaders on what -- what
11 installation?
12 A. They were on the rig called the
13 WEST SIRIUS -- SIRIUS, on the Kaskida well.
14 Q. Okay. And you've got Zane Nixon
15 copied and James S. Wellings. Who are those
16 two gents?
17 A. Zane Nixon was the drilling
18 engineer. James Wellings was the wells team
19 leader.

Page 80:25 to 81:10

00080:25 Were you going to actually make
00081:01 a trip out to the rig? Are you talking about
02 tripping out of the hole on the job? What --
03 what does -- what does --
04 A. This --
05 Q. -- that mean?
06 A. This was the rig that was going
07 to be tripping out of the hole --
08 Q. Okay.
09 A. -- on the Kaskida well. Yes,

10 sir.

Page 83:11 to 83:19

00083:11 Q. Now, in your job, you don't
 12 concentrate on any one particular rig,
 13 correct?
 14 A. No, sir.
 15 Q. It's -- it's everything that's
 16 going on in the Gulf of Mexico, basically,
 17 correct?
 18 A. Yeah, whatever rigs we have
 19 working.

Page 83:25 to 85:06

00083:25 Q. Okay. You say, "when the time
 00084:01 comes to trip out for the BOP test or losses
 02 that cannot be managed." What -- could --
 03 could you -- I get the BOP test. But what do
 04 you mean by losses that cannot be managed?
 05 A. What I mean there is if -- if
 06 losses are not manageable that would allow to
 07 us trip out of the hole, so trying to get the
 08 wellbore to -- to balance out.
 09 Q. Okay. And you say, "In order to
 10 remedy that, it would be prudent to spot
 11 LCM" -- that's loss circulation material,
 12 correct?
 13 A. Yes, sir.
 14 Q. -- "across open hole up into
 15 salt while pumping ourselves out of the
 16 hole."
 17 What did you mean "while pumping
 18 ourselves out of the hole"? What
 19 specifically does that mean?
 20 A. That's a tripping method that --
 21 that's used that you -- you make up your
 22 connection to your drill pipe, and you start
 23 pumping yourself. You're pumping fluid out
 24 of the drill string as you pull out of the
 25 hole.
 00085:01 Q. Okay.
 02 A. You stop, shut your pump down,
 03 break it off, set that stand back, and you
 04 continue doing that until you --
 05 Q. So as you're --
 06 A. That's a tripping practice.

Page 85:21 to 86:12

00085:21 Q. Okay. Is there -- does it also
 22 help to maintain the well in a balanced

23 condition?
 24 A. It does support giving it
 25 balance with the pumps --
 00086:01 Q. Okay.
 02 A. -- with the ECD.
 03 Q. Had there been problems with
 04 loss -- lost returns and other issues on --
 05 on this well while drilling?
 06 A. There were losses. I'm not
 07 aware of other issues, but there were some
 08 losses that were problems.
 09 Q. Okay. And that's -- that's one
 10 of the reasons it prompted you to -- to send
 11 this advice out there, correct?
 12 A. Yes, sir.

Page 86:24 to 87:09

00086:24 Q. Okay. "And again at the casing
 25 shoe."
 00087:01 What do -- what do you mean -- I
 02 don't understand that.
 03 A. It's practice -- once you leave
 04 bottom, once you shut your pumps off, you
 05 flow check it. And then when you pull up to
 06 the next casing shoe, you're out of the open
 07 hole; you're at the casing shoe; you do
 08 another flow check before you proceed to
 09 continue out of the hole with your trip.

Page 89:03 to 90:06

00089:03 Q. So you say, "We have learned
 04 here lately with a deep gas well and Tiber
 05 well being drilled by the HORIZON that it
 06 takes a while for those tight formations to
 07 feed in."
 08 When you -- you say "tight
 09 formations," could you give me a layman's
 10 definition for tight formations?
 11 A. Yeah. Basically that's a
 12 formation that will allow to pump and
 13 you're -- and flow into it to some degree.
 14 And then when you shut down, it takes a
 15 little longer for the -- the fluid to come
 16 back into the wellbore. So what losses, you
 17 push that stuff into the formation, you stop
 18 the pumps. It just takes a little longer for
 19 it to come back out --
 20 Q. Okay.
 21 A. -- into the well.
 22 Q. When you -- when you use the
 23 term "tight formation" here in this e-mail,
 24 are you referencing pore pressure, fracture

25 gradient, leak-off tests, LOT values, or mud
00090:01 weights or anything like that?
02 A. No, sir.
03 Q. Okay. So tight means when you
04 squeeze it out, it takes a while for it to --
05 A. It takes longer for it to come
06 back in.

Page 90:10 to 91:12

00090:10 Are you talking -- are you
11 talking about hydrocarbon flow or are you
12 just talking about mud?
13 A. Mud.
14 Q. Okay. Why did you recommend
15 that you flow check the well for a minimum of
16 one hour?
17 A. It was learnings that we saw
18 with the other two rigs that are mentioned
19 there, giving it enough time to make sure
20 that you weren't seeing the -- the flow-back
21 to where you could understand what was going
22 on.
23 Q. Okay. The flow-back that we've
24 just talked about, that flow-back is caused
25 or created by hydrocarbon -- the pressure of
00091:01 hydrocarbons pushing it back into the
02 wellbore; is that right?
03 A. No, sir.
04 Q. Okay. What -- what is pushing
05 it back in there?
06 A. The pressure that you're
07 applying when you're pumping the mud pushes
08 into these formations, and it causes losses.
09 And then when you shut everything down and
10 the well is -- doesn't have any additional
11 pressure on it, these fluids -- the mud will
12 work its way back into the wellbore.

Page 91:19 to 91:22

00091:19 Q. Okay. So nowhere in this
20 paragraph are you talking about gas flow or
21 hydrocarbon flow?
22 A. No, sir, I'm not.

Page 91:25 to 91:25

00091:25 Exhibit 4067.

Page 92:04 to 92:05

00092:04 Q. Just a couple more questions,

05 Mr. Daigle, about that e-mail.

Page 92:15 to 92:24

00092:15 Q. Tell me what exactly you mean by
 16 trip out for BOP test.
 17 A. That is -- that is leaving
 18 bottom to come out of the hole to test the
 19 BOPs.
 20 Q. And you're coming out of the
 21 hole with the drill pipe?
 22 A. You're coming out of the hole
 23 with the drill pipe and the bottom-hole
 24 assembly and the bit and everything.

Page 93:04 to 93:07

00093:04 Q. Okay. And what are you testing
 05 on the BOP?
 06 A. You're testing all your
 07 functions, your rams and components.

Page 93:19 to 96:03

00093:19 Turn to Tab 14. I'm sorry.
 20 Just take a quick look at that
 21 for me, if you would. Do you recognize this
 22 document?
 23 A. Yes, sir.
 24 Q. Okay. Could you describe,
 25 please, for us all what this -- and I'm not
 00094:01 talking about the covering e-mail, but
 02 describe for us, please, the attachment to
 03 the e-mail.
 04 A. Okay. Well, this sheet right
 05 here lists out the ranking levels and -- and
 06 the weighing of each component. And then
 07 this is a list of the well site leaders that
 08 were ranked.
 09 Q. Okay.
 10 A. A spreadsheet.
 11 Q. We talked briefly about this
 12 early on, sometime during the first 20 or
 13 30 minutes.
 14 Do you -- you -- do you get
 15 involved in the actual ranking of the well
 16 site leaders?
 17 A. No, I'm not involved in the
 18 actual ranking of the well site leaders, no,
 19 sir.
 20 Q. Do you provide any input to
 21 anyone with respect to ranking of the well
 22 site leaders?

23 A. Only if I'm asked a question
 24 about an individual.
 25 Q. Okay. And this is -- this is
 00095:01 all done by the well's team leaders; is that
 02 correct, and the ops engineers?
 03 A. Managers.
 04 Q. Ops managers?
 05 A. Operations managers.
 06 Q. Okay. Now, is -- do you put
 07 together this spreadsheet?
 08 A. No. This was put together by
 09 Charles Holt, who is the -- in 2009 he would
 10 have been an operations manager.
 11 Q. Okay. And why are you copied on
 12 this ranking?
 13 A. For general FYI, just so I'm in
 14 the loop about well site leaders.
 15 Q. Okay. How often is this ranking
 16 done?
 17 A. That would -- it would be done
 18 on a -- a yearly -- yearly basis, usually
 19 toward the end of the year.
 20 Q. Okay. And this one was done at
 21 some point on or before November 4, 2009.
 22 Would that be a fair assumption?
 23 A. I don't -- I don't see a date on
 24 it, but I see Charles's note of November 5,
 25 2009.
 00096:01 Q. That's the covering e-mail where
 02 he sends it to everybody --
 03 A. Yes, sir.

Page 96:24 to 98:08

00096:24 Q. Are these rankings shared --
 25 actually shared with the individual well site
 00097:01 leaders?
 02 A. No, they are not.
 03 Q. What does an "E" mean? See out
 04 in the right hand, it's colored green? Is
 05 that the very highest --
 06 A. Yes, sir, that -- that "E"
 07 stands for exceptional.
 08 Q. Okay. And then "EE" is exceeds
 09 expectations?
 10 A. Yes, sir.
 11 Q. "ME," meets expectations?
 12 A. Yes, sir.
 13 Q. Okay. Okay. We're going to
 14 mark that and attach it, it's Exhibit 4068.
 15 (Exhibit No. 4068 marked for
 16 identification.)
 17 EXAMINATION BY MR. WILLIAMS:
 18 Q. Is -- do you use this as any
 19 kind of a management tool in your job?

20 A. No, sir, I do not.
 21 Q. You don't use it to counsel the
 22 well site leaders or talk to them about
 23 deficiencies they -- that have been pointed
 24 out in their performance or evaluations?
 25 A. No, that doesn't fall under my
 00098:01 job --
 02 Q. Okay.
 03 A. -- description. That's handled
 04 by others.
 05 Q. And those others would be who,
 06 the wells team leaders?
 07 A. That would be the wells team
 08 leaders.

Page 98:14 to 99:14

00098:14 Q. Okay. You say in your e-mail,
 15 "Can you send the modules we want Phillip to
 16 work on."
 17 Who is Phillip?
 18 A. Phillip is -- was at this time a
 19 well site leader that was assigned to an
 20 international SPU but was working on our rigs
 21 until his job opened up. So he was kind of
 22 like the third or fourth guy on the rig out
 23 there. So he was -- he was gaining -- you
 24 know, watching the operation and all that
 25 stuff before his job opened up.
 00099:01 Q. Okay. And attached to that
 02 looks to be a -- a blank, i.e., it's not
 03 filled in, Module 4 and Module 5 --
 04 A. Uh-huh.
 05 Q. -- question -- questionnaire,
 06 I -- I don't know what do you call those
 07 things.
 08 A. Well, this is a module for the
 09 Well Site Leader of the Future to go and look
 10 for, understand what the equipment is, and
 11 then it drives them to ask the -- the
 12 questions about the equipment so they gain
 13 the -- the -- the knowledge of -- of -- of
 14 each one of these areas.

Page 100:03 to 100:04

00100:03 that as -- the e-mail and the attachment as
 04 Exhibit 4069.

Page 101:20 to 102:06

00101:20 Q. Okay. Do you know what the BP
 21 OMS is, operations management system?

22 A. Yes, sir.
 23 Q. Were you in any way responsible
 24 for disseminating -- or -- or strike that.
 25 Were you involved at all in the
 00102:01 training of well site leaders with respect to
 02 the well control response guide?
 03 A. I was not involved in it. This
 04 was a training that took place at the well
 05 site leader meetings while we had well site
 06 leaders there. It was on the agenda.

Page 104:03 to 104:17

00104:03 Now, these are Mr. Powell's
 04 comments regarding the module exercise, it
 05 appears, correct?
 06 A. Yes, sir.
 07 Q. Okay. And attached to that
 08 is -- appears to be at least Module 5 which
 09 has been completed by him, correct?
 10 A. Yes, sir.
 11 Q. And it's been submitted to you?
 12 A. Uh-huh. Yes, sir.
 13 Q. And what -- what did you do with
 14 this after you received it?
 15 A. This was sent to
 16 Martin Breazeale, the well site leader future
 17 deepwater coach.

Page 104:21 to 104:22

00104:21 (Exhibit No. 4070 marked for
 22 identification.)

Page 105:11 to 105:15

00105:11 Q. Mr. Daigle, could you turn to
 12 Tab 21 in your book, please. That -- that is
 13 an e-mail from Mr. John Shaughnessy to you,
 14 and it's dated March 1, 2010, correct?
 15 A. Yes.

Page 106:03 to 106:19

00106:03 Q. Okay. And could you -- it says,
 04 "Tried to answer some of the questions
 05 below."
 06 You're the only addressee on
 07 this e-mail, correct?
 08 A. Yes, according to this.
 09 Q. These questions he tried to
 10 answer, were those questions originally sent
 11 to him by you?

12 A. Yes. This is questions that
13 were sent -- I -- I sent to John.
14 Q. Okay. And were those your
15 questions or somebody else's questions?
16 A. This is the -- the North Sea
17 team. Frank -- Frank French was -- was --
18 was the gentleman who actually sent the
19 questions.

Page 106:25 to 107:15

00106:25 Q. Okay. Now, I did not -- it
00107:01 doesn't mean it wasn't there, but in your
02 custodial file, I didn't -- didn't find an
03 e-mail or a letter from Mr. French to you.
04 But I'm -- why was he -- why was he asking
05 about this information?
06 A. He originally went to -- or his
07 team leader went to Dave Rich, who at the
08 time that's who I reported to. And they
09 had -- they were going to be bringing in a
10 rig called the WEST PHOENIX, a dual-activity
11 rig, into the North Sea. And they were
12 looking for any kind of learnings around
13 dual-activity work because it had been quite
14 some time since they'd had a rig in the
15 North Sea with dual-activity capabilities.

Page 111:25 to 111:25

00111:25 this as Exhibit 4071.

Page 112:21 to 113:21

00112:21 Q. Turn to Tab 24 for me, please.
22 Just take a quick look at that e-mail, and
23 tell us -- tell us what -- what it is and
24 what's going on here.
25 A. The e-mail is a -- an e-mail I
00113:01 sent out to all our well site leaders, which
02 included our wells team leaders, which the
03 attachment is the agenda for the April 2010
04 well site leader meeting.
05 Q. Okay. Now, these are just Gulf
06 of Mexico -- the Gulf of Mexico well site
07 leaders?
08 A. Yes, sir.
09 Q. And the date of that e-mail is
10 April 5th, correct, 2010?
11 A. Yes, sir. That's what it says
12 here.
13 Q. And it says that the first
14 session held at a local Houston hotel is

15 April 14th to 15th, correct?
 16 A. Yes, sir.
 17 Q. And that the second session --
 18 you talked about this a little bit earlier --
 19 is scheduled a couple of weeks later,
 20 April 28th and 29th, right?
 21 A. Yes, sir.

Page 114:13 to 115:24

00114:13 And just turn the page real
 14 quick. And that's the agenda for the first
 15 day and the -- the -- half of the second day,
 16 correct?
 17 A. Yes, sir.
 18 Q. Are you the one that puts that
 19 agenda together, just physically puts the
 20 agenda together?
 21 A. I will -- at this time I
 22 physically put the agenda together. But,
 23 again, it's with, you know, the operations
 24 managers' involvement.
 25 Q. Do --
 00115:01 A. So I build the -- I build the
 02 agenda spreadsheet.
 03 Q. Okay.
 04 A. Yes, sir.
 05 Q. And you build the agenda
 06 spreadsheet by getting input from the topic
 07 leaders and speakers, correct?
 08 A. That is correct.
 09 Q. Do you actually attend both of
 10 the well site leader meetings?
 11 A. Yes, I do.
 12 Q. And do you keep minutes or take
 13 roll? What do you do when you're -- when
 14 you're there?
 15 A. We have personnel there that
 16 scribes and takes minutes. But no -- answer
 17 to your question, no -- this meeting I did
 18 not, no, sir.
 19 Q. Okay. When you say scribes or
 20 takes minutes, is it somebody who takes down
 21 everything or just takes general notes as to
 22 what transpired?
 23 A. General notes and -- and topics
 24 that need actions.

Page 116:08 to 116:11

00116:08 Q. Oh, I was going to say. It's
 09 been previously marked as Exhibit 2221,
 10 that's Bates 2861, which was our Tab 24. So
 11 we don't need to clutter it up.

Page 116:24 to 117:01

00116:24 Q. Hi, Mr. Daigle, my name is
25 Matt Leopold, and I'll be representing the
00117:01 United States of America today.

Page 117:13 to 118:05

00117:13 I'd like to start off by looking
14 at the organizational chart again that you
15 took a look at. It's Tab 1 in your binder.
16 And this is previously marked Exhibit 558.
17 If you would turn to -- turn to
18 Bates page ending in 316080. It's a little
19 ways down. It's the drilling and completions
20 where David -- David Rich, wells manager.
21 You see that, Mr. Daigle?
22 A. Yes, sir.
23 Q. Okay. And you were listed as
24 reporting to Mr. Rich; is that correct?
25 A. That is correct.
00118:01 Q. And it appears from the org
02 chart that you are on the same level as
03 Mr. Sims and Mr. Frazelle and Mr. Harder; is
04 that correct?
05 A. Yes, that is correct.

Page 118:17 to 118:20

00118:17 Q. Your correct title is wells
18 operation manager?
19 A. My correct title is wells
20 operations adviser.

Page 119:11 to 119:21

00119:11 Q. Okay. Thank you.
12 Now, you mentioned earlier that
13 you report to Mr. Rich, correct?
14 A. Yes, sir, I did.
15 Q. But I didn't hear if -- if you
16 had any employees that report directly to
17 you.
18 A. Yeah, as of April I had five
19 employees that reported to me. They were the
20 well site leader deepwater candidates, Well
21 of the Future.

Page 120:06 to 120:15

00120:06 Q. Okay. But -- and was there

07 anyone between you and the well site leaders
08 of the future in the organizational chart?
09 A. There was the coach, the Well
10 Site Leader of the Future coach, that was
11 part of the well site leader future program.
12 Q. And in April 2010 that was
13 Martin Breazeale?
14 A. Yes, sir. Yes, sir, it was
15 Martin.

Page 120:19 to 121:22

00120:19 Q. Okay. And when you say the well
20 site leaders of the future reported to you
21 directly, did you meet with them on a regular
22 basis?
23 A. No, I did not.
24 Q. Did they submit written
25 documents for your review and approval?
00121:01 A. No, did not.
02 Q. Can you describe to me what you
03 mean by "they reported to you"?
04 A. Yes. They reported to me
05 because they had somebody within the GoM,
06 because it was -- they were coming from
07 onshore where the program sits and is managed
08 into the offshore environment.
09 So David Rich made a decision
10 for these -- these gentlemen to report to me.
11 So there was a GoM. So they had somebody
12 that could report to GoM.
13 I handled expenses, any
14 scheduling or -- or issues. But they
15 actually reported to Martin Breazeale, and it
16 was just they were on my line per the org
17 chart.
18 Q. Okay. I think I understand.
19 Other than the Well Site Leaders
20 of the Future Deepwater, did anyone else
21 report to you?
22 A. No, sir.

Page 121:25 to 122:20

00121:25 Can you describe your working
00122:01 relationship with the ops managers like David
02 Sims, for example?
03 A. It was a working relationship.
04 I sat with Chris and Andy and David, and
05 we -- we had meetings to build agendas for
06 well site leader meetings and things like
07 that. I mean, I'm -- I'm unsure just how --
08 Q. Right. I'm --
09 A. -- your question --

10 Q. Did you meet with them on a
11 weekly basis?
12 A. We would meet on a weekly basis.
13 Q. Did you have a -- a standing
14 meeting with the ops managers?
15 A. Dave Rich would have that
16 meeting, and we would attend.
17 Q. Okay. So you were part of the
18 meeting that was held by David Rich on a
19 weekly basis with the ops managers --
20 A. Yes, sir.

Page 122:23 to 124:14

00122:23 Q. And at -- at these weekly
24 meetings, what types of issues were
25 discussed?
00123:01 A. It could be rig scheduling. You
02 know, that was the big -- the big discussion
03 was about rigs coming in -- in -- into the
04 company and having personnel available or --
05 or things like that.
06 So it was more around the rig
07 schedule and a delivery of the new rigs that
08 were coming into the Gulf.
09 Q. Did you have a personal
10 responsibility for rig scheduling and
11 personnel scheduling?
12 A. No, sir.
13 Q. What type of input did you
14 provide at the weekly meetings with Mr. Rich?
15 A. It would be the number of well
16 site leaders we have with the company, status
17 update on where people were at, so it would
18 help them with their -- with decisions going
19 forward.
20 Q. Was that everything that you
21 would provide at these types of meetings or
22 at -- at various times were there also other
23 discussions about particular operations?
24 A. Yeah, it was -- it was -- it was
25 an operations discussion around each one of
00124:01 these -- these -- these wells ops managers
02 rigs, you know, and I -- and I was a
03 participant, would listen in, you know, and
04 provide input if I needed to.
05 Q. So the ops managers would report
06 to Mr. Rich on the status of the wells that
07 they were managing; is that correct?
08 A. Yes, sir.
09 Q. And with -- with respect to
10 Mr. Sims, did he provide weekly updates on
11 the Macondo well?
12 A. Yes, to the best of my
13 knowledge, yeah, he was -- he was there for

14 the meetings.

Page 126:01 to 127:10

00126:01 Q. Can you tell me about your role
02 with respect to communications with the
03 engineering team, the drilling engineers? Do
04 you -- did you communicate with the drilling
05 engineers for the Gulf of Mexico on a regular
06 basis?

07 A. The times I'd have communication
08 with the drilling engineers were in a -- a --
09 a rig call or a -- or a review meeting. And
10 it would be in a group -- group setting with
11 other people involved.

12 Q. Okay. You said a rig call; is
13 that correct?

14 A. Yes, yes, sir.

15 Q. What's a rig call?

16 A. Rig call is a teleconference
17 with the Houston-based rig team and the rig
18 site team each morning.

19 Q. Okay. So you were -- you would
20 occasionally attend -- or attend these
21 meetings -- excuse me -- rig call meetings
22 that took place with -- with regard to
23 specific rigs in the Gulf?

24 A. Yes, I would occasionally attend
25 rigs' morning call, yes, sir.

00127:01 Q. Did you attend the rig morning
02 call for the DEEPWATER HORIZON?

03 A. The -- every day or -- I'm
04 not --

05 Q. Well -- well, can you --

06 A. -- sure what's the question.

07 Q. -- give me an idea of how
08 often that you were --

09 A. Okay.

10 Q. -- on the rig call?

Page 127:16 to 127:19

00127:16 A. Yes, sir.
17 With all the operations, I -- I
18 would say I averaged probably one or two
19 calls a week for the DEEPWATER HORIZON.

Page 127:21 to 128:01

00127:21 from your earlier testimony that you -- you
22 covered all the rigs in the Gulf of Mexico to
23 some extent; is that correct?

24 A. I provided support to all the

25 rigs that were drilling in the Gulf of
00128:01 Mexico, yes, sir.

Page 128:12 to 128:15

00128:12 Q. Were you a drilling advisor for
13 every well that was being drilled in the Gulf
14 of Mexico?
15 A. That is correct.

Page 129:06 to 131:21

00129:06 Would you turn to Tab 18 with
07 me. This is previously marked Exhibit 1312.
08 Do you recognize this document, Mr. Daigle?
09 A. Can I look through it for a
10 second?
11 Yes, sir, I've seen -- I've seen
12 this document.
13 Q. Okay. Is it -- is it the
14 Macondo predrill data package; is that right?
15 A. Yes, sir, it is.
16 Q. Were you involved in reviewing
17 this document?
18 A. I don't recall if I was involved
19 in reviewing this document, no, sir.
20 Q. Do you recall if the peer review
21 team for the Macondo well was involved in
22 reviewing this document?
23 A. I remember this being part of
24 the -- the data that was supplied to the peer
25 review team.
00130:01 Q. Was this particular document
02 supplied to the peer review team?
03 A. I'm not sure.
04 Q. But your testimony is that the
05 data that's -- or at least some of the data
06 that's incorporated into this --
07 A. Would have been presented to the
08 peer review team, yes.
09 Q. Okay. But you're -- is it your
10 testimony that you yourself did not review
11 the data in this report specifically?
12 A. I don't recall if I reviewed the
13 report.
14 Q. Well, if -- if you would, turn
15 to Page 2 of the report. Let's just walk
16 through the table of contents and -- and see
17 if that refreshes your recollection.
18 You can see starting --
19 potential hazards is listed as one of the
20 subject matters.
21 A. Yes, sir.
22 Q. Did you review data about

23 potential hazards for the Macondo well?
 24 A. I would not have seen this until
 25 it was presented to the peer review team. So
 00131:01 to answer your question, no, I wouldn't have
 02 been involved in -- in the identification
 03 of -- of the predrill package until it was
 04 passed over to the peer review team.
 05 Q. Okay. Once the -- I don't think
 06 we've been able to establish if this document
 07 itself was given to the peer review team,
 08 right?
 09 A. That's correct. I can't
 10 remember -- I'm not sure if it was given to
 11 the peer review team.
 12 Q. Okay. But the -- you -- you
 13 said -- and correct me if I'm wrong, but you
 14 said the information contained in the
 15 predrill data package, some of it was
 16 provided to the peer review team, correct?
 17 A. Yes, I would say some of it. I
 18 just don't know to what level. It could have
 19 been all. I just don't remember how much of
 20 this information went to the peer review
 21 team.

Page 132:16 to 137:09

00132:16 So in the peer review process,
 17 did you review information about potential
 18 hazards for Macondo?
 19 A. I don't remember.
 20 Q. What about information with
 21 respect to well location and data?
 22 A. No, do not recall.
 23 Q. What about wellbore design?
 24 A. I'm not an expert in that, so I
 25 would know that I was not involved in the
 00133:01 wellbore design.
 02 Q. Geoscience at the well site?
 03 A. No, sir.
 04 Q. Logging and evaluation?
 05 A. I don't recall.
 06 Q. Okay. Can -- can you tell me
 07 what aspects of the peer review process you
 08 participated in personally?
 09 A. My focus was more around some of
 10 the operational pieces around providing input
 11 into the ECD management, the Hodges method to
 12 drill, and the stick that you could put on
 13 the wellhead to be able to see where your --
 14 the depth of your casing was at.
 15 Q. Okay. Let's -- let's take those
 16 one at a time. So -- you said ECD
 17 management, right?
 18 A. Yeah, the -- the -- the

19 procedure to manage it, yes.

20 Q. What -- do you recall what input

21 you provided on the procedure to manage ECD

22 for Macondo?

23 A. Yeah, brought in the room how

24 other teams were -- were doing the procedure

25 by, you know, the fast-drill method to manage

00134:01 ECD when you're drilling the -- the

02 shallow-hole section.

03 Q. Okay. And for the record to be

04 clear, ECD is equivalent circulating density;

05 is that right?

06 A. That is correct, equivalent

07 circulating density.

08 Q. Did that include discussions

09 about the pore pressure fracture gradient

10 window for the Macondo well?

11 A. Yes, that would include

12 conversation from the -- around pore pressure

13 frac gradient.

14 Q. And you -- did you personally

15 provide input with regard to PPF, pore

16 pressure fracture gradient, at Macondo?

17 A. No, sir. I'm not qualified for

18 that.

19 Q. What input did you provide on

20 ECD procedures for Macondo?

21 A. Say that again.

22 Q. I'm just trying to understand

23 what input you provided in the peer review

24 process for ECD.

25 A. Procedures to be able to manage

00135:01 ECDs while you're drilling the shallow-hole

02 sections. The pore pressure frac gradient

03 and that number was identified. So then we

04 work through what that operation looks like,

05 how fast we're going to drill, how slow we're

06 going to drill, so we can -- we know we have

07 a number, what we have to watch for. So

08 that's -- would be some feedback I would

09 have.

10 Q. Okay. I think I understand.

11 So if you would turn with me to

12 Page 34 in this exhibit. And here we have a

13 chart of the Macondo team, I believe, that

14 Mr. Williams identified earlier, but this is

15 just a blown up version.

16 Is your name on the chart for

17 the Macondo team, Mr. Daigle?

18 A. Yes, sir.

19 Q. And you're listed as the

20 drilling advisor; is that correct?

21 A. That is correct.

22 Q. And this goes back to my

23 question earlier. When -- in the well

24 planning phase for all the wells in the Gulf
 25 of Mexico, do they produce a document similar
 00136:01 to this when they're in the planning phase?
 02 A. A predrill? Is that the
 03 question you're asking --
 04 Q. Right.
 05 A. -- the predrill?
 06 Yes, to the best of my
 07 knowledge, a predrill package is put
 08 together --
 09 Q. And --
 10 A. -- prior to drilling the well.
 11 Q. In the predrill data packages
 12 are you listed as drilling advisor for each
 13 and every one of those wells in the Gulf of
 14 Mexico?
 15 A. I do not know.
 16 Q. Can you tell me which wells you
 17 are listed as the drilling advisor in the
 18 Gulf of Mexico?
 19 A. I don't have -- I don't have the
 20 list. I'm -- I'm -- I'm not sure.
 21 Q. Who makes the decision as to
 22 whether you're the drilling advisor on a
 23 particular well in the Gulf?
 24 A. Well, that's -- that's my job.
 25 Now, whether somebody lists me on a -- a team
 00137:01 chart, I -- I can't do anything about that.
 02 But I'm the GoM wells advisor for the Gulf of
 03 Mexico.
 04 Q. Okay. So I think I understand.
 05 Whether you're listed on a chart or not, you
 06 are, in fact, the drilling advisor for every
 07 well in the Gulf of Mexico; is that right?
 08 A. The Gulf of Mexico operations
 09 advisor, yes, sir.

Page 137:18 to 137:22

00137:18 Someone made a decision that you
 19 would no longer have two well site leader
 20 meetings each year, but you would only have
 21 one annually; is that right?
 22 A. Yes, sir, that is correct.

Page 138:03 to 138:08

00138:03 Q. How were you informed that you
 04 would only have to plan for one well site
 05 leader training meeting instead of two?
 06 A. That -- that would have been --
 07 I would have been informed by Chris Harder,
 08 my operations manager, you know.

Page 139:17 to 140:04

00139:17 Q. In your words, what is the
18 purpose of the annual meeting -- well site
19 leader meeting?
20 A. The purpose is to be able to get
21 the context of the business out to the well
22 site leader population and any things they
23 need to know going forward. That's how I see
24 it.
25 Q. When you say "the context of the
00140:01 business," what exactly do you mean by that?
02 A. New messages, things coming down
03 the pike that the well site leaders need to
04 know about.

Page 140:10 to 141:03

00140:10 Q. Does it include -- does the well
11 site leader annual meeting include training
12 or information on incidents that occurred in
13 the Gulf of Mexico while drilling?
14 A. Yes, it could include incidents
15 that have happened before -- since the last
16 meeting.
17 Q. Okay. Have you had one of these
18 meetings since April of 2010?
19 A. Yes. There was a meeting held
20 after April 2010.
21 Q. At that meeting did -- did they
22 discuss the DEEPWATER HORIZON Macondo
23 incident?
24 A. I don't recall if there was
25 discussion in any kind of detail around the
00141:01 Macondo.
02 Q. Was --
03 A. I don't recall.

Page 143:15 to 143:17

00143:15 Q. Okay. Did you attend the
16 January 2011 meeting?
17 A. Yes, I did.

Page 144:04 to 146:01

00144:04 Q. So -- and just to clarify this,
05 can you -- you can't recall if the
06 DEEPWATER HORIZON Macondo incident was
07 mentioned at the January 2011 meeting?
08 A. No, I do not recall, no, sir.
09 Q. Okay. But you did testify
10 earlier that train -- training on

11 incidents -- major incidents that occurred in
12 the Gulf of Mexico is something that would
13 usually be discussed at the annual meeting;
14 is that correct?
15 A. No. I believe what I testified
16 was incidents. It didn't have "major" on the
17 front of it. It was incidents that happened
18 previously --
19 Q. Okay.
20 A. -- before the last well site
21 leader meeting.
22 Q. Would you consider the
23 DEEPWATER HORIZON Macondo disaster an
24 incident that occurred in the Gulf of Mexico?
25 A. Yes, sir.
00145:01 Q. Okay. All right. So -- but you
02 can't recall if there was any discussion or
03 training about that at the meeting; is that
04 right?
05 A. No, I do not.
06 Q. You also testified that you were
07 the -- and help me out with this -- the
08 global tag or the Gulf of Mexico tag for the
09 global D&C working group?
10 A. Operations network, yeah. I was
11 the GoM representative for the D&C global
12 network. Yes, that's -- that's the D&C
13 global operations network.
14 Q. Okay. And at -- and these
15 are -- how often does -- do these calls take
16 place with the global network?
17 A. They were -- they were conducted
18 on a -- on a monthly -- monthly basis. Yeah,
19 a monthly basis led by Andy Hyne.
20 Q. How -- are they still being
21 conducted on a monthly basis?
22 A. I'm not sure today if they're
23 still being conducted, no, sir.
24 Q. Are you still the -- the GoM tag
25 for the global network?
00146:01 A. Yes, I'm still the tag.

Page 146:17 to 147:01

00146:17 Q. In -- in one of these calls
18 that -- to your knowledge, since April 2010,
19 have -- has the incident that took place at
20 the Macondo well been discussed with the
21 other strategic performance units around the
22 globe?
23 A. That call I participated in,
24 that was not discussed. So I don't know
25 about the other calls because I was not on
00147:01 them.

Page 147:06 to 147:10

00147:06 Q. And you don't know whether the
07 Macondo incident is something that's been
08 discussed as part of that global network
09 call?
10 A. No, sir, I do not.

Page 147:24 to 148:10

00147:24 Q. Mr. Sepulvado, Murry Sepulvado,
25 has testified that you advised the
00148:01 engineering group on how things work in the
02 field with regard to drilling wells.
03 A. Yes, from time to time, I'm --
04 you know, I can give them advice on how
05 things are as -- just like I've said before
06 in my original testimony, sounding board,
07 they'll -- they may come to me and ask me how
08 things -- how this works or how that works,
09 so I'll give them feedback based on my
10 experience.

Page 148:13 to 148:17

00148:13 Q. And specific to the Macondo, the
14 engineering group, did it include Mark Hafle,
15 Brett Cocalles, and Brian Morel?
16 A. That -- that was three engineers
17 on the Macondo.

Page 148:20 to 148:22

00148:20 Q. Are there other engineers on the
21 Macondo, to your knowledge?
22 A. No --

Page 148:24 to 149:09

00148:24 A. -- I think that's the three.
25 Q. Did you provide advice with --
00149:01 with respect to operations in the field from
02 Macondo to any of those engineers?
03 A. I don't recall giving those --
04 those individuals any advice at the -- at the
05 Macondo time.
06 Q. Okay. Did you -- did you
07 provide anyone else in the engineering group
08 advice with regard to the Macondo well?
09 A. No, sir, no, sir.

Page 149:20 to 150:01

00149:20 Q. Okay. And -- but -- but one of
21 your roles is to provide the engineers with
22 your experience and insight on operational
23 aspects of wells in the Gulf; is that
24 correct?
25 A. If -- if I'm approached by those
00150:01 engineers.

Page 151:23 to 152:03

00151:23 Q. Okay. Were you involved in any
24 way in the DWOP -- the rollout of the new
25 DWOP that took place sometime in -- in 2010?
00152:01 A. I was a participant in the
02 rollout. I received the rollout just like
03 others --

Page 152:06 to 152:17

00152:06 Q. But beyond just receiving it,
07 were you involved in distributing it to
08 others training well site leaders on the new
09 procedures that might be included?
10 A. No, that was -- that was an
11 agenda item on the -- on the well site leader
12 meeting.
13 Q. And specifically the well site
14 leader meeting in April --
15 A. April --
16 Q. -- 2010?
17 A. April 2010, yes, sir.

Page 152:23 to 153:10

00152:23 Q. Let me turn your attention to
24 Tab 2. And this is -- this is previously
25 marked Exhibit 1198.
00153:01 And you'll see at the top, it's
02 an e-mail from George Coltrin in
03 September 2007 to you and David Sims; is that
04 right?
05 A. Yes, yes, sir.
06 Q. Okay. And the title of the --
07 of the e-mail is Proposal for DEEPWATER
08 HORIZON BOP Option Risk Assessment.
09 Did I read that right?
10 A. Yes, sir.

Page 153:25 to 154:12

00153:25 Q. It appears to be a blowout

00154:01 preventer option risk assessment from Wild
 02 Well Control; is that right?
 03 A. Yes, that's what it says here,
 04 risk assessment workshop.
 05 Q. It -- do you -- can you tell me
 06 why this was being provided to you in your
 07 well -- in your role as well operations
 08 advisor?
 09 A. Again, this FYI, Mr. Coltrin was
 10 just keeping me in the loop on what was going
 11 on with the -- with the -- with the rig and
 12 his operation.

Page 154:14 to 155:16

00154:14 you don't have any other role
 15 with BOP risk assessments?
 16 A. No, sir.
 17 Q. Okay. Any other types of risk
 18 assessments that take place for drilling
 19 wells?
 20 A. No, sir.
 21 Q. Okay. What about rig audits?
 22 Do you have any role with respect to
 23 reviewing rig audits?
 24 A. No, it's -- it's not --
 25 Q. Okay.
 00155:01 A. -- part of my -- my job.
 02 Q. If you would turn to Tab 19 for
 03 me. And this is previously marked
 04 Exhibit 1951.
 05 This is -- at the -- at the top
 06 it's an e-mail from John Guide to you and
 07 Brett Cocalles dated October 7, 2009; is that
 08 right?
 09 A. Yes, sir.
 10 Q. And it's about a
 11 DEEPWATER HORIZON rig audit; is that right?
 12 A. DEEPWATER -- yes, sir.
 13 Q. And Mr. Guide says, "See below,
 14 Norman throwing DW HORIZON under the bus."
 15 Did I read that right?
 16 A. That's what it says.

Page 156:06 to 156:12

00156:06 Q. Was the status of the rig in --
 07 in terms of the rig audit which identified
 08 maintenance and operational issues that need
 09 to be addressed, is that information
 10 important for you as the well operations
 11 advisor specifically with regard to the
 12 Macondo well?

Page 156:15 to 156:17

00156:15 A. It's -- it's -- it's -- it's a
16 need to know. I mean, it's good for me to
17 know that, yes, sir.

Page 156:19 to 156:24

00156:19 Q. Did -- if -- did you review the
20 rig audit for the DEEPWATER HORIZON that is
21 being discussed by Mr. Wong in the e-mail
22 below?
23 A. I don't recall if I did or not,
24 no, sir.

Page 158:03 to 158:11

00158:03 Q. Were you -- were you at all
04 concerned about the issues that have been
05 identified in -- by Mr. Wong in the rig
06 audit?
07 A. I don't recall if I had any --
08 any issues about it, no, sir.
09 Q. Okay. If you would, turn with
10 me to Tab 20. And this is previously marked
11 Exhibit 550.

Page 159:15 to 159:20

00159:15 But all I'm trying to establish
16 is that -- that you received daily forward
17 plans from the well site leaders on the
18 DEEPWATER HORIZON; is that correct?
19 A. Yes, I received daily plans from
20 the well site leaders on the HORIZON.

Page 160:12 to 161:01

00160:12 Q. Okay. Did you review the daily
13 forward plans and the -- and the daily
14 operations reports for the DEEPWATER HORIZON?
15 A. I reviewed the -- the -- the --
16 the -- the daily drilling reports, yes.
17 Q. Did you review the daily plans
18 like is being forwarded here from
19 Mr. Sepulvado?
20 A. Yes, sir, yes, sir.
21 Q. You did review them?
22 A. Yes, sir.
23 Q. But you don't recall whether you
24 reviewed the five-day planners?
25 A. I don't recall if I received --

00161:01 if I was receiving the five-day planners.

Page 161:06 to 162:05

00161:06 Did you receive the same
07 information for all the rigs that BP had
08 operating in the Gulf of Mexico in January to
09 April 2010?
10 A. I don't recall if I was
11 receiving all the same information. Again,
12 some rigs I would get the five-day planner,
13 some I would get the daily plan. So I don't
14 recall if I got everything in -- in a
15 consistent manner from all the rigs.
16 Q. Okay. Did -- was it your
17 practice to review the daily plans and the
18 five-day planners from all the rigs --
19 A. The day --
20 Q. -- that you received them from?
21 A. The daily drilling report is
22 what I focused on. That was the report of
23 the operations.
24 Q. And you -- did you review the
25 daily drilling reports for all the rigs in
00162:01 the Gulf of Mexico?
02 A. Yes, sir.
03 Q. Okay. If you would, turn with
04 me to Tab 27, please. All right. This is
05 previously marked **Exhibit 577**.

Page 162:13 to 165:12

00162:13 And if -- if you look at the
14 e-mail, the first e-mail on the chain, it's
15 from David Rich.
16 And is it correct that the
17 e-mail is describing a kick that took place
18 on March 8th at the Macondo well?
19 A. Yes, it is.
20 Q. Okay. And it -- in the second
21 paragraph, Mr. Rich says, "Have mobilized
22 John Shaughnessy (Well Control TA), George
23 Gray (WTL), 2 WSL" -- which is well site
24 leaders --
25 A. Yes, sir.
00163:01 Q. -- correct -- "and Keith Daigle
02 (Drilling Ops Advisor) with various
03 engineering support."
04 Did I read that right?
05 A. That is correct.
06 Q. Can you describe your role with
07 regard to the -- the kick that took place at
08 the Macondo well on March 8th?
09 A. Well, I came in and it was --

10 and we had put this team together, and then
11 we started working options on how we were
12 going to kill the well and recover and
13 sidetrack.
14 Q. Okay. And what specifically --
15 what types of information did you provide the
16 team with in how you were going to approach
17 killing the well after the March 8th kick?
18 A. This was more of a -- a -- a
19 group overall discussion because we had our
20 well control TA in there, and then we had --
21 we had external well control personnel in the
22 room. And we worked together as a team to
23 develop how we were going to go forward
24 with -- with killing the well and then
25 putting together plans and contingencies if
00164:01 that -- if that, you know, did not work.
02 Q. Okay. In the e-mail it refers
03 to engineering support. Do you recall
04 specifically who was part of the engineering
05 support?
06 A. I don't know -- I don't remember
07 what engineers were -- were -- were -- were
08 part of that.
09 Q. Would it have been the -- the
10 Macondo engineers, Mr. Hafle, Mr. Cocalles,
11 Mr. Morel?
12 A. Well, Mark -- Mark was on the
13 rig. Mark was already on the rig when the
14 incident took place. So I would say Brian
15 Morel and Brett Cocalles were probably
16 engineers -- they were engineers, part of it,
17 but there was -- there were some others, but
18 I just don't remember the other -- other
19 people.
20 Q. Okay.
21 A. It was a big team.
22 Q. All right. And I -- I
23 understand it was a -- a team of folks. But
24 I don't think I appreciate your -- your role
25 on the team. Can you provide a little bit
00165:01 more detail about that?
02 A. Again, I would just provide
03 input as to what our circulation rates might
04 look like, what -- what kind of pressures.
05 The engineers would run the numbers. I would
06 challenge -- you know, challenge some of the
07 procedure going forward. Are we looking at
08 what-ifs? Do we have the right amount of
09 people in the room, the right -- right people
10 to help with the well control? Making sure
11 we had the resources that we really needed
12 for the well-control event.

00165:18 Q. Okay. We're almost out of tape
 19 here, but -- so was -- your focus was on the
 20 well-control aspect of the kick; is that
 21 correct?
 22 A. It was throughout the whole
 23 operation, the well-control event, sidetrack
 24 and recover. So, yes, I was -- I was helping
 25 the team build contingencies around that,
 00166:01 yes.
 02 Q. And in your experience as a well
 03 site leader in the field, had you experienced
 04 a similar event that -- to the kick in the
 05 stuck pipe that took place at Macondo?
 06 A. Yes, I have, back when I was a
 07 well site leader.

Page 167:09 to 167:20

00167:09 Q. All right. Okay. And so how
 10 often did -- did these events come up in the
 11 Gulf?
 12 A. I can't say a number. I don't
 13 know, you know. I mean --
 14 Q. Did -- were there any other in
 15 2010 that you can recall?
 16 A. No, I cannot.
 17 Q. What about in 2009? Can you
 18 remember?
 19 A. I know of one well-control event
 20 in 2009, yes.

Page 168:23 to 170:06

00168:23 Q. If you would, turn with me in
 24 the binder to Tab 30. And this is previously
 25 marked Exhibit 1958. It's an e-mail -- the
 00169:01 top one is an e-mail from Ian Little to
 02 David Sims and John Guide on March 14, 2010,
 03 where you're copied with David Rich; is that
 04 right?
 05 A. Yes, sir, that is correct.
 06 Q. Okay. And in the e-mail
 07 Mr. Little says, "I hope" you're "both
 08 hanging in there okay. This has turned into
 09 a challenging well? If I can help, please
 10 let me know. I have my BlackBerry and will
 11 be in Canada. Thanks. Ian."
 12 Did I read that right?
 13 A. Yes, sir, that is correct.
 14 Q. And when Mr. Little said -- says
 15 "this has turned into a challenging well,"
 16 what did you understand that to mean,
 17 Mr. Daigle?

18 A. Nothing in particular. I mean,
 19 most of our wells are challenging. So I'm
 20 not sure where Ian was going with that. But
 21 I -- I've seen challenging wells before. So
 22 I didn't take much into that when he said
 23 that comment.

24 Q. Well, is -- is -- by that
 25 comment, did you understand that he was
 00170:01 referring to the kick and the stuck pipe
 02 incident?

03 A. No, I did not.

04 Q. So does Mr. -- in your
 05 experience, does Mr. Little call all wells in
 06 the Gulf of Mexico challenging wells?

Page 170:09 to 170:10

00170:09 A. I don't know what Mr. --
 10 Mr. Little calls all the wells --

Page 170:12 to 173:02

00170:12 Q. No. In your -- in your
 13 experience, have you heard him refer to the
 14 wells that you've worked on as challenging
 15 wells?

16 A. I've never heard Ian Little say
 17 that to me personally.

18 Q. Have you seen him in any other
 19 type of communication, like e-mail?

20 A. No, sir, not that I recall.

21 Q. So is this the first time that
 22 you can recall Mr. Little referring to a well
 23 as a challenging well?

24 A. Yes, sir.

25 Q. And so since it was the first
 00171:01 time that you heard him say that, what --
 02 what did you understand that to mean?

03 A. That Ian feels it's a -- a
 04 challenging well. That's -- that's all I can
 05 pick out of that. I don't -- you know.

06 Q. Well, if you look down at the
 07 e-mail below, the March 11th e-mail from
 08 David Sims talking about operations --

09 A. Uh-huh.

10 Q. -- it's referring to some of the
 11 actions that were taken to respond to the --
 12 the stuck pipe --

13 A. Yes, sir.

14 Q. -- right?

15 Was -- the reason this was a
 16 challenging well, was that one of the
 17 reasons, the stuck pipe and kick incident on
 18 March 8th?

19 A. Well, ask the question again,
 20 please.
 21 Q. Let me ask you this: Did you
 22 agree that the Macondo well was a challenging
 23 well?
 24 A. Yes.
 25 Q. Did -- would -- in your opinion,
 00172:01 was it more challenging than other wells that
 02 were being drilled in the Gulf of Mexico at
 03 that time?
 04 A. No.
 05 Q. Okay. Were other wells
 06 experiencing similar kick and stuck-pipe
 07 incidents in the Gulf of Mexico?
 08 A. At the time of Macondo?
 09 Q. In 2009 or the 2010 time frame.
 10 A. There were wells that were
 11 experiencing some challenges as well.
 12 Q. Okay. But that wasn't my
 13 question. My question was: Were they having
 14 stuck pipes?
 15 A. In 2009? Is that what you're
 16 referring to, 2009?
 17 Q. Well, let's start generally.
 18 A. Okay.
 19 Q. Okay. All right. In 2009 do
 20 you recall any stuck-pipe incidents from
 21 other wells?
 22 A. Yes, we -- we had stuck-pipe
 23 incidents, yes, sir.
 24 Q. Okay. Do you consider that
 25 to -- to meet the definition of a challenging
 00173:01 well when you have a kick incident that gets
 02 out of control like that?

Page 173:05 to 173:10

00173:05 A. I would have to understand
 06 the -- the well design, well -- you know,
 07 what was -- you know, how was it designed,
 08 what's the -- what's the -- the status of the
 09 well to be able to determine, you know, that,
 10 you know.

Page 173:12 to 174:11

00173:12 Q. But, in fact, you did understand
 13 all that with regard to Macondo, correct?
 14 A. Yes.
 15 Q. Okay. Was the Macondo
 16 challenging?
 17 A. Yes. I've said that already.
 18 Q. And you agreed with Mr. Little's
 19 assessment; is that correct?

20 A. Yes. I -- I agree that it was a
 21 challenging well, just like all the other
 22 wells we have in GoM deep water.
 23 Q. Well, apparently, before this
 24 incident Macondo wasn't considered
 25 challenging because Mr. Little says this has
 00174:01 turned into a challenging well. Do you see
 02 that?
 03 A. Yes, I see that.
 04 Q. So did you consider it more
 05 challenging after the stuck-pipe incident or
 06 less challenging?
 07 A. I didn't -- I didn't find it to
 08 be either more challenging or less
 09 challenging, sir.
 10 Q. All right.
 11 A. It was a challenging well.

Page 174:13 to 175:07

00174:13 If you would turn to the next
 14 tab. It's Tab A, 30-A. And this is
 15 previously marked Exhibit 214. It's an
 16 e-mail chain entitled Lessons "Learned Plan
 17 Forward Macondo."
 18 And the bottom e-mail in the
 19 chain is from Jonathan Bellow. Do you see
 20 that?
 21 A. Yes, sir, I do.
 22 Q. Were you ever made aware of this
 23 e-mail and the attached document about
 24 lessons learned from the kicks incident at
 25 the Macondo well on March 8th?
 00175:01 A. I don't recall seeing that --
 02 this document, no, sir.
 03 Q. Were you involved in any effort
 04 related to trying to determine the causes of
 05 the March 8th kick and the reasons why the
 06 Macondo crew did not catch the signs of that
 07 kick?

Page 175:10 to 175:10

00175:10 A. No, sir. I wasn't part of that.

Page 175:18 to 175:24

00175:18 Q. Okay. I'd like to turn to
 19 Tab 31, if you would. And this is an e-mail
 20 string with several e-mails entitled "Loss
 21 Circulation Product EMI, 1820."
 22 And if you see down at the
 23 bottom of this page, it's an e-mail from you

24 to Greg Walz on April 6; is that right?

Page 176:04 to 176:14

00176:04 Q. On the bottom of this page,
05 Bates No. 3769.
06 A. Yes, sir, at the bottom of that
07 page.
08 Q. Okay. And it says, "Timing is
09 everything, eh."
10 A. Uh-huh.
11 Q. Is that correct?
12 Do you recall writing this in
13 response to this loss circulation product
14 e-mail?

Page 176:17 to 176:17

00176:17 A. Yes, I remember this --

Page 176:20 to 177:20

00176:20 A. -- response.
21 Q. Is it an e-mail about a -- a new
22 M-I Swaco product that helps deal with loss
23 circulation events?
24 A. Yes. It was an experimental
25 product, yes, for -- for loss circulation.
00177:01 Q. And it was being proposed to --
02 for BP to try out this new product; is that
03 correct?
04 A. Yes. It was -- it was being
05 looked at to be used by some -- some of BP's
06 operations.
07 Q. And so when you're forwarding
08 this to Mr. Walz and you say "Timing is
09 everything, eh," what did you mean by that,
10 Mr. Daigle?
11 A. What I was referring to, this --
12 it -- it was great timing to be able to have
13 this product available. It may be able to
14 help us in -- in -- in the well.
15 Q. In the Macondo well
16 specifically?
17 A. This would be April 6, 2010, so
18 it would be referencing Macondo.
19 Q. Okay. And why would it help you
20 for Macondo?

Page 177:23 to 177:24

00177:23 A. Because it could help with
24 losses.

Page 178:06 to 178:10

00178:06 Q. Were they an unusual number of
07 loss-circulation events at Macondo, in your
08 opinion?
09 A. No, sir, I would not say they
10 were an unusual amount.

Page 178:16 to 178:19

00178:16 Thank you. I appreciate that.
17 Let's mark this as 4072.
18 (Exhibit No. 4072 marked for
19 identification.)

Page 178:21 to 178:25

00178:21 Q. Your -- I want to ask you a few
22 questions about your involvement with the
23 decision to put Bob Kaluza on the DEEPWATER
24 HORIZON on April 16th to April -- starting on
25 April 16, 2010.

Page 179:14 to 179:24

00179:14 Q. How -- how would you describe
15 your job with regard to well site leaders'
16 scheduling?
17 A. They're assigned to the rigs,
18 and their schedules are worked out between
19 the teams on a 14-to-14 schedule. I don't
20 place a certain individual on a certain hitch
21 or schedule.
22 Q. At what point do you get
23 involved in making the decision to place a
24 well site leader on a particular rig?

Page 180:02 to 180:04

00180:02 A. I'm not involved in the final
03 decision to place a well site leader on a
04 certain rig.

Page 180:06 to 180:16

00180:06 Q. Are you involved in situations
07 where there's a need for a well site leader
08 that's -- where a well site leader cannot
09 meet his scheduled hitch on a rig?
10 A. I would be contacted by a well's
11 team leader if he was in that situation --

12 his well site leader was in that situation.
13 Q. And, in fact, you were contacted
14 by Mr. Guide with regard to the HORIZON in
15 late April 2010?
16 A. Yes, sir.

Page 181:01 to 181:10

00181:01 Q. Okay. Were you contacted by
02 Mr. Guide in April 2010 about filling -- well
03 site leader to fill in for Ronnie Sepulvado?
04 A. In April 2010?
05 Q. Yes.
06 A. No, sir.
07 Q. Were you contacted -- when were
08 you contacted by Mr. Guide about the need to
09 fill Ronnie Sepulvado's hitch?
10 A. March 2010.

Page 181:13 to 181:24

00181:13 Q. And after you were contacted by
14 Mr. Guide, what steps did you take to help
15 identify a well site leader who would be
16 suitable to fill that position?
17 A. After John Guide contacted me
18 requesting some -- some support to cover
19 for -- for Mr. Sepulvado, I talked to the
20 wells team leader, Tony Emmerson, who was --
21 he was a team leader for the THUNDER HORSE
22 PDQ. The PDQ was not in drilling operations,
23 basically in a shutdown mode. So he had
24 personnel available.

Page 182:06 to 182:12

00182:06 And did Mr. Emmerson identify
07 anyone who could fill the April 16th slot on
08 the DEEPWATER HORIZON?
09 A. Yes, sir.
10 Q. And who -- who was that that he
11 identified?
12 A. David Stanhope.

Page 182:15 to 183:14

00182:15 But Mr. Stanhope wasn't the one
16 who eventually went out and filled that slot
17 on the DEEPWATER HORIZON; is that correct?
18 A. That is correct.
19 Q. And why was that the case that
20 Mr. Stanhope wasn't selected?
21 A. Mr. Stanhope's -- contacted me a

22 few days later after Tony had told him that
23 he was going to be going to the PD -- to the
24 HORIZON, and he indicated that his well
25 control certification was going to be
00183:01 expiring or right at the time of expiring if
02 he went out to cover for Ronnie for those
03 dates.
04 Q. Okay. And then when you learned
05 that or at some time did Mr. Emmerson make
06 another suggestion for a well site leader to
07 fill the April 16th slot on the HORIZON?
08 A. Yes.
09 Q. And did he recommend Bob Kaluza
10 for the slot?
11 A. Yes.
12 Q. Did you have any involvement in
13 the decision to select Bob Kaluza?
14 A. No, sir.

Page 183:17 to 185:05

00183:17 Did anyone else that you know of
18 other than Tony Emmerson have input into the
19 decision to choose Bob Kaluza?
20 A. No, sir.
21 Q. Did you make the ultimate
22 decision to put Mr. Kaluza on the rig on
23 April 16th?
24 A. No, sir.
25 Q. Who was responsible for making
00184:01 that decision?
02 A. The final decision laid with
03 John Guide.
04 Q. Did you make a suggestion to
05 Mr. Guide that Mr. Kaluza would be the one to
06 substitute for Mr. Ronnie Sepulvado?
07 A. I informed John that Bob Kaluza
08 would be the one replacing Ronnie Sepulvado.
09 Q. But that -- that recommendation
10 was subject to Mr. Guide's approval; is that
11 correct?
12 A. Yes, sir.
13 Q. Okay. Was there -- was it
14 subject to Mr. Sims' approval as well?
15 A. No, sir.
16 Q. Okay. So the -- the wells teams
17 leader -- the well team leaders have the
18 authority to select the well site leaders
19 that are going to be serving on their rig; is
20 that correct?
21 A. Wells team leader has the -- the
22 authority to decide whether or not an -- well
23 site leader will be attending his rig, yes.
24 Q. Okay.
25 A. He's the final decision-maker.

00185:01 Q. Okay. Now, when you do a
02 temporary change of a well site leader like
03 the one we've been talking about with
04 Mr. Kaluza, is there a vetting process for
05 that decision?

Page 185:08 to 185:08

00185:08 A. Ask the question again, please.

Page 185:10 to 185:15

00185:10 Q. When you substitute a well site
11 leader like you did with Mr. Kaluza for
12 Mr. Ronnie Sepulvado on the HORIZON, is there
13 a process to vet the substitute well site
14 leader to ensure he's capable of handling the
15 job?

Page 185:18 to 185:21

00185:18 A. First, I'm not making the -- I'm
19 not making a substitution. It's not -- not
20 my job. And there is a -- a process through
21 DWOP around temporary changes, yes, sir.

Page 185:23 to 187:23

00185:23 Q. What is that process?
24 A. Temporary changes of personnel.
25 Q. Okay. We're going to get to
00186:01 that in a minute.
02 But is -- do -- do you
03 personally look at a well site leader's
04 qualifications to make sure they're capable
05 of handling the job they're being put into in
06 a temporary basis?
07 A. No, I don't look at
08 qualifications. I've -- I'm comfortable with
09 all our well site leaders.
10 Q. So from your perspective as long
11 as you were a well site leader for BP in the
12 Gulf of Mexico, you could have been
13 substituted on any rig that you had active in
14 the Gulf of Mexico in April 2010?
15 A. That is correct.
16 Q. Are there differences in the
17 types of rigs that you have in -- operating
18 in the Gulf of Mexico?
19 A. Are you referring to different
20 types of rigs, sir?
21 Q. I'm -- I'm asking you, sir:
22 What are the differences, if any, in the

23 types of rigs you have -- you had operating
 24 in the Gulf of Mexico in April 2010?
 25 A. Well, we have some drill ships;
 00187:01 we have MODUs, which are DP positioned; and
 02 we have moor vessels, which require anchor
 03 and chain.
 04 Q. Wasn't it the case that
 05 Mr. Kaluza came from the THUNDER HORSE, which
 06 is a -- a PDQ rig?
 07 A. That's the rig he was working
 08 on, yes, sir.
 09 Q. Are there any differences
 10 between PDQ type rig and the
 11 DEEPWATER HORIZON dynamically positioned type
 12 rig?
 13 A. Only differences that come to
 14 mind is one's a moored vessel and one's a DP
 15 vessel.
 16 Q. So --
 17 A. They're both floating.
 18 Q. Thank you.
 19 So op -- from your -- from your
 20 view operations that a well site leader would
 21 be engaging in were no different on the
 22 THUNDER HORSE than they would be on the
 23 DEEPWATER HORIZON?

Page 188:01 to 188:01

00188:01 A. Yes, sir.

Page 188:03 to 188:08

00188:03 Q. For example, they -- both --
 04 both rigs had similar operating BOPs; is that
 05 right?
 06 A. I don't know. I don't know
 07 the -- the differences in the two BOPs and --
 08 and their operating parameters --

Page 188:10 to 188:10

00188:10 A. -- no, sir.

Page 188:19 to 189:04

00188:19 Q. Okay. Let me put it -- let me
 20 put it this way: You don't think that the
 21 decisions that a well site leader makes with
 22 regard to BOP operation would be any
 23 different on the HORIZON or the
 24 THUNDER HORSE; is that right?
 25 A. I don't know.

00189:01 Q. Earlier we looked at a -- a
02 ranking sheet for well site leaders. Do you
03 recall that?
04 A. Yes, sir.

Page 189:06 to 189:06

00189:06 Exhibit 4068. And if you would -- I have it

Page 189:12 to 190:01

00189:12 Q. And if you would turn -- turn
13 in -- in this tab to the -- the ranking
14 spreadsheet. And turn -- turn to the last
15 page in this tab, if you would.
16 And can you see Mr. Kaluza's
17 name at the bottom of the spreadsheet or in
18 the middle of the names on the second page?
19 A. Yes, I see it. Excuse me.
20 Q. And it -- over in the ranking
21 score, he has a 3.0 ranking; is that correct?
22 A. That's what's -- yes, sir, it's
23 3.0.
24 Q. Okay. And it appears a 3.0 is
25 the second to the last ranking; is that
00190:01 right?

Page 190:04 to 190:05

00190:04 A. Yes, I see a number lower than
05 3.0.

Page 190:07 to 190:10

00190:07 Q. Okay. So he -- would you agree
08 he's the second in the category of the second
09 lowest ranked well site leader in the BP
10 field?

Page 190:13 to 190:13

00190:13 A. No, I do not.

Page 190:15 to 190:20

00190:15 Q. Are there other well site
16 leaders other than -- let's see --
17 Mr. Bullock that are ranked lower than
18 Mr. Kaluza?
19 A. In this document, no, that's
20 correct, there's nobody below --

Page 190:23 to 191:09

00190:23 Q. Is there another document that
24 ranks well site leaders that ranks -- has
25 other well site leaders ranked lower than the
00191:01 ones that appear on this document?
02 A. Not that I'm aware of, no, sir.
03 Q. Is there another ranking system
04 that you know of?
05 A. No, not that I'm aware of, no,
06 sir.
07 Q. So wouldn't you agree with me
08 he's in the second lowest ranking for BP well
09 site leaders?

Page 191:12 to 191:16

00191:12 A. Based on the -- the -- the
13 weighing and the -- and the -- and the
14 contents of each one of these rankings,
15 that's where Bob falls in -- in the list,
16 yes.

Page 191:18 to 192:03

00191:18 Q. Did that information at any time
19 affect your actions in -- in recommending
20 Bob Kaluza for the hitch on the HORIZON on
21 April 16th?
22 A. I didn't recommend Bob Kaluza.
23 Tony Emmerson recommended him. And, no, I
24 don't have any doubt whatsoever about his
25 competency.
00192:01 Q. Okay. But that -- that wasn't
02 my question.
03 My --

Page 192:05 to 193:10

00192:05 Q. -- question was: Did it affect
06 your actions in placing Mr. Kaluza on the
07 HORIZON on April 16th?
08 A. Again, I didn't place Bob Kaluza
09 on the DEEPWATER HORIZON.
10 Q. Okay. But you informed John
11 Guide that he was available to be placed on
12 the HORIZON, correct?
13 A. That is correct.
14 Q. Okay. And did Mr. Guide
15 disagree with the recommendation to put him
16 on the HORIZON?
17 A. Again, it was not a
18 recommendation by me. Tony Emmerson offered

19 up Mr. Kaluza. John Guide agreed to
 20 Mr. Kaluza working on the HORIZON.
 21 Q. Okay. Were you made aware of
 22 anybody who had objections to Mr. Kaluza
 23 being placed on the HORIZON?
 24 A. No, sir.
 25 Q. Did you discuss the decision
 00193:01 with Transocean personnel?
 02 A. The decision?
 03 Q. To put Mr. Kaluza on the
 04 HORIZON.
 05 A. It's not my job.
 06 Q. Okay. So the answer's no?
 07 A. The answer is no.
 08 Q. Were -- were you made aware that
 09 Paul Johnson from Transocean raised concerns
 10 with Mr. Kaluza coming on the HORIZON?

Page 193:13 to 193:13

00193:13 A. No, I do not.

Page 193:15 to 194:20

00193:15 Q. Okay. Are you aware of any
 16 process to educate a temporary well site
 17 leader like Mr. Kaluza on the history of a
 18 well before they're allowed to become the
 19 temporary well site leader?
 20 A. No, sir, I do not.
 21 Q. You were aware of the history of
 22 the Macondo well; isn't that correct?
 23 A. Yes, sir.
 24 Q. And you were involved, as we've
 25 discussed, with the March 8th kick and the
 00194:01 challenges that were associated with the
 02 Macondo well, correct?
 03 A. That is correct.
 04 Q. Do you know if any of the
 05 information -- that information about the
 06 kick or loss circulation events or other
 07 types events were communicated to Mr. Kaluza
 08 before he substituted for Mr. Ronnie
 09 Sepulvado?
 10 A. No, sir, I do not.
 11 Q. Do you know if there's -- if BP
 12 has a process in place to educate
 13 substitution well site leaders about the
 14 history of a well before they're placed on a
 15 rig?
 16 A. No, sir, I do not.
 17 Q. Would you -- would you be aware
 18 of that process if there was?
 19 A. Yes, I would be. I'd be aware

20 of it.

Page 195:10 to 196:01

00195:10 This is previously marked
11 Exhibit 3194. And it's an e-mail from
12 Ronald Sepulvado to Bob Kaluza and
13 Lee Lambert on April 16, 2010.
14 Have you ever seen this e-mail
15 before, Mr. Daigle?
16 A. No, sir, I have not.
17 Q. Is -- did you instruct
18 Mr. Sepulvado to provide information to
19 Mr. Kaluza on the -- on the operations at
20 Macondo?
21 A. No, sir.
22 Q. Are you aware that Mr. Guide
23 instructed Mr. Sepulvado to inform Bob Kaluza
24 of the status of operations at Macondo?
25 A. No, sir, I don't know if that
00196:01 was done, no.

Page 196:11 to 196:24

00196:11 Q. Yeah. You've been involved in
12 several of these cases where you substitute
13 in a well site leader when another one is
14 unable to perform his duties; is that right?
15 A. Yes, sir.
16 Q. And are you aware of a process
17 where the well site leader on duty brings the
18 temporary well site leader up-to-speed?
19 A. No, I'm not.
20 Q. Okay. Before -- earlier you
21 mentioned the -- the DWOP and that there's a
22 process for temporary personnel changes; is
23 that correct?
24 A. Yes, it's -- it's in DWOP.

Page 197:02 to 200:14

00197:02 Does -- does this appear -- this
03 is previously marked Exhibit 93.
04 Mr. Daigle, does this appear to
05 be the DWOP for BP that was in place in
06 April 2010?
07 A. Yes, sir, it looks like our DWOP
08 manual.
09 Q. Okay. If you would, turn over
10 to page A8 -- or let me refer to it this way,
11 Section 3.1.13.
12 A. Yes, sir.
13 Q. Is -- let me -- I'm going to go

14 ahead and read that aloud. This section
15 says, "Temporary and permanent changes to
16 personnel, systems, procedures, programs,
17 safety critical data, equipment facilities,
18 materials, or substances should be made using
19 the management of -- of change process."
20 Did I read that right?
21 A. Yes, sir.
22 Q. Is that the section that you
23 were referring to earlier that applies to
24 temporary changes?
25 A. Yeah, this is the -- the -- the
00198:01 line around temporary and permanent changes
02 to personnel, yes.
03 Q. Did you or -- and/or Mr. Guide
04 consider whether to fill out a management of
05 change form with regard to Mr. Kaluza's
06 substitution on the HORIZON?
07 A. I don't know if John considered
08 filling out a management of change.
09 Q. Did you consider?
10 A. It's not my responsibility to --
11 to do the management of change.
12 Q. Have you -- do you recall having
13 a discussion with Mr. Guide about this issue
14 with regard to Mr. Kaluza?
15 A. And what issue?
16 Q. The substitution on the HORIZON,
17 sir.
18 A. No, sir.
19 Q. In your view, do you believe
20 that a management of change would be required
21 for a substitution of well site leader like
22 Mr. Kaluza?
23 A. Well, when I read this, I
24 would -- it says, "should be made using the
25 management of change process."
00199:01 So that would drive me to the
02 D&C recommended practice for MOCs which
03 breaks down specifically about well site
04 leaders and changes.
05 Q. Okay. And does that procedure
06 require a management of change for a
07 substitution of well site leader?
08 A. If the individual does not meet
09 the criteria that's listed down there around
10 the management of change.
11 Q. And, in your view, did
12 Mr. Kaluza meet the criteria?
13 A. To not do an MOC?
14 Q. Correct.
15 A. Yes.
16 Q. Okay. Did you inform Mr. Guide
17 that no management of change was necessary
18 for the substitution of Mr. Kaluza?

19 A. Again, it's not my
20 responsibility to build an MOC or -- or not.
21 Q. I understand. But I'm just
22 asking for the facts here.
23 Did you tell Mr. Guide that a
24 MOC was not required for Bob Kaluza?
25 A. No, I did not.
00200:01 Q. Are you aware that Mr. Guide has
02 claimed that you did say that?
03 A. No, I'm not.
04 Q. Do you have any reaction to
05 that?
06 A. I don't remember the
07 conversation about talking about an MOC to
08 John Guide about Mr. Kaluza. I don't.
09 Q. Well, before, you said you did
10 not say to John Guide that a MOC was not
11 required, right?
12 A. Yes. I didn't talk to
13 John Guide about an MOC for Mr. Kaluza, no,
14 sir.

Page 201:10 to 201:23

00201:10 Q. Okay. All right. If you would,
11 turn with me in the binder to Tab 44. This
12 is previously introduced **Exhibit 5.**
13 Mr. Daigle, these are
14 Bob Kaluza's interview notes from the Bly
15 investigation. If you would look with me
16 down at the third paragraph towards the
17 bottom, there's a line that says, "Discussed
18 with John Guide and Keith Daigle."
19 Do you see that?
20 A. Yes, sir.
21 Q. Would you take a second and look
22 at the notes and tell me your memory of what
23 that discussion was about?

Page 202:01 to 203:03

00202:01 A. I don't recall being in the
02 discussion about Bob's comments about the psi
03 pressure.
04 EXAMINATION BY MR. LEOPOLD:
05 Q. Okay. Do you recall being in a
06 discussion with Bob Kaluza about the
07 float-collar conversion on the
08 DEEPWATER HORIZON?
09 A. No, I do not recall.
10 Q. Okay. So you're -- you're
11 saying you don't recall, but you're not
12 saying definitively no; is that correct?
13 A. I do not recall a conversation

14 with Mr. Kaluza about the float-collar
15 conversion.
16 Q. Okay. Do you recall a
17 conversation with Mr. Guide or anyone else
18 about the float-collar conversion?
19 A. No, I do not.
20 Q. You testified earlier that
21 sometimes you're asked -- ideas are bounced
22 off of you about operations on rigs. Is a
23 float-collar-conversion question the type of
24 thing that you might be asked?
25 A. It could be. Yeah, it could be.
00203:01 Q. Because it goes to operations,
02 right?
03 A. Yes, sir.

Page 203:12 to 206:09

00203:12 Q. Were you ever made aware of a
13 discussion that Mr. Kaluza had about -- with
14 someone in Houston about the conversion of
15 the float collar on the DEEPWATER HORIZON?
16 A. That would have been the next
17 day, the next day when everybody was back in
18 the office. That would have came up. That
19 would have came up in our conversation at
20 morning call.
21 Q. Okay.
22 A. That's where I would have heard
23 it.
24 Q. Okay. And I'm going to -- I'm
25 going to get to your involvement after the
00204:01 incident in just a minute.
02 Apart from the float collar, do
03 you recall Mr. Kaluza or Mr. Vidrine
04 contacting you with regard to the operations
05 on the DEEPWATER HORIZON between April 16th
06 and 20th, 2010?
07 A. No, sir.
08 Q. Did -- were you contacted by the
09 engineering team for the Macondo well for --
10 with any operational questions in that same
11 time frame?
12 A. No, sir.
13 Q. And is it your testimony that
14 you don't recall being contacted or are you
15 telling me that you know for a fact you were
16 not contacted?
17 A. I'm saying I do not recall being
18 contacted by the engineering group about an
19 operational question.
20 Q. Okay. Okay. If you would --
21 let's see here. Turn to Tab 45, please. All
22 right. This is previously marked
23 Exhibit 759. And it's an e-mail chain that

24 states -- the subject matter is "Bladder
 25 Effect." And at the -- the first e-mail in
 00205:01 the chain at the bottom of the page,
 02 Mr. Daigle, is an e-mail from Mr. Kaluza to
 03 Mr. Guide and yourself with Don Vidrine cc'd;
 04 is that right?
 05 A. Yes, sir.
 06 Q. And it's on April 25, 2010. Do
 07 you recall receiving this e-mail?
 08 A. April what?
 09 Q. 25th, 2010.
 10 A. Yes, sir.
 11 Q. Okay. Do you recall receiving
 12 this e-mail?
 13 A. Yes, sir.
 14 Q. And can you explain how you
 15 became involved in the discussion of the
 16 bladder effect and the negative pressure test
 17 that took place on the DEEPWATER HORIZON?
 18 A. I -- the bladder effect and the
 19 negative test were discussed in an interview
 20 with Mr. Kaluza by John Guide and myself.
 21 Q. And did you interview Mr. Kaluza
 22 shortly after the Macondo well blew out?
 23 A. Yes, sir.
 24 Q. Do you recall specifically what
 25 day that was?
 00206:01 A. April 20 -- it was -- it was
 02 three or four days after the incident, is
 03 what I remember.
 04 Q. Okay.
 05 A. Somewhere in that time frame.
 06 Q. And in that interview, did you
 07 discuss the -- the negative pressure test
 08 that was overseen by Mr. Kaluza and
 09 Mr. Vidrine?

Page 206:12 to 207:25

00206:12 A. No. My interviews had a list of
 13 questions that -- that I was asking the
 14 individual, and he walked through the -- the
 15 negative testing and then mentioned the
 16 bladder effect.
 17 EXAMINATION BY MR. LEOPOLD:
 18 Q. Okay. Before Mr. Kaluza raised
 19 this bladder effect discussion, had you been
 20 aware of that explanation ever coming up at
 21 another rig in the Gulf of Mexico?
 22 A. No, sir.
 23 Q. Have you ever heard of bladder
 24 effect before?
 25 A. Before?
 00207:01 Q. Before Mr. Kaluza raises --
 02 raised it to you in his interview.

03 A. No, sir.
04 Q. Do you know what Mr. Kaluza is
05 talking about?
06 A. No, I do not.
07 Q. Have you analyzed any of the --
08 the data surrounding the negative pressure
09 tests that -- that took place on the
10 DEEPWATER HORIZON on April 20th?
11 A. No, I did not.
12 Q. Were you involved in any efforts
13 to -- to analyze the negative pressure test
14 at all?
15 A. No, sir.
16 Q. So you don't have an opinion as
17 to whether this explains the events that took
18 place on April 20th with regard to the
19 negative pressure test?
20 A. No, sir, I do not.
21 Q. You'll see at -- this e-mail
22 is -- well, strike that.
23 First of all, you forwarded this
24 e-mail to Scott Sigurdson and Mike Zanghi; is
25 that --

Page 208:04 to 208:08

00208:04 Q. And what -- what was their role
05 at this time in -- in the interview process
06 that you were engaged in?
07 A. Well, they were the ones that
08 instructed me to -- to do the interviews.

Page 211:04 to 211:09

00211:04 Q. Can you -- and I'm almost out of
05 time here. But can you tell me all the folks
06 that you interviewed immediately after the
07 Macondo incident?
08 A. Bob Kaluza, Don Vidrine, and Lee
09 Lambert.

Page 211:12 to 211:14

00211:12 Q. And did you make notes of those
13 interviews?
14 A. Yes, sir, I did.

Page 212:09 to 212:11

00212:09 Q. Good afternoon, Mr. Daigle. My
10 name is Richard Hymel, and I along with my
11 partner represent Transocean --

Page 212:13 to 216:04

00212:13 Q. -- Ben Alexander.
14 A. How are you doing?
15 Q. All right.
16 You testified that you -- or let
17 me ask this question: Have you ever been
18 aboard the HORIZON?
19 A. Yes, sir.
20 Q. Okay. How many times?
21 A. I'd say between four and six
22 times in my career.
23 Q. And in the last year before
24 April 20, 2010?
25 A. Two times in -- in 2009.
00213:01 Q. When you went aboard the
02 HORIZON, did -- did you get to know any of
03 the workers -- the Transocean workers aboard
04 the HORIZON?
05 A. Yes, I met -- I met several of
06 them, yes, sir.
07 Q. And who were they?
08 A. Ricky Ezell, Jason Anderson,
09 Dewey, the captain, Jimmy -- Jimmy Harrell.
10 There's a few others. I just can't think of
11 their names.
12 Q. And --
13 A. It's --
14 Q. -- in your work at BP, did you
15 get to know any of the Transocean employees
16 in the Houston office who worked with the
17 HORIZON?
18 A. Yes, over the years I -- I met
19 Jon Keeton --
20 Q. Okay.
21 A. -- Paul Johnston, yeah.
22 Q. Okay. Now, the individuals we
23 just discussed, the individuals on the rig as
24 well as the individuals on land who were
25 involved with the HORIZON, did you ever
00214:01 experience any indication that any of those
02 Transocean employees were indifferent or
03 callous toward the safety of individuals
04 or -- or the environment?
05 A. No, sir.
06 Q. Did you ever see the 2009 rig
07 audit of the DEEPWATER HORIZON?
08 A. I don't remember if I saw that
09 document. I can't remember.
10 Q. Were you ever involved in
11 discussions about the 2009 rig audit with
12 anyone?
13 A. Had discussions briefly with --
14 with Mr. Guide.
15 Q. Okay. Now, when you were aboard

16 the HORIZON, did you have any concerns about
 17 the safety of the HORIZON?
 18 A. No, I did not.
 19 Q. I want you to turn to Tab 1 in
 20 the book. Tab 1 is an e-mail from you to
 21 John Guide dated October 7, 2009. And it's
 22 Bates number BP-HZN-2179MDL01162435.
 23 Do you see that e-mail,
 24 Mr. Daigle?
 25 A. Yes, sir.
 00215:01 Q. Okay. There's an e-mail from
 02 Mr. Guide going to you and Mr. Cocales. And
 03 Mr. Guide writes, "See below, Norman" -- and
 04 that -- I believe that's Norman Wong --
 05 throwing DW HORIZON under the bus."
 06 And that was the e-mail
 07 Mr. Guide sent to you?
 08 A. Yes, sir.
 09 Q. And your response to him was
 10 what?
 11 A. Do you want me to read it?
 12 Q. Sure.
 13 A. Yes, sir. "Yea, I thought the
 14 same thing last night when I read this.
 15 Everybody wants to take a shot" at "the
 16 leader at one time or another eh."
 17 Q. Okay. And you say, "Everybody
 18 wants to take a shot" at "the leader at one
 19 time or the other -- or another eh," the
 20 leader, you're referring to the DEEPWATER
 21 HORIZON?
 22 A. That's correct.
 23 Q. Okay. And what did you mean
 24 when you said "leader"?
 25 A. DEEPWATER HORIZON was a -- was
 00216:01 a -- good-performing rig and -- and -- and a
 02 very safety-oriented rig. So kind of I
 03 always thought it was one of the leaders of
 04 the pack.

Page 217:02 to 218:07

00217:02 Q. Okay. Turn to Tab 17, please.
 03 Tab 17 is a series of e-mails that's Bates
 04 No. BP-HZN-2179MDL02486517. And there's one
 05 e-mail in the middle of the page from you to
 06 George Gray and Mr. Sankar.
 07 Can you take a look at that
 08 e-mail?
 09 A. Yes, sir.
 10 Q. Okay. You've seen that?
 11 A. Yes, sir.
 12 Q. There's a statement down towards
 13 the end of that e-mail. And it states, "If
 14 we would honor everyone's request to go to

15 the HORIZON, then we would not have many
 16 folks to work most of the other operations."
 17 Is that what you said?
 18 A. Yes, sir, it's what I said.
 19 Q. And what did you mean by that,
 20 when you said "honor everyone's request to go
 21 to the HORIZON"? Who's "everyone"?
 22 A. Other well site leaders.
 23 Q. Okay. My interpretation of
 24 reading this e-mail is that the well site
 25 leaders wanted to be assigned to the HORIZON.
 00218:01 Is that a correct interpretation of what you
 02 were saying?
 03 A. Yes, sir.
 04 Q. Okay. I'd like to attach that
 05 as the next exhibit, 4073.
 06 (Exhibit No. 4073 marked for
 07 identification.)

Page 218:09 to 219:09

00218:09 Q. I think you testified earlier,
 10 Mr. Daigle, that you were not part of the Bly
 11 investigation; is that correct?
 12 A. That is correct.
 13 Q. Okay. But you told us today
 14 about some interviews that you conducted.
 15 Who asked you to conduct those
 16 interviews?
 17 A. Mike Zanghi, Scott Sigurdson
 18 with BP.
 19 Q. And why did they ask you to
 20 conduct those interviews; do you know?
 21 A. No, sir, I don't.
 22 Q. Okay. Was -- was the interviews
 23 that you performed -- and I understand they
 24 were performed of Mr. Kaluza, Mr. Vidrine,
 25 and Mr. Lambert; is that correct?
 00219:01 A. Yes, sir.
 02 Q. Okay. And those were the three
 03 well site leaders on the DEEPWATER HORIZON on
 04 April 20, 2010, correct?
 05 A. That is correct.
 06 Q. All right. Now, do you know if
 07 your investigation was part of any separate
 08 investigation that was separate and apart
 09 from the Bly investigation?

Page 219:12 to 219:14

00219:12 A. I wasn't doing an investigation.
 13 I was strictly doing an interview with the
 14 list of questions --

Page 219:17 to 219:23

00219:17 A. -- provided to me to ask the
18 individuals.
19 Q. We have a copy of the notes that
20 were provided to us, and I want you to take a
21 look at those. And those were Tab 34 in the
22 plaintiffs' book. And it's Exhibit 3576 in
23 this case.

Page 220:08 to 222:13

00220:08 Q. Okay. Now, all of the pages
09 except for the first page look like they're
10 all of the same type of handwriting.
11 Is that your handwriting on the
12 second, third, fourth, and fifth pages?
13 A. Yes, sir.
14 Q. Okay. Now, going back to the
15 first page, it looks like there's some
16 questions that may be in someone else's
17 handwriting; is that correct?
18 A. That is correct.
19 Q. And do you know whose
20 handwriting those questions are in?
21 A. This would be Scott Sigurdson's.
22 Q. Okay. Are those the questions
23 that he asked you to ask?
24 A. Yes, sir.
25 Q. Were you given any other
00221:01 questions other than these on this document?
02 A. No, sir.
03 Q. Okay. If we flip to the second
04 page, there's a note of Don Vidrine,
05 Saturday, April. Up at the top of the page.
06 See that?
07 A. Yes, sir.
08 Q. I'm assuming, then, that the
09 notes that are below that are your
10 discussions with Mr. Vidrine?
11 A. Yes, sir.
12 Q. Did you write notes or do
13 anything else, put notes anywhere, other than
14 on these pages?
15 A. No, sir.
16 Q. So we have everything that you
17 wrote down about your conversation with
18 Mr. Vidrine in this document?
19 A. Yes, sir.
20 Q. Did you type up an e-mail to
21 anyone or do any type of summary of these
22 notes?
23 A. No, I did not.
24 Q. Okay. Look down at the last

25 line of that page, the last line says,
00222:01 "DP" -- I'm assuming that means drill pipe?
02 A. Yeah. The last line?
03 Q. Yeah.
04 "DP pressure" --
05 A. DP. Yes, sir.
06 Q. "DP pressure during the"
07 negative test, "I also informed Mark Hafle."
08 Is that what Mr. Vidrine told
09 you?
10 A. Yes, sir.
11 Q. Okay. Did you understand what
12 he told you there is that he informed
13 Mark Hafle about the drill pipe pressure?

Page 222:16 to 222:20

00222:16 A. I don't know the context on what
17 he passed on to V -- Mr. -- to -- to
18 Mark Hafle. Again, I just captured that he
19 informed Mark Hafle. He didn't -- I didn't
20 get into detail.

Page 222:22 to 224:08

00222:22 Q. Okay. Flip to the next page.
23 And it's Don Vidrine continued?
24 A. Yes, sir.
25 Q. Okay. Go down to the general
00223:01 comments section.
02 A. Yes, sir.
03 Q. "Toolpusher called well site
04 leader office, and I said" -- "and said he
05 was getting mud back and had closed the
06 annular and was diverting returns to gas
07 buster." Then there's a question. "Why
08 didn't we not go out overboard lines
09 instead?"
10 Is that a question you wrote or
11 is that what Mr. Vidrine said?
12 A. It's a question I wrote.
13 Q. Okay. "Mass confusion on the
14 bridge."
15 Is that what Mr. Vidrine told
16 you?
17 A. Yes, sir.
18 Q. Okay. Next page. "Bob" -- "Bob
19 telephone conference" -- "teleconference
20 12:50 p.m., Sunday, April 25th."
21 Are these your notes with
22 Bob Kaluza?
23 A. Yes, sir.
24 Q. Okay. Now, do you have -- did
25 you make any notes of your interview with

00224:01 Lee Lambert? Because there are none
02 contained in this group of notes.
03 A. Yes, I did.
04 Q. Okay. All right. Other than
05 talking with Mr. Kaluza, Mr. Vidrine and
06 Mr. Lambert, did you speak with anyone else
07 about the events of April 20, 2010?
08 A. No, sir.

Page 224:12 to 226:07

00224:12 Q. In your position as a well
13 operations advisor, you got a call on the
14 March 8th kick?
15 A. That is correct.
16 Q. Okay. What was the purpose of
17 that call? Why did they want you involved?
18 What was your expertise? What could you
19 advise -- advise them of?
20 A. It was an operational situation,
21 and that's usually when teams will -- will
22 try to pull me in to -- to help.
23 Q. Okay. And so what type of
24 operations were involved with the March 8th
25 kick that required your expertise?
00225:01 A. Getting the well-control event
02 secured and then help -- and assisting the
03 team, recovering the pipe, and doing the
04 sidetrack.
05 Q. Are you a well-control expert?
06 A. No, sir.
07 Q. Okay. Are you a pipe-recovery
08 expert?
09 A. No, sir.
10 Q. Are you a sidetrack expert?
11 A. No, sir.
12 Q. Okay. Was the sole reason you
13 were called based on your experience as a
14 well site leader?
15 A. As a previous well site leader.
16 Q. Okay. You're not an engineer,
17 are you?
18 A. No, sir.
19 Q. Okay. Have you been -- how long
20 have you been a well operations advisor?
21 A. I started the position
22 January 2006.
23 Q. Since January 2006, how many
24 times have you been called on well-control
25 events?
00226:01 A. I don't know the exact number,
02 no, sir.
03 Q. Often?
04 A. No, sir, I would not say often.
05 Q. Okay. More than five?

06 A. I would say between four and
07 five.

Page 227:10 to 228:04

00227:10 Q. Okay. In your position as a
11 well operations advisor, have you ever been
12 called by a rig to get help with a
13 float-collar conversion?
14 A. No, sir.
15 Q. All right. And there were
16 questions today about whether or not you were
17 called by Mr. Kaluza with regard to the
18 float-collar conversion and the pressures
19 that were shown after the float collar was
20 attempted to -- to be converted. And you
21 don't remember any such phone call, do you?
22 A. No, sir, I do not.
23 Q. Okay. Are you telling us it did
24 not happen or are you telling us you don't
25 remember?
00228:01 A. I do not remember.
02 Q. Okay. It could have happened?
03 A. It could have, but I -- I just
04 don't remember.

Page 228:22 to 233:10

00228:22 Q. Okay. So, Mr. Daigle, what else
23 do you get called for other than well
24 control?
25 A. Losses, hole losses.
00229:01 Q. Okay.
02 A. NPT times like that to where
03 we're trying to get the -- get back on track,
04 things like that. Yeah, losses would be
05 another event.
06 Q. So we have two things. We have
07 well-control events, and then we have mud
08 losses as well?
09 A. Yes, sir.
10 Q. Okay. How often do you get
11 called on mud losses?
12 A. Probably six to seven times a
13 year.
14 Q. Okay. So we got -- since
15 January of 2006, you've been called four to
16 five times on loss control, well-control
17 events, and then you've been called six or
18 seven times a year on mud losses?
19 A. Mud losses.
20 Q. Okay. What do you do with the
21 rest of your time?
22 A. I am working the D&C operations

23 network. I'm busy.
24 Q. And -- and -- and I want to know
25 what -- what keeps you busy.
00230:01 A. Well, again, just -- it's what I
02 do.
03 Q. Okay. Tab 2 in your book are
04 some handwritten notes. And we took the
05 liberty of -- of just copying the pages I
06 want to ask you about. The Bates numbers of
07 the entire document run from
08 BP-HZN-2179MDL03089010 through
09 BP-HZN-2179MDL030892 -- 210. And I think the
10 page -- one of the pages you have copied
11 there is BP-HZN-2179MDL03089072; is that
12 correct?
13 A. Yes, sir.
14 Q. Okay. I want to ask you about
15 some notes on that page. Up at the top
16 there's -- there's an asterisk, and it's --
17 there's the handwriting "AIG Tele" --
18 "Teleconference, Monday, June 7, 2010."
19 Is that your handwriting?
20 A. Yes, this is my handwriting.
21 Q. Okay. What is AIG
22 teleconference?
23 A. This was a teleconference
24 conducted by Andy Inglis, who was the group
25 VP with BP.
00231:01 Q. AIG refers to Andy Inglis?
02 A. Inglis, yeah.
03 Q. Can you read the -- the words
04 after that, "Investigation - Mark Bly"?
05 What's below that?
06 A. "Could have" -- I can't make out
07 my handwriting.
08 Q. Good. I don't feel so bad.
09 Okay. You should have been a doctor.
10 Could -- could that -- could
11 that be "could have parted"?
12 MR. MORRISS:
13 Object to the form.
14 A. It -- it could be. I -- I -- I
15 don't know for sure.
16 EXAMINATION BY MR. HYMEL:
17 Q. Okay. Go on down. The "cement,
18 casing design, testing" -- what is that word?
19 A. Regime.
20 Q. Regime? Testing regime, casing
21 integrity? Is that what that means?
22 A. That's what I have written down
23 here.
24 Q. Okay. Then what's the line
25 below that? Procedure to what?
00232:01 A. "Procedure to check test the
02 negative."

03 Q. What does that mean?
 04 A. I'm not sure what that -- what
 05 that means.
 06 Q. Okay. Now I want to change -- I
 07 want to switch gears on you a little bit, and
 08 move over to the -- move over to the right
 09 side of that page where you have four themes
 10 and you kind of have it drawn off. You see
 11 what I'm talking about?
 12 MR. MORRISS:
 13 Object to the form.
 14 A. Yes, sir.
 15 EXAMINATION BY MR. HYMEL:
 16 Q. Can you read those four themes
 17 for me?
 18 MR. MORRISS:
 19 Object to the form.
 20 A. "1, industry issue. 2, what
 21 happened? P36/10, BP" open and "very
 22 difficult to partition blame."
 23 Q. Is that all your handwriting?
 24 A. Yes, sir, it's my handwriting.
 25 Q. Okay. The four themes, are
 00233:01 those themes that you came up with or are
 02 those themes that someone told you?
 03 A. This is what Andy spoke about at
 04 the teleconference to the --
 05 Q. Okay.
 06 A. -- employees.
 07 Q. Was the words, "very difficult
 08 to partition blame," Mr. Inglis's words?
 09 A. Yes, that's what I capture from
 10 his -- his call -- his -- the teleconference.

Page 233:16 to 234:19

00233:16 Q. Okay. Switching gears on you a
 17 little bit. Go back to the left side of the
 18 page, and go about two-thirds of the way
 19 down. And there's a line with an arrow drawn
 20 on it, and there's "DW Business."
 21 Do you see that?
 22 A. Yes, sir.
 23 Q. And what does that mean, DW
 24 Business?
 25 A. That's deep water.
 00234:01 Q. All right. Two lines down
 02 there's "50 million every 10 years."
 03 What does that mean?
 04 A. I don't remember what --
 05 Q. All right.
 06 A. -- what he was saying there.
 07 Q. One line down, "Billions spend
 08 now," what does that mean?
 09 A. I don't know.

10 Q. All right. Go on down one, two,
 11 three, four -- five lines, and it's -- it
 12 looks like it's "\$60 BBL oil we break even."
 13 What does that mean?
 14 A. I don't know. I don't know what
 15 he's meaning by -- by breaking even.
 16 Q. But in any event, you wrote down
 17 what Mr. Inglis said during this telephone
 18 conference?
 19 A. Yes, sir.

Page 237:04 to 237:07

00237:04 I want to attach the -- the one
 05 page with the telephone conference with Andy
 06 Inglis as 4074.
 07 (Exhibit No. 4074 marked for

Page 238:09 to 244:03

00238:09 Q. Sir, Tab 22 is the well control
 10 manual. It's been labeled as Exhibit 215.
 11 Do you recognize that document?
 12 A. Yes, sir, I do.
 13 Q. All right. Turn to
 14 Section 5.2.2. 5.2.2 says, "Well control
 15 certifications shall be renewed at periods
 16 not exceeding 24 months."
 17 Do you see that?
 18 A. Yes, sir.
 19 Q. Now, do you know if that's BP's
 20 rule or if that is some -- some other
 21 organization's rule?
 22 A. This is BP -- this is what BP
 23 abides by for well control certification.
 24 Q. Okay.
 25 A. No more than 24 months.
 00239:01 Q. All right. Turn to Tab 18.
 02 Tab 18 are three pages of e-mails between
 03 yourself and a number of people around
 04 February of 2008, BP-HZN-2179MDL02148713.
 05 And I'm going to take attach these three
 06 documents in globo as Exhibit 4075.
 07 (Exhibit No. 4075 marked for
 08 identification.)
 09 EXAMINATION BY MR. HYMEL:
 10 Q. I want you to go, sir, to --
 11 first of all, the regarding on these e-mails
 12 are "well site leader expiring well control
 13 certificate," correct?
 14 A. Yes, sir.
 15 Q. Okay. Go on to the second page,
 16 and there's an e-mail from George Gray to a
 17 number of people.

18 A. Yes, sir.
19 Q. And the third paragraph down in
20 that e-mail, Mr. Gray writes, "RJ Doucet
21 holds a valid IADC WellCap Supervisor Subsea
22 well control certificate that expires 4
23 February. He is currently on the rig working
24 nights. Per the IADC WellCap program there
25 is a 90 day grace period after expiration
00240:01 that the certificate is still valid."
02 Do you see that?
03 A. Yes, sir.
04 Q. Okay. Is -- was that your
05 understanding of the well control certificate
06 that was issued by the IADC, that after the
07 time period that it expired, there was a
08 90-day grace period?
09 A. Yes. That's -- that's
10 recognized by the IADC.
11 Q. Okay.
12 A. Yes, sir.
13 Q. Now, the well control
14 certificates that the BP well site leaders
15 had, they were IADC well control
16 certificates?
17 A. Yes, sir.
18 Q. Okay. So Mr. Ronnie Sepulvado
19 was leaving the DEEPWATER HORIZON because the
20 two years were up on his well -- on his well
21 control certificate, correct?
22 A. Yes, sir.
23 Q. Now, that well control -- that
24 well control certificate had been issued by
25 the IADC?
00241:01 A. Yes, sir.
02 Q. Okay. So according to the IADC,
03 Mr. Sepulvado had 90 days' grace period to
04 renew that -- that certificate, correct?
05 A. No, sir.
06 Q. All right. What was wrong about
07 that statement?
08 A. BP does not recognize the 90-day
09 grace period --
10 Q. Let --
11 A. -- as part of their Subpart O
12 plan.
13 Q. And if that would have been my
14 question, that would have been my -- that
15 would have been a good answer.
16 Okay. My question was --
17 MR. MORRISS:
18 Object to the form and the
19 comment.
20 EXAMINATION BY MR. HYMEL:
21 Q. -- IADC has a 90-day grace
22 period, correct?

23 MR. MORRISS:
24 Object to the form.
25 A. Yes.

00242:01 EXAMINATION BY MR. HYMEL:
02 Q. Okay. BP does not recognize the
03 90-day grace period, and they require the
04 well site leaders to renew their well site --
05 their well control certificate within the
06 two-year period, correct?
07 A. Yes, sir.

08 Q. All right. So if BP would have
09 recognized the 90-day period, the 90-day
10 grace period that the IADC recognized, then
11 Mr. Ronnie Sepulvado could have stayed on the
12 HORIZON and finished out this well. Do you
13 agree with me?
14 MR. MORRISS:
15 Object to the form.

16 A. No.

17 EXAMINATION BY MR. HYMEL:
18 Q. Okay. And why not?
19 A. Because BP doesn't honor the --
20 the 90-day grace period.
21 Q. Okay. Let me ask the question
22 again, then, okay?
23 If BP would change their
24 procedures and would have honored the 90-day
25 grace period that the IADC gave,

00243:01 Mr. Sepulvado could have stayed on that rig
02 and finished out the well, correct?
03 MR. MORRISS:
04 Object to the form.

05 A. I don't know.

06 EXAMINATION BY MR. HYMEL:
07 Q. Who would know the answer to
08 that question?
09 A. I do not know.
10 Q. Is part of your job to make sure
11 well site leaders get their well
12 certificates?
13 A. No, sir.
14 Q. Okay. Now, the whole purpose of
15 these e-mails that we've just been talking
16 about is that BP can off -- can -- can give a
17 dispensation and can grant -- it can give a
18 dispensation from the DWOP and grant a well
19 site leader an additional period of time to
20 allow them to get their well control
21 certificate, correct?
22 A. Yes.

23 Q. Okay. Have you ever been
24 involved in any situations where you asked
25 for a dispensation for any of the well --

00244:01 well site leaders that you were involved
02 with?

03 A. No, sir.

Page 244:13 to 247:02

00244:13 Q. All right. Are you familiar
14 with the -- the training that the well site
15 leaders go through?
16 A. Yes, sir, I am.
17 Q. Okay. Do well site leaders get
18 any training for the number and placement of
19 centralizers on casing?
20 A. No, sir.
21 Q. Do well site leaders get any
22 training on when to perform a full bottoms
23 up?
24 A. No, sir.
25 Q. Do well site leaders get any
00245:01 training on the rate of circulation when
02 performing a bottoms up?
03 A. No, sir.
04 Q. Do well site leaders get any
05 training on float collar conversion?
06 A. I don't know.
07 Q. Okay. Do well site leaders get
08 any training on cement, on whether testing --
09 cement tests should be received and on what
10 type of slurry should be run, or anything
11 regarding cementing?
12 A. Don't know.
13 Q. Okay. Do well site leaders get
14 any training on when to run a cement bond
15 log?
16 A. I don't know that one.
17 Q. Do well site leaders get any
18 training on temporary abandonment procedures?
19 A. No, sir.
20 Q. Do well site leaders get any
21 training on how to perform a negative
22 pressure test?
23 A. I don't know.
24 Q. Go to Tab 19, sir. Tab 19 is a
25 document called DC&W Competency Framework.
00246:01 It looks like a PowerPoint presentation,
02 Bates No. BP-HZN-2179MDL01586361.
03 Have you ever seen this
04 PowerPoint presentation or this document?
05 A. Yes, I have.
06 Q. Okay. I want you to go to Bates
07 No. ending with 369.
08 A. 369?
09 Q. Yes. It's -- it's a slide that
10 shows the policy, procedures, standards, and
11 practices. And it lists 14 things below the
12 policy, procedures, standards, and practices
13 that are the -- the things that a well site

14 leader needs to know.
 15 You see those 14 things in those
 16 boxes?
 17 A. Yes, sir.
 18 Q. Okay. And one of those is well
 19 control, correct?
 20 A. That is correct.
 21 Q. Okay. For a well site leader to
 22 be familiar with well control, does the well
 23 site leader have to be familiar with the well
 24 control equipment on the rig?
 25 A. Yes, he would -- he would have
 00247:01 to have some knowledge of the well control
 02 equipment.

Page 249:14 to 259:13

00249:14 Tab 15. Okay. And you've -- you were asked
 15 about this document earlier, and I think your
 16 testimony was that you --
 17 MR. MORRISS:
 18 This is Exhibit 2200.
 19 MR. HYMEL:
 20 That's correct, Exhibit 2200.
 21 Sorry.
 22 EXAMINATION BY MR. HYMEL:
 23 Q. You were asked about this
 24 document earlier today. And I think your
 25 testimony was you didn't know if this
 00250:01 document was in effect at the time of the
 02 incident?
 03 A. Yeah, that's correct.
 04 Q. Okay. Now, go to Tab 21 from
 05 the DOJ. I'm sorry. It's 21 from the --
 06 from the Plaintiffs' Steering Committee.
 07 This is a document that's Bates
 08 No. BP-HZN-2179MDL03089470. It's an e-mail
 09 from Mr. Shaughnessy -- is that how you
 10 pronounce his name?
 11 A. Yes, that's correct.
 12 Q. Okay.
 13 -- to you dated March 1, 2010.
 14 And it attaches the NAX DW Gulf of Mexico
 15 deepwater well control guidelines, which is
 16 Exhibit 2200.
 17 MR. MORRISS:
 18 Object to the form.
 19 EXAMINATION BY MR. HYMEL:
 20 Q. My question to you, sir, is:
 21 Did you send a list of questions to
 22 Mr. Shaughnessy --
 23 MR. MORRISS:
 24 I'm going to object and just say
 25 that's -- your statement is incorrect.
 00251:01 That's -- that's a different document. You

02 made a statement and I just want to make --
03 slow down just a second and make sure.
04 If you want him to answer the
05 questions at the same document, if you're
06 making that representation, I want to make
07 sure that's correct.
08 MR. HYMEL:
09 That's fine. I'll go with the
10 document that's attached.
11 MR. MORRISS:
12 Okay.
13 MR. HYMEL:
14 Yeah, that's fine. It looks to
15 be the same to me, but if it's not . . .
16 MR. MORRISS:
17 There's a date missing. It
18 doesn't have the same --
19 MR. HYMEL:
20 Sure.
21 MR. MORRISS:
22 -- information on --
23 MR. HYMEL:
24 No problem.
25 MR. MORRISS:
00252:01 -- it. And I've not looked --
02 MR. HYMEL:
03 Yeah.
04 MR. MORRISS:
05 -- at the -- the second one you
06 pointed to, so I just want to make sure.
07 EXAMINATION BY MR. HYMEL:
08 Q. The -- the e-mail, Mr. Daigle,
09 that Mr. Shaughnessy replied to you, it looks
10 like a list of questions that were sent to
11 him or -- or you sent a list of questions to
12 him and he replied?
13 A. Yes, I -- I sent
14 John Shaughnessy the list of questions.
15 Q. It looks like you sent the list
16 of questions and he replied within your
17 e-mail, correct?
18 A. Yes, that's -- that's --
19 Q. Particularly --
20 A. -- that's what it is.
21 Q. I'm sorry.
22 Particularly look at No. 9.
23 "Well control considerations and issues in
24 deepwater drilling."
25 And it looks like he replied,
00253:01 "See attached. DW well control guidelines
02 that were approved in GoMX a few years ago";
03 is that correct?
04 A. Yes, that's correct.
05 Q. That was his response?
06 A. Yes, sir.

07 Q. Okay. Now, who is
08 Mr. Shaughnessy on March 1st of 2010? What
09 was his position?
10 A. He was the senior drilling
11 engineer and our well control technical
12 authority.
13 Q. All right. Now, why were you
14 asking him about well control considerations
15 and issues in deepwater drilling?
16 A. I received a request from our
17 North Sea business group. They were bringing
18 in another rig into the North Sea, and it was
19 dual activities, and it -- and it was going
20 to be out in a little bit deeper water. And
21 they requested some -- some -- some
22 understanding around dual activity and --
23 and -- and well control and -- and -- and
24 things like that, hydrates, you know, what
25 were some issues that we were having in GoM.

00254:01 So I sent it to Shaughnessy so
02 he could -- he could plug in the -- the --
03 the -- the answers, and then we forwarded
04 this to the North Sea --
05 Q. Okay.
06 A. -- Group.
07 Q. Let me make sure I understand,
08 then. So you get a request from the UK
09 wanting to know what does the Gulf of Mexico
10 do about these number of things?
11 A. Yes, sir.
12 Q. And one of them was well control
13 considerations and issues in deepwater
14 drilling, correct?
15 A. Yes, sir.
16 Q. And Mr. Shaughnessy replied that
17 see attached, DW well control guidelines,
18 which he attached to this e-mail and then you
19 forwarded to the UK group, correct?
20 A. Yes, sir.
21 Q. Okay. Now, your testimony
22 earlier today is that you don't know whether
23 or not the guidelines that are attached were
24 actually in effect in March of 2010. Was
25 that your testimony?

00255:01 A. The DWOP was the document that
02 we followed in 2010.
03 Q. Okay. Now, are you -- are you
04 saying that this document, NAX DW Gulf of
05 Mexico Deepwater Well Control Guidelines,
06 were not in effect in March of 2010?
07 A. I do not know if they were in
08 effect. But -- but --
09 Q. Okay.
10 A. -- no, sir.
11 Q. Do you think Mr. Shaughnessy

12 would have sent you a document to be
13 forwarded to the BP UK group that was not in
14 effect?
15 MR. MORRISS:
16 Object to the form.
17 A. I don't know.
18 EXAMINATION BY MR. HYMEL:
19 Q. Okay. Let's flip to that
20 document and let's look at it. The first
21 section of that document on Bates No. 474 --
22 A. Yes, sir.
23 Q. -- up at the top, is that these
24 guidelines have been developed to supplement
25 the BP well control manual and the BP
00256:01 drilling and wells operations policy.
02 So this document, according to
03 the introduction, is to supplement the DWOP.
04 You see that?
05 A. Yes, sir.
06 Q. Okay. And it's to supplement
07 the DWOP in situations where you cannot
08 maintain the required kick tolerance. You
09 see that?
10 A. Yes, sir.
11 Q. Okay. Do you know what kick
12 tolerance is?
13 A. Yes, sir.
14 Q. What is kick tolerance?
15 A. Maximum amount of influx that
16 you -- you could take at surface to still
17 safely circulate out the -- the well.
18 Q. What does the DWOP say about
19 kick tolerance?
20 A. No more than 25 barrels.
21 Q. Do you ever get calls -- is that
22 one of the things that you get calls and you
23 give advice on is whether or not there's
24 appropriate kick tolerance in a certain well?
25 A. No, sir.
00257:01 Q. Okay. The last line of this
02 document says, "They are intended to account
03 for the situation of being unable to
04 conventionally handle a kick when drilling
05 the ultra deepwater Gulf of Mexico due to low
06 pore pressure/frac gradient margins and the
07 nature of deepwater well control systems."
08 Did you understand that this
09 document was a supplement to the DWOP when
10 low pore pressure and fracture gradient
11 margins made it difficult to maintain the
12 kick tolerance?
13 MR. MORRISS:
14 Object to the form.
15 A. No, I do not.
16 EXAMINATION BY MR. HYMEL:

17 Q. Okay. Do you have any opinions
 18 on what type of fracture gradient and pore
 19 pressure issues would be appropriate in a
 20 well and whether they would provide
 21 sufficient kick tolerance?
 22 A. No, sir.
 23 Q. Okay. Yeah. I want to attach
 24 this document. We have to get one of the
 25 clean copies out of there.
 00258:01 MR. MORRISS:
 02 Just give a number to it--
 03 MR. HYMEL:
 04 Sure.
 05 MR. MORRISS:
 06 -- so we know what it is.
 07 MR. HYMEL:
 08 It's 4076.
 09 MR. MORRISS:
 10 It may have already been
 11 attached.
 12 EXAMINATION BY MR. HYMEL:
 13 Q. Mr. Daigle, I have a few more
 14 questions on that issue.
 15 MR. MORRISS:
 16 Before -- before we leave I
 17 just --
 18 MR. HYMEL:
 19 Sure.
 20 MR. MORRISS:
 21 -- want to make sure we have the
 22 exhibit issue straight.
 23 Did you put another number on
 24 the one that you used or do you want to find
 25 the old exhibit number?
 00259:01 MR. HYMEL:
 02 No, the -- the --
 03 MS. BRANSCOME:
 04 It's Exhibit 4071.
 05 MR. HYMEL:
 06 It was? Okay. That's fine.
 07 MR. MORRISS:
 08 Sorry.
 09 MR. HYMEL:
 10 No problem.
 11 The document we've been
 12 referring to has -- has previously been --
 13 been listed as Exhibit 4071.

Page 260:07 to 260:17

00260:07 Q. Now, part of your job is people
 08 calling you on loss control events, correct?
 09 A. Yes, sir.
 10 Q. And part of your job is people
 11 calling you on well control events, correct?

12 A. Yes, sir.
 13 Q. Okay. Do you think it would be
 14 pretty difficult to circulate out a kick when
 15 you have a difference between your pore
 16 pressure and your fracture gradient of only
 17 .3 ppg?

Page 260:20 to 260:23

00260:20 A. I don't know because I don't
 21 know enough about the wellbore, you know, if
 22 it's -- the integrity of it. So it's hard
 23 for me to answer -- answer that question.

Page 262:01 to 264:11

00262:01 Q. Turn to Tab 6, please. Tab 6
 02 has been marked as Exhibit 6291. It is the
 03 GoM Drilling and Completions D&C Recommended
 04 Practice for Management of Change.
 05 And you referred to this
 06 document earlier in your testimony. I want
 07 you to go to Section 3.2.
 08 A. Yes, sir.
 09 Q. Section 3.2 under 3 -- 3.2.3,
 10 there's three bullet points. You see those?
 11 And the third bullet point deals with well --
 12 deals with well site leaders. You see that?
 13 A. Yes, sir.
 14 Q. And I think that was the
 15 provision you were referring to when you said
 16 that Mr. Kaluza met the definition of that
 17 procedure -- of that policy and that he did
 18 not need to get an MOC to replace
 19 Mr. Sepulvado --
 20 A. Yes, sir.
 21 Q. -- is that true?
 22 A. Yes, sir.
 23 Q. Okay. And let's read that. It
 24 says, "Well site leaders that are changing
 25 rig types (dynamic position MODU, moored-semi
 00263:01 rig, platform rig, jack-up rig) with no
 02 previous or recent (within five years)
 03 experience with that particular rig type."
 04 Did I read that correctly?
 05 A. Yes, sir.
 06 Q. Okay. And I'm assuming that
 07 you're saying because Mr. Kaluza had been on
 08 the HORIZON, then according to this he -- MOC
 09 did not need to be performed for him to take
 10 the place of Mr. Sepulvado. Is that the
 11 reasoning?
 12 A. That's my interpretation, yes,
 13 sir.

14 Q. Okay. Now, do you know when
 15 Mr. Kaluza had been on the HORIZON?
 16 A. Yes.
 17 Q. When?
 18 A. 2002.
 19 Q. Okay. So he'd been on the
 20 HORIZON eight years ago -- eight years before
 21 the blowout?
 22 A. Yes, sir.
 23 Q. Okay. Now, we talked earlier
 24 about one of the requirements of the DWOP is
 25 that the well site leader have some knowledge
 00264:01 about well control, correct?
 02 A. Equipment.
 03 Q. Well control equipment. Right?
 04 A. I think that's what --
 05 Q. Yes.
 06 A. Yes, sir.
 07 Q. And for him to have knowledge
 08 about well-control equipment, he has to have
 09 knowledge of the well-control equipment on
 10 the particular rig, correct?
 11 A. Yes.

Page 264:14 to 264:19

00264:14 Q. Now, do you believe that
 15 Mr. Kaluza, having been on the rig eight
 16 years before the blowout, had sufficient
 17 recollection of the DEEPWATER HORIZON
 18 well-control equipment that an MOC did not
 19 need to be performed?

Page 264:22 to 264:22

00264:22 A. I don't know.

Page 264:24 to 265:13

00264:24 Q. Okay. Going down to the next
 25 point in that section, 3.2.4, it says,
 00265:01 "Technical. Any procedural or significant
 02 scope change to approve the plans and well
 03 programs, the following are some examples."
 04 And flip to the next page. The
 05 sixth dash down is "Well suspension/temporary
 06 abandonment."
 07 Do you see that?
 08 A. Yes, sir.
 09 Q. So the way I interpret that --
 10 this is that if there's a procedural or a
 11 significant scope change to approve plans in
 12 a TA procedure, an MOC is required. Do you

13 agree?

Page 265:16 to 265:16

00265:16 A. Yes.

Page 265:18 to 266:03

00265:18 Q. Okay. Turn to Tab 7. Tab 7 has
19 been marked previously as Exhibit 563. It is
20 an e-mail from Brian Morel to
21 Ronnie Sepulvado -- or, actually, the one I'm
22 referring to is the e-mail from -- yeah, from
23 Brian Morel to Ronnie Sepulvado dated
24 April 14, 2010. It's the one in the middle
25 of the page, sir, and it sets forth the
00266:01 temporary abandonment procedure. Do you see
02 that?
03 A. Yes, sir.

Page 266:08 to 266:22

00266:08 Q. Okay. About halfway down that
09 TA procedure, there's a note, "Run in hole
10 set wear bushing" and "continue to 8367 set
11 300' cement plug."
12 Do you see that?
13 A. Yes, sir.
14 Q. And then two notes down, there
15 is, "Negative test with base oil in
16 kill/choke line to wellhead."
17 Do you see that?
18 A. Yes, sir.
19 Q. Okay. So in this procedure sent
20 out by Mr. Morel on April 14, 2010, the
21 surface cement plug was going to be set
22 before the negative pressure test, correct?

Page 266:25 to 266:25

00266:25 A. That's how it's listed --

Page 267:05 to 267:09

00267:05 previously been marked as Exhibit 564. It is
06 an e-mail from Mr. Morel dated April 16th to
07 a number of people, and it is forwarding the
08 attached part of a well plan that's dated
09 April 15, 2010.

Page 268:16 to 268:24

00268:16 Q. Well, you see the section? It
17 says, "Run in hole 8367, displace to
18 seawater," then "Run 3-1/2-inch stinger by
19 5-1/2-inch down," then "Ensure MMS
20 Departure," then "Monitor well for 30 minutes
21 to ensure no flow."
22 Is that a negative test?
23 A. I don't know what he's saying
24 there --

Page 271:17 to 272:05

00271:17 Q. Mr. Daigle, let's go back to
18 what we were talking about before we went
19 off. We were talking about Exhibit 570, which
20 is the application for permit to modify,
21 dated April 16, 2010. There's a temporary
22 abandonment procedure on Page 3. And you
23 just finished reviewing that, correct?
24 A. Yes, sir --
25 Q. Okay.
00272:01 A. -- the procedure.
02 Q. You would agree with me that on
03 this temporary abandonment procedure dated
04 April 16, 2010, the negative test is before
05 the surface cement plug? Do you agree?

Page 272:08 to 272:11

00272:08 A. I don't know what was actually
09 performed at the rig site. This is a
10 procedure, so I'm not sure what was done at
11 the rig site.

Page 272:13 to 272:18

00272:13 Q. I'm not asking you what was done
14 at the rig site. I'm asking you about this
15 procedure. The procedure that was written
16 and submitted to the MMS anticipated
17 performing the negative test before the
18 surface cement plug. Do you agree?

Page 272:21 to 272:22

00272:21 A. Line 1 states, "Negative test
22 to" -- "to" -- "to seawater."

Page 272:24 to 273:06

00272:24 Q. Okay. And then line 4 states:
25 "Set 300-foot cement plug," correct?

00273:01 A. Yes, it does.
02 Q. So that means the negative
03 pressure test was done before the cement
04 plug, according to this -- was anticipated to
05 be done before the cement plug, according to
06 this procedure. Do you agree?

Page 273:09 to 273:10

00273:09 A. According to this procedure,
10 yes, sir.

Page 273:12 to 273:21

00273:12 Q. Okay. Now, let's go back to
13 tab -- Tab 7, which was Exhibit 563. And it
14 was a temporary abandonment procedure sent
15 out by Mr. Morel dated April 14, 2010. And
16 go back and look down -- and we talked about
17 this before. But I just want to confirm that
18 this procedure anticipates setting the cement
19 plug first -- the surface cement plug first,
20 then doing the negative pressure test. You
21 see that?

Page 273:24 to 273:25

00273:24 A. Reading the two documents, there
25 is the difference.

Page 274:02 to 274:04

00274:02 Q. Okay. Do you think that
03 difference required an MOC?
04 A. I do not know.

Page 277:11 to 277:17

00277:11 Q. Okay. The -- the interviews we
12 talked about that you had with Mr. Kaluza,
13 Mr. Vidrine, and Mr. Lambert, did you write
14 down everything they said or at least you
15 tried to write down everything they said in
16 your notes?
17 A. To the best of my knowledge --

Page 278:02 to 278:11

00278:02 Q. Okay. I understand you were
03 involved in -- in post-blowout activities,
04 but most of your activities were related to
05 the relief wells?

06 A. Yes, sir, eventually it evolved
07 to the -- to the relief wells support.
08 Q. You weren't involved in any of
09 the capping stack or a BOP on top of a BOP or
10 anything like that?
11 A. No, sir.

Page 279:07 to 279:12

00279:07 Q. Good afternoon, Mr. Daigle. My
08 name is Aimee Williams, and my colleague,
09 Laci Dreher, is with me, and we're both
10 attorneys with the law firm of Godwin
11 Ronquillo. And we represent Halliburton
12 Energy Services in this matter.

Page 284:12 to 284:16

00284:12 Q. You did not -- you were not
13 aware whether your interviews with
14 Mr. Kaluza, Mr. Vidrine, or Lee Lambert were
15 part of an internal investigation?
16 A. That's correct.

Page 285:03 to 285:19

00285:03 Q. I'm handing you what's
04 previously been marked as Exhibit 1536. This
05 is Tab 9 in the notebook.
06 Earlier today, actually, this
07 morning, counsel for the PSC walked through a
08 PowerPoint presentation with you regarding
09 the peer review feedback. And that exhibit
10 was marked as 4066, which should be here on
11 the table somewhere, just if you want to look
12 at them side by side.
13 I believe, based on the
14 attachment information on this e-mail that is
15 dated June 25, 2009 -- you're cc'd on this
16 e-mail, by the way, Mr. Daigle, that this may
17 be a final version of that Macondo peer
18 review feedback. Does this appear to be the
19 final version of that PowerPoint?

Page 285:22 to 285:22

00285:22 A. Can I look through it?

Page 285:24 to 286:10

00285:24 Q. The attachment on the e-mail
25 says, "Macondo Peer Review Feedback

00286:01 Final.ppt."

02 A. I'm not sure if it was -- if it
03 was the final document.

04 Q. Does this appear to be a more
05 updated version than what we looked at
06 earlier today? Would you like to look at
07 them side by side? For example, this date
08 says June 25, 2009, instead of 2008.

09 A. Yeah, I'd have to look at the
10 two documents.

Page 287:15 to 287:18

00287:15 Q. And I just wanted you to look at
16 them and confirm that and confirm that they
17 are substantially the same and that your
18 answers are the same for the final version.

Page 287:22 to 288:06

00287:22 Q. And we can walk through them
23 page by page and go through the same slides
24 that you went through earlier with the PSC.

25 For example, on Page 2 you are
00288:01 part of the peer review team, correct --

02 A. Yes, ma'am.

03 Q. -- for the Macondo well?

04 And on Page 4 it notes that the
05 well location's conducive to a fast track
06 schedule?

Page 288:18 to 288:18

00288:18 Q. Page 4.

Page 288:23 to 288:23

00288:23 A. Okay.

Page 289:02 to 290:16

00289:02 Q. That's substantially the same as
03 the previous draft, and your answers would
04 not change from your answers this morning,
05 correct? You can look at them side by side.
06 That's fine.

07 A. No, I would say they wouldn't --
08 would not change.

09 Q. Okay. And on the next page,
10 Page 5, do you remember when you were asked
11 earlier about the middle of the page where it
12 states "No show stoppers identified for this

13 well"?

14 A. Yes, ma'am.

15 Q. And your answer is substantially

16 the same as it would be for the earlier

17 draft?

18 A. Yes, ma'am.

19 Q. And the same on -- under the

20 risk management where you were asked about

21 whether the peer review team supplied the

22 answer regarding, "yes, all major risks are

23 addressed and mitigations developed"?

24 A. Yes, ma'am.

25 Q. And the following question when

00290:01 it asked, "Are the mitigation and" -- oh, my

02 gosh. Now I need the magnifying glass --

03 "and for contingencies identified for the

04 high impact risks sufficient to minimize the

05 impact on the well performance? Yes.

06 Clarify and update forward plans for the

07 subsurface failure case scenario."

08 Answers are all the same as they

09 were this morning?

10 A. Yes, that -- that -- that's the

11 same.

12 Q. Okay. And Page 7, the "open

13 water ECD management, educate rig on fast

14 drill ECD plan," the answers are the same as

15 they were this morning for the draft?

16 A. Let me look at the last --

Page 290:18 to 293:11

00290:18 A. -- one.

19 Yes, ma'am.

20 Q. And one last point that we

21 didn't visit about this morning. If you'll

22 look with me on 1536, the one that's stapled

23 together in front of you, on Page 8 at the

24 bottom, "Well integrity discussion with

25 completion team," and then there's two

00291:01 bullets under that: "Cement evaluation log

02 timing," and the second bullet, "Cement

03 planning and execution monitoring."

04 Were you part of these

05 discussions on the peer review team,

06 specifically the well integrity discussion

07 with the completion team?

08 A. No, I was not.

09 Q. Do you know what the discussions

10 were regarding well integrity?

11 A. No, I do not.

12 Q. Do you know what the plans

13 regarding the cement evaluation log timing

14 were about?

15 A. No, ma'am, I do not.

16 Q. Do you know anything about the
 17 cement planning and execution monitoring?
 18 A. No, I do not.
 19 Q. Now, one of your job duties that
 20 we talked about during the course of the day
 21 is to act as a sounding board for the rigs in
 22 the Gulf of Mexico, correct?
 23 A. Yes, ma'am.
 24 Q. And as you were visiting about
 25 earlier with counsel for Transocean, this
 00292:01 specifically related to well control and
 02 loss -- loss return events, correct?
 03 A. Yes.
 04 Q. Not so much cementing
 05 operations, correct? You were not -- you
 06 were not contacted as a --
 07 A. I don't recall being
 08 contacted --
 09 Q. -- seeking advice on cementing?
 10 A. -- about cementing operations.
 11 Q. Or mud logging operations?
 12 A. No, ma'am.
 13 Q. So specifically in the context
 14 of the Macondo well, you had no involvement
 15 in the cement job for the production casing
 16 for the Macondo well, did you?
 17 A. No, I did not.
 18 Q. And you had no involvement
 19 regarding the decision that was made on the
 20 number of centralizers that was to be used on
 21 the final production casing for the Macondo
 22 well, did you?
 23 A. No, ma'am.
 24 Q. And you had no involvement
 25 regarding the placement of the centralizers
 00293:01 on the final production casing for the
 02 Macondo well, did you?
 03 A. No, I did not.
 04 Q. Have you spoken with anyone from
 05 Halliburton regarding the cementing
 06 operations on the Macondo well?
 07 A. No, I have not.
 08 Q. Have you formed any opinions
 09 regarding the cementing services provided by
 10 Halliburton on the Macondo well?
 11 A. I have not.

Page 293:20 to 294:03

00293:20 Q. Do you have any knowledge or
 21 information suggesting that there were any
 22 problems with the cement slurry that
 23 Halliburton pumped on the Macondo well?
 24 A. No. No, ma'am.
 25 Q. And you have no information that

00294:01 suggests that the cement that Halliburton
02 pumped on the final casing on the Macondo
03 well was not properly or timely set up?

Page 294:06 to 294:07

00294:06 A. I would not have that
07 information.

Page 294:09 to 294:14

00294:09 Q. And you have no knowledge or
10 information that the cement slurry that
11 Halliburton pumped on the final casing for
12 the Macondo well was not properly and
13 appropriate -- was not designed properly or
14 appropriately for the Macondo well?

Page 294:17 to 294:18

00294:17 A. I would not -- I would not know
18 that.

Page 294:20 to 295:12

00294:20 Q. Have you had any discussions
21 with anyone in which Halliburton's cement job
22 on the Macondo well was questioned or
23 criticized?

24 A. No.

25 Q. And you were not involved in any
00295:01 of the mud logging for -- specifically with
02 respect to the Macondo well, were you?

03 A. No, ma'am.

04 Q. Have you formed an opinion
05 regarding the mud logging services provided
06 by Halliburton or its product services line,
07 Sperry-Sun Drilling Services, on the Macondo
08 well?

09 A. I have not.

10 Q. And you have no information
11 suggesting that Sperry-Sun's mud loggers did
12 anything wrong, do you?

Page 295:15 to 295:15

00295:15 A. I don't know.

Page 295:25 to 296:07

00295:25 Q. Have you spoken with anyone from
00296:01 Halliburton regarding the incident on

02 April 20, 2010?
03 A. No, ma'am.
04 Q. Have you spoken with anyone from
05 Sperry-Sun regarding the incident on
06 April 20, 2010?
07 A. No, ma'am.

Page 297:22 to 298:17

00297:22 Did you know Bob Kaluza before
23 Tony Emmerson recommended him as a
24 replacement for Ronnie Sepulvado -- Sepulvado
25 on the DEEPWATER HORIZON?
00298:01 A. Yes, I did.
02 Q. How did you know him?
03 A. Bob and I worked together back
04 in 2000, 2001 as well site leaders.
05 Q. On which rig?
06 A. It was the POMPARO.
07 Q. Is this the only time that you
08 worked directly with Bob Kaluza?
09 A. It was the only time I worked
10 directly with Bob as a well site leader.
11 Q. Do you know how many years Bob
12 Kaluza had served as a well site leader?
13 A. No, I don't know exactly the
14 years.
15 Q. Do you -- what's your best
16 estimate?
17 A. 2000 -- I'd say 11 -- 11 years.

Page 299:01 to 299:24

00299:01 Q. And how closely did you work
02 with him on the POMPARO?
03 A. We were -- we would relieve each
04 other days, nights, yeah.
05 Q. So you were --
06 A. Just like --
07 Q. -- on the same hitch? You
08 worked the day shift, for example, and he'd
09 work the night shift or vice versa, but you
10 were on the same hitch?
11 A. We'd work a week together.
12 Q. Okay.
13 A. A week, and then one of us would
14 go home, and the other one had another week
15 to finish.
16 Q. And did you consider yourself
17 more of co-workers or did you also -- did you
18 also become friends while you were working
19 together?
20 A. Co-workers and -- and -- and we
21 developed a friendship, yes.

22 Q. And did you maintain that
23 friendship over the years?
24 A. Yes.

Page 300:15 to 303:06

00300:15 Q. What was your overall impression
16 of Mr. Kaluza during the time that you worked
17 together with him on the POMPAÑO in 2000 and
18 2001?

19 A. A competent individual and well
20 site leader.

21 Q. And when Tony Emmerson
22 recommended that Bob Kaluza replace Ronnie
23 Sepulvado on the DEEPWATER HORIZON, who did
24 you then talk to about Mr. Kaluza's
25 availability?

00301:01 A. I reported that to John Guide,
02 Tony's recommendation.

03 Q. What kind -- what -- what was
04 the extent of your discussions with Mr. Guide
05 about Bob Kaluza?

06 A. I just told him that Bob Kaluza
07 was available to go out and -- and John
08 basically said, Okay, good to go.

09 Q. Did John ask you about
10 Mr. Kaluza's experience or his
11 qualifications?

12 A. Not that I recall.

13 Q. Did you offer that up?

14 A. I don't remember.

15 Q. Do you recall if you told him
16 that you had worked with him before?

17 A. I don't know if I -- I'm -- I
18 don't know if I mentioned that to him.

19 Q. Did you forward over any kind of
20 resume or CV or background on Mr. Kaluza to
21 Mr. Guide for his consideration?

22 A. No, I did not.

23 Q. Do you -- did you represent to
24 Mr. Guide that Mr. Kaluza had experience on
25 some very challenging wells in the Thunder
00302:01 Horse field?

02 A. No.

03 Q. Who else did you talk to about
04 Mr. Kaluza's availability to replace or to
05 substitute in for Mr. Sepulvado on the
06 DEEPWATER HORIZON?

07 A. Tony Emmerson.

08 Q. Only Tony --

09 A. Tony --

10 Q. Only Tony Emmerson and John
11 Guide?

12 A. And John, yes -- yes, ma'am.

13 Q. Do you know if John Guide

14 visited with anyone else about Mr. Kaluza's
15 availability or his qualifications?
16 A. No, I do not.
17 Q. Bob Kaluza went to the
18 DEEPWATER HORIZON around April 15th or 16th,
19 correct?
20 A. Somewhere around that time
21 frame.
22 Q. And he was scheduled to be there
23 for roughly five days, through the temporary
24 abandonment of the Macondo well, correct?
25 A. I think the time frame was the
00303:01 16th through the 21st.
02 Q. Did you have any concerns
03 about -- on or about April 16th about sending
04 Bob Kaluza to a challenging well like the
05 Macondo well?
06 A. None whatsoever.

Page 303:13 to 303:18

00303:13 Q. You don't recall having a
14 discussion with Mr. Kaluza or Mr. Guide
15 regarding the attempt to convert the float
16 collar, correct?
17 A. I do not remember having that
18 conversation.

Page 304:02 to 304:22

00304:02 Q. Were you involved with the
03 negative test while it was being conducted?
04 A. No, I was not.
05 Q. Were you called or consulted
06 during the negative test?
07 A. No, I was not.
08 Q. Were you called or consulted
09 after the negative test but before the
10 blowout on April 20th?
11 A. No, ma'am.
12 Q. And you do not recall having any
13 communications with Bob Kaluza between
14 April 16th and April 20th. Is that -- am I
15 understanding your testimony correctly?
16 A. That's correct, I do not
17 remember conversation -- any conversation
18 with Bob Kaluza in that time frame.
19 Q. And you do not recall any
20 communications with Don Vidrine between
21 April 16th and April 20th; is that correct?
22 A. That is correct.

Page 305:04 to 305:08

00305:04 Q. Do I understand that your
05 previous testimony, that you did not have any
06 communications with the DEEPWATER HORIZON
07 engineering team between April 16th and
08 April 20th?

Page 305:11 to 305:12

00305:11 A. I don't recall having any
12 conversation with the engineering team.

Page 305:14 to 306:05

00305:14 Q. Okay. Did you have any
15 communications with anyone on the DEEPWATER
16 HORIZON team between April 16th and
17 April 20th?
18 A. I -- I don't remember.
19 Q. After the blowout on April 20th,
20 was your first contact with Bob Kaluza the
21 interview that you conducted with John Guide?
22 A. Yes.
23 Q. What was discussed during that
24 interview?
25 A. It was a series of questions
00306:01 that I followed through and asked for his --
02 his feedback, and I captured what -- what
03 he -- what he said.
04 Q. And you discussed the negative
05 test during that interview?

Page 306:08 to 306:11

00306:08 A. I've -- asked about the --
09 the -- the questions I followed had a
10 question around the negative test in there,
11 so . . .

Page 306:13 to 306:14

00306:13 Q. And how did Bob Kaluza try to
14 explain what happened with the negative test?

Page 306:17 to 306:18

00306:17 A. I don't remember. I don't have
18 the notes in -- in . . .

Page 306:21 to 306:25

00306:21 MR. MORRISS:

22 They've been marked if they're
23 an exhibit. They were in the --
24 MS. WILLIAMS:
25 They were. Hold on just a

Page 307:05 to 307:07

00307:05 MS. WILLIAMS:
06 3576. Well -- I don't think
07 they're in this stack, are they?

Page 308:01 to 308:03

00308:01 MS. WILLIAMS:
02 They're in the PSC notebook,
03 Tab 34 --

Page 308:16 to 308:16

00308:16 A. Okay.

Page 308:18 to 308:20

00308:18 Q. Yes. What did Bob Kaluza
19 have -- say about the negative test during
20 your interview with him?

Page 308:23 to 309:05

00308:23 A. I wrote down everything Bob said
24 based off the questions that he was asked
25 which talks about the negative test. So this
00309:01 is all his -- his comments that I captured.
02 EXAMINATION BY MS. WILLIAMS:
03 Q. And can you explain that to me
04 after reading that and recalling the
05 conversation?

Page 309:08 to 310:02

00309:08 A. I mean, I can read through it, I
09 mean, but it's -- it's -- it's Bob's comments
10 that I've captured, you know. Do you want me
11 to read it?
12 EXAMINATION BY MS. WILLIAMS:
13 Q. I'd like you to explain to me
14 what was said during the course of your
15 conversation with him regarding the negative
16 test.
17 A. Well, it's here in this
18 document. Everything that he said to me, I
19 captured what he said to me.

20 Q. I would like for you to explain
 21 it to me. I would like for you to explain
 22 the conversation to me. I understand it's
 23 there in the document. I would like for you
 24 to explain the conversation to me that you
 25 had with Bob Kaluza after the incident --
 00310:01 after the blowout on April 20th regarding the
 02 negative test.

Page 310:05 to 313:05

00310:05 A. I asked Bob a series of
 06 questions, and this is what I captured in his
 07 response. He talks through the -- the -- the
 08 alignment and how the -- the negative test
 09 was done.
 10 EXAMINATION BY MS. WILLIAMS:
 11 Q. Which page are you on?
 12 A. 45998.
 13 Q. So pages 45998 through which
 14 page?
 15 A. 999 is --
 16 Q. Pages 45998 through 45999
 17 reflect your notes --
 18 A. Yes, ma'am.
 19 Q. -- from your conversation with
 20 Bob Kaluza where he tries to explain the
 21 negative test to you?
 22 A. Yes.
 23 Q. And this was on Sunday,
 24 April 25, 2010?
 25 A. Yeah, this was his interview
 00311:01 notes or my interview notes.
 02 Q. It says -- I'm sorry. My
 03 hand -- I'm having a hard time reading your
 04 handwriting. So I think it's going to be
 05 best if we talk through these.
 06 A. I can read -- I can read line --
 07 read -- read what you need, so . . .
 08 Q. I talked to --
 09 A. I need help, too.
 10 Q. I think it's going to be best if
 11 we read through these. Can we just start at
 12 the top and we can walk through it? I think
 13 it's going to be best if you do it rather
 14 than me try to read it to you for the record.
 15 A. Okay. This is Bob's response to
 16 the questions that --
 17 Q. And --
 18 A. -- of the interview --
 19 Q. -- the question was what?
 20 A. "Explain the rig up for the
 21 negative differential test.
 22 "I talked to Mark prior to
 23 displacement about kill line monitoring of

24 the well per the APD."
 25 Mark is Hafle.
 00312:01 Q. Uh-huh.
 02 A. APD is approved drilling
 03 program.
 04 "Walked into driller's shack.
 05 Monitoring on" -- but I can't make out
 06 what -- it's -- the word's missing. Notice
 07 12 -- 1260 psi on drill pipe. Talked to
 08 Randy Ezell," who's -- who's Transocean's
 09 toolpusher.
 10 Bob asked the question: "Where
 11 did this come from?"
 12 Randy responded, said, "This is
 13 not uncommon to see drill pipe pressure."
 14 Randy made a comment on that we
 15 do negative tests on drill pipe most of the
 16 time.
 17 Discussion with Jason Anderson.
 18 MR. MORRISS:
 19 Do you him just to read -- do
 20 you want him to read it verbatim? Because
 21 he's not reading it verbatim.
 22 MS. WILLIAMS:
 23 No, he's not reading it
 24 verbatim, and he's providing explanation that
 25 helps make sense of these notes, actually,
 00313:01 which is what I was looking for.
 02 MR. MORRISS:
 03 And I'm okay with that. I just
 04 want the record to reflect that he's not
 05 reading it verbatim.

Page 314:09 to 320:23

00314:09 A. "Discussions with Jason and
 10 Ricky, myself."
 11 Then Jason said, "Each well site
 12 leader does his test in different ways."
 13 Bob made a comment about bladder
 14 effect on the annular in this situation.
 15 Explained that using the annular and heavy
 16 mud on the top of it -- of the equal amount
 17 of differential at that depth.
 18 To bled off the drill -- he
 19 said, "To bled off the drill pipe," where he
 20 was not sure. And then he made a comment
 21 that Halliburton bled it off. That was back
 22 to the Halliburton Unit. "15 barrels to the
 23 cement unit. Flow stopped. Reported this
 24 back to Dewey. Now drill pipe is zero."
 25 "I, Bob Kaluza, talked to Randy
 00315:01 and we agreed to monitor on the kill line per
 02 the APD. We should be able to open the kill
 03 line and this should be equal. Halco" --

04 Halliburton -- "called and said that he was
05 getting a flow. Plus or minus 3-barrel
06 gain."
07 "Bob told subsea to close in the
08 kill line at the BOPs and said he was
09 going -- I am going down to talk to Don
10 Vidrine."
11 There was a question -- the next
12 question was around the 300-barrel gain. And
13 Bob's response was he had talked with Leo,
14 the mud engineer, and they were pumping out
15 sand traps so -- which would have showed the
16 gain back to the pits.
17 EXAMINATION BY MS. WILLIAMS:
18 Q. Right. Before that there was
19 another line. Do you see the pit gain around
20 5:30. Is that the question?
21 A. Yeah.
22 Q. Okay.
23 A. Yeah, that was the question --
24 Q. Okay.
25 A. -- "Do you see the pit gain" --
00316:01 Q. Uh-huh.
02 A. -- around 300" -- and it was --
03 and it was approximately 300 barrels is -- is
04 what was captured.
05 Bob checked -- said Leo was
06 pumping out the sand trap. So that's pumping
07 out right there close to the rig floor back
08 down to the mud pits.
09 "Joe, mud logger, on tower. He
10 told Bob everything is normal. Bob came back
11 to the floor. Kill lines closing the stack.
12 And Don Vidrine came on about that time."
13 "And he talked to Jason again
14 and said that" -- "agreed we'll monitor on
15 the kill line. The team pressured up on the
16 kill line to confirm integrity. Pressured up
17 immediately. Then lined up on the kill line
18 to the mini trip tank," which is a -- it's
19 a -- it's a big trip tank to trip out of the
20 hole. And there's a smaller one that you can
21 watch flow and -- and capture a lot better.
22 "Line up on kill line to mini
23 trip tank. A .6-barrel start gain. .2/10 to
24 .810 of a barrel. Bob continued.
25 "Time 1754. WO" -- I don't know
00317:01 what that says.
02 "Pressure beginning to build
03 which increased the weight on bit. Jason
04 said this happens all the time. Equalizing
05 riser differential in seawater. Everyone --
06 Bob says everyone was aware of the drill pipe
07 pressure at 1400 psi."
08 And the question about the

09 displacement, Bob told -- some mud loggers
10 said the displacement was going good and did
11 not see any gains.
12 Can't make out the first word by
13 that star. "When we -- when we close the
14 kill line, we're getting the gain?
15 "Another star subsea release in
16 air from tensioners. Loud noise around
17 8:00 p.m. There was a schedule of tension
18 air pressure reduction because they were
19 removing the mud out of the riser and putting
20 seawater in it." So they had to bleed the
21 air off the tensioners. And that was the air
22 he was hearing.

23 Q. I noticed that there on page
24 5998 where it mentions the bladder effect,
25 there's a little star, it looks like, next to
00318:01 it. Is that your handwriting, all your
02 handwriting?
03 A. This is -- this is my
04 handwriting.
05 Q. Why did you star that next to
06 the bladder effect?
07 A. I don't know.
08 Q. Was that the first time you had
09 ever heard of the bladder effect, during this
10 interview?
11 A. Yes.
12 Q. And then Mr. Kaluza followed up
13 on the 25th with his e-mail to you talking
14 about the bladder effect, correct?
15 A. Yes, there was an e-mail.
16 Q. That was Exhibit 759, which we
17 looked at earlier in someone's notebook. I'm
18 sorry I'm not sure who. That's Tab 48,
19 though, in my notebook. Here, I'll give you
20 a copy.
21 But this interview with him was
22 conducted, I believe we said, on April 25th.
23 So this would have been later that evening
24 that you followed up with this e-mail
25 regarding the bladder effect. Is that
00319:01 accurate?
02 A. I'm sorry. Say -- say that
03 again, please.
04 Q. Your interview was conducted
05 with Mr. Kaluza on the 25th. Your notes were
06 just in front of you.
07 MS. WILLIAMS:
08 Sorry.
09 MR. MORRISS:
10 Here, I've got them right here.
11 A. Yes, ma'am.
12 EXAMINATION BY MS. WILLIAMS:
13 Q. And so, then, he followed up

14 later that evening with this e-mail to you
15 dated April 25th, the bottom e-mail from
16 Mr. Kaluza to Mr. Guide and yourself?
17 A. Yes -- yes -- yes, ma'am.
18 Q. Explaining the bladder effect
19 further, correct?
20 A. Yes.
21 Q. And we visited about this
22 e-mail. Everyone seemed to be a bit
23 perplexed about that bladder effect, correct?
24 A. I -- I didn't understand it. I
25 mean, you know --
00320:01 Q. Mr. O'Brien didn't seem to
02 understand it either, did he?
03 A. It's a lot of question marks.
04 Q. It is a lot of question marks.
05 A. Yes.
06 Q. How did you feel about your
07 interview with Mr. Kaluza when you got off
08 the phone with him? Did you understand what
09 he was telling you about the negative test?
10 A. Yes, I understood what he was
11 relaying to me, what I captured in my notes,
12 yes.
13 Q. Did you -- I think what I'm
14 trying to ask you: Did you understand what
15 he was telling you about the bladder effect
16 and the pressure readings that they were
17 seeing on the rig during the negative test?
18 Did they make sense to you?
19 A. No, they did not.
20 Q. And after he followed up with
21 his e-mail on April 25th at 8:23 p.m., in
22 Exhibit 759, did it make sense to you?
23 A. No, it did not.

Page 321:09 to 322:04

00321:09 Q. I just handed you a document.
10 The first page is an e-mail from Doug Chester
11 to you -- the Bates number is
12 BP-HZN-2179MDL02031865 -- that talks about
13 these Excellent Networks.
14 Do you recognize this document?
15 It includes an exhibit that appears to be a
16 PowerPoint titled "Drilling & Operations,
17 Excellence Networks."
18 A. Yes, I'm familiar with this.
19 Q. What is your role in these
20 Excellence Networks?
21 A. Basically, I'm the -- support
22 the GoM, represent the GoM in -- in the
23 networks for the drilling -- drill -- the
24 Operations -- I'm sorry -- Operations
25 Excellence Network. And -- and -- and

00322:01 there -- this is a group of people that
02 review learnings and incidents across the --
03 the globe and try to communicate and present
04 this to others within the organization.

Page 322:11 to 323:09

00322:11 Q. But do these Excellent Networks
12 go -- Excellence Networks go beyond just once
13 a month conference calls until -- they --
14 they seem to do more than just that, correct?
15 A. Yes. There's some deliverables
16 that are attached to it, you know, some --
17 that each network has -- has on their
18 performance contract each year about
19 identifying different items and -- and
20 documents and tools to help -- to help the
21 company.
22 Q. And on Bates No. 1869 there are
23 a list of 2009 deliverables.
24 A. Yes.
25 Q. Are these things that were going
00323:01 to come out in the form of some sort of
02 procedure manuals or best practice manuals?
03 What type of deliverables were these?
04 A. Well, these -- these
05 deliverables were for all the networks. It
06 wasn't just the Operations Network. So these
07 would come out in -- in handbooks,
08 checklists, you know, guidance -- guidance
09 documents.

Page 324:14 to 324:14

00324:14 Exhibit 4077.

Page 327:10 to 327:12

00327:10 Mr. Daigle. My name is Peter Neger. And
11 together with my colleague, Brandy Russell,
12 we represent Anadarko.

Page 328:07 to 328:20

00328:07 Q. About how many negative pressure
08 tests did you participate in when you were a
09 well site leader?
10 A. I would say on average probably
11 one or two a year.
12 Q. Okay. And -- and what was
13 the -- what kind of participation did you
14 have? Were -- were you -- did you write the
15 procedure, did you observe it, were you --

16 what -- what was -- what was involved?
 17 A. Observed the -- the -- the
 18 pressure test.
 19 Q. Okay. And was it your role as
 20 well to interpret the results of the test?

Page 328:23 to 328:24

00328:23 A. I would be -- I would look at
 24 the -- the results of the test, yes.

Page 329:01 to 329:19

00329:01 Q. Okay. How did you learn what --
 02 how to interpret the results of the test?
 03 A. Experience in working with --
 04 with -- with other well site leaders and
 05 understanding, you know, the negative test.
 06 Q. Okay. And -- and so how many
 07 years did you serve as a well site leader? I
 08 just don't remember.
 09 A. That was from 1997.
 10 Q. To 2005?
 11 A. 2005.
 12 Q. So seven years?
 13 A. Yes.
 14 Q. So anywhere between 7 and 12
 15 negative pressure tests?
 16 A. Yes, sir.
 17 Q. Okay. Did -- did any of them
 18 ever fail?
 19 A. No, sir.

Page 333:13 to 333:25

00333:13 Q. Okay. And Mr. Emmerson
 14 suggested Mr. Kaluza as a replacement for
 15 Ronnie Sepulvado, and you conveyed that
 16 recommendation to Mr. Guide?
 17 A. Yes, sir, I did.
 18 Q. Okay. And Mr. Guide was the one
 19 who ultimately decided?
 20 A. Yes, sir.
 21 Q. Okay. Do you know what factors
 22 Mr. Emmerson took into account in deciding
 23 whether to -- to use -- recommend Mr. Kaluza
 24 or somebody else?
 25 A. No, I don't.

Page 334:09 to 335:07

00334:09 Q. Is the identity of the other
 10 well site leader -- each -- each -- each rig

11 has two well site leaders, right?
 12 A. Yes, sir.
 13 Q. So that people are on and off
 14 shift.
 15 So is the identity of the other
 16 well site leader something that's taken into
 17 account when considering who to assign to a
 18 rig?
 19 A. I don't know.
 20 Q. Do you know whether the
 21 experience of the other well site leader on
 22 board the vessel is something that's taken
 23 into account when deciding who to assign to a
 24 rig?
 25 A. Not sure.
 00335:01 Q. Is the identity of the well's
 02 team leader supporting the well something
 03 that's taken into account when deciding who
 04 to assign to a rig?
 05 A. The well's team leader?
 06 Q. Yes, sir.
 07 A. Not that I'm aware of.

Page 335:14 to 337:16

00335:14 Q. Sure. Is the nature of the --
 15 the operations expected to be performed,
 16 what -- what they're going to do during
 17 the -- the period of time that the substitute
 18 well site leader is being assigned to the
 19 rig, is that taken into account at all in
 20 deciding who's going to get assigned to be
 21 the substitute well site leader?
 22 A. Not that I'm aware of.
 23 Q. Okay. And -- and -- and is it
 24 fair to say, sir, that you don't -- you're
 25 also not aware whether the experience of the
 00336:01 well site leader in performing those expected
 02 operations is taken into account?
 03 A. Experience of our well site
 04 leaders are -- are -- are to the point where
 05 you can -- you can basically put a well site
 06 leader on any one of our operations to
 07 perform.
 08 Q. So all of your well site leaders
 09 are equally experienced and -- and
 10 competent --
 11 A. Competent.
 12 Q. -- at going on to -- to any rig
 13 in the Gulf of Mexico?
 14 A. Yes.
 15 Q. Okay. Is the history of the --
 16 the subject well and whether there are any
 17 particular challenges associated with that
 18 well taken into account in deciding which

19 well site leader to assign as a substitute on
 20 a given rig?
 21 A. No, not that I'm aware of.
 22 Q. Okay. Now, I -- we've talked a
 23 lot today about your involvement in the
 24 assignment of Bob Kaluza to the DEEPWATER
 25 HORIZON in April 2010, right?
 00337:01 A. Yes, sir.
 02 Q. And Mr. Kaluza was assigned to
 03 substitute for Ronnie Sepulvado, right?
 04 A. He was the replacement for --
 05 for -- for Ronnie, yes.
 06 Q. Okay. And Mr. Sepulvado was an
 07 experienced well site leader, right?
 08 A. Yes.
 09 Q. Okay. And he was a highly
 10 regarded well site leader in the Gulf of
 11 Mexico group, correct?
 12 A. Yes.
 13 Q. Okay. And he had served on the
 14 DEEPWATER HORIZON as a well site leader for
 15 several years, correct?
 16 A. That is correct.

Page 338:20 to 340:05

00338:20 Q. Okay. In -- in mid-April 2010
 21 when you were asked to find a replacement for
 22 Mr. Sepulvado, did you know what operations
 23 were expected to be taking place on the
 24 DEEPWATER HORIZON during his assignment?
 25 A. Yes.
 00339:01 Q. Okay. You knew that they were
 02 going -- they were getting towards the end
 03 of the well, they were going to be performing
 04 cementing, and negative pressure tests, and
 05 temporary abandonment procedures, right?
 06 A. Yes, sir.
 07 Q. Okay. And can we agree that
 08 those are important procedures in the --
 09 the -- the procedure of drilling a well?
 10 A. They're all part of -- of the
 11 important procedure, yes.
 12 Q. Okay. And you knew that the
 13 Macondo well had been a challenging well,
 14 correct?
 15 A. Yes.
 16 Q. Okay. And that it had
 17 experienced a significant kick on March
 18 the 8th?
 19 A. It did -- it did have a well
 20 control event on March 8th, yes, sir.
 21 Q. Okay. And that it had a stuck
 22 drill pipe that required the crew to
 23 sidetrack the well. Do you recall that?

24 A. Yes, sir.
 25 Q. Okay. And do you recall as well
 00340:01 that the Macondo well was \$10 million over
 02 AFE in mid-March and was predicted to become
 03 at least \$20 million over AFE by the time it
 04 got back to equivalent depth on the
 05 sidetrack?

Page 340:08 to 340:09

00340:08 A. I wouldn't know the -- the
 09 numbers of the well.

Page 340:11 to 341:08

00340:11 Q. Okay. If you look at Tab 14 in
 12 your book, sir. This has previously been
 13 marked as Exhibit 1958. Do you -- do you
 14 recognize this e-mail, sir? I think it's
 15 from Mr. Little to Mr. Sims and Mr. Guide
 16 with a cc to you.
 17 A. Yes, I recognize --
 18 Q. You received --
 19 A. -- it now.
 20 Q. You received that -- that --
 21 A. Yes.
 22 Q. -- e-mail, right? Okay.
 23 And -- and it -- it attaches or,
 24 I guess, forwards an e-mail from Mr. Sims to
 25 Mr. Rich and a bunch of other people from
 00341:01 March 11, 2010. Do you see that?
 02 A. Yes, sir.
 03 Q. Okay. And do you see at the
 04 bottom of the e-mail that Mr. Sims writes
 05 that -- in terms of cost, that the well was
 06 currently \$10 million over AFE and we will
 07 likely double that by the time we get back to
 08 this equivalent depth on the sidetrack?

Page 341:11 to 341:11

00341:11 A. Yes, I read that, yes, sir.

Page 341:13 to 342:10

00341:13 Q. Okay. And does that refresh
 14 your recollection, sir, that at the time that
 15 Mr. Kaluza was assigned to represent --
 16 excuse me -- to substitute for Mr. Sepulvado,
 17 the Macondo well was at least \$10 million
 18 over AFE and predicted to go higher?
 19 A. Yes, this is what David Sims
 20 states.

21 Q. Right. Okay.
 22 Now, when -- when you passed on
 23 information to Mr. Guide that Mr. Emmerson
 24 had suggested Mr. Kaluza be assigned to his
 25 well, did you discuss Mr. Kaluza's experience
 00342:01 with -- with Mr. Guide?
 02 A. No, I did not.
 03 Q. Okay. Do you know what Mr. --
 04 what prior experience Mr. Kaluza had with
 05 deepwater drilling at that time?
 06 A. Yes, Bob and I worked in deep
 07 water in 2001. And he was assigned to the
 08 HORIZON 2002, and then he left and came back
 09 and worked on Mad Dog and then on the THUNDER
 10 HORSE PDQ.

Page 343:03 to 344:08

00343:03 Q. Okay. Had Mr. Kaluza previously
 04 served on a -- on a mobile offshore drilling
 05 unit prior to -- I guess -- I guess you said
 06 he had served originally on the HORIZON and
 07 then had -- had rotated off of the HORIZON
 08 for several years before going back on in
 09 2010, right?
 10 A. Yes, sir.
 11 Q. Okay. So other than that --
 12 that stint on the HORIZON -- I think you said
 13 in twenty -- in 2002?
 14 A. Yes, sir.
 15 Q. Was -- was that Mr. Kaluza's
 16 last prior experience with an MODU, to your
 17 knowledge?
 18 A. I don't know if -- if he had any
 19 other stints in between there. It's hard for
 20 me to say.
 21 Q. Okay. The --
 22 A. I don't remember.
 23 Q. The PDQ was not a MODU, right?
 24 A. The PDQ was a -- a floating
 25 facility with moored capabilities.
 00344:01 Q. Did you discuss with Mr. Guide
 02 whether he had previously worked with
 03 Mr. Kaluza?
 04 A. No, sir.
 05 Q. And I think that you testified
 06 earlier that ultimately the decision to
 07 assign Mr. Kaluza to the DEEPWATER HORIZON
 08 was Mr. Guide's; is that correct?

Page 344:11 to 344:13

00344:11 A. That's correct. John -- John
 12 Guide had the final decision about Mr. Kaluza

13 joining the HORIZON.

Page 344:15 to 344:18

00344:15 Q. And do you know what the basis
16 for his decision or -- or to accept
17 Mr. Kaluza was?
18 A. No, sir, I do not.

Page 344:21 to 344:22

00344:21 (Exhibit No. 4078 marked for
22 identification.)

Page 345:01 to 346:04

00345:01 Do you recognize this document,
02 sir?
03 A. Yes, I do.
04 Q. Okay. And -- and is this the
05 e-mail by which you informed Mr. Guide that
06 Mr. Kaluza would be assigned to the DEEPWATER
07 HORIZON?
08 A. Yeah, this is the e-mail that
09 goes to John Guide informing him Bob Kaluza
10 is available to cover for Ronnie.
11 Q. Okay. And did you also have
12 a -- in addition to this e-mail, did you also
13 have a telephone conversation with Mr. Guide
14 or a face-to-face conversation with him?
15 A. Yes, yes, we -- we talked over
16 the phone.
17 Q. Okay. Around the time of -- of
18 this e-mail, which is April 6, or at some
19 other time?
20 A. It was around this April 6 time
21 frame, yes.
22 Q. Okay. And in your -- in your
23 e-mail you write, "Tony has" -- "has Bob
24 Kaluza that can cover for you from April 16
25 to April 21st. This should be okay, as he and
00346:01 Don Vidrine worked together a few years ago."
02 Do you see that? Did I read
03 that right?
04 A. Yes, sir.

Page 346:12 to 347:03

00346:12 Q. I mean, is the best that you
13 could say to Mr. Guide about Mr. Kaluza's
14 qualifications to serve as Ronnie Sepulvado's
15 replacement, that he worked with Don Vidrine
16 a few years before?

17 A. My -- my reason for -- for this
 18 comment was that it would be an easier
 19 transition for -- for Bob once he -- he got
 20 on the -- the DEEPWATER HORIZON because Don
 21 Vidrine was there.

22 Q. And -- and, therefore, it was
 23 because he was familiar with Mr. Vidrine from
 24 years before, he could transition more
 25 easily. Is that your conclusion?

00347:01 A. Yes, that's the -- that's my --
 02 that's what I wrote this -- this -- this
 03 sentence about.

Page 349:22 to 350:10

00349:22 Q. Okay. Sir, as you sat in
 23 your -- your desk on April the 6th, 2010, did
 24 you believe that Mr. Kaluza was the best
 25 available person within the BP organization

00350:01 to take on the job of substituting for
 02 Ronnie Sepulvado on the DEEPWATER HORIZON at
 03 a time when the vessel was about to undertake
 04 critical drilling operations?

05 A. Yes. I had no problem with
 06 Bob Kaluza being on the -- on the DEEPWATER
 07 HORIZON.

08 Q. My question was: Was he the
 09 best available person?

10 A. Yes.

Page 350:24 to 350:25

00350:24 Q. Okay. If you would turn to
 25 Tab 57 --

Page 351:04 to 351:05

00351:04 It's previously marked
 05 Exhibit 3568, additional copies for you.

Page 351:07 to 351:22

00351:07 Q. These are the well site leader
 08 ranking spreadsheets that we discussed
 09 earlier today.

10 My question, sir, is: What is
 11 the purpose of this document?

12 A. The purpose of this document is
 13 to rank the well site leaders which would, in
 14 turn, determine their bonus pay at the end of
 15 the year.

16 Q. Okay. And -- and they're given
 17 scores, are they not?

18 A. That is correct.
19 Q. Okay. And do you regularly
20 receive copies of documents such as this?
21 A. They're conducted every year, so
22 I would receive --

Page 351:24 to 352:11

00351:24 A. -- I would be copied on -- on
25 it, yes, sir.
00352:01 Q. Okay. And -- and have you
02 received copies of ranking spreadsheets of
03 this sort since November 2009 when this
04 document was prepared?
05 A. Yes, I would have received
06 the -- in the year 2010.
07 Q. Okay. And the first column of
08 the well site leader ranking spreadsheet
09 identifies the well site leaders by name,
10 right?
11 A. Yes, sir.

Page 353:15 to 353:19

00353:15 Q. Okay. And if you look at the
16 first page of the -- the spreadsheet, the
17 Sepulvados, Murry and Ron, are among the top
18 10 scoring well site leaders in this group;
19 is that right?

Page 353:22 to 353:23

00353:22 A. According to this list, yes,
23 sir.

Page 353:25 to 354:07

00353:25 Q. Okay. And Murry received a
00354:01 weighted ranking score of 4.25 out of 5; is
02 that right?
03 A. Yes, that's what it says.
04 Q. Ronnie received a weighted
05 ranking score of 4.15 out of 5. Do you see
06 that?
07 A. Yes, sir.

Page 354:13 to 355:22

00354:13 Q. According to this ranking sheet,
14 Mr. Kaluza is not among the top 10; is that
15 right?
16 A. This ranking sheet is used

17 solely to identify what level of bonus these
18 individuals will get. It does not have
19 anything to do with the competency of any one
20 of these individuals on this list.
21 Q. I believe that you testified
22 earlier today that you're aware of no other
23 ranking sheets or scoring for well site
24 leaders in the Gulf of Mexico; is that right?
25 A. Yes, sir.
00355:01 Q. Okay. So am I right that
02 Mr. Kaluza is not ranked among the top 10
03 well site leaders in the Gulf of Mexico
04 according to BP's ranking system?
05 A. I don't know.
06 Q. Well, is he in the top 10 on
07 this -- on this score card, sir?
08 A. Not on this score card.
09 Q. Okay. Is -- are you aware of
10 any score card in which he is listed among
11 the top 10?
12 A. No, I'm not.
13 Q. Okay. And in this score card
14 he's not listed among the top 20, is he?
15 A. On this list, he is not.
16 Q. Okay. And in this list he's not
17 ranked among the top 30, is he?
18 A. That's correct.
19 Q. Okay. And -- and, in fact, he's
20 not even in the top 40. He's -- he's the --
21 the 42nd out of 45 well site leaders ranked
22 on this list, right?

Page 355:25 to 355:25

00355:25 A. Yeah, for bonus pay.

Page 356:02 to 356:17

00356:02 Q. Okay. And bonus pay is
03 something that is given on a merit basis,
04 isn't it?
05 A. Once you achieve all these
06 weighted scores here, that determines your
07 level of bonus. Again, it has nothing to do
08 with the competency of the individuals.
09 Q. Now, you stated that as a well
10 site -- or excuse me -- as a wells operations
11 advisor, you were aware that the well site
12 leaders received a performance assessment,
13 right?
14 A. Yeah. They have -- they have
15 their end-of-the-year performance review.
16 Q. Okay. And let me ask you, sir,
17 to turn to Tab 58 in your binder once again.

Page 356:19 to 356:19

00356:19 Exhibit 3555.

Page 356:24 to 357:13

00356:24 Q. Let me ask you to turn, please,
25 to the page with the Bates number at the
00357:01 bottom ending in 0723. Do you have that?
02 A. Yes, sir.
03 Q. In the second box from the
04 bottom labeled "Year-End Assessment,"
05 Mr. Kaluza's managers write, "Bob likes to
06 point out the immediate successes of the rig
07 crew but seems to have a blind spot for areas
08 where performance improvements are required.
09 He needs to consider the overall longer term
10 performance and strive to work for safer,
11 more reliable and consistent performance
12 across all operations."
13 Did I read that right?

Page 357:16 to 357:17

00357:16 A. Yes, that's what -- what you
17 read.

Page 357:19 to 358:03

00357:19 Q. Okay. Now, sir, if you had
20 known in April 2010, when considering the
21 assignment of a substitute for
22 Ronnie Sepulvado to the DEEPWATER HORIZON rig
23 that was drilling a challenging well and was
24 about to engage in critical operations, that
25 less than one month earlier Mr. Kaluza's
00358:01 managers had found that he had a blind spot
02 for areas of improvement from the rig crew,
03 would that have been a concern to you?

Page 358:06 to 358:08

00358:06 A. I don't know. I'd have to be
07 on -- I'd have to understand what blind spot
08 means.

Page 358:10 to 359:01

00358:10 Q. Okay. Let's go to the last box,
11 sir. In the last box on that same page,
12 Mr. Kaluza's managers write, "It sometimes

13 appears that Bob is trying too much to
 14 impress the Houston office by attempting to
 15 have all the answers to any questions that
 16 may arise. There have been times where this
 17 has clearly not been the case and is also
 18 apparent that giving priority to WSL office
 19 preparation for meeting can distract from
 20 other more important rig operational issues.
 21 Can't assure HSE and rig operational
 22 performance will be aware of the details of
 23 how the crews are executing their jobs from
 24 the WSL office."
 25 Do you see that?
 00359:01 A. Yes, sir.

Page 359:05 to 359:13

00359:05 Q. Now, if you had known in
 06 April 2010, when considering the assignment
 07 of Mr. Kaluza to the DEEPWATER HORIZON rig
 08 that was drilling a challenging well and
 09 about to engage in critical operations, that
 10 less than one month earlier Mr. Kaluza's
 11 managers had observed that Mr. Kaluza was
 12 frequently absent from the rig floor, would
 13 this have been a concern to you?

Page 359:16 to 359:16

00359:16 A. I don't know.

Page 359:18 to 360:05

00359:18 Q. Let me show you a document
 19 that's been previously marked as
 20 Exhibit 6069.
 21 Mr. Daigle, are you familiar
 22 with the BP process called safety pulse
 23 checks?
 24 A. Yes.
 25 Q. Okay. And they are a process to
 00360:01 collect and analyze comments from the crews
 02 on the BP -- on BP's rigs to determine what
 03 they're thinking and how they perceive how BP
 04 is managing its business on the rigs, right?
 05 A. Yes, sir.

Page 360:09 to 361:08

00360:09 Q. And are you aware, sir, that a
 10 safety pulse check was performed on the
 11 THUNDER HORSE rig in March 2010?
 12 A. No, I don't recall.

13 Q. Okay. Now, that's the rig that
14 Mr. Kaluza was assigned to serve as the well
15 site leader before you asked him to
16 substitute for Mr. Sepulvado on the
17 DEEPWATER HORIZON in April 2010, right?

18 A. Before I asked Tony Emmerson for
19 a -- a relief to -- for Ronnie.

20 Q. Fair point.
21 Now, the -- the THUNDER HORSE
22 rig is owned by BP and was operated by Pride,
23 right?

24 A. That is correct.

25 Q. Okay. So turning to the
00361:01 document in front of you, if you look at page
02 ending 5469, were you aware, sir, that one
03 month before Mr. Kaluza was assigned to serve
04 as the substitute well site leader on the
05 DEEPWATER HORIZON rig, crew members on the
06 THUNDER HORSE rig where he had been the well
07 site leader complained that a wall exists
08 between BP and Pride?

Page 361:11 to 361:11

00361:11 A. No, I did not.

Page 361:13 to 361:20

00361:13 Q. Okay. Were you aware that one
14 month before Mr. Kaluza was assigned to serve
15 as the substitute well site leader on the
16 HORIZON rig, operators on the THUNDER HORSE
17 rig where Mr. Kaluza was the well site leader
18 expressed concern about Pride's crew's low
19 morale and how this affects safety
20 performance?

Page 361:23 to 361:23

00361:23 A. No, sir, I was not.

Page 361:25 to 362:06

00361:25 Q. Were you aware that one month
00362:01 before you assigned Mr. Kaluza to serve as
02 the substitute well site leader on the
03 DEEPWATER HORIZON, crew members on the
04 THUNDER HORSE rig, where Mr. Kaluza was the
05 well site leader, complained that supervisors
06 are intimidating hands?

Page 362:09 to 362:11

00362:09 A. I did not assign Mr. Kaluza to
10 the DEEPWATER HORIZON. And, no, I did not
11 know about this.

Page 362:13 to 362:19

00362:13 Q. Okay. Were you aware that one
14 month before Mr. Kaluza was assigned to serve
15 as the substitute well site leader on the
16 DEEPWATER HORIZON crew members on the THUNDER
17 HORSE rig where Mr. Kaluza was the well site
18 leader complained that the crew is fearful of
19 being fired every day?

Page 362:22 to 362:22

00362:22 A. No, sir, I was not.

Page 362:24 to 363:09

00362:24 Q. Okay. Were you aware that one
25 month before Mr. Kaluza was assigned to serve
00363:01 as the substitute well site leader on the
02 DEEPWATER HORIZON crew members on the
03 THUNDER HORSE rig, where Mr. Kaluza was the
04 well site leader, complained that there was a
05 general feeling on the rig that the crew
06 would be fired if they stopped the job if
07 they got hurt or questioned a supervisor and
08 that this sentiment was expressed by both the
09 well's and the nonwell's teams?

Page 363:12 to 363:16

00363:12 A. No. Bob Kaluza was not the only
13 well site leader on the THUNDER HORSE PDQ.
14 There's -- there's five well site leaders
15 assigned to this -- this operation. And, no,
16 I did not know that, sir.

Page 363:18 to 363:25

00363:18 Q. Okay. Now, I want to go switch
19 gears a little bit and go back to your --
20 your notes of your interviews with
21 Mr. Vidrine and Mr. Kaluza. I think that
22 they've been previously -- in fact, I know
23 that they've been previously marked as
24 Exhibit 3576, but they're at Tab 44 in the
25 book in front of you, sir.

Page 368:21 to 370:06

00368:21 Q. Okay. When Mr. Kaluza mentioned
22 the bladder effect to you, did that sound to
23 you like a reasonable explanation of the
24 pressure differential which occurred during
25 the negative pressure test on board the
00369:01 DEEPWATER HORIZON?
02 A. I did not understand the
03 explanation of the bladder effect, no, sir.
04 Q. Okay. Did you ask him to
05 explain the bladder effect to you?
06 A. No, I do not recall asking him
07 to go into detail around this bladder effect.
08 Q. Okay. If you would turn to
09 Tab 45 in your binder, which has been
10 previously marked as Exhibit 759. And we've
11 looked at it today. The e-mail that
12 Mr. Kaluza sent to you and Mr. Guide on
13 Sunday, April the 25th is -- has a time mark
14 on it of 8:23 p.m., right?
15 A. Yes, sir.
16 Q. Okay. And if you look at your
17 notes of your teleconference with Mr. Kaluza,
18 I think that they show that the call took
19 place on -- at 12:50 or 12:30 p.m.?
20 A. Yes, sir, 12:30 on Sunday --
21 Q. 12:30 on Sunday?
22 A. -- yeah.
23 Q. Did -- did you ask Mr. Kaluza to
24 send you an e-mail explaining what he meant
25 by the bladder effect?
00370:01 A. No, I did not.
02 Q. Okay. So this e-mail that
03 Mr. Kaluza sent to you was completely
04 unsolicited; is that right?
05 A. Yes, this was all Bob sending a
06 note to John and myself.

Page 373:21 to 373:22

00373:21 Q. Mr. Daigle, my name is Kat
22 Gallagher, and I represent Cameron.

Page 378:24 to 379:23

00378:24 Q. When you suggested Bob Kaluza to
25 take over as well site leader for
00379:01 Mr. Sepulvado, was he the only person who was
02 available?
03 A. I didn't place Bob Kaluza in the
04 role of well site leader on the HORIZON.
05 Tony Emmerson, the well's team leader that
06 Bob Kaluza reported to, is -- made the

07 recommendation that Mr. Kaluza was available.
 08 Q. Did you get any other
 09 recommendations?
 10 A. Mr. Stanhope was recommended.
 11 Q. But he couldn't do it because he
 12 had to go to well-control school?
 13 A. Yes, ma'am.
 14 Q. All right. Was there anybody
 15 other than those two individuals who was
 16 recommended?
 17 A. Oh, no, ma'am.
 18 Q. All right. Do you know if
 19 anybody other than Bob Kaluza was available
 20 to fill in for Mr. Sepulvado?
 21 A. No, I don't know. I didn't know
 22 their schedules. Tony Emmerson would know
 23 the -- the rest of his people.

Page 380:23 to 381:05

00380:23 Q. Okay. And this is referencing a
 24 meeting in 2007 with Wild Well Control to
 25 talk about doing a risk assessment and
 00381:01 potentially changing the BOP stack on the
 02 DEEPWATER HORIZON, correct?
 03 A. Yes.
 04 Q. And this was initiated by BP?
 05 A. Yes.

Page 381:21 to 382:01

00381:21 Q. Do you know why BP was
 22 interested in doing a risk assessment on the
 23 DEEPWATER HORIZON BOP stack?
 24 A. No, I do not recall why.
 25 Q. Or why BP was thinking about
 00382:01 altering the BOP stack?

Page 382:04 to 382:04

00382:04 A. No, ma'am.

Page 383:19 to 384:08

00383:19 Q. All right. Would you ever refer
 20 to a BOP as fail-safe?
 21 MR. MORRISS:
 22 Object to the form.
 23 A. No.
 24 EXAMINATION BY MS. GALLAGHER:
 25 Q. Why not?
 00384:01 A. I don't know. I just -- I just
 02 don't see it as -- as fail-safe.

03 Q. And you know it's not fail-safe
04 through your experience of working on rigs
05 for the better part of 40 years now --
06 MR. MORRISS:
07 Object to the form.
08 A. Correct.

Page 384:11 to 384:14

00384:11 And, in fact, BP had experience
12 with problems with BOP -- BOPs on the
13 ENTERPRISE. Do you remember that, in 2009
14 and through 2010?

Page 384:17 to 385:04

00384:17 A. I don't recall the specifics
18 around the -- the -- the problems.
19 EXAMINATION BY MS. GALLAGHER:
20 Q. There was a BOP manufactured by
21 Hydril, which is another BOP manufacturer,
22 right?
23 A. Yes, ma'am.
24 Q. All right. And according to
25 this document -- I'll show it to you, if you
00385:01 want -- in between September of 2009 and
02 March of 2010, there were more than 50 days
03 of downtime related to both major and minor
04 problems with the BOP. Do you recall that?

Page 385:21 to 385:21

00385:21 A. No, it's not a BP rig.

Page 386:16 to 386:21

00386:16 Q. All right. Do you know why you
17 were sent this document?
18 A. Tim Burns is just giving me an
19 FYI of -- of -- of what some of the
20 experiences were around the world. He just
21 sent it to me for -- for my information.

Page 388:02 to 401:20

00388:02 Q. Mr. Daigle, it's been a long --
03 long day. Chad Morriss. And as you know, I
04 represent BP. And I have just a few
05 questions and finish you up and get you on
06 your way.
07 A. Yes, sir.
08 Q. If you'll look at one of the

09 documents that is in front of you, it's
10 identified as Exhibit No. 3555.
11 A. Yes, sir.
12 Q. And if you turn to page 2, it
13 identifies the 2009 annual individual
14 performance assessment. Do you see that at
15 the top of the page?
16 A. Yes, sir.
17 Q. And this is for Mr. Kaluza,
18 correct?
19 A. That is correct.
20 Q. And do you remember that counsel
21 for Anadarko asked you a series of questions
22 about one or two of the paragraphs in this
23 document, correct?
24 A. Yes, sir, I remember.
00389:01 Q. But -- but Exhibit 3555 is
02 actually a one, two, three -- four-page
03 document with various information about
04 Mr. Kaluza, correct?
05 A. Yes, sir.
06 Q. And if you'll turn to the third
07 page of that appraisal form, there's a
08 section that's identified, Behaviors in
09 Support of Delivery. Do you see that
10 section?
11 A. Yes, sir.
12 Q. And there's a block that says,
13 "Year End Assessment"?
14 A. Yes.
15 Q. And it says, "Energize people -
16 Foster effective teamwork and collaboration."
17 Do you see that sentence?
18 A. Yes, I do.
19 Q. And if you'll read the next
20 sentence for me, please.
21 A. "Bob is naturally outgoing and
22 has shown he can work well across many teams
23 on the PDQ and get them working together."
24 Q. And how about the next sentence.
25 What does it say?
00390:01 A. "He has developed good working
02 relationships with other leaders on the rig."
03 Q. All right. And if you'll look
04 down at the next heading under that section,
05 it says, "Deliver results." Do you see that?
06 See that word? It says, "Deliver results -
07 drive continuous improvement"?
08 A. Yes, sir.
09 Q. And if you'll read that next
10 sentence for me.
11 A. "Bob has shown areas where he
12 has strived to incorporate lessons learned in
13 detailed plans to improve performance on the
rig, and with some success in completion"

14 installations.

15 Q. All right. And if you'll turn
16 over to the next page, there's a section
17 that's called Overall Performance. Do you
18 see that?

19 A. Yes, sir.

20 Q. All right. And then the first
21 sentence there reads, "Bob is a very
22 enthusiastic" -- enthusiastic well site
23 leader "who easily develops working
24 relationships across leadership levels on the
25 PDQ and uses them to get the work done to
00391:01 expectations. He is...naturally outgoing
02 person who builds and uses personal
03 relationships in the offshore working
04 environment to effectively build trust and to
05 get things done."

06 Did I read that correctly?

07 A. Yes, sir.

08 Q. And is that under the section of
09 Bob Kaluza's overall performance?

10 A. It's in the Bob -- overall
11 performance.

12 Q. Then if you'll look in the next
13 paragraph, "During 2009, Bob has worked hard
14 to improve operational performance of the PDQ
15 rig and has had some successes," correct?
16 Did I read that correctly?

17 A. Yes.

18 Q. And is that all part of
19 Bob Kaluza's 2009 annual individual
20 performance appraisal?

21 A. Yes, it is.

22 Q. And were you shown any of those
23 sections when you were asked questions by
24 Anadarko's lawyer?

25 A. No, sir.

00392:01 Q. All right. Now, if you'll go to
02 the next document that's in front of you,
03 it's identified as Exhibit No. 6069. Do you
04 see that?

05 A. Yes, sir.

06 Q. And the -- the first page is an
07 e-mail, but the second page begins a "Safety
08 Pulse Check #4 "A" CREW," correct?

09 A. Yes, A crew.

10 Q. Now, you -- you were asked a
11 series of questions that came from individual
12 comments in the back of this section,
13 correct?

14 A. Yes, sir.

15 Q. Did you have anything to do with
16 putting this document together?

17 A. No, sir.

18 Q. Did you have anything to do with

19 doing whatever analysis was done to complete
 20 the Safety Plus Check No. 4 survey that's in
 21 front of you?
 22 A. No, I did not.
 23 Q. All right. Well, I would like
 24 you to look at the front page of this. You
 25 see there are a line of items numbers 1
 00393:01 through 20 on the first page?
 02 A. Yes, sir.
 03 Q. And if you look sort of at the
 04 right hand going from each number, there's a
 05 question and then a -- a yes or a no and then
 06 a percentage.
 07 Do you see that on this
 08 document?
 09 A. Yes, sir.
 10 Q. All right. Now, I want you to
 11 go down to Line No. 11. And the question
 12 reads, "Do you understand the process of how
 13 to report an unsafe condition on the PDQ?"
 14 Now, what is the PDQ?
 15 A. An acronym that stands for
 16 performance -- production drilling quarters.
 17 Q. Okay.
 18 A. Excuse me. That's the THUNDER
 19 HORSE PDQ.
 20 Q. And when the question was asked
 21 of -- of this crew, "Do you understand the
 22 process of how to report an unsafe
 23 condition," how many said yes?
 24 A. 183.
 25 Q. And what percentage of the crew
 00394:01 said yes to understanding the process of how
 02 to report an unsafe condition?
 03 A. 98 --
 04 Q. All right. And if you'll --
 05 A. -- percent.
 06 Q. -- go down to Question No. 15,
 07 the question reads, "Do you feel you can
 08 raise a safety concern or STOP" -- and stop
 09 is all caps, S-T-O-P -- "a job without
 10 repercussions."
 11 Do you see that?
 12 A. Yes, sir.
 13 Q. Okay. And in answer to the
 14 question about whether the crew felt they
 15 could raise a safety concern or stop a job
 16 without repercussions, how many answered yes
 17 to that?
 18 A. 175.
 19 Q. And -- and what percentage of --
 20 of the crew did that make?
 21 A. 94 percent.
 22 Q. All right. And then if you go
 23 to 18, the question was asked, "Do you feel

24 that you are properly trained and competent
25 to perform your job duties?"

00395:01 And what number answered yes to
02 that question?
03 A. 186.
04 Q. And what percentage of the
05 people that were responding from this crew
06 about whether they felt properly trained
07 responded yes? What percentage was that?
08 A. 99 percent.
09 Q. And then if you'll look at -- on
10 No. 19, the question was asked, "Do you feel
11 you have adequate knowledge and experience to
12 identify Process Safety hazards at the
13 worksite?"
14 And how many answered yes, that
15 they felt like they had been properly trained
16 and were competent -- excuse me -- felt like
17 they had the knowledge and experience to
18 identify process safety hazards at the work
19 site?
20 A. It's 184.
21 Q. And it's a poor question, and
22 somebody should have objected to the form of
23 that, but they didn't, so I'm going to ask it
24 again.
25 How many people responded that
00396:01 they felt they had adequate knowledge and
02 experience to identify process safety hazards
03 at the work site?
04 A. 184.
05 Q. And what percentage of that
06 was -- of the crew was that?
07 A. 98 percent.
08 Q. All right. And were you asked
09 any of those questions by the counsel for
10 Anadarko when he was reviewing this safety
11 pulse check with you earlier today?
12 A. No, sir.
13 Q. All right. Now, you were asked
14 some questions about the testimony of
15 Mr. John Guide. Do you recall that testimony
16 earlier today?
17 A. Yes, sir.
18 Q. And I've pulled the testimony
19 at -- at a break. And the question that was
20 asked was, "Are you aware that Mr. Guide has
21 claimed" -- well, let me -- first -- first
22 question that was -- "Did you tell Mr. Guide
23 that a MOC was required for Bob Kaluza?"
24 And you answered, "No, I did
25 not."
00397:01 And the next question was, "Are
02 you aware that Mr. Guide has claimed that you
03 did say that?"

04 And you answered, "No, I'm not."
05 Okay do you recall that line of
06 questioning?
07 A. Yes, sir.
08 Q. Were you shown the actual
09 testimony that Mr. Guide gave that was being
10 referenced in this section?
11 A. No, sir.
12 Q. All right. Do you recall when
13 the issue came up about the replacement of
14 the well site leader on the DEEPWATER HORIZON
15 that the first person that you were
16 considering was David Stanhope?
17 A. That's correct, David Stanhope.
18 Q. And if I recall your testimony
19 correctly, Mr. Stanhope's certificate was
20 going to expire, and so the decision was made
21 to -- to use someone else in that role?
22 A. Yes, sir, that's correct.
23 Q. Did you have a discussion with
24 Mr. Guide or others about the possibility of
25 using Mr. Stanhope and engaging in the MOC
00398:01 process to accomplish that?
02 A. Yes.
03 Q. Okay.
04 A. I spoke -- yes, sir.
05 Q. And so you would have had a
06 conversation with Mr. Guide about MOC as it
07 related to Mr. Stanhope?
08 A. To David Stanhope, yes, sir.
09 Q. Okay. Have you had
10 conversations with Mr. Guide in general about
11 whether you believe the MOC process is
12 necessary when you are moving an experienced
13 well site leader in the Gulf of Mexico to a
14 rig like the DEEPWATER HORIZON for a short
15 period of time?
16 A. In general --
17 Q. Okay.
18 A. -- yes, sir.
19 Q. And so if Mr. Guide's testimony
20 in his deposition was as follows:
21 "QUESTION: So you actually
22 discussed this issue with Mr. Daigle about
23 whether or not an MOC should be filed?
24 "ANSWER: We did discuss if
25 there was any action necessary. There wasn't
00399:01 a specific MOC.
02 "QUESTION: So Mr. Daigle did
03 not tell you that an MOC was not necessary.
04 He just said no action was necessary?
05 "ANSWER: That's correct."
06 Would that be consistent with
07 your understanding of any conversations you
08 had with Mr. Guide around the MOC process?

09 A. After hearing that, yes, it
10 was -- it was more of a general conversation
11 about whether we needed M -- MOCs for well
12 site leaders and when we move these people.
13 Q. And you had had those
14 conversations in the past unrelated
15 specifically to Mr. Kaluza?
16 A. That is correct.
17 Q. Now, you were asked several
18 questions about whose responsibility it was
19 to see whether or not the well site leaders
20 followed DWOP and other procedures as part of
21 their job. Do you remember that line of
22 questioning?
23 A. Yes, sir.
24 Q. Okay. Do well site leaders
25 report to you in an operational sense?
00400:01 A. No, they do not.
02 Q. Do you have responsibility for
03 training well site leaders?
04 A. No, I do not.
05 Q. Do you have responsibility for
06 determining whether or not well site leaders
07 are complying with DWOPs that are applicable
08 to their operations?
09 A. No, sir.
10 Q. Okay. Who would be, in an
11 operations sense, responsible for the well
12 site leaders and the activities that they
13 engage in?
14 A. Our wells' team leaders.
15 Q. Now, you were asked a question
16 about whether or not there were procedures in
17 place when a replacement was made of a well
18 site leader on a rig in the Gulf of Mexico.
19 Do you recall that?
20 A. Yes, I do.
21 Q. Okay. And can you tell the
22 Court what happens when -- in a case like the
23 DEEPWATER HORIZON where you replace a well
24 site leader for a short period of time, what
25 happens on the rig when that takes place?
00401:01 A. At the rig site, there -- there
02 will be a handover with notes for the
03 individual that's coming on board, which
04 would summarize the operations and give some
05 background to the well.
06 And, also, there is a book
07 that's kept up on the rig that also uses the
08 handover between towers. If you're working
09 days and you're working nights, the night guy
10 gets up to go to work, well, then there's
11 some notes captured for that individual
12 before he starts his evening.
13 Q. So although there may not be a

14 written procedure on the rig, there is a
15 process that is followed when the well site
16 leaders hand over responsibility and one well
17 site leader takes over for another; is that
18 correct?
19 A. Yes, there would be a --
20 processes at the rig site.