

Deposition Testimony of:
Robert Matthew Kaluza, Jr.

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Page 11:14 to 11:15

00011:14 DIRECT EXAMINATION
15 QUESTIONS BY MR. BICKFORD:

Page 12:20 to 13:21

00012:20 Q. (By Mr. Bickford) All right.
21 Could you -- could you state your name,
22 please.
23 A. My name is Bob Kaluza.
24 Q. All right, sir.
25 A. Eleven --
00013:01 Q. Now --
02 A. -- eleven good men lost their
03 lives aboard the DEEPWATER HORIZON. I spent
04 only a short time with those men on the
05 HORIZON, but I was privileged to know them.
06 I sincerely wish that I could assist those of
07 you who seek to determine justice in the wake
08 of this terrible tragedy, as well as those
09 who are working to find ways to ensure it
10 never happens again.
11 However, until I am cleared to
12 do so, I must reluctantly accept the advice
13 of my attorneys and respect -- and
14 respectfully decline to testify, pursuant to
15 my rights under the Fifth Amendment of the
16 United States Constitution.
17 MR. BICKFORD: Okay. Object to the
18 responsiveness of the answer.
19 Q. (By Mr. Bickford) Mr. Kaluza,
20 could you state your age, please?
21 A. Same answer.

Page 15:16 to 16:19

00015:16 Q. Sir, I will direct your
17 attention to what is Tab 44 in the book.
18 MR. BICKFORD: And, Counsel, there is
19 an exhibit --
20 MR. CLARKE: Sure.
21 MR. BICKFORD: -- book for you and an
22 exhibit book for the witness.
23 MR. CLARKE: Okay.
24 Q. (By Mr. Bickford) And there's --
25 this is a handout. I apologize. This is not
00016:01 on the -- sir, can you identify that
02 document?
03 A. Same answer.
04 Q. Okay.
05 MR. BICKFORD: You have ahead -- go
06 ahead and label that as Exhibit number --
07 THE COURT REPORTER: 3188.

08 MR. BICKFORD: 3188.
09 (Exhibit No. 3188 marked.)
10 Q. (By Mr. Bickford) Sir, isn't
11 this the interview that you gave to employees
12 of BP on or about Wednesday, the 28th of
13 April, 2010?
14 A. Same answer.
15 Q. Sir, are the statements in that
16 interview true?
17 A. Same answer.
18 Q. Who was present during that
19 interview, sir, besides yourself?

Page 16:21 to 17:16

00016:21 Q. (By Mr. Bickford) You can
22 answer.
23 A. Same answer.
24 Q. Okay. And, sir, and -- and the
25 interview is four pages long. Is that the
00017:01 complete interview, sir?
02 A. Same answer.
03 Q. Sir, yeah, in the interview, you
04 indicated that you arrived on the DEEPWATER
05 HORIZON on April 16th, 2010; is that true?
06 MR. CLARKE: Objection.
07 You can go ahead and answer,
08 Bob. Unless I instruct you not to --
09 THE WITNESS: Okay.
10 MR. CLARKE: -- you can answer.
11 A. Same answer.
12 Q. (By Mr. Bickford) Okay. And,
13 sir, when you arrived on the DEEPWATER
14 HORIZON on April 16th of 2010, you knew at
15 that point it was termed the "well from
16 hell," didn't you?

Page 17:18 to 17:22

00017:18 A. Same answer.
19 Q. (By Mr. Bickford) And, sir, as a
20 result, you knew that you should have been
21 extra vigilant because it was a very
22 difficult well; isn't that true, sir?

Page 17:24 to 18:05

00017:24 A. Same answer.
25 Q. (By Mr. Bickford) And, sir, you
00018:01 knew that the reason that you needed to be
02 extra vigilant was because of the safety of
03 the men and women aboard the DEEPWATER
04 HORIZON depended upon your controlling this

05 well, correct?

Page 18:07 to 18:07

00018:07 A. Same answer.

Page 18:17 to 18:17

00018:17 Q. Sir, have you accepted any offer

Page 21:13 to 21:19

00021:13 Q. And prior to your tour on the
 14 DEEPWATER HORIZON and the one incident in
 15 which you worked on the DEEPWATER HORIZON
 16 some eight or nine years prior to the
 17 explosion in April of 2010, had you ever
 18 worked on another dynamically controlled
 19 vessel?

Page 21:21 to 23:03

00021:21 A. Same answer.
 22 Q. (By Mr. Bickford) Prior to your
 23 April 2010 tour on the DEEPWATER HORIZON,
 24 were you trained in the practices and
 25 procedures used on a Transocean rig,
 00022:01 specifically the DEEPWATER HORIZON, for the
 02 time period of 2010?

03 A. Same answer.

04 Q. Were you familiarized, prior to
 05 your hitch, with the Policies and Practices
 06 in effect on the DEEPWATER HORIZON in April
 07 of 2010?

08 A. Same answer.

09 Q. Were you provided -- and I'm
 10 going to ask you to look at Tab No. 43, sir,
 11 Exhibit 3190 -- sir, Tab No. 43 has been
 12 listed already as Exhibit No. 926 in these
 13 proceedings. And, sir, I'm going to ask you
 14 if you've ever seen that document before.

15 A. Same answer.

16 Q. Okay. Were you provided by
 17 Transocean, the Operational Advisory dated
 18 April 14th, 2010, on Loss of Well Control
 19 During Upper Completion?

20 A. Same answer.

21 Q. Were you informed, sir, that
 22 when you -- immediately before or while you
 23 were engaged on the DEEPWATER HORIZON in
 24 April of 2010, that Transocean had
 25 experienced a well control event in December

00023:01 of 2009 during the displacement mud with

02 seawater, causing the underbalanced condition
03 in -- in a well in the North Sea?

Page 23:07 to 23:12

00023:07 A. Same -- same answer.
08 Q. (By Mr. Bickford) Were you
09 informed that the event occurred principally
10 due to a failure to monitor flow in and out
11 of the well, which would have otherwise
12 detected a kick?

Page 23:14 to 23:14

00023:14 A. Same answer.

Page 23:18 to 24:01

00023:18 sorry. On April 16th, 2010, you took over on
19 the DEEPWATER HORIZON as one of the two BP
20 Well Site Leaders on the DEEPWATER HORIZON,
21 did you not?
22 A. Same answer.
23 Q. And you directly participated in
24 the conversion of the float collar while you
25 were onboard?
00024:01 A. Same answer.

Page 24:03 to 24:06

00024:03 Q. (By Mr. Bickford) And, sir,
04 while onboard the DEEPWATER HORIZON, you
05 oversaw for BP the conversion of the float
06 collar, did you not?

Page 24:08 to 24:14

00024:08 A. Same answer.
09 Q. (By Mr. Bickford) And, sir --
10 and you knew, sir, that Weatherford had
11 specified that the -- a flow rate of five to
12 eight barrels per minute at a pressure of 500
13 to 700 psi was necessary to convert the float
14 collar, did you not?

Page 24:16 to 24:19

00024:16 A. Same answer.
17 Q. (By Mr. Bickford) And, sir, you,
18 as a Representative of BP, authorized a gross
19 deviation from that procedure, didn't you?

Page 24:21 to 25:01

00024:21 A. Same answer.
22 Q. (By Mr. Bickford) And, in fact,
23 sir, it took you nine attempts to get the --
24 to get to the point where you believed that
25 you had converted the float collars; isn't
00025:01 that correct?

Page 25:03 to 25:06

00025:03 A. Same answer.
04 Q. (By Mr. Bickford) And, in fact,
05 sir, that took place over a two-hour period,
06 did it not?

Page 25:08 to 25:12

00025:08 A. Same answer.
09 Q. (By Mr. Bickford) And, sir,
10 isn't it a fact that rather than using 500 to
11 700 psi, you had a pressure up to 3142 psi to
12 achieve what you thought was a conversion?

Page 25:14 to 25:19

00025:14 A. Same answer.
15 Q. (By Mr. Bickford) And, sir, when
16 you finally got what you thought was the
17 conversion of the collar, you were only able
18 to achieve a flow rate of about 1 barrel per
19 minute; isn't that correct?

Page 25:21 to 25:25

00025:21 A. Same answer.
22 Q. (By Mr. Bickford) And it was
23 your duty, as BP's Representative, to
24 interpret the data and declare that the float
25 collar was converted, was it not?

Page 26:02 to 26:18

00026:02 A. Same answer.
03 Q. (By Mr. Bickford) And, sir, the
04 reason it was important to convert the float
05 collar is to ensure that the final cement job
06 would provide a good cement job free of
07 contaminants, which would serve as a barrier
08 from hydrocarbon seeping into the well; isn't
09 that true?

10 A. Same answer.
11 Q. And isn't it a fact, sir, that
12 despite how it was -- and isn't it a fact,
13 sir, that despite how important -- I'm sorry.
14 Strike that.
15 Sir, isn't it a fact that it was
16 important to achieve the conversion of -- of
17 the -- the float collar but you were not
18 really certain that it had converted?

Page 26:20 to 26:25

00026:20 A. Same answer.
21 Q. (By Mr. Bickford) And isn't
22 it -- and isn't it a fact, sir, that it was a
23 factor that you should have considered before
24 BP told Transocean to begin displacing the
25 well with seawater?

Page 27:03 to 27:07

00027:03 A. Same answer.
04 Q. (By Mr. Bickford) Now, sir, as
05 BP Well Site Leader, you also responsible to
06 ensure that there was a proper cementing of
07 the Macondo Well work; isn't that true?

Page 27:09 to 27:20

00027:09 A. Same answer.
10 Q. (By Mr. Bickford) And, sir,
11 prior to the cementing job, the final
12 cementing job in this case, there was not
13 bottoms-up circulation of the well, was
14 there?
15 A. Same answer.
16 Q. And the bottoms-up circulation
17 of the well is a procedure that often helps
18 to remove drilling debris in order to effect
19 a cement job which would ensure the integrity
20 of the well; is that true?

Page 27:22 to 27:25

00027:22 A. Same answer.
23 Q. (By Mr. Bickford) And despite
24 that objective no bottoms-up was done, was
25 it?

Page 28:02 to 28:08

00028:02 A. Same answer.

03 Q. (By Mr. Bickford) And no
04 bottoms-up was done because the bottoms-up of
05 the -- because the bottom of this well was so
06 fragile that BP didn't want to risk
07 fracturing it with that procedure; isn't that
08 correct?

Page 28:10 to 28:14

00028:10 A. Same answer.
11 Q. (By Mr. Bickford) And, sir, when
12 you did begin cementing, you could only
13 introduce cement at four barrels per minute
14 or less; isn't that correct?

Page 28:16 to 28:20

00028:16 A. Same answer.
17 Q. (By Mr. Bickford) And, again, it
18 was because BP was worried about causing
19 damage to the fragile formation of the bottom
20 of the well, sir; isn't that correct?

Page 28:23 to 29:02

00028:23 A. Same answer.
24 Q. (By Mr. Bickford) And you know
25 in your experience as a BP Well Leader that
00029:01 four barrels per minute is less than an
02 optimal rate of cement flow, don't you?

Page 29:04 to 29:18

00029:04 A. Same answer.
05 Q. (By Mr. Bickford) And, in fact,
06 sir, in Exhibit No. 3188 --
07 MR. CLARKE: What Tab is that?
08 MR. BICKFORD: That is Tab --
09 MR. CLARKE: 44?
10 MR. BICKFORD: 44, I believe. That
11 one.
12 MR. CLARKE: (Nodding.)
13 Q. (By Mr. Bickford) Sir, in -- in
14 your statement to BP, in fact, you -- you
15 were quoted as saying, quote: "that is odd
16 you guys this is very low."
17 That's what you've told them
18 about the cement flow; is that correct?

Page 29:21 to 30:02

00029:21 A. Same answer.

22 Q. (By Mr. Bickford) In fact, you
 23 know it was -- excuse me.
 24 In fact, you know it was very --
 25 it was a very ineffective rate of flow to
 00030:01 ensure a good cement job; isn't that correct,
 02 sir?

Page 30:04 to 30:06

00030:04 A. Same answer.
 05 Q. (By Mr. Bickford) Yet, BP and
 06 you endorsed such a flow rate, correct?

Page 30:09 to 30:11

00030:09 A. Same answer.
 10 Q. (By Mr. Bickford) And you
 11 endorsed such a flow rate, didn't you, sir?

Page 30:13 to 30:16

00030:13 A. Same answer.
 14 Q. (By Mr. Bickford) Although you
 15 knew at the time that you had concerns about
 16 the flow rate, correct, sir?

Page 30:18 to 30:23

00030:18 A. Same answer.
 19 Q. (By Mr. Bickford) And the
 20 concern that you had, sir, was the flow --
 21 flow rate was so little that it was likely
 22 that you would not get a good, consistent
 23 cement job; is that correct?

Page 30:25 to 31:04

00030:25 A. Same answer.
 00031:01 Q. (By Mr. Bickford) And, sir,
 02 isn't this a fact that you should have
 03 considered before you approved the displacing
 04 of the well with seawater?

Page 31:07 to 31:15

00031:07 A. Same answer.
 08 Q. (By Mr. Bickford) Sir, when the
 09 cement was pumped into the well, rather than
 10 achieving an annular cement column with a
 11 thousand feet above the uppermost hydrocarbon
 12 zone, you as BP Representative knew that the
 13 rig had achieved only an annular cement

14 column of 500 feet above the uppermost
15 hydrocarbon zone, didn't you?

Page 31:19 to 32:01

00031:19 A. Same answer.
20 Q. (By Mr. Bickford) Now,
21 Mr. Kaluza, you had the authority to stop
22 this job at any time, didn't you?
23 A. Same answer.
24 Q. And you never chose to do this
25 despite the float collar problem and despite
00032:01 the cementing issues, did you?

Page 32:04 to 32:09

00032:04 A. Same answer.
05 Q. (By Mr. Bickford) And, in fact,
06 Mr. Kaluza, not cementing to a thousand feet
07 above the uppermost hydrocarbon-bearing zone
08 is a direct violation of BP's internal
09 guidelines, is it not?

Page 32:11 to 32:13

00032:11 A. Same answer.
12 Q. (By Mr. Bickford) And you as the
13 Well Site Leader knew that, sir, didn't you?

Page 32:15 to 32:19

00032:15 A. Same answer.
16 Q. (By Mr. Bickford) Yet, despite
17 the direct violation of BP's own policies and
18 practices, sir, you chose not to shut this
19 job down; is that correct?

Page 32:21 to 32:25

00032:21 A. Same answer.
22 Q. (By Mr. Bickford) In doing so,
23 sir, you knew that the lives of the men and
24 women aboard the DEEPWATER HORIZON were in
25 peril by your decision, didn't you?

Page 33:02 to 33:10

00033:02 A. Same answer.
03 Q. (By Mr. Bickford) And, sir,
04 isn't it a fact that this failure to achieve
05 a thousand foot annular cement column above
06 the most -- up -- the most -- uppermost

07 hydrocarbon zone was the factor that you
08 should have considered before BP told
09 Transocean to displace the well with
10 seawater?

Page 33:13 to 33:20

00033:13 A. Same answer.
14 Q. (By Mr. Bickford) And, in fact,
15 sir, you knew that if you didn't achieve the
16 thousand foot column that you were directed
17 under BP's practices and procedures to
18 confirm the actual top of the cement by a
19 proven cement evaluation technique, didn't
20 you?

Page 33:23 to 33:25

00033:23 A. Same answer.
24 Q. (By Mr. Bickford) And that was
25 not done, was it, sir.

Page 34:02 to 34:11

00034:02 A. Same answer.
03 Q. (By Mr. Bickford) And, in fact,
04 it was the Schlumberger crew aboard the
05 DEEPWATER HORIZON who were prepared to run a
06 Cement Bond Log; is that correct?
07 A. Same answer.
08 Q. And that Cement Bond Log would
09 have been an objective method by which to
10 determine the -- to -- to evaluate the
11 cement; is that correct?

Page 34:13 to 34:22

00034:13 A. Same answer.
14 Q. (By Mr. Bickford) But instead of
15 expending additional time and money to ensure
16 that you had a good cement job that would
17 ensure the integrity of the well and protect
18 the lives of the men and women aboard the
19 DEEPWATER HORIZON, BP and you endorsed to
20 send the Schlumberger folks home without a
21 Cement Bond Log being conducted; is that
22 correct, sir?

Page 34:25 to 35:04

00034:25 A. Same answer.
00035:01 Q. (By Mr. Bickford) And, sir, you

02 knew the Cement Log -- you knew that a Cement
03 Bond Log would have located the precise top
04 of the cement, didn't you?

Page 35:06 to 35:10

00035:06 A. Same answer.
07 Q. (By Mr. Bickford) And, sir, you
08 knew that a Cement Bond Log would have
09 determined whether channeling existed in the
10 cement, didn't you?

Page 35:12 to 35:16

00035:12 A. Same answer.
13 Q. (By Mr. Bickford) And you knew,
14 sir, that a finding of channeling would have
15 called into question the integrity of the
16 cement job, didn't you, sir?

Page 35:18 to 35:21

00035:18 A. Same answer.
19 Q. (By Mr. Bickford) And, sir, you
20 knew that a Cement Bond Log would have shown
21 if the cement was contaminated?

Page 35:23 to 36:02

00035:23 A. Same answer.
24 Q. (By Mr. Bickford) And, sir, you
25 knew that a finding of contamination would
00036:01 have called into question the integrity of
02 the cement job, didn't you, sir?

Page 36:04 to 36:09

00036:04 A. Same answer.
05 Q. (By Mr. Bickford) And, sir, you
06 know that a Cement Bond Log would have
07 determined whether or not foam cement -- the
08 foam cement that was used in this particular
09 case was stable or not?

Page 36:11 to 36:18

00036:11 A. Same answer.
12 Q. (By Mr. Bickford) And you knew,
13 sir, that a finding of the cement -- I'm
14 sorry.
15 You knew, sir, that a finding
16 that the foam cement was not stable would

17 have called into question the integrity of
18 the cement job?

Page 36:20 to 37:16

00036:20 A. Same answer.
21 Q. (By Mr. Bickford) And speaking
22 of foam cement, had you ever had experience
23 at a well where foam cement was used on a
24 deepwater well before?
25 A. Same answer.
00037:01 Q. (By Mr. Bickford) Sir, prior to
02 the cement job, did you ever see any testing
03 from Halliburton concerning the foam cement
04 that was utilized in the final cement job?
05 A. Same answer.
06 Q. (By Mr. Bickford) Sir, did you
07 ever receive a report or confirm for yourself
08 that the foam cement that Halliburton had
09 mixed for the well was adequate for the
10 pressure and heat present at the bottom of
11 the Macondo Well, sir?
12 A. Same answer.
13 Q. Sir, as Well Site Leader, was it
14 your ultimate responsibility to ensure that
15 the cement that was being used was proper and
16 correct cement?

Page 37:18 to 37:22

00037:18 A. Same answer.
19 Q. (By Mr. Bickford) And, sir,
20 the -- you never had any information, sir,
21 did you, about the testing of the final
22 cement mixture that was used, did you?

Page 37:25 to 38:08

00037:25 A. Same answer.
00038:01 Q. (By Mr. Bickford) And despite
02 the lack of information about the cement job,
03 about the flow -- in addition to the float
04 collar problems that you had, in addition to
05 the lack of a Cement Bond Log, you stood by
06 and knew that the Transocean personnel were
07 about to grossly underbalance the well by
08 displacing mud with seawater, didn't you?

Page 38:11 to 38:15

00038:11 A. Same answer.
12 Q. (By Mr. Bickford) And, sir,
13 you -- you were not certain prior to that

14 displacement that the cement job that had
15 been performed wa -- was adequate, were you?

Page 38:18 to 38:22

00038:18 Q. (By Mr. Bickford) And, sir,
19 because there was no cement plug yet set,
20 everything was riding on having a proper
21 cement job which would hold the formation at
22 the bottom of the well; isn't that true?

Page 38:24 to 39:02

00038:24 A. Same answer.
25 Q. (By Mr. Bickford) And in betting
00039:01 on that information, you bet upon the safety
02 of everyone on the rig, didn't you?

Page 39:04 to 39:08

00039:04 A. Same answer.
05 Q. (By Mr. Bickford) Now, sir, did
06 you conduct the prizer -- positive pressure
07 test to test the integrity of the cement job?
08 A. Same answer.

Page 39:10 to 39:23

00039:10 Q. (By Mr. Bickford) And, sir, were
11 you aware that a positive pressure test was
12 performed on the well prior to the
13 displacement of mud to seawater?
14 A. Same answer.
15 Q. Sir, prior to conducting that
16 positive pressure test, were you -- were
17 you ev -- were you ever informed as to the
18 conditioning time of the foam cement that was
19 utilized in cementing the well?
20 A. Same answer.
21 Q. And the conditioning time, sir,
22 is the time it takes the cement to set up and
23 form a viable barrier, isn't it, sir?

Page 40:01 to 40:06

00040:01 A. Same answer.
02 Q. (By Mr. Bickford) And despite
03 not knowing the conditioning time for the
04 cement, you went ahead and authorized a
05 positive pressure test in the well; is that
06 correct?

Page 40:09 to 40:14

00040:09 A. Same answer.
10 Q. (By Mr. Bickford) And, sir, the
11 positive pressure test on the well was
12 conducted without any BP Representative on
13 the rig knowing the conditioning time for the
14 cement; is that correct?

Page 40:18 to 40:21

00040:18 A. Same answer.
19 Q. (By Mr. Bickford) And you
20 certainly didn't know the conditioning time
21 did you, sir?

Page 40:24 to 41:12

00040:24 A. Same answer.
25 Q. (By Mr. Bickford) And you --
00041:01 you, sir, were aware that a negative test was
02 performed on this well, were you not?
03 A. Same answer.
04 Q. Okay. And you were aware of the
05 results of the negative pressure test, were
06 you not?
07 MR. CLARKE: Objection.
08 A. Same answer.
09 Q. (By Mr. Bickford) And the
10 negative pressure test would always be done
11 on a well of this type to confirm the well's
12 integrity; is that correct?

Page 41:15 to 41:19

00041:15 A. Same answer.
16 Q. (By Mr. Bickford) And, in fact,
17 when it's done, there should be some
18 expectation that the well might lack
19 integrity; is that true?

Page 41:21 to 42:02

00041:21 A. Same answer.
22 Q. (By Mr. Bickford) And, sir, one
23 of the concerns about integrity in this "well
24 from hell" as you'd called it was that BP had
25 decided to set a cement plug and seawater
00042:01 some 3300 feet below the mud line; is that
02 correct?

Page 42:05 to 42:17

00042:05 A. Same answer.
 06 Q. (By Mr. Bickford) Sir, had you
 07 attempted -- had you ever been in a drilling
 08 project where a cement plug was set some
 09 3,300 feet below mud line?
 10 A. Same answer.
 11 THE COURT REPORTER: Are you saying
 12 "3,300"?
 13 MR. BICKFORD: Yes.
 14 Q. (By Mr. Bickford) And, sir, you
 15 knew displacing all that heavy mud to 3,300
 16 feet with much lighter seawater would
 17 underbalance the well, didn't you?

Page 42:19 to 42:24

00042:19 A. Same answer.
 20 Q. (By Mr. Bickford) And, sir, you
 21 knew that the integrity of the cement job was
 22 the only barrier stopping hydrocarbons from
 23 infiltrating the well and shooting up to the
 24 surface, didn't you?

Page 43:01 to 43:06

00043:01 A. Same answer.
 02 Q. (By Mr. Bickford) And, sir, you
 03 knew that the results of the negative test
 04 would be a crucial step, if not the crucial
 05 factor, in determining the integrity of the
 06 cement job, did you not?

Page 43:08 to 43:13

00043:08 A. Same answer.
 09 Q. (By Mr. Bickford) And that was
 10 particularly true since you sent the
 11 Schlumber -- since the Schlumberger crew was
 12 sent back off the BP rig and there was no
 13 Cement Bond Log performed; is that correct?

Page 43:17 to 43:20

00043:17 MR. CLARKE: He sent back, or the crew
 18 was sent back?
 19 MR. BICKFORD: The crew was sent back.
 20 A. Same answer.

Page 43:24 to 44:02

00043:24 In order to conduct the negative

25 test, you had to displace some of the
00044:01 synthetic oil-based mud from the well and
02 replace it with seawater; is that correct?

Page 44:04 to 44:08

00044:04 A. Same answer.
05 Q. (By Mr. Bickford) In effect, you
06 underbalanced the well so that you could see
07 if there was any infiltration of hydrocarbons
08 in the well; is that correct?

Page 44:10 to 45:04

00044:10 A. Same answer.
11 Q. (By Mr. Bickford) Sir, when you
12 displace the mud in the well -- when the mud
13 in the well was displaced to conduct a
14 negative test, it was done so by introducing
15 a spacer or a "pill" as it's so called in the
16 industry; is that correct?
17 A. Same answer.
18 Q. And that pill separated the mud
19 and the seawater that you were in -- that
20 would be introduced for the purposes of
21 conducting that -- the negative test; is that
22 correct, sir?
23 A. Same answer.
24 Q. Sir, you knew that in order to
25 use up materials that were stored on the rig,
00045:01 there was a decision made to use a
02 combination of Form-A-Set and Form-A-Squeeze
03 on -- as a spacer on this particular negative
04 test; is that correct?

Page 45:06 to 45:09

00045:06 A. Same answer.
07 Q. (By Mr. Bickford) And, sir, that
08 combination of spacer was a highly viscous,
09 thick liquid, was it not?

Page 45:11 to 45:16

00045:11 A. Same answer.
12 Q. (By Mr. Bickford) And when a
13 spacer was ran, you knew there was a
14 possibility that the spacer was sitting
15 across the BOP during the negative testing
16 procedure; is that correct?

Page 45:18 to 45:23

00045:18 A. Same answer.
19 Q. (By Mr. Bickford) And you knew,
20 sir, that this highly thick liquid was
21 sitting across the P -- BOP during the test
22 might have compromised some of the results of
23 the test, don't you?

Page 45:25 to 46:15

00045:25 A. Same answer.
00046:01 Q. (By Mr. Bickford) And, sir, when
02 you -- when the test was conducted,
03 ultimately, there was observed a 1,400 psi
04 pressure on the drill pipe with no flow out
05 of the existing kill line; is that correct?
06 A. Same answer.
07 Q. And just so that we understand
08 thing -- things, sir, the drill pipe was in
09 direct communication with the kill line, was
10 it not?
11 A. Same answer.
12 Q. And if there were 1,400 psi in
13 the drill pipe, when you opened the kill
14 line, you should have observed flow out of
15 the kill line, shouldn't you have, sir?

Page 46:17 to 46:21

00046:17 A. Same answer.
18 Q. (By Mr. Bickford) But that --
19 but you did not, sir, and it was not --
20 strike that.
21 But you did not, sir, correct?

Page 46:23 to 47:02

00046:23 A. Same answer.
24 Q. (By Mr. Bickford) And there was
25 no finding of -- on the second negative test,
00047:01 there was no finding of any flow out of the
02 kill line was there, sir?

Page 47:04 to 47:07

00047:04 A. Same answer.
05 Q. (By Mr. Bickford) It was like
06 opening a high pressure fire hydrant, but
07 nothing came out, right?

Page 47:09 to 47:14

00047:09 A. Same answer.
 10 Q. (By Mr. Bickford) And just so
 11 that we're clear, sir, 1,400 psi of pressure
 12 on this particular negative test in the drill
 13 pipe was not even close to an expected
 14 finding, was it, sir?

Page 47:17 to 47:23

00047:17 A. Same answer.
 18 Q. (By Mr. Bickford) In fact, it
 19 clearly indicated that there was a breach of
 20 the cement barrier, allowing a direct
 21 communication between the hydrocarbons and
 22 the reservoir outside the well and the well
 23 itself; is that correct?

Page 47:25 to 48:07

00047:25 A. Same answer.
 00048:01 Q. (By Mr. Bickford) Instead of
 02 consulting experts in Houston about the
 03 findings in this well, of 1,400 psi on the
 04 drill pipe and no flow out of the kill line,
 05 sir, you and Mr. Vidrine chose to explain it
 06 away with something called "the bladder
 07 effect." Is that correct?

Page 48:10 to 48:24

00048:10 A. Same answer.
 11 Q. (By Mr. Bickford) Referring back
 12 to Exhibit No. 45, or Tab No. 45, which is
 13 Exhibit No. 3189 --
 14 A. M-h'm.
 15 Q. -- sir, in any of those courses
 16 that you took between April of 2010 and
 17 December of 1997, 13 years of courses, and
 18 549.75 hours during those 13 years, did any
 19 one of those courses ever cover what was
 20 called a "bladder effect"?
 21 A. Same answer.
 22 Q. Did any of those courses cover
 23 how a bladder effect might compromise a
 24 negative pressure test on a well?

Page 49:01 to 49:07

00049:01 A. Same answer.
 02 Q. (By Mr. Bickford) Sir, in fact,
 03 you now know and most folks -- sir, you --
 04 strike that.
 05 Sir, in fact, you now know that

06 there was a catastrophic failure of the
07 cement job, don't you?

Page 49:09 to 49:14

00049:09 A. Same answer.
10 Q. (By Mr. Bickford) And your
11 assumption that a bladder effect was the
12 cause of the 1,400 psi found on the drill
13 pipe as pressure was a dead wrong assumption,
14 was it not?

Page 49:16 to 49:20

00049:16 A. Same answer.
17 Q. (By Mr. Bickford) And that
18 assumption put the lives of the men and women
19 on the DEEPWATER HORIZON at risk, did they
20 not, sir?

Page 49:23 to 50:04

00049:23 A. Same answer.
24 Q. (By Mr. Bickford) And you know,
25 sir, that had the negative test been
00050:01 interpreted properly, that Transocean would
02 not -- would have never have gone forward
03 with displacing the mud in the well with
04 lighter seawater, don't you, sir?

Page 50:06 to 50:12

00050:06 A. Same answer.
07 Q. (By Mr. Bickford) Sir, in fact,
08 even after the explosion took the lives of 11
09 men and damaged the almost a billion dollar
10 rig and sank it, you were still trying to
11 justify this so-called bladder effect with
12 sup -- your superiors at BP, were you not?

Page 50:15 to 51:06

00050:15 Q. (By Mr. Bickford) Turn to
16 Tab 36, sir. I'll go ahead and label this as
17 Exhibit No. 3190.
18 (Exhibit No. 3190 marked.)
19 Q. (By Mr. Bickford) Now, sir, this
20 is the chain of E-mails, and the first
21 portion -- the first E-mail is from you, sir,
22 to Mr. Guide and Mr. Daigle; is that correct?
23 A. Same answer.
24 Q. Okay. And Mr. Guide was your

25 direct superior, was he not, sir?
 00051:01 A. Same answer.
 02 Q. And what you attempted to
 03 explain to Mr. Guide on April 25th, 2010,
 04 some five days after this incident, was that
 05 there was such a thing as a bladder effect;
 06 is that true, sir?

Page 51:08 to 51:13

00051:08 A. Same answer.
 09 Q. (By Mr. Bickford) And were you
 10 aware, sir, that Mr. Guide forwarded on
 11 your -- that Mr. Daigle forwarded on your
 12 E-mail, and it eventually reached Mr. Pat
 13 O'Bryan?

Page 51:15 to 52:06

00051:15 A. Same answer.
 16 Q. (By Mr. Bickford) And
 17 Mr. O'Bryan, sir, was the Vice President of
 18 Completions in the Gulf of Mexico, was he
 19 not?
 20 A. Same answer.
 21 Q. And he was drill -- he was Vice
 22 President of Drilling & Completions in the
 23 Gulf of Mexico, was he not?
 24 A. Same answer.
 25 Q. And he was your ultimate
 00052:01 superior, was he not?
 02 A. Same answer.
 03 Q. And Mr. O'Bryan's response on
 04 April 27th to your explanations was five
 05 lines of question marks, was it not?
 06 A. Same answer.

Page 52:08 to 52:11

00052:08 Q. (By Mr. Bickford) Were you
 09 informed by Mr. O'Bryan that he did not
 10 believe your explanation of a bladder effect,
 11 sir?

Page 52:13 to 52:13

00052:13 A. Same answer.

Page 53:25 to 54:05

00053:25 Q. (By Mr. Bickford) And knowing
 00054:01 that this well was termed "the well from

02 hell," sir, you chose not to call the experts
03 onshore to confirm your theory that the 1,400
04 psi found in the drill pipe was, in fact,
05 caused from a bladder effect, did you?

Page 54:07 to 54:21

00054:07 A. Same answer.
08 Q. (By Mr. Bickford) Okay. And BP
09 had a number of experts onshore who you could
10 have consulted on this so-called bladder
11 effect; is that true, sir?
12 A. Same answer.
13 Q. Sir, the Macondo Well employed a
14 long string well design, did it not?
15 A. Same answer.
16 Q. And the well design had been
17 changed several times, had it not?
18 A. Same answer.
19 Q. And you, as the Well Site Leader
20 on the DEEPWATER HORIZON, should have known
21 that; is that correct, sir?

Page 54:24 to 55:03

00054:24 Q. (By Mr. Bickford) And the fact
25 that BP chose to employ a long string well
00055:01 design should have put you on notice to use
02 added vigilance for any signs of cement
03 failure; is that correct?

Page 55:05 to 55:09

00055:05 A. Same answer.
06 Q. (By Mr. Bickford) You should
07 have had a heightened concern that the cement
08 job was performed properly; isn't that
09 correct?

Page 55:23 to 56:05

00055:23 Q. Okay. And the first report by
24 Halliburton that you would have seen would
25 have been the production casing proposal and
00056:01 OptiCem report of April 15, 2010; is that
02 correct, sir?
03 A. Same answer.
04 Q. Direct your attention to Tab 38,
05 sir.

Page 56:08 to 56:08

00056:08 (Exhibit No. 3191 marked.)

Page 56:15 to 57:19

00056:15 Q. (By Mr. Bickford) Sir, the --
 16 I'm going to mark the E-mail in front as --
 17 and the attachment as Exhibit 3191.
 18 Sir, what you're looking at in
 19 Exhibit 3191 is an E-mail from Don Vidrine to
 20 you dated April 16, 2010, attaching the
 21 production casing report from Halliburton and
 22 a production casing design report; is that
 23 correct, sir?
 24 A. Same answer.
 25 Q. Okay. And, as Well Site Leader
 00057:01 on the DEEPWATER HORIZON, you would have
 02 reviewed those reports; is that correct, sir?
 03 A. Same answer.
 04 Q. And I direct your attention to
 05 Page 15 of the -- of the Production Casing
 06 Design Report, which is the second report.
 07 MR. CLARKE: 69012 is the last five --
 08 MR. BICKFORD: Yeah.
 09 MR. CLARKE: -- digits of the Bates?
 10 MR. BICKFORD: Correct.
 11 Q. (By Mr. Bickford) And, sir, this
 12 production design called for the installation
 13 of 21 centralizers, did it not?
 14 A. Same answer.
 15 Q. And these centralizers would
 16 have been placed to keep the casing centered
 17 so that it would be ea -- so there would be
 18 an even cement flow in the annular space; is
 19 that correct, sir?

Page 57:21 to 57:25

00057:21 A. Same answer.
 22 Q. (By Mr. Bickford) The ultimate
 23 purpose of the centralizers would have been
 24 to ensure a good cement job; is that correct,
 25 sir?

Page 58:02 to 58:16

00058:02 A. Same answer.
 03 Q. (By Mr. Bickford) And if they
 04 had ran 21 centralizers, as the Report
 05 indicated -- and I direct your attention to
 06 Page 17 of the Report, Halliburton stated,
 07 quote: "Based on the analysis of the above
 08 outlined well conditions, this well is
 09 considered to have a MINOR gas flow problem,"

10 close quote. Did I read that correctly, sir?
 11 A. Same answer.
 12 Q. And is it your understanding
 13 that had 21 centralizers been used, that
 14 Halliburton's opinion was that there would
 15 have been minor gas flow problems on this
 16 well?

Page 58:18 to 58:21

00058:18 A. Same answer.
 19 Q. (By Mr. Bickford) But there was
 20 a decision not to run 21 centralizers, wasn't
 21 there, sir?

Page 58:23 to 59:05

00058:23 A. Same answer.
 24 Q. (By Mr. Bickford) And you agreed
 25 with that decision, sir, didn't you?
 00059:01 A. Same answer.
 02 Q. And at no time, sir, did you --
 03 having learned that decision not to use 21
 04 centralizers, at no time, sir, did you choose
 05 to stop the job, did you, sir?

Page 59:07 to 59:07

00059:07 A. Same answer.

Page 59:11 to 59:21

00059:11 Q. In fact, you could have stopped
 12 the job at any point during the four-day
 13 period that you were on the rig; is that
 14 correct, sir?
 15 A. Same answer.
 16 Q. And as -- part of the decision,
 17 sir, was that Mr. Brian Morel, who is the BP
 18 shore-based Drilling Team Member who happened
 19 to be on the DEEPWATER HORIZON, misidentified
 20 the types of centralizers that had been
 21 transported to the rig; is that correct, sir?

Page 59:23 to 59:23

00059:23 A. Same answer.

Page 60:20 to 60:20

00060:20 (Exhibit No. 3192 marked.)

Page 60:23 to 62:08

00060:23 Sir, Tab No. 41 and Exhibit
 24 No. 3192 --
 25 MR. BICKFORD: You got it?
 00061:01 MR. CLARKE: Yeah. Do you want him to
 02 look through the whole thing? I mean, I --
 03 MR. BICKFORD: No. I'll direct him
 04 through it.
 05 Q. (By Mr. Bickford) It is a -- is
 06 an E-mail from DEEPWATER HORIZON Foreman to
 07 you, Robert Kaluza, dated April 20th, at
 08 11:36 a.m.; is that correct, sir?
 09 A. Same answer.
 10 Q. And that E-mail is attaching the
 11 Revised Production Casing Report, as well as
 12 the Revised Production Casing Design Report?
 13 A. Same answer.
 14 Q. Okay. And as the Well Team
 15 Leader on -- the Well Site Leader on the
 16 DEEPWATER HORIZON, you would have reviewed
 17 this document, sir?
 18 A. Same answer.
 19 Q. And, sir, you knew that
 20 Halliburton had recalculated the --
 21 recalculated the well using seven
 22 centralizers; is that correct?
 23 A. Same answer.
 24 Q. And I direct your attention to
 25 Page 16 of this second Report, which is the
 00062:01 Production Casing Design Report. Bates
 02 stamps ends in 1050.
 03 THE COURT REPORTER: One zero?
 04 MR. BICKFORD: Five zero.
 05 Q. (By Mr. Bickford) And that
 06 indicates that seven centralizers were
 07 utilized, in this Production Design Report;
 08 is that correct, sir?

Page 62:10 to 62:23

00062:10 A. Same answer.
 11 Q. (By Mr. Bickford) Okay. And,
 12 sir, referring you to Page 18 of that Report,
 13 the Report states that by using seven
 14 centralizers, quote, "Based on an analysis of
 15 the above outlined well conditions, this well
 16 is considered to have a SEVERE gas flow
 17 problem," close quote. Did I read that
 18 correctly?
 19 A. Same answer.
 20 Q. Okay. And, sir, as Well Site
 21 Leader, you should have reviewed this report
 22 before the well was displaced to seawater; is

23 that correct, sir?

Page 62:25 to 63:18

00062:25 A. Same answer.
 00063:01 Q. (By Mr. Bickford) And as Well
 02 Site Leader, sir, you knew that, based upon
 03 the use of seven centralizers, that it was
 04 Halliburton's opinion that this well may have
 05 a severe gas flow problem; is that correct?
 06 MR. MORRISS: Form.
 07 A. Same answer.
 08 Q. (By Mr. Bickford) And you knew,
 09 sir, that Halliburton had recommended the use
 10 of 21 centralizers to prevent se -- severe
 11 gas flow problems and channeling, did you
 12 not, sir?
 13 MR. MORRISS: Form.
 14 A. Same answer.
 15 Q. (By Mr. Bickford) And, sir,
 16 channeling in a cement job would raise
 17 serious questions as to the integrity of the
 18 cement job, would it not, sir?

Page 63:20 to 63:25

00063:20 A. Same answer.
 21 Q. (By Mr. Bickford) And, again,
 22 you were relying on this particular cement
 23 job as the only barrier you had to an un --
 24 underbalanced well prior to the setting of
 25 the cement plug; is that correct, sir?

Page 64:02 to 64:15

00064:02 A. Same answer.
 03 Q. (By Mr. Bickford) Sir, you
 04 attended a pre -- a morning pre-tour meeting
 05 on -- on April 20th, 2010, did you not?
 06 A. Same answer.
 07 Q. And that tour meeting occurred
 08 some ten hours before the explosion which
 09 eventually sank the DEEPWATER HORIZON; is
 10 that correct?
 11 A. Same answer.
 12 Q. And at that pre-tour meeting,
 13 you and Jimmy Harrell, the OIM of the
 14 DEEPWATER HORIZON, had a heated discussion,
 15 did you not?

Page 64:17 to 64:20

00064:17 A. Same answer.

18 Q. (By Mr. Bickford) And, in fact,
 19 Mr. Harrell disagreed with the final plan of
 20 plugging and abandoning the well, did he not?

Page 64:22 to 65:02

00064:22 A. Same answer.
 23 Q. (By Mr. Bickford) In fact, he
 24 thought that the manner in which BP proposed
 25 to go forward with the displacement of the
 00065:01 mud to seawater was a dangerous method, did
 02 he not?

Page 65:04 to 65:08

00065:04 A. Same answer.
 05 Q. (By Mr. Bickford) And you told
 06 Mister -- and you told Mr. Harrell, the
 07 headman on a Transocean rig, "This is how
 08 it's going to be," didn't you?

Page 65:10 to 65:14

00065:10 A. Same answer.
 11 Q. (By Mr. Bickford) And as
 12 Mr. Harrell left that meeting, he replied to
 13 you, "I guess that's what we have pincers
 14 for"; is that correct, sir?

Page 65:17 to 65:22

00065:17 A. Same answer.
 18 Q. (By Mr. Bickford) And, sir, you
 19 knew he was referring to the blowout
 20 preventer on the seafloor that was supposed
 21 to be the last resort in preventing a leak in
 22 the event of an emergency?

Page 65:25 to 66:03

00065:25 A. Same answer.
 00066:01 Q. (By Mr. Bickford) Sir, did you
 02 tell them that was how it was going to
 03 happen?

Page 66:05 to 66:05

00066:05 A. Same answer.

Page 66:21 to 66:21

00066:21 (Exhibit No. 3193 marked.)

Page 67:11 to 67:18

00067:11 (Exhibit No. 3194 marked.)

12 Q. (By Mr. Bickford) Tab No. 2,
13 sir, which I've labeled as Exhibit 3194.
14 This is an Ap -- purports to be an April
15 16th, 2010 E-mail from Robert Sepulvado to
16 you and Lee Lambert. Can you identify the
17 document, sir?
18 A. Same answer.

Page 68:04 to 68:11

00068:04 (Exhibit No. 3195 marked.)

05 Q. (By Mr. Bickford) Tab No. 3,
06 which I've labeled as Exhibit 3195, is an
07 E-mail pur -- purportedly sent from Robert
08 Sepulvado to you and a number of other
09 recipients, dated April 16, 2010. Can you
10 identify the document, sir?
11 A. Same answer.

Page 68:15 to 68:17

00068:15 Q. Can you tell me what the -- the
16 attachment to the document is, sir?
17 A. Same answer.

Page 68:24 to 70:08

00068:24 Q. Was it your obligation to review
25 the attachment to the document, sir?

00069:01 A. Same answer.

02 (Exhibit No. 3196 marked.)

03 Q. (By Mr. Bickford) Tab No. 4, I'm
04 labeling as Exhibit No. 3196. Sir, this
05 purports to be an April 20th, 2010 E-mail
06 from Leo Lindner to yourself, regarding
07 "Macondo Displacement Procedure,"
08 "Importance: Low." Do you recognize the
09 document, sir?

10 A. Same answer.

11 Q. Can you identify the document,
12 sir?

13 A. Same answer.

14 Q. Did you receive the document,
15 sir?

16 A. Same answer.

17 Q. Did you review the document,
18 sir?

19 A. Same answer.

20 Q. Can you discuss the attachment
 21 with me, sir?
 22 A. Same answer.
 23 Q. Did you review the attachment,
 24 sir?
 25 A. Same answer.
 00070:01 Q. Was it your obligation to review
 02 the attachment, sir?
 03 A. Same answer.
 04 Q. Did you have any disagreement
 05 with the procedures set forth in the
 06 attachment, sir?
 07 A. Same answer.
 08 (Exhibit No. 3197 marked.)

Page 71:07 to 71:24

00071:07 Q. (By Mr. Bickford) Turning to Tab
 08 6, Exhibit No. 3198 -- purports to be an
 09 E-mail from Brian Morel to a va -- variety of
 10 people, including yourself, dated April 16th,
 11 2010, attaching a procedure -- an updated
 12 procedure for the Macondo Well.
 13 Did you receive the -- do you
 14 recognize the document, sir?
 15 A. Same answer.
 16 Q. Did you receive the document,
 17 sir?
 18 A. Same answer.
 19 Q. Did you review the document,
 20 sir?
 21 A. Same answer.
 22 Q. Would it have been your
 23 obligation to review both the E-mail and the
 24 document, sir?

Page 72:01 to 72:01

00072:01 A. Same answer.

Page 72:10 to 72:13

00072:10 Q. Was there any person disagreeing
 11 with the procedures set forth in the
 12 Friday -- in -- in the attachment to Exhibit
 13 3198 that --

Page 72:15 to 72:16

00072:15 Q. (By Mr. Bickford) -- that you
 16 know of?

Page 72:18 to 72:19

00072:18 A. Same answer.
19 (Exhibit No. 3199 marked.)

Page 73:21 to 73:21

00073:21 (Exhibit No. 3552 marked.)

Page 75:02 to 75:08

00075:02 (Exhibit No. 3553 marked.)
03 Q. (By Mr. Bickford) Tab No. 9,
04 Exhibit No. 3553, purports to be an E-mail
05 from you to Brian Morel, "Subject," the "7 x
06 9.875 inch cement job.doc," "Attachments."
07 Did you send this E-mail, sir?
08 A. Same answer.

Page 75:23 to 75:25

00075:23 Q. Did you agree with the
24 procedures set forth in the attachment, sir?
25 A. Same answer.

Page 76:03 to 76:18

00076:03 Q. (By Mr. Bickford) Turn you to
04 Tab -- oh, this continues, I'm sorry, in Tab
05 9, and we'll continue making it the same
06 exhibit. There is a second E-mail, sir, from
07 Brian Morel, dated April 19th, 2010, to you
08 and others, regarding the same subject as the
09 last E-mail, which states: "Attached is the
10 cement plan Bob put together with the
11 chart...included."
12 Sir, did you put this cement
13 plan together, sir?
14 A. Same answer.
15 Q. Or did you author this cement
16 plan that -- that Brian Morel is referencing
17 in this document?
18 A. Same answer.

Page 77:04 to 77:07

00077:04 Q. Can you tell me whether you
05 agreed with the final procedures in the
06 document, sir?
07 A. Same answer.

Page 77:12 to 77:15

00077:12 Q. Can you tell me whether or not
 13 you've cemented a well that was this deep
 14 before?
 15 A. Same -- same answer.

Page 78:16 to 78:16

00078:16 (Exhibit No. 3554 marked.)

Page 80:05 to 80:22

00080:05 (Exhibit No. 3555 marked.)
 06 Q. (By Mr. Bickford) I'm going to
 07 mark this as Exhibit 3555. It purports to be
 08 a E-mail from Tony Emmerson, E-m-m-e-r-s-o-n,
 09 to Robert Kaluza, dated March 25th, 2009,
 10 attaching a 2009 Annual Individual
 11 Performance Assessment of Kaluza.
 12 Do you recognize this document
 13 and its attachment, sir?
 14 A. Same answer.
 15 Q. Did you receive this document
 16 and attachment, sir?
 17 A. Same answer.
 18 Q. Did -- can you discuss the
 19 details of this document, sir?
 20 A. Same answer.
 21 Q. Was this document ever revised
 22 pursuant to discussions you had with BP?

Page 80:24 to 81:03

00080:24 A. Same answer.
 25 Q. (By Mr. Bickford) Does this
 00081:01 represent your evaluation while you worked on
 02 the THUNDER HORSE, sir?
 03 A. Same answer.

Page 81:05 to 81:05

00081:05 (Exhibit No. 3556 marked.)

Page 82:17 to 82:17

00082:17 It's Tab No. 13, Exhibit 1753. It's prev --

Page 83:21 to 83:23

00083:21 Q. (By Mr. Bickford) Tab No. 14,
 22 Exhibit number -- which I'm going to mark as

23 Exhibit 3557.

Page 84:01 to 84:10

00084:01 Q. (By Mr. Bickford) This is an
02 E-mail -- purports to be an E-mail dated
03 Friday, April 16, 2010, from Mr. Vidrine to
04 you. It is attaching the updated procedure
05 plan. And I think it's actually a duplicate
06 of what we've already marked from Brian
07 Morel.
08 Do you -- do you recognize this
09 document?
10 A. Same answer.

Page 84:18 to 84:22

00084:18 Q. Did you agree with the
19 procedures set forth in this document?
20 A. Same answer.
21 Q. Did you voice your criticisms,
22 if any, to anyone concerning the document?

Page 84:24 to 84:24

00084:24 A. Same answer.

Page 85:07 to 85:17

00085:07 (Exhibit No. 3558 marked.)
08 MR. BICKFORD: I'm going to have it
09 marked as 3558.
10 Q. (By Mr. Bickford) This purports
11 to be an E-mail from Don Vidrine dated
12 Friday, April 16, to you, Mr. Kaluza, reg --
13 referencing the manifest and copying an
14 E-mail from Deepwater Horizon Performance
15 Coordinator to Mr. Vidrine.
16 Do you recognize this document?
17 A. The same answer.

Page 86:01 to 86:07

00086:01 Q. Did you agree with the
02 procedures in this document?
03 A. Same answer.
04 Q. Did you voice any concerns that
05 you might have had about this document to
06 anyone?
07 A. Same answer.

Page 86:10 to 86:21

00086:10 (Exhibit No. 3559 marked.)
 11 MR. BICKFORD: And I'll go ahead and
 12 identify this as Exhibit No. 3559.
 13 Q. (By Mr. Bickford) It purports to
 14 be a Friday, April 16th, 2010, E-mail from
 15 Mr. Vidrine to you, "Subject: Modification
 16 of Permit to Bypass...Local Surface Lease..."
 17 And it involves an E-mail chain
 18 from Brian Morel and from Heather Powell and
 19 from Frank Patton.
 20 Do you recognize this document?
 21 A. Same answer.

Page 87:03 to 87:05

00087:03 Q. Do you understand why Heather
 04 Powell is saying that thir -- three times is
 05 a charm in this document?

Page 87:07 to 87:10

00087:07 A. Same answer.
 08 Q. (By Mr. Bickford) Was it your
 09 understanding that approval took three times
 10 of this change?

Page 87:12 to 87:12

00087:12 A. Same answer.

Page 88:11 to 88:11

00088:11 (Exhibit No. 3560 marked.)

Page 89:14 to 90:04

00089:14 Turning to Tab 21, which I'm going to label
 15 as Exhibit 3561, sir.
 16 (Exhibit No. 3561 marked.)
 17 Q. (By Mr. Bickford) Purports to be
 18 a mem -- an E-mail from John -- Don Vidrine,
 19 to Leo Lindner copying you, dated April 16,
 20 2010, attaching a chain of E-mails which has
 21 to do with the pills used as spacers onboard
 22 the DEEPWATER HORIZON.
 23 Are you familiar with these FAS
 24 pills Memo?
 25 A. Same answer.
 00090:01 Q. Did you participate in
 02 discussions about the pills and what to do

03 with them on the DEEPWATER HORIZON?

04 A. Same answer.

Page 90:10 to 90:11

00090:10 Q. Did you voice any criticisms
11 concerning the use of these pills as spacers?

Page 90:13 to 90:13

00090:13 A. Same answer.

Page 91:11 to 91:11

00091:11 (Exhibit No. 3562 marked.)

Page 92:12 to 92:12

00092:12 (Exhibit No. 3563 marked.)

Page 95:11 to 95:17

00095:11 (Exhibit No. 3565 marked.)
12 Q. Tab number -- we're going to
13 skip --
14 Turning to Tab No. 42. This is
15 an E-mail from Ron Sepulvado to -- to John
16 Guide, dated April 25th, 2010. Have you ever
17 seen this document before?

Page 95:19 to 96:09

00095:19 Q. (By Mr. Bickford) Exhibit
20 before, it's 3565.
21 A. Same answer.
22 Q. And, sir, did you ever have any
23 discussions with Mr. Guide or Mr. Sepulvado
24 regarding procedures for negative tests?
25 A. Same answer.
00096:01 Q. Did BP have a standardized
02 procedure for negative tests?
03 A. Same answer.
04 Q. What was your procedure for
05 negative tests?
06 A. Same answer.
07 Q. What was Mr. Vidrine's procedure
08 for negative tests?
09 A. Same answer.

Page 97:01 to 97:08

00097:01 Q. Can you tell me why the amount
02 of centralizers that were used, if any, were
03 chosen?
04 A. Same answer.
05 Q. While you were aboard the
06 DEEPWATER HORIZON, you participated in nine
07 attempts to convert the float collars; is
08 that correct?

Page 97:10 to 97:13

00097:10 A. Same answer.
11 Q. (By Mr. Bickford) Can you give
12 me the details concerning that procedure?
13 A. Same answer.

Page 98:09 to 98:11

00098:09 Q. (By Mr. Bickford) While onboard,
10 you participated in a positive pressure test
11 of the well, did you not?

Page 98:13 to 98:13

00098:13 A. Same answer.

Page 99:11 to 99:13

00099:11 Q. (By Mr. Bickford) In retrospect
12 do you believe the positive pressure test was
13 conducted properly?

Page 99:15 to 99:25

00099:15 A. Same answer.
16 Q. (By Mr. Bickford) While aboard
17 the DEEPWATER HORIZON, you participated in a
18 negative test procedure, did you not?
19 A. Same answer.
20 Q. Can you tell me the details
21 concerning your participation in that test?
22 A. Same answer.
23 Q. Can you tell me the details of
24 how that test was conducted and why?
25 A. Same answer.

Page 100:06 to 100:09

00100:06 Q. (By Mr. Bickford) Can you tell
07 me what the protocol was aboard the DEEPWATER
08 HORIZON in April of 2010 for conducting a
09 pressure test, negative pressure test?

Page 100:11 to 100:16

00100:11 A. Same answer.
12 Q. (By Mr. Bickford) In retrospect
13 do you believe the negative pressure test
14 that was conducted in April of 2000 on the
15 well while you were aboard the DEEPWATER
16 HORIZON was properly conducted?

Page 100:18 to 100:18

00100:18 A. Same answer.

Page 102:19 to 103:05

00102:19 Q. (By Mr. Bickford) Sir, I've
20 asked you questions concerning practice and
21 procedures being employed aboard the
22 DEEPWATER HORIZON, including procedures of
23 well control, procedures of positive and
24 negative testing, of float collar conversion,
25 of casing assemblies. If I continue to ask
00103:01 you questions concerning those practices and
02 procedure, is your intention to continue to
03 invoke your Fifth Amendment right not to
04 testify?
05 MR. CLARKE: Stipulated.

Page 103:07 to 103:19

00103:07 Q. (By Mr. Bickford) Sir, I've
08 asked you questions concerning documents
09 generated, as well as your inter -- well,
10 documents that have been generated that
11 either have been sent to you or which you
12 have purportedly sent that have your name on
13 them as either the recipient or the sender.
14 If I continue to ask you questions concerning
15 documents generated by you, particularly in
16 April of 2010, is it your intention not to --
17 to invoke your Fifth Amendment privilege and
18 not testify?
19 MR. CLARKE: Stipulated.

Page 104:16 to 104:22

00104:16 Q. (By Mr. Bickford) Okay. Because
17 it had been referred to as the "well from
18 hell," you as the BP Well Site Leader should
19 have exhibited a very heightened sense of
20 vigilance concerning all the operations that

21 constituted the temporary plugging and
22 abandonment plan, shouldn't you have, sir?

Page 104:24 to 105:02

00104:24 A. Same answer.
25 Q. (By Mr. Bickford) This is
00105:01 particularly true since you were new to the
02 rig; is that correct, sir?

Page 105:04 to 105:06

00105:04 A. Same answer.
05 Q. (By Mr. Bickford) But you did no
06 such thing did you, sir?

Page 105:08 to 105:16

00105:08 A. Same answer.
09 Q. (By Mr. Bickford) Despite
10 knowing that people referred -- that were on
11 the well for a period of time referred to
12 this well as the "well from hell," when it
13 came to the installation of the centralizers,
14 you knew that Halliburton had recommended 21,
15 yet, you agreed to go with only seven; is
16 that correct?

Page 105:19 to 105:25

00105:19 A. Same answer.
20 Q. (By Mr. Bickford) And despite
21 knowing that this well was termed the "well
22 from hell" and despite knowing that you had
23 problems with the float collar conversion,
24 you assumed that the cement job would go
25 properly as planned; is that correct, sir?

Page 106:03 to 106:03

00106:03 A. Same answer.

Page 106:17 to 107:01

00106:17 Q. (By Mr. Bickford) And -- and
18 finally, sir, I'd like to discuss your
19 employment with BP. Isn't it a fact, sir,
20 that within about one year of your being
21 assigned to the Macondo Well as a Well Site
22 Leader you were criticizing your Employment
23 Evaluation as failing to spend time, striving
24 to work on your rig for a safer more reliable

25 and consistent performance of operations? Is
00107:01 that true, sir?

Page 107:03 to 107:22

00107:03 A. Same answer.
04 Q. (By Mr. Bickford) Turn to Tab
05 11, sir.
06 THE COURT REPORTER: 3555.
07 Q. (By Mr. Bickford) That's listed
08 as 3555. And I'd ask you to turn to the
09 attachment Bates No. 0723.
10 (Discussion off the record.)
11 Q. (By Mr. Bickford) Under
12 "Behaviours and support of delivery," this is
13 your Employment Evaluation, is it not, sir?
14 A. Same answer.
15 Q. And isn't it true, sir, that
16 your Employment Evaluation says -- criticized
17 your way of working saying that, quote:
18 "This way of working should be adapted to all
19 operations to get more operational
20 performance, consistency, and also to improve
21 safety"?
22 Did I read that correctly, sir?

Page 107:24 to 108:02

00107:24 A. Same answer.
25 Q. (By Mr. Bickford) Okay. Is
00108:01 that -- was that the criticism that was given
02 as part of your evaluation, sir?

Page 108:04 to 108:10

00108:04 A. Same answer.
05 Q. (By Mr. Bickford) Okay. Sir,
06 didn't your evaluation go forward to say
07 that: "Bob should spend more time out on
08 deck and other parts of the rig to work with
09 crews towards safety performance
10 improvement"?

Page 108:12 to 108:17

00108:12 A. Same answer.
13 Q. (By Mr. Bickford) So part of
14 your Employment Evaluation one year prior to
15 you getting on the DEEPWATER HORIZON rig was
16 that you needed to spend more time with crews
17 toward performance safety?

Page 108:19 to 109:02

00108:19 Q. (By Mr. Bickford) Is that
20 correct?
21 A. Same answer.
22 Q. Doesn't your Employment
23 Evaluation go on to say that you need to
24 consider the overall long-term performance
25 and strive to work safer, more reliable, and
00109:01 consistent performance across all operations?
02 Was that a criticism, sir?

Page 109:04 to 109:08

00109:04 A. Same answer.
05 Q. (By Mr. Bickford) So the concern
06 was that you needed to strive for a safer
07 more consistent operations on the THUNDER
08 HORSE; is that correct, sir?

Page 109:10 to 109:16

00109:10 A. Same answer.
11 Q. (By Mr. Bickford) Sir, wasn't
12 one of the criticisms of this report that you
13 spent too much time trying to impress the
14 Houston office and too little time trying to
15 make sure that the work onboard the rig that
16 you were working on were safe?

Page 109:18 to 109:24

00109:18 A. Same answer.
19 Q. (By Mr. Bickford) Doesn't it
20 state that Bob is trying "...to impress the
21 Houston office by attempting to have all the
22 answers to any questions that may arise"?
23 Is that one of the criticisms
24 set forth in this, sir?

Page 110:01 to 110:07

00110:01 A. Same answer.
02 Q. (By Mr. Bickford) Wasn't one of
03 the observations that you should spend more
04 time on the rig floor and in other parts of
05 the rig so you have a full understanding of
06 how the rig works and how the line of
07 communications work operationally?

Page 110:09 to 110:15

00110:09 A. The same answer.
 10 Q. (By Mr. Bickford) Okay. And
 11 didn't one of the observations state that:
 12 This also applies to working with crews in
 13 all parts of the rig to help them work safer
 14 and improve rig safety" and performance? Is
 15 that true, sir?

Page 110:17 to 110:25

00110:17 A. The same answer.
 18 Q. (By Mr. Bickford) Doesn't the
 19 assessment go on to state, sir, that:
 20 "Whereas he should continue to recognize and
 21 celebrate discrete operational successes, he
 22 should also look to the longer term and work
 23 towards driving operational and safety
 24 performance consistently across all PDQ rig
 25 operations"?

Page 111:02 to 111:08

00111:02 A. Same answer.
 03 Q. (By Mr. Bickford) Isn't one of
 04 the assessments that you should try to assert
 05 more influence with the PDQ rig to spend more
 06 time observing the crews at work prior to
 07 engaging them in discussions on the safety
 08 aspects of their tasks?

Page 111:10 to 111:13

00111:10 A. Same answer.
 11 Q. (By Mr. Bickford) Did you have
 12 the same feelings when you got onboard the
 13 DEEPWATER HORIZON, sir?

Page 111:16 to 111:16

00111:16 A. Same answer.

Page 112:05 to 115:17

00112:05 my time.
 06 THE VIDEOGRAPHER: We're off the record
 07 at 10:13. End Tape 2.
 08 (Recess - 10:13 a.m. to 10:19 a.m.)
 09 MS. HANKEY: I'm ready.
 10 THE VIDEOGRAPHER: All set?
 11 We're on the record at 10:19,
 12 start Tape 3.
 13 EXAMINATION

14 QUESTIONS BY MS. HANKEY:
 15 Q. Hello, Mr. Kaluza, my name is
 16 Rachel Hankey. I'm an attorney with the
 17 Department of Justice, and I'm here
 18 representing the United States.
 19 I'm going to jump around a bit
 20 considering that I'm following up on the
 21 other attorney, but I'd like to start with
 22 looking again at Exhibit 31, what has been
 23 marked as Exhibit 3188. It says on the first
 24 page, "Halliburton had modelled that at
 25 4bbls/minute pressure should be 570 psi.
 00113:01 Ramped up in 1 bbl increments slowly to
 02 4 bbl/minute at 350 psi."
 03 Do you dispute, Mr. Kaluza, that
 04 that is what happened?
 05 MR. MORRISS: Object to form.
 06 MR. CLARKE: The --
 07 A. Same answer.
 08 Q. (By Ms. Hankey) So it -- it's
 09 true, is it not, that you had problems
 10 establishing circulation pressure during the
 11 float collar conversion?
 12 MR. MORRISS: Object to form.
 13 A. Same answer.
 14 Q. (By Ms. Hankey) And isn't it
 15 true, Mr. Kaluza, that you were uncomfortable
 16 with the circulation pressure being so low?
 17 MR. MORRISS: Form.
 18 A. Same answer.
 19 Q. (By Ms. Hankey) You stated that
 20 it was odd that it was so low, correct?
 21 MR. MORRISS: Form.
 22 A. Same answer.
 23 Q. (By Ms. Hankey) In fact, didn't
 24 you state that you may have blown something
 25 up the casing?
 00114:01 MR. MORRISS: Form.
 02 A. Same answer.
 03 Q. (By Ms. Hankey) And then it says
 04 later: "I discussed it with John Guide and
 05 Keith Dagle. John said pump cement."
 06 Is that what happened?
 07 MR. MORRISS: Form.
 08 A. Same answer.
 09 Q. (By Ms. Hankey) You were so
 10 concerned that the pressure was so low that
 11 you made a call to shore; is that correct?
 12 MR. MORRISS: Form.
 13 A. Same answer.
 14 Q. (By Ms. Hankey) But you were
 15 directed to start pumping the cement anyway?
 16 MR. MORRISS: Form.
 17 A. Same answer.
 18 Q. (By Ms. Hankey) Did you direct

19 that the cement -- did you direct the cement
 20 job to begin without coming to any
 21 understanding of why it took nine attempts to
 22 establish circulation?
 23 MR. MORRISS: Form.
 24 A. Same answer.
 25 Q. (By Ms. Hankey) And did you
 00115:01 start the cement job without any
 02 understanding of why the circulation was so
 03 low?
 04 MR. MORRISS: Form.
 05 A. Same answer.
 06 Q. (By Ms. Hankey) You were asked
 07 earlier about whether or not you had
 08 circulated a bottoms-up. Did you circulate a
 09 bottoms-up before starting the cement job?
 10 A. Same answer.
 11 Q. Did Halliburton personnel
 12 recommend certi -- circulating a full
 13 bottoms-up?
 14 A. Same answer.
 15 Q. The decision not to run a full
 16 bottoms-up was made against Halliburton's
 17 recommendation; isn't that true?

Page 115:19 to 115:22

00115:19 A. Same answer.
 20 Q. (By Ms. Hankey) Would
 21 circulating a bottoms-up allow the workers to
 22 check whether the mud was absorbing gas?

Page 115:24 to 116:03

00115:24 A. Same answer.
 25 Q. (By Ms. Hankey) And the reason
 00116:01 that you didn't circulate bottoms-up was
 02 because of concerns for lost returns; isn't
 03 that right?

Page 116:05 to 116:05

00116:05 A. Same answer.

Page 116:21 to 116:23

00116:21 Q. (By Ms. Hankey) Did Halliburton
 22 personnel express concerns to anyone at BP
 23 that the pump rate was too low?

Page 116:25 to 117:06

00116:25 A. Same answer.
00117:01 Q. (By Ms. Hankey) Did Hallibin --
02 did Halliburton personnel express concerns to
03 anyone at BP that the pump rate would not be
04 fast enough to effectively displace any mud
05 around the production casing in the annulus,
06 to your knowledge?

Page 117:08 to 117:13

00117:08 A. Same answer.
09 Q. (By Ms. Hankey) To your
10 knowledge, did Halliburton personnel express
11 concerns that the volume of cement being used
12 was too low?
13 A. Same answer.

Page 117:20 to 117:22

00117:20 Q. (By Ms. Hankey) Would the low
21 pumping rate and the low volume increase the
22 risk of cement contamination?

Page 117:24 to 117:24

00117:24 A. Same answer.

Page 118:07 to 118:10

00118:07 Q. (By Ms. Hankey) In fact, you
08 only circulated for half an hour before
09 perf -- beginning the process of pumping
10 cement; is that correct?

Page 118:13 to 118:17

00118:13 A. Same answer.
14 Q. (By Ms. Hankey) A full
15 bottoms-up is a time-consuming process, is it
16 not?
17 A. Same answer.

Page 118:19 to 118:20

00118:19 Q. (By Ms. Hankey) Was a full
20 bottoms-up not done in order to save time?

Page 118:22 to 119:02

00118:22 A. Same answer.
23 Q. (By Ms. Hankey) You were shown

24 the OptiCem Report, showing that with the use
25 of seven centralizers, there was a prediction
00119:01 of severe gas -- of a severe gas flow
02 problem, correct?

Page 119:04 to 119:09

00119:04 A. Same answer.
05 Q. (By Ms. Hankey) Despite the
06 prediction of severe gas flow, you and the
07 others at BP proceeded to pump the cement
08 with only six central -- six centralizers; is
09 that correct?

Page 119:11 to 119:14

00119:11 A. Same answer.
12 Q. (By Ms. Hankey) And I'm going to
13 ask you to look at Tab 5, which is Exhibit
14 741.

Page 119:17 to 119:17

00119:17 MS. HANKEY: Yeah.

Page 120:08 to 120:10

00120:08 Q. To your knowledge, did anyone at
09 BP ever ask Halliburton to model the cement
10 job with only six centralizers?

Page 120:12 to 120:12

00120:12 A. Same answer.

Page 120:19 to 120:22

00120:19 Q. (By Ms. Hankey) To your
20 knowledge, did anyone at BP ever ask
21 Halliburton to model the cement job using the
22 actual placement of the centralizers?

Page 120:24 to 120:24

00120:24 A. Same answer.

Page 121:06 to 121:12

00121:06 Q. (By Ms. Hankey) Were there 21
07 centralizers in total available on the rig at

08 the time the production casing was run?
09 A. Same answer.
10 Q. Isn't it true that no model was
11 ever performed with the location and the
12 number of centralizers actually used?

Page 121:14 to 121:18

00121:14 A. Same answer.
15 Q. (By Ms. Hankey) I'm going to ask
16 you to look at Tab 6. This document is
17 entitled "Wellsite Checklists, Cementing
18 Responsibilities."

Page 121:20 to 121:24

00121:20 MS. HANKEY: I'm sorry. It's Exhibit
21 569.
22 Q. (By Ms. Hankey) And if you turn
23 to Page 2, it -- the page says: "Wellsite
24 Leader/Drilling Engineer" --

Page 122:06 to 122:21

00122:06 Q. (By Ms. Hankey) And if you turn
07 to Page 5, Bates ending in 3972. And you --
08 look at No. 8. It says: "Confirm correct
09 centralisers are available and suitable stop
10 collars have been supplied. Confirm
11 installation is according to design and
12 review any necessary" -- "necessary changes
13 with the Cement Company engineer."
14 Did you understand this to be
15 one of your responsibilities as Well Site
16 Leader?
17 A. Same answer.
18 Q. And isn't it true that none of
19 the Well Site Leaders for the HORIZON ensured
20 that the correct centralizers and suitable
21 stop collars were supplied?

Page 122:23 to 123:02

00122:23 A. Same answer.
24 Q. (By Ms. Hankey) Did you ensure
25 that the correct centralizers are available
00123:01 and suitable stop collars had been sup --
02 supplied?

Page 123:05 to 123:09

00123:05 A. Same answer.

06 Q. (By Ms. Hankey) Did Halliburton
 07 personnel inform the Engineers and/or Well
 08 Site Leaders at BP that they recommended the
 09 use of at least 21 centralizers?

Page 123:11 to 123:16

00123:11 A. Same answer.
 12 Q. (By Ms. Hankey) Did Halliburton
 13 personnel inform the Engineers and/or Well
 14 Site Leaders at BP that less than 21
 15 centralizers -- centralizers could lead to a
 16 significant risk of gas flow potential?

Page 123:18 to 125:18

00123:18 A. Same answer.
 19 Q. (By Ms. Hankey) And I'm going to
 20 ask you to turn back to Page 2 in that same
 21 exhibit. On Page -- it's Bates numbered 969.
 22 Item No. 2 says: "Verify that the final
 23 slurry" -- "slurry recommendation meets the
 24 job requirements including" DB -- "DWOP and
 25 ETP compliance."

00124:01 Did you understand that this was
 02 one of your responsibilities as Well Site
 03 Leader?

04 A. Same answer.
 05 Q. Did you verify that the final
 06 recommendation met the job requirements?

07 A. Same answer.
 08 Q. If you would turn to Page 3,
 09 which is Bates No. 970, Item No. 1 says:
 10 "For an offshore location ensure all final
 11 slurry designs have been based on samples of
 12 materials taken at the rig site."

13 Did you understand that to be
 14 one of your responsibilities as Well Site
 15 Leader?

16 A. Same answer.
 17 Q. Did you ensure that all final
 18 slurry designs were based on samples taken at
 19 the rig site before the cement was run?

20 A. Same answer.
 21 Q. And then later on that same
 22 page, Item No. 4 says: "Review strength
 23 development indicated by laboratory testing
 24 against timeline for subsequent operations
 25 (pressure testing," burial -- "barrier

00125:01 removal, drill out) and discuss any WOC
 02 identified with Cement Company to assess
 03 possible mitigations."

04 Did you understand that to be
 05 one of your responsibilities as Well Site

06 Leader?
07 A. Same answer.
08 Q. Did you review any of the cement
09 testing results for a strength development?
10 A. Same answer.
11 Q. There are a number of other
12 items in this checklist for Wellsite Leader,
13 Cementing Responsibilities, are there not?
14 A. Same answer.
15 Q. Did you ensure that each one of
16 these outlined responsibilities has been --
17 had been met before running the cement?
18 A. Same answer.

Page 125:20 to 125:23

00125:20 Q. (By Ms. Hankey) To your
21 knowledge, did anyone at BP ensure that each
22 one of these outlined responsibilities had
23 been met before running the cement?

Page 125:25 to 126:05

00125:25 A. Same answer.
00126:01 Q. (By Ms. Hankey) According to
02 this, it was the Well Site Leader and
03 Drilling Engineer's responsibility to ensure
04 that the proper tests were completed before
05 the cement was run, correct?

Page 126:07 to 126:12

00126:07 A. Same answer.
08 Q. (By Ms. Hankey) It was the Well
09 Site Leader and Drilling Engineer's
10 responsibility to ensure that these tests
11 were completed. You could not simply rely on
12 the contractor, could you?

Page 126:14 to 126:18

00126:14 A. Same answer.
15 Q. (By Ms. Hankey) In fact, given
16 that it was BP's well, it would not be
17 reasonable to rel -- completely rely on the
18 contractor, would it?

Page 126:20 to 126:24

00126:20 A. Same answer.
21 Q. (By Ms. Hankey) Wouldn't it be
22 unreasonable to wholly rely on the contractor

23 if you had previously noted that you were not
24 getting quality work from that contractor?

Page 127:03 to 127:10

00127:03 A. Same answer.
04 Q. (By Ms. Hankey) It is important
05 to test the cement slurry against the
06 expected conditions in that particular well,
07 isn't it?
08 A. Same answer.
09 Q. Did you review all the required
10 test results before running cement?

Page 127:12 to 127:12

00127:12 A. Same answer.

Page 127:19 to 127:22

00127:19 Q. (By Ms. Hankey) Did you ensure
20 that someone else had reviewed all the
21 required test results before running the
22 cement?

Page 127:24 to 127:24

00127:24 A. Same answer.

Page 129:20 to 129:25

00129:20 Q. (By Ms. Hankey) Were you aware
21 that Erick Cunningham of BP warn that --
22 warned that using foam cement could present
23 some stability challenges because of poten --
24 potential destabilization by base oil in the
25 mud?

Page 130:03 to 130:07

00130:03 A. Same answer.
04 Q. (By Ms. Hankey) Was a based
05 oil -- a base oil used as spacer for the
06 production casing cement job, despite these
07 warnings?

Page 130:09 to 130:16

00130:09 A. Same answer.
10 Q. (By Ms. Hankey) Was the decision
11 not to run a Cement Bond Log main sole --

12 made solely upon reports of full returns from
13 Transocean and approximately a hundred psi of
14 lift -- lift plessure -- pressure observed by
15 the cement crew after the bottom plug landed
16 to determine the success of the cement job?

Page 130:18 to 130:21

00130:18 A. Same answer.
19 Q. Full returns and lift pressure
20 are not indicative of the top of cement, are
21 they?

Page 130:23 to 131:01

00130:23 A. Same answer.
24 Q. (By Ms. Hankey) Full returns and
25 lift pressure are not indi -- indicative of
00131:01 whether the cement is contaminated, are they?

Page 131:03 to 131:07

00131:03 A. Same answer.
04 Q. (By Ms. Hankey) Full returns and
05 lift pressure are not indicative of whether
06 channeling has occurred in the cement, are
07 they?

Page 131:09 to 131:12

00131:09 A. Same answer.
10 Q. (By Ms. Hankey) Full returns and
11 lift pressure are not indicative of whether
12 the cement has cured, are they?

Page 131:14 to 131:17

00131:14 A. Same answer.
15 Q. (By Ms. Hankey) Full returns and
16 lift pressure are not indi -- indicative of
17 whether the cement has set up, are they?

Page 131:19 to 131:22

00131:19 A. Same answer.
20 Q. (By Ms. Hankey) Full returns and
21 lift pressure are not indicative of whether
22 the cement is contaminated, are they?

Page 131:24 to 132:04

00131:24 A. Same answer.
25 Q. (By Ms. Hankey) Isn't it true
00132:01 that the problems establish -- establishing
02 circulation pressure were not considered in
03 making the determination not to run a Cement
04 Bond Log?

Page 132:06 to 132:11

00132:06 A. Same answer.
07 Q. (By Ms. Hankey) Given your
08 concerns regarding the circulator pressure
09 being low during the attempted float collar
10 conversion, was it reasonable not to run a
11 Cement Bond Log?

Page 132:13 to 132:18

00132:13 A. Same answer.
14 Q. (By Ms. Hankey) Given your
15 concerns that you may have blown something up
16 the casing during the attempted float collar
17 conversion, was it reasonable not to run the
18 Cement Bond Log?

Page 132:21 to 132:21

00132:21 A. Same answer.

Page 133:10 to 133:14

00133:10 Q. (By Ms. Hankey) Without a Bond
11 Log, you do not know -- isn't the only way --
12 the only accurate way of determining the top
13 of cement, to run a Bond -- a Cement Bond
14 Log?

Page 133:16 to 133:20

00133:16 A. Same answer.
17 Q. (By Ms. Hankey) And without a
18 Bond Log, you do not know whether there are
19 areas in the cementing job that need to be
20 remediated, do you?

Page 133:22 to 134:01

00133:22 A. Same answer.
23 Q. (By Ms. Hankey) Was the April
24 18th OptiCem Report prediction of severe gas
25 flow problems considered in the decision not
00134:01 to run a Bond Log?

Page 134:03 to 134:06

00134:03 A. Same answer.
04 Q. (By Ms. Hankey) Isn't it true
05 that a number of decisions that were made
06 increased the risk of cement failure?

Page 134:08 to 134:14

00134:08 A. Same answer.
09 Q. (By Ms. Hankey) For example, the
10 decision not to circulate a full bottoms-up,
11 the -- the low volume of cement, the low pump
12 rate, the use of only six centralizers,
13 didn't all of these decisions increase the
14 risk of cement failure?

Page 134:17 to 134:21

00134:17 A. Same answer.
18 Q. (By Ms. Hankey) Yet, none of
19 these were considered as factors when
20 determining whether to run the Cement Bond
21 Log, correct?

Page 134:23 to 135:01

00134:23 A. Same answer.
24 Q. (By Ms. Hankey) Did you raise
25 concerns with anyone regarding the decision
00135:01 not to run a Cement Bond Log?

Page 135:03 to 135:06

00135:03 A. Same answer.
04 Q. (By Ms. Hankey) Full returns and
05 lift pressure are not considered a proven
06 cement evaluation technique, are they?

Page 135:08 to 135:18

00135:08 A. Same answer.
09 Q. (By Ms. Hankey) Are you aware of
10 any Industry Manual or Best Practice that
11 says lift pressure and full returns are an
12 accurate way to determine the success of a
13 cement job?
14 A. Same answer.
15 Q. It's true, is it not, that no
16 proven cement evaluation technique was run at
17 this well bef -- after the ce -- the

18 production casing cement was poured?

Page 135:20 to 135:23

00135:20 A. Same answer.
21 Q. (By Ms. Hankey) The decision as
22 to whether to run a Bond Log was
23 predetermined, was it not?

Page 135:25 to 136:12

00135:25 A. Same answer.
00136:01 Q. (By Ms. Hankey) Isn't it true
02 that a decision tree was established of -- of
03 what factors would be considered before
04 running a ce -- Cement Log before the cement
05 was ever poured?
06 A. Same answer.
07 Q. Given -- given that the factors
08 were determined before the cem -- cement was
09 run, any anomalies and unpredicted results
10 during the cement job, they were never
11 considered in deciding whether or not to run
12 a Bo -- Cement Log, correct?

Page 136:14 to 136:16

00136:14 A. Same answer.
15 Q. (By Ms. Hankey) BP policy
16 required a Cement Bond to be run, did it not?

Page 136:18 to 136:21

00136:18 A. Same answer.
19 Q. (By Ms. Hankey) It would cost
20 \$128,000 to run a Cement Bond Log; is that
21 correct?

Page 136:23 to 137:04

00136:23 A. Same answer.
24 Q. (By Ms. Hankey) And would it
25 have taken 12 to 16 hours to perform the
00137:01 Cement Log?
02 A. Same answer.
03 Q. Was there worrying on the rig
04 about getting to the next operation?

Page 137:07 to 137:10

00137:07 A. Same answer.
08 Q. (By Ms. Hankey) Did worrying

09 about the next operation affect the decision
10 not to run the Cement Bond Log?

Page 137:13 to 137:18

00137:13 A. Same answer.
14 Q. (By Ms. Hankey) Did worrying
15 about the next operation affect the decision
16 to begin pouring cement, without finding an
17 adequate explanation for the low circulation
18 pressure?

Page 137:21 to 138:01

00137:21 A. Same answer.
22 Q. (By Ms. Hankey) Did worrying
23 about the next operation affect the decision
24 to begin pouring cement before all
25 required tests had been run on the cement
00138:01 slurry?

Page 138:03 to 138:06

00138:03 A. Same answer.
04 Q. (By Ms. Hankey) Did worrying
05 about the next operation affect the decision
06 not to circulate a full bottoms-up?

Page 138:09 to 138:09

00138:09 A. Same answer.

Page 139:15 to 139:20

00139:15 Q. (By Ms. Hankey) Did the failure
16 to follow BP's own practice guidelines
17 regarding cement evaluation cause or
18 contribute to the release of hydrocarbons
19 from the wellbore -- wellbore and subsequent
20 explosion?

Page 139:23 to 139:23

00139:23 A. Same answer.

Page 140:16 to 140:20

00140:16 Q. (By Ms. Hankey) Did the multiple
17 decisions which resulted in an increased risk
18 of cement contamination cause or contribute
19 to the release of hydrocarbons from the

20 wellbore and subsequent explosion?

Page 140:23 to 141:04

00140:23 A. Same answer.
 24 Q. (By Ms. Hankey) Did the use of
 25 six centralizers, despite the prediction of
 00141:01 severe gas flow prob -- of a severe ga -- gas
 02 flow problem cause or contribute to the
 03 release of hydrocarbons from the wellbore and
 04 the subsequent explosion?

Page 141:07 to 141:25

00141:07 A. Same answer.
 08 Q. (By Ms. Hankey) Now I want to
 09 ask you some questions about the tem --
 10 Temporary Abandonment Procedure, and I'm
 11 going to ask you to look at Tab 1, which has
 12 been previously marked as Exhibit 5, and I'm
 13 going to ask you to turn to Page 2. At the
 14 top of Page 2, it says: "Hafle called,
 15 wanted to ensure Bob had seen TA procedure
 16 and permit to modify."
 17 MR. CLARKE: I'm sorry. Page 2?
 18 MS. HANKEY: Yeah. Whoops. Sorry.
 19 Ending with the Bates Number --
 20 MR. CLARKE: Okay. We got it.
 21 MS. HANKEY: -- 212 --
 22 MR. CLARKE: Thanks.
 23 MS. HANKEY: -- 76.
 24 Q. (By Ms. Hankey) Is this what
 25 happened?

Page 142:02 to 142:05

00142:02 A. Same answer.
 03 Q. (By Ms. Hankey) There had been
 04 several changes to the Temporary Abandonment
 05 Procedure, correct?

Page 142:08 to 142:11

00142:08 A. Same answer.
 09 Q. (By Ms. Hankey) Was Mr. Hafle
 10 concerned that with all the changes, the
 11 procedure was not understood?

Page 142:14 to 142:19

00142:14 A. Same answer.
 15 Q. (By Ms. Hankey) On the same

16 page, it says, a few lines down: "...team in
17 town, wanted to do a combined displacement
18 and negative test which may conflict with
19 APD"; is this true?

Page 142:21 to 142:24

00142:21 A. Same answer.
22 Q. (By Ms. Hankey) Was the negative
23 test changed to a combined displacement,
24 which was not in the APD?

Page 143:01 to 143:03

00143:01 A. Same answer.
02 Q. (By Ms. Hankey) Was the
03 procedure being changed to save time?

Page 143:05 to 143:08

00143:05 A. Same answer.
06 Q. (By Ms. Hankey) This is what you
07 thought, was it not, that it was changed to
08 save time?

Page 143:10 to 143:16

00143:10 A. Same answer.
11 Q. (By Ms. Hankey) It says:
12 "Town" -- lower down, it says: "Town decided
13 to de" -- "deviate..." and then it says:
14 "Not sure if talked to MMS or not about
15 procedure" being changed. Is this what
16 happened?

Page 143:18 to 143:21

00143:18 A. Same answer.
19 Q. (By Ms. Hankey) Did they decide
20 to use a different procedure than what was
21 approved by MMS?

Page 143:23 to 143:25

00143:23 A. Same answer.
24 Q. (By Ms. Hankey) Is this common,
25 to deviate from the reported procedures?

Page 144:03 to 144:06

00144:03 A. Same answer.

04 Q. (By Ms. Hankey) Do you know
05 whether MMS was ever told that you would be
06 deviating from the approved procedures?

Page 144:09 to 144:12

00144:09 A. Same answer.
10 Q. (By Ms. Hankey) How you -- have
11 you ever used lost circulation material as
12 spacer before?

Page 144:15 to 144:18

00144:15 A. Same answer.
16 Q. (By Ms. Hankey) Are you aware of
17 anyone else using lost circulation material
18 as spacer before?

Page 144:22 to 144:25

00144:22 A. Same answer.
23 Q. (By Ms. Hankey) You were never
24 provided any formal training by BP on how to
25 conduct a negative pressure test, were you?

Page 145:03 to 145:07

00145:03 A. Same answer.
04 Q. (By Ms. Hankey) You were never
05 provided any training on what was required
06 for a pressure test to be successful; is that
07 correct?

Page 145:10 to 145:15

00145:10 A. Same answer.
11 Q. (By Ms. Hankey) There were no
12 writings from BP on the rig, any procedure or
13 document that you could refer to for guidance
14 on how to co -- conduct a negative pressure
15 test; is that right?

Page 145:18 to 145:22

00145:18 A. Same answer.
19 Q. (By Ms. Hankey) And the same was
20 true for -- and there were no documents on
21 the rig from BP on how to interpret the
22 results of the negative pressure test?

Page 145:25 to 146:03

00145:25 A. Same answer.
00146:01 Q. (By Ms. Hankey) And this is
02 true, even though a negative pressure test is
03 a safety-critical test?

Page 146:06 to 147:06

00146:06 A. Same answer.
07 Q. (By Ms. Hankey) And I'm going to
08 ask you to look at Tab 9.
09 MS. HANKEY: I'm going to mark that as
10 Exhibit 3566.
11 (Exhibit No. 3566 marked.)
12 Q. (By Ms. Hankey) And this is an
13 E-mail from Brian Morel to Robert Kaluza, Don
14 Vidrine and Lee Lambert, correct?
15 A. Same answer.
16 Q. And it says: "FYI - Deeper plug
17 approval," correct?
18 A. Same answer.
19 Q. And attached to that document is
20 the "Application for Permit to Modify"?
21 A. Same answer.
22 Q. And if we turn to Page 3,
23 there's a document entitled "Temporary
24 Abandonment Procedure," correct?
25 A. Same answer.
00147:01 Q. And Item No. 1 says: "Negative
02 test casing to seawater gradient equivalent
03 for 30 minutes with kill line," correct?
04 A. Same answer.
05 Q. This is not the procedure that
06 was conducted, correct?

Page 147:08 to 147:11

00147:08 A. Same answer.
09 Q. And is that what you meant when
10 you said that the procedures were -- that
11 modified from the APD?

Page 147:14 to 147:22

00147:14 A. Same answer.
15 Q. (By Ms. Hankey) Were there two
16 attempts made to conduct the negative
17 pressure test?
18 MR. CLARKE: Objection.
19 A. Same answer.
20 Q. (By Ms. Hankey) You first
21 attempted to conduct the negative pressure
22 test on the drill pipe; is that correct?

Page 147:25 to 148:05

00147:25 A. Same answer.
00148:01 Q. (By Ms. Hankey) And if we're
02 looking back at Exhibit 5, it says: "Comment
03 that Randy pushed for" the "negative test on"
04 the "drill pipe."
05 Is that what happened?

Page 148:07 to 148:10

00148:07 A. Same answer.
08 Q. (By Ms. Hankey) Did the real --
09 rig crew tell you that they wanted to run the
10 test on the drill pipe?

Page 148:12 to 148:15

00148:12 A. Same -- same answer.
13 Q. (By Ms. Hankey) Isn't it true
14 that the rig crew told you that they normally
15 conducted negative tests on the drill pipe?

Page 148:17 to 148:21

00148:17 A. Same answer.
18 Q. (By Ms. Hankey) The crew told
19 you that the procedures being followed were
20 not how they typically conducted a negative
21 pressure test?

Page 148:24 to 149:04

00148:24 A. Same answer.
25 Q. (By Ms. Hankey) Was the
00149:01 confusion on where to conduct the negative
02 pressure test caused by the last-minute
03 changes to the temporary abandonment
04 procedure?

Page 149:07 to 149:12

00149:07 A. Same answer.
08 Q. (By Ms. Hankey) Had you received
09 the procedure earlier, would you have been
10 able to go over it with the rig crew and
11 perhaps resolve the confusion on where to run
12 the test?

Page 149:15 to 149:20

00149:15 A. Same answer.
16 Q. (By Ms. Hankey) If you would had
17 been -- received the procedures earlier,
18 would you have been able to seek changes to
19 the test to make it consistent with how the
20 rig crew normally conducted its tests?

Page 149:23 to 149:23

00149:23 A. Same answer.

Page 150:06 to 151:01

00150:06 Q. (By Ms. Hankey) And I'm going to
07 ask you to turn to Tab 4.
08 (Exhibit No. 3567 marked.)
09 MS. HANKEY: I'm going to mark this as
10 Exhibit 3567.
11 Q. (By Ms. Hankey) And this is a
12 document entit -- entitled "Deepwater Horizon
13 Accident Investigation Report, September 8,
14 2010" -- "2010," produced by BP, correct?
15 A. Same answer.
16 Q. And within this document are
17 Sections 3 and Sections 4 of the Report; is
18 that correct?
19 A. Same answer.
20 Q. On -- it states on Page 24, an
21 "Attempt" was "made to bleed system down to
22 0 psi. Drill pipe pressure decreased to 273
23 psi. Kill line pressure decreased to 0 psi.
24 Kill line shut in."
25 Do you dispute that this is what
00151:01 happened?

Page 151:03 to 151:07

00151:03 A. Same -- same answer.
04 Q. (By Ms. Hankey) When you
05 attempted to bleed the drill pipe down, drill
06 pipe pressure started increasing; is that
07 correct?

Page 151:10 to 151:19

00151:10 A. Same answer.
11 Q. (By Ms. Hankey) And then it says
12 starting at 16:59 on April 20th: "At 16:59
13 hours, drill pipe pressure increased from 273
14 psi to 1,250 psi in 6 minutes.
15 "Annular preventer closing pressure was
16 increased from 1,500 psi to 1,900 psi to
17 create a seal."

18 Do you dispute that this is what
19 happened?

Page 151:21 to 152:03

00151:21 A. The same answer.
22 Q. (By Ms. Hankey) And then on
23 Page 25, starting at 17:27 it says: "Drill
24 pipe pressure reduced from 1,205 psi to 0 psi
25 by bleeding off 15 bbls to 23 bbls of fluid
00152:01 to the cement unit."
02 Do you dispute that this is what
03 happened?

Page 152:05 to 152:09

00152:05 A. Same answer.
06 Q. (By Ms. Hankey) Before bleeding
07 the drill pipe, did you calculate what the
08 expected volume would be based on the
09 decreased pressure?

Page 152:11 to 152:15

00152:11 A. Same answer.
12 Q. (By Ms. Hankey) Isn't the
13 expected volume, based on this amount of
14 drill pipe -- drill -- drill pressure, closer
15 to 3.5 BBLs?

Page 152:17 to 152:20

00152:17 A. Same answer.
18 Q. (By Ms. Hankey) The expected
19 volume would not have been 15 to 23 BBLs; is
20 that correct?

Page 152:22 to 152:24

00152:22 A. Same answer.
23 Q. (By Ms. Hankey) These results
24 indicated a cement failure, did they not?

Page 153:01 to 153:04

00153:01 A. Same answer.
02 Q. (By Ms. Hankey) Did you
03 understand why the drill pipe would not stay
04 at zero?

Page 153:06 to 153:09

00153:06 A. Same answer.
 07 Q. (By Ms. Hankey) After these
 08 results, you switched the test to the kill
 09 line; is that correct?

Page 153:12 to 153:18

00153:12 A. Same answer.
 13 Q. (By Ms. Hankey) During the test
 14 on the kill line, the drill pipe pressure
 15 increased gradually; is that correct?
 16 A. Same answer.
 17 Q. After getting what were
 18 anomalous results, did you stop the test?

Page 153:21 to 154:16

00153:21 A. Same answer.
 22 Q. (By Ms. Hankey) I'm going to ask
 23 you to look at Tab 1, Exhibit 5, again. At
 24 the bottom of Page 2, it says: "Long
 25 discussion about pressure on drill pipe
 00154:01 recalled they said they bled fluid after
 02 pumping."
 03 MR. CLARKE: I'm sorry.
 04 MS. HANKEY: I'm sorry.
 05 MR. CLARKE: Oh, okay. Here we go.
 06 Q. (By Ms. Hankey) "Jason said 'Bob
 07 and Don, this happens all the time' they
 08 called it" the "'bladder effect'..."
 09 Do you recall making these
 10 statements in this interview?
 11 MR. CLARKE: Just -- I -- they called
 12 it "a bladder effect" it says.
 13 Q. (By Ms. Hankey) I'm sorry.
 14 "...they called it a 'bladder effect'..."
 15 Do you recall making these
 16 statements?

Page 154:18 to 154:20

00154:18 A. Same answer.
 19 Q. (By Ms. Hankey) Is this what
 20 happened?

Page 154:22 to 155:11

00154:22 A. Same answer.
 23 Q. (By Ms. Hankey) Before that day,
 24 had you ever heard of the bladder effect?
 25 A. Same answer.
 00155:01 Q. And then if you turn to the next

02 page, starting on the fifth line down, it
 03 says: "...on drill pipe side pressure
 04 building, Jason said it was bladder effect,
 05 driller Sevette said" that "he" had "seen
 06 this before also..."
 07 And then it says a few lines
 08 down: "Bob - 'if you have seen this so many
 09 times before, it must be true'..."
 10 Do you recall telling the
 11 interviewers that this is what happened?

Page 155:13 to 155:15

00155:13 A. Same answer.
 14 Q. (By Ms. Hankey) Is this what
 15 happened that day?

Page 155:17 to 155:19

00155:17 A. Same answer.
 18 Q. (By Ms. Hankey) Do you dispute
 19 that you made these statements?

Page 155:21 to 156:06

00155:21 A. Same answer.
 22 Q. (By Ms. Hankey) You had only
 23 been on the rig for four days; is that
 24 correct?
 25 A. Same answer.
 00156:01 Q. And you had only worked with
 02 Jason Anderson for those four days, correct?
 03 A. Same answer.
 04 Q. Do you know how many times
 05 Mr. Anderson had performed a negative
 06 pressure test?

Page 156:08 to 156:08

00156:08 A. Same answer.

Page 157:01 to 157:04

00157:01 Q. (By Ms. Hankey) Did you ever ask
 02 him how many times he had performed a
 03 negative pressure test under these
 04 procedures?

Page 157:06 to 157:10

00157:06 A. Same answer.
 07 Q. (By Ms. Hankey) Did you consider

08 the effect of the lost circulation material
 09 being used as spacer in interpreting the test
 10 results?

Page 157:12 to 157:17

00157:12 A. Same answer.
 13 Q. (By Ms. Hankey) Given that lost
 14 circulation material has never been used as
 15 spacer before, would you know what effect it
 16 could have had on the negative pressure
 17 results?

Page 157:19 to 157:24

00157:19 A. Same answer.
 20 Q. (By Ms. Hankey) Did you consider
 21 in evaluating the negative pressure results
 22 that you may have blown something up the
 23 casing when converting the float collar as
 24 you, yourself, had stated?

Page 158:02 to 158:24

00158:02 A. Same answer.
 03 Q. (By Ms. Hankey) And then I'm
 04 going to ask you to go back to Tab 4, Page 25
 05 of the -- or 24 of the BP report. On
 06 April 20th, at 12:00 o'clock, it says:
 07 "Deepwater Horizon started offloading mud to
 08 the M" -- N -- MN -- "Damon Bankston.
 09 Do you dispute that that's what
 10 happened?
 11 MR. CLARKE: It -- "M/V."
 12 Q. (By Ms. Hankey) Oh, sorry,
 13 "M/V."
 14 A. Same answer.
 15 Q. And then on April 20th, at
 16 17:17, it says: "Mud offloading from
 17 Deepwater Horizon mud pits to" N -- "M/V
 18 Damon Bankston ceased. Mudlogger not
 19 notified."
 20 Do you dispute that this is what
 21 happened?
 22 A. Same answer.
 23 Q. The mud logger was not notified
 24 that offloading had ceased; is that correct?

Page 159:01 to 159:05

00159:01 A. Same answer.
 02 Q. (By Ms. Hankey) And without
 03 being notified, the mud loggers would not

04 have known to be monitoring volume in the
05 pits; isn't that true?

Page 159:07 to 159:12

00159:07 A. Same answer.
08 Q. (By Ms. Hankey) Isn't it true
09 that the mud loggers informed you that with
10 the mud pups be -- mud pits being -- the mud
11 being offloaded, that they would be unable to
12 monitor the volume in the pits?

Page 159:14 to 159:17

00159:14 A. Same answer.
15 Q. (By Ms. Hankey) During crane
16 operations, the ability to monitor flows is
17 affected, true?

Page 159:19 to 159:22

00159:19 A. Same answer.
20 Q. (By Ms. Hankey) And also it
21 affects the ability to monitor pit volume;
22 isn't that correct?

Page 159:24 to 160:03

00159:24 A. Same answer.
25 Q. (By Ms. Hankey) Isn't it true,
00160:01 then, that crane operations during the
02 displacement would have affected the ability
03 to monitor the well?

Page 160:05 to 160:11

00160:05 A. Same answer.
06 Q. (By Ms. Hankey) And I'm -- if
07 you would turn to Page 26 in the same report,
08 on April 20th at 20:58, it says: "Trip tank
09 was emptied into the flow-line at this time."
10 Do you dispute that this is what
11 happened?

Page 160:13 to 160:19

00160:13 A. Same answer.
14 Q. (By Ms. Hankey) And emptying the
15 trip tank would have affected the flow out
16 meters, correct?
17 A. Same answer.
18 Q. It also affected the ability to

19 monitor pit volume; isn't that correct?

Page 160:21 to 161:01

00160:21 A. Same answer.
 22 Q. (By Ms. Hankey) At 21:08, it
 23 says: "Overboard dump line opened during
 24 sheen test; Sperry-Sun flow meter bypassed."
 25 Do you dispute that this is what
 00161:01 happened?

Page 161:03 to 161:07

00161:03 A. Same answer.
 04 Q. (By Ms. Hankey) Once discharges
 05 were directed overboard, the flow could not
 06 be monitored by the Sperry-Sun flow meters,
 07 correct?

Page 161:09 to 161:13

00161:09 A. Same answer.
 10 Q. (By Ms. Hankey) Isn't it true
 11 that the only reason that el -- lost
 12 circulation material was used as spacer was
 13 so it could go overboard?

Page 161:16 to 161:20

00161:16 A. Same answer.
 17 Q. (By Ms. Hankey) Did you consider
 18 not sending the spacer overboard so that
 19 returns could be bet -- mon -- better
 20 monitored?

Page 161:24 to 162:10

00161:24 A. Same answer.
 25 Q. (By Ms. Hankey) On the HORIZON,
 00162:01 you could select which screens to watch the
 02 flow at, correct?
 03 A. Same answer.
 04 Q. Did you direct anyone to which
 05 screens to watch during the displacement?
 06 A. Same answer.
 07 Q. After the negative pressure
 08 test, you began -- they began -- or the rig
 09 began pumping seawater dis -- to displace mud
 10 from the riser, correct?

Page 162:13 to 162:19

00162:13 A. Same answer.
14 Q. (By Ms. Hankey) Before
15 displacement, did you calculate the expected
16 returns?
17 A. Same answer.
18 Q. Did you ensure that someone else
19 had calculated the expected returns?

Page 162:21 to 162:25

00162:21 A. Same answer.
22 Q. (By Ms. Hankey) Did you, given
23 the anomalous results in the negative
24 pressure test, give any instructions to
25 carefully monitor returns?

Page 163:03 to 163:06

00163:03 A. Same answer.
04 Q. (By Ms. Hankey) Did you ask
05 exactly how the returns would be monitored
06 during displacement?

Page 163:08 to 163:13

00163:08 A. Same answer.
09 Q. (By Ms. Hankey) Given your
10 concerns during the attempted conversion of
11 the float collar, did you give any
12 instructions to the rig crew to carefully
13 monitor for any problems?

Page 163:16 to 163:21

00163:16 A. Same answer.
17 Q. (By Ms. Hankey) And, in fact,
18 neither you or Mister -- Mr. Vidrine gave any
19 indication to the rig crew that should --
20 they should be carefully monitoring the well
21 during displacement; isn't that correct?

Page 163:23 to 164:03

00163:23 A. Same answer.
24 Q. (By Ms. Hankey) Did you give any
25 instructions that any operations that might
00164:01 affect monitoring of the well be delayed
02 until after the cement plug had been
03 installed?

Page 164:05 to 164:09

00164:05 A. Same answer.
06 Q. (By Ms. Hankey) Did you direct,
07 for example, that any crane operations be
08 de -- be delayed until after the cement plug
09 had been installed?

Page 164:11 to 164:16

00164:11 A. Same answer.
12 Q. (By Ms. Hankey) Did you give any
13 instructions that mud transfers, either
14 between pits or from trip tanks or sand
15 trips, should be limited in order to ensure
16 effective well monitoring?

Page 164:18 to 164:22

00164:18 A. Same answer.
19 Q. (By Ms. Hankey) Did you give any
20 instructions after the negative pressure
21 tests to watch for any other increases in the
22 drill pipe pressure?

Page 164:25 to 165:04

00164:25 A. Same answer.
00165:01 Q. (By Ms. Hankey) Isn't it true
02 that si -- simultaneous operations interfered
03 with the ability of the rig crew to detect a
04 kick?

Page 165:06 to 165:11

00165:06 A. Same answer.
07 Q. (By Ms. Hankey) In evaluating
08 the negative pressure test results, you did
09 not consider the fact that nitrogen cement
10 had been used and the increased risk of
11 instability in the cement, did you?

Page 165:15 to 165:21

00165:15 A. Same answer.
16 Q. (By Ms. Hankey) In evaluating
17 the negative pressure test results, you did
18 not consider the fact that with only six
19 centralizers used, a severe flow potential
20 and significant risk of channeling in the
21 cement job was predicted, did you?

Page 165:24 to 165:24

00165:24 A. Same answer.

Page 166:07 to 166:10

00166:07 Q. (By Ms. Hankey) The decision not
08 to run a Cement Bond Log was made before the
09 pres -- negative pressure test was ever
10 conducted, true?

Page 166:13 to 166:17

00166:13 A. Same answer.
14 Q. (By Ms. Hankey) Did you ensure
15 that you had and considered all relevant
16 information before making these safety
17 critical determinations?

Page 166:20 to 166:20

00166:20 A. Same answer.

Page 166:23 to 167:07

00166:23 Exhibit 5, or you have it -- sorry, Tab 1, do
24 you recall being interviewed by -- for the BP
25 Investigation?
00167:01 A. Same answer.
02 Q. And do you recall that people
03 took notes during those interviews?
04 A. Same answer.
05 Q. Is there anything in these
06 interview notes that you deny is an accurate
07 account of your statements?

Page 167:09 to 167:09

00167:09 A. Same answer.

Page 168:02 to 168:05

00168:02 Are you familiar with the --
03 BP's Elements of Operating Management System,
04 or OMS?
05 A. Same answer.

Page 168:09 to 168:15

00168:09 Q. Have you ever received any of
10 the Operating Essentials Training offered by
11 BP?
12 A. Same answer.

13 Q. Is it true that you are
14 unfamiliar with the contents of the Gulf of
15 Mexico SPU Local OMS Handbook?

Page 168:17 to 168:25

00168:17 A. Same answer.
18 Q. (By Mr. Pote) Have you ever
19 received instruction on the contents of the
20 Gulf of Mexico SPU Local Oms Handbook?
21 A. Same answer.
22 Q. Is it true you are unfamiliar
23 with the contents of the Gulf of Mexico
24 Drilling & Completions, or D&C, Local OMS
25 Manual?

Page 169:02 to 169:06

00169:02 A. Same answer.
03 Q. (By Mr. Pote) Is it true you
04 have never received instruction on the
05 contents of the Gulf of Mexico D&C Local OMS
06 Manual?

Page 169:08 to 169:11

00169:08 A. Same answer.
09 Q. (By Mr. Pote) Is it true you are
10 unfamiliar with the contents of the Gulf of
11 Mexico D and -- D&C OMS Gap Closure Plans?

Page 169:13 to 169:17

00169:13 A. Same answer.
14 Q. (By Mr. Pote) Is it true that no
15 one at BP discussed with you ways to close
16 the gaps identified on the Gulf of Mexico
17 "2010 SPU OMS Gaps - Ranking Matrix"?

Page 169:19 to 169:19

00169:19 A. Same answer.

Page 169:23 to 170:05

00169:23 as Exhibit 785. Turn to the third page, "4.1
24 Procedures & Practices."
25 Is it -- isn't it true that
00170:01 there was a lack of procedure review and
02 development in the D&C organization of the
03 GoM -- I'm going to say -- "Gulf of Mexico,"
04 I'm going to say "GoM" -- SPU from December

05 2008 through April 20th, 2010?

Page 170:07 to 170:12

00170:07 A. Same answer.
08 Q. (By Mr. Pote) Is it true there
09 was inconsistent methodology in creating and
10 reviewing Operating Procedures in the D&C
11 organization of the GoM SPU from December
12 2008 through April 20th, 2010?

Page 170:14 to 170:19

00170:14 A. Same answer.
15 Q. (By Mr. Pote) Is it true the
16 procedure creation review process was not
17 followed in the D&C organization of the GoM
18 SPU from December 2008 through April 20,
19 2010?

Page 170:21 to 171:01

00170:21 A. Same answer.
22 Q. (By Mr. Pote) Is it true there
23 was no formal process for verifying
24 procedures in the Field in the D&C
25 organization of the GoM SPU through April
00171:01 20th, 2010?

Page 171:03 to 171:07

00171:03 A. Same answer.
04 Q. (By Mr. Pote) Is it true there
05 was a lack of culture to use procedures in
06 the D&C organization of the GoM SPU from
07 December '08 through April 20th, 2010?

Page 171:09 to 171:14

00171:09 A. Same answer.
10 Q. Is -- is it true there was a
11 lack of guidance regarding the creation and
12 review of Operating Procedures in the D&C
13 organization of the GoM SPU from December '08
14 through April 20th, 2010?

Page 171:16 to 171:20

00171:16 A. Same answer.
17 Q. (By Mr. Pote) Is it true there
18 was a lack of formal new employee training in
19 the D&C organization of the GoM SPU from

20 December 2008 through April 20th, 2010?

Page 171:22 to 171:22

00171:22 A. Same answer.

Page 172:04 to 172:11

00172:04 Q. (By Mr. Pote) I'll ask you to
 05 look at the next subsection, "2.2 People and
 06 Competence," and I'll ask you to look at 2.2
 07 B. Isn't it true there was a "Lack of
 08 process to assess key operating risk decision
 09 makers" in the D&C organization of the GoM
 10 SPU from December 2008 through April 20th,
 11 2010?

Page 172:13 to 172:13

00172:13 A. Same answer.

Page 172:19 to 173:02

00172:19 Q. (By Mr. Pote) I'll ask you to
 20 turn to the next page, "7.1 Regulatory
 21 Compliance." Is it true that there was "No
 22 comprehensive compliance listing and no
 23 process to continually check regulatory"
 24 compliance from December 2008 "...updates for
 25 subsea equipment and operations" in the D&C
 00173:01 organization of the GoM SPU from December '08
 02 through April 20th, 2010?

Page 173:04 to 173:11

00173:04 A. Same answer.
 05 Q. (By Mr. Pote) Is it true
 06 there -- there -- that there is limited
 07 knowledge of a documented process to identify
 08 legal and Regula -- Regulatory Requirements,
 09 outside of HSSE, in the D&C organization of
 10 GoM SPU from December 2008 to April 20th,
 11 2010?

Page 173:13 to 173:19

00173:13 A. Same answer.
 14 Q. (By Mr. Pote) If you look at 7.1
 15 D, is it -- isn't it true there was a "Lack
 16 of accountability for identifying regulatory
 17 and legal requirements" in the D&C
 18 organization of the GoM SPU from December

19 2008 through April 20th, 2010?

Page 173:21 to 174:02

00173:21 A. Same answer.
22 Q. (By Mr. Pote) On "7.1 E," isn't
23 it true there was a "Lack of documentation of
24 accountability for performing...compliance
25 tasks..." in the D&C organization of the GoM
00174:01 SPU from December 2008 through April 20th,
02 2010?

Page 174:04 to 174:09

00174:04 A. Same answer.
05 Q. (By Mr. Pote) Isn't it true
06 there was a 'Lack of clarity on employees'
07 roles in regulatory" compl -- "compliance" in
08 the D&C organization of the GoM SPU from
09 December 2008 through April 20th, 2010?

Page 174:11 to 174:16

00174:11 A. Same answer.
12 Q. (By Mr. Pote) Is it true there
13 was no "Verification of compliance" for
14 Regu -- with Regulations in the D&C
15 organization of the GoM SPU from December
16 2008 through April 20th, 2010?

Page 174:18 to 174:25

00174:18 A. Same answer.
19 Q. (By Mr. Pote) Isn't it true that
20 there -- that the Management of Change
21 process was not being used properly for
22 Regulatory changes or for the introduction of
23 new Operations Controls in the D&C
24 organization of the GoM SPU from December
25 2008 through April 20, 2010?

Page 175:02 to 175:07

00175:02 A. Same -- same answer.
03 Q. (By Mr. Pote) Did you ever have
04 any discussions with anyone at BP prior to
05 April 20th, 2010 about issues, problems, or
06 concerns regarding Regulatory Compliance?
07 A. Same answer.

Page 175:14 to 175:19

00175:14 Q. Isn't it true there was an
15 inconsistent implementation of GoM SPU risk
16 policy and D&C MoC procedures, or Management
17 of Change procedures, in the D&C organization
18 of the GoM SPU from December 2008 through
19 April 20th, 2010?

Page 175:21 to 175:25

00175:21 A. Same answer.
22 Q. (By Mr. Pote) Turn to the next
23 page, 6.8. Is it your understanding that
24 "CI" refers to Continu -- "Continuous
25 Improvement"? I'm sorry. I'll let you --

Page 176:10 to 176:11

00176:10 Q. (By Mr. Pote) Is it your
11 understanding that "CI" refers to --

Page 176:13 to 176:20

00176:13 Q. (By Mr. Pote) -- "Continuous
14 Improvement"?
15 A. Same answer.
16 Q. (By Mr. Pote) Isn't it true
17 there was "No formal Continuous Improvement
18 culture or organized process..." in the D&C
19 organization at the GoM SPU from December
20 2008 through April 20th, 2010?

Page 176:22 to 176:22

00176:22 A. Same answer.

Page 177:06 to 177:07

00177:06 Q. Look at the next section, 2.3,
07 "Operating Discipline," 2.3 A.

Page 177:09 to 177:13

00177:09 Q. (By Mr. Pote) Isn't it true
10 there was "No formal process in place for
11 verifying the use of procedures in the field"
12 in the D and -- D&C organization of GoM SPU
13 from December '08 through April 20th, 2010?

Page 177:15 to 177:20

00177:15 A. Same answer.

16 Q. (By Mr. Pote) Isn't it true that
17 training on Regulatory
18 Requirements/Obligations was needed for key
19 personnel in the D&C organization of GoM SPU
20 from December '08 through April 20th, 2010?

Page 177:22 to 177:22

00177:22 A. Same answer.

Page 178:07 to 178:10

00178:07 Isn't it true that the BP
08 Exploration & Production Group developed
09 something called the Risk Assessment Tool?
10 A. Same answer.

Page 178:15 to 178:19

00178:15 Q. Isn't it true that in November
16 2009, the Gulf of Mexico D&C Local OMS Manual
17 required that all risks be recorded in and
18 managed by the BP Risk Assessment Tool, the
19 Group-approved tool for Risk Management?

Page 178:21 to 178:24

00178:21 A. Same answer.
22 Q. (By Mr. Pote) Is -- isn't it
23 true that you've received no training in the
24 operation of the BP Risk Assessment Tool?

Page 179:01 to 179:05

00179:01 A. Same answer.
02 Q. (By Mr. Pote) Isn't it true that
03 the BP Risk Assessment Tool was not used to
04 record or manage risk for the Ma -- Macondo
05 Well?

Page 179:07 to 179:11

00179:07 A. Same answer.
08 Q. (By Mr. Pote) Isn't it true the
09 negative test procedure used on Macondo April
10 20th, 2010 was never subjected to any Risk
11 Assessment process prior to April 20th?

Page 179:13 to 179:21

00179:13 A. Same answer.

14 Q. (By Mr. Pote) Isn't it true that
15 the DWOP, which has been entered as Exhibit
16 93 in this case, required a written bridging
17 document between BP and Transocean for well
18 control procedures on the Macondo Well?
19 A. Same answer.
20 Q. Isn't it true that such a --
21 such a bridging document never existed?

Page 179:23 to 180:03

00179:23 A. Same answer.
24 Q. (By Mr. Pote) Isn't it true that
25 a Management of Change document should have
00180:01 been prepared when BP decided to use six
02 centralizers instead of 21 when cementing the
03 final casing string on the Macondo Well?

Page 180:05 to 180:09

00180:05 A. Same answer.
06 Q. (By Mr. Pote) Isn't it true
07 there was no Process Safety Management System
08 in place in the Gulf of Mexico D&C
09 organization before April 20th, 2010?

Page 180:11 to 180:15

00180:11 A. Same answer.
12 Q. (By Mr. Pote) Isn't it true
13 there were no Process Safety Engineers
14 employed by Gulf of Mexico D&C organization
15 prior to April 20th, 2010?

Page 180:17 to 180:17

00180:17 A. Same answer.

Page 181:10 to 182:06

00181:10 Q. (By Mr. Pote) Did you ever have
11 any discussions with anyone at BP prior to
12 April 20th, 2010 regarding problems with
13 Management structure?
14 A. Same answer.
15 Q. Are you familiar with the use of
16 Cement Bond Logs?
17 A. Same answer.
18 Q. Do you know how long Ce --
19 Cement Bond Logs have been used in the
20 Drilling Industry?
21 A. Same answer.

22 Q. Were you privy to any
23 discussions regarding Cement Bond Logs on the
24 DEEPWATER HORIZON prior to April 20th?
25 A. Same answer.
00182:01 Q. Does BP have a protocol for when
02 to use Cement Bond Logs?
03 A. Same answer.
04 Q. Do you agree that Cement Bond
05 Logs are very important in maintaining well
06 control?

Page 182:08 to 182:11

00182:08 A. Same answer.
09 Q. (By Mr. Pote) Do you agree a
10 Cement Bond Log is meant to ensure a proper
11 cement job?

Page 182:14 to 182:19

00182:14 Q. (By Mr. Pote) Do you agree
15 that -- that if the cement fails, it could
16 result in mud channeling and improperly se --
17 and an improperly sealed annulus and,
18 therefore, hydrocarbon flow?
19 A. Same --

Page 182:21 to 182:24

00182:21 A. Same answer.
22 Q. (By Mr. Pote) You agree such
23 hyd -- hydrocarbon flow could result in a
24 blowout and a disaster?

Page 183:01 to 183:04

00183:01 A. Same answer.
02 Q. (By Mr. Pote) Are you aware that
03 a Schlumberger Team was present on the well
04 to do a Cement Bond Log on April 20th, 2010?

Page 183:06 to 183:06

00183:06 A. Same answer.

Page 183:11 to 183:15

00183:11 Q. Have you ever heard of
12 conversations -- or have you ev -- have you
13 ever heard any conversations involving
14 Schlumberger hands wanting to get off the rig
15 because they were afraid?

Page 183:17 to 183:21

00183:17 A. Same answer.
18 Q. (By Mr. Pote) Do you know who
19 gave the order not to use -- not to do a
20 Cement Bond Log on April 20th, 2010?
21 A. Same answer.

Page 184:07 to 184:08

00184:07 Q. Do you agree that a Cement Bond
08 Log costs BP time and money?

Page 184:10 to 184:13

00184:10 A. Same answer.
11 Q. (By Mr. Pote) Do you agree that
12 the only reason not to run a Cement Bond Log
13 would be time and money saved for BP?

Page 184:15 to 184:23

00184:15 A. Same answer.
16 Q. (By Mr. Pote) Is there a BP
17 Policy regarding Well Site Leader monitoring
18 of realtime data for kick indication?
19 A. Same answer.
20 Q. Would you agree with the
21 statement by Ronnie Sepulvado that "Sometimes
22 Well Site" -- "Site Leaders watch realtime
23 data, and sometimes they don't"?

Page 184:25 to 184:25

00184:25 A. Same answer.

Page 187:06 to 187:08

00187:06 Q. (By Mr. Pote) Are you aware of
07 how the negative pressure test was performed
08 on April 20, 2010?

Page 187:10 to 187:10

00187:10 A. Same answer.

Page 187:14 to 187:19

00187:14 Q. (By Mr. Pote) Have you done

15 negative pressure tests before?
16 A. Same answer.
17 Q. Shouldn't a Well Site Leader
18 have training on how to correctly perform a
19 negative pressure test?

Page 187:21 to 187:21

00187:21 A. Same answer.

Page 189:22 to 189:25

00189:22 Did you or another Well Site Leader
23 properly calculate in advance the amount of
24 fluids necessary to bleed pressure off the
25 drill -- drill pipe?

Page 190:02 to 190:07

00190:02 A. Same answer.
03 Q. (By Mr. Pote) Should you have
04 investigated why there was zero psi on the
05 kill line but 1400 pressure on the drill pipe
06 at the time of the negative pressure test?
07 A. Same answer --

Page 190:10 to 190:13

00190:10 Q. (By Mr. Pote) Did you have any
11 involvement in writing negative pressure test
12 or negative test procedures post April 20th,
13 2010?

Page 190:15 to 190:15

00190:15 A. Same answer.

Page 191:12 to 191:15

00191:12 Q. Do you have any reason to
13 disagree that the DEEPWATER HORIZON was down
14 for one week because there was so many safety
15 critical issues that needed to be addressed?

Page 191:17 to 191:20

00191:17 A. Same -- same answer.
18 Q. (By Mr. Pote) Do you know how
19 BB -- BP or Transocean determines what issues
20 are deemed safety critical?

Page 191:22 to 191:22

00191:22 A. Same answer.

Page 192:15 to 192:18

00192:15 Q. Do you have any knowledge of
16 Management problems that were present in the
17 old system prior -- prior to BP's deciding to
18 reorganize its Management structure --

Page 192:20 to 192:23

00192:20 Q. (By Mr. Pote) -- in 2010?
21 A. Same answer.
22 Q. Were you ever asked to be
23 sensitive to issues of costs while drilling?

Page 192:25 to 193:03

00192:25 A. Same answer.
00193:01 Q. (By Mr. Pote) Is money saved a
02 part of your performance evaluation as a Well
03 Site Leader?

Page 193:05 to 193:14

00193:05 A. Same answer.
06 Q. (By Mr. Pote) Are you familiar
07 with the phrase "nonproductive time"?
08 A. Same answer.
09 Q. Are you familiar with the phrase
10 "every dollar counts"?
11 A. Same answer.
12 Q. Do you agree that you or any
13 other Well Site Leader was at your wit's end
14 in April 2010?

Page 193:16 to 193:16

00193:16 A. Same answer.

Page 194:08 to 194:10

00194:08 Q. (By Mr. Pote) Do you agree that
09 you came onboard the DEEPWATER HORIZON during
10 a criti -- critical phase of Well Operations?

Page 194:12 to 194:21

00194:12 A. Same answer.
13 Q. (By Mr. Pote) Did you have any
14 concerns or reber -- reservations about your
15 own experience in deepwater drill -- drilling
16 at the time you came onto the DEEPWATER
17 HORIZON?
18 A. Same answer.
19 Q. Did you ever raise any such
20 concerns, if you did have them, with BP
21 Management?

Page 194:23 to 194:23

00194:23 A. Same answer.

Page 194:25 to 195:04

00194:25 Q. (By Mr. Pote) Did you ever have
00195:01 any concerns or reservations about the timing
02 of Well Operations plans or Engineering plans
03 for the well that were sent to you by
04 Houston's Westlake Team?

Page 195:06 to 195:09

00195:06 A. Same answer.
07 Q. (By Mr. Pote) If so, did you
08 ever make such -- any complaints or express
09 such complaints to BP Management?

Page 195:11 to 195:11

00195:11 A. Same answer.

Page 196:22 to 197:05

00196:22 Q. (By Mr. Pote) Have you ever seen
23 a cement plug used 3,000 feet below the mud
24 line?
25 A. Same answer.
00197:01 Q. Do you agree that removing so
02 much mud and dis -- and displacing it with
03 seawater reduced amount -- the amount of
04 balancing pressure exerted on the hydrocarbon
05 zone?

Page 197:07 to 197:10

00197:07 A. Same answer.
08 Q. (By Mr. Pote) Do you agree that
09 bottoms-up circulation is important because
10 it helps ensure a good cement job?

Page 197:12 to 197:18

00197:12 A. Same answer.
 13 Q. (By Mr. Pote) Is it your
 14 understanding the bottoms-up circulation was
 15 not performed on April 20th, 2010?
 16 A. Same answer.
 17 Q. Do you agree that bottoms-up
 18 circulation costs BP money and time?

Page 197:20 to 197:23

00197:20 A. Same answer.
 21 Q. (By Mr. Pote) Do you agree that
 22 lost circulation material being used as
 23 spacers saves money for BP?

Page 198:01 to 198:04

00198:01 A. Same -- same answer.
 02 Q. (By Mr. Pote) Are you aware that
 03 lost circulation material used as spacer by
 04 BP was ever tested for use as a spacer?

Page 198:07 to 198:07

00198:07 A. Same answer.

Page 200:18 to 200:21

00200:18 Q. Do you consider organizational
 19 controls, process safety part of the things
 20 that will determine whether or not a well
 21 is -- a deepwater well is drilled safely?

Page 200:23 to 200:23

00200:23 A. Same answer.

Page 201:04 to 201:07

00201:04 Q. (By Ms. Patty) Were you ever
 05 pressured to save money or to complete wells
 06 as fast as possible to put them on production
 07 or to announce their discoveries?

Page 201:09 to 201:09

00201:09 A. Same answer.

Page 204:09 to 204:12

00204:09 Q. (By Ms. Patty) Would it have
10 changed your position on having stated that
11 you may have blown something up in the
12 casing?

Page 204:15 to 204:15

00204:15 A. Same answer.

Page 205:16 to 205:18

00205:16 Q. Did you ever review the Lessons
17 Learned document from the Texas Refinery
18 incident?

Page 205:20 to 205:23

00205:20 A. Same answer.
21 Q. (By Ms. Patty) Did you review
22 the Lessons Learned document from the
23 Egyptian oil spill?

Page 205:25 to 205:25

00205:25 A. Same answer.

Page 207:04 to 207:07

00207:04 Q. (By Ms. Patty) What kind of
05 training did you have for this type of event,
06 disaster?
07 A. Same answer.

Page 209:12 to 209:13

00209:12 MR. HYMEL: Richard Hymel, representing
13 Transocean. Before I get to my questions, I

Page 210:08 to 210:24

00210:08 QUESTIONS BY MR. HYMEL:
09 Q. Mr. Kaluza, as I said, my
10 name -- my name is Richard Hymel, I represent
11 Transocean.
12 Do you believe that BP properly
13 prepared you to substitute for Ronnie
14 Sepulvado on the Macondo Well?

15 A. Same answer.
16 Q. Do you believe that BP
17 sufficiently informed you about the history
18 of the Macondo Well to properly prepare you
19 to substitute for Ronnie Sepulvado on the
20 Macondo Well?
21 A. Same answer.
22 Q. Brian Morel was on the rig to
23 supervise the production casing cement job;
24 isn't that correct?

Page 211:01 to 211:06

00211:01 A. Same answer.
02 Q. (By Mr. Hymel) Brian Morel left
03 the rig after the cement job on the
04 production casing was performed, and before
05 the cement job was tested; isn't that
06 correct?

Page 211:08 to 211:12

00211:08 A. Same answer.
09 Q. (By Mr. Hymel) Do you believe
10 that Brian Morel should have left the rig
11 before the cement job on the production
12 casing was tested?

Page 211:14 to 214:09

00211:14 A. Same answer.
15 Q. (By Mr. Hymel) Do you understand
16 that in the nine days leading up to the
17 blowout, BP changed its Temporary Abandonment
18 Procedures five times?
19 MR. MORRISS: Form.
20 A. Same answer.
21 Q. (By Mr. Hymel) Do you agree that
22 the final procedure was first communicated to
23 the rig personnel at 11:00 a.m. at a pre-tour
24 meeting on April 20th, 2010?
25 MR. MORRISS: Form.
00212:01 A. Same answer.
02 Q. (By Mr. Hymel) Do you agree that
03 that kind of last minute notification is
04 risky?
05 MR. MORRISS: Form.
06 A. Same answer.
07 Q. (By Mr. Hymel) Even after the
08 11:00 a.m. pre-tour meeting on April 20th,
09 2010, the Temporary Abandonment Procedure was
10 so uncertain that Mark Hafle called you and
11 told you to get Mr. Morel out of bed to make

12 sure he understood what to do; isn't that
 13 correct?
 14 MR. MORRISS: Form.
 15 A. Same answer.
 16 Q. (By Mr. Hymel) Do you deny that
 17 you advised Mr. Morel that the Final
 18 Temporary Abandonment Procedure he sent to
 19 the rig on April 20th, 2010, deviated from
 20 the Temporary Abandonment Procedure approved
 21 by the MMS?
 22 MR. MORRISS: Form.
 23 A. Same answer.
 24 Q. (By Mr. Hymel) And Mr. Morel
 25 replied that the Team approved to deviate
 00213:01 from the Temporary Abandonment Procedure
 02 approved by the MMS; isn't that correct?
 03 MR. MORRISS: Form.
 04 A. Same answer.
 05 Q. (By Mr. Hymel) And the Team
 06 referred to by Mr. Morel was the BP
 07 Engineering Team in Houston; isn't that
 08 correct?
 09 MR. MORRISS: Form.
 10 A. Same answer.
 11 Q. (By Mr. Hymel) Do you agree that
 12 the April 14th, 2010 Temporary Abandonment
 13 Procedure, which placed a negative test after
 14 the surface cement plug, would have provided
 15 two cement barriers?
 16 MR. MORRISS: Form.
 17 A. Same answer.
 18 Q. (By Mr. Hymel) Do you agree that
 19 we probably would not be here if BP had used
 20 the April 14th, 2010 Temporary Abandonment
 21 Procedure?
 22 MR. CLARKE: Objection.
 23 MR. MORRISS: Form.
 24 A. Same answer.
 25 Q. (By Mr. Hymel) BP decided to set
 00214:01 the surface cement plug in seawater rather
 02 than mud, and to do so at 3,300 feet below
 03 the mud line; isn't that correct?
 04 A. Same answer.
 05 Q. (By Mr. Hymel) That meant that
 06 3,300 feet of mud protection against the kick
 07 would have to be removed and displaced with
 08 seawater before the surface plug was
 09 installed; isn't that correct?

Page 214:11 to 214:18

00214:11 A. Same answer.
 12 Q. (By Mr. Hymel) Did BP consider
 13 the consequences of displacing 3,300 feet of
 14 mud protection against a kick with seawater

15 before setting the surface plug?
 16 A. Same answer.
 17 Q. Do you agree that was a risky
 18 decision?

Page 214:21 to 214:24

00214:21 A. Same answer.
 22 Q. (By Mr. Hymel) Do you agree that
 23 the decision to displace 3,300 feet of mud
 24 was BP's decision?

Page 215:01 to 219:05

00215:01 A. Same answer.
 02 Q. (By Mr. Hymel) Do you agree that
 03 the Draft Temporary Abandonment Procedure
 04 sent out by Brian Morel on April 12 -- or
 05 April 12th, 2010, did not include a negative
 06 test?
 07 A. Same answer.
 08 Q. After the pre-tour meeting on
 09 April 20th, 2010, the Transocean OIM Jimmy
 10 Harrell raised the issue about the negative
 11 test with the Driller Dewey Revette and
 12 Senior Tool Pusher Randy Ezell in your
 13 presence; isn't that correct?
 14 MR. MORRISS: Form.
 15 A. Same answer.
 16 Q. (By Mr. Hymel) Mr. Harrell was
 17 adamant that a negative must be done before
 18 displacing the well; isn't that correct?
 19 A. Same answer.
 20 Q. Do you deny that during a
 21 conference call on the morning of April 20th,
 22 2010, you asked Mr. Hafle for cari --
 23 clarification on how we wanted to do the
 24 negative pressure test?
 25 MR. MORRISS: Form.
 00216:01 A. Same answer.
 02 Q. (By Mr. Hymel) Do you deny that
 03 at 10:43 a.m. on April 20th, 2010, Mr. Morel
 04 sent an internal E-mail to you and seven
 05 other individuals at BP with the Operations
 06 Plan for finishing the well abandonment
 07 process?
 08 A. Same answer.
 09 Q. Do you believe that the plan
 10 sent to the rig on April 20th, 2010, by
 11 Mr. Morel provided sufficient instructions on
 12 how to perform and interpret the negative
 13 test?
 14 MR. MORRISS: Form.
 15 A. Same answer.

16 Q. (By Mr. Hymel) Do you deny that
17 in the early afternoon of April 20th, 2010,
18 Mr. Hafle called you again to discuss the
19 negative test?
20 MR. MORRISS: Form.
21 A. Same answer.
22 Q. (By Mr. Hymel) Do you deny that
23 even after that discussion, the exact
24 procedures to follow were still not clear?
25 MR. MORRISS: Form.
00217:01 A. Same answer.
02 Q. (By Mr. Hymel) Do you deny that
03 the rig crew was trying to figure out the
04 reason for the pressure readings on the drill
05 pipe during the negative test?
06 MR. MORRISS: Form.
07 A. Same answer.
08 Q. (By Mr. Hymel) Do you deny that
09 the Transocean rig crew was taking -- was
10 talking about various possibilities for the
11 pressure readings on the drill pipe during
12 the negative test?
13 MR. MORRISS: Form.
14 A. Same answer.
15 Q. (By Mr. Hymel) Do you deny that
16 the Transocean rig crew was addressing the
17 issues created by the pressure readings on
18 the drill pipe during the negative test?
19 MR. MORRISS: Form.
20 A. Same answer.
21 Q. (By Mr. Hymel) Well Site Leader
22 Don Vidrine arrived during the discussion,
23 and rather than complete the test on the
24 drill pipe, Mr. Vidrine instructed the
25 Transocean crew to line up the test with a
00218:01 kill line; isn't that correct?
02 MR. MORRISS: Form.
03 A. Same answer.
04 Q. (By Mr. Hymel) Do you deny that
05 Mr. Vidrine instructed you to call the BP
06 office in Houston and tell them that he was
07 going to move the test to the kill line?
08 MR. MORRISS: Form.
09 A. Same answer.
10 Q. (By Mr. Hymel) Do you know deny
11 that you called the BP office in Houston to
12 tell them that Mr. Vidrine was going to move
13 the negative test to the kill line?
14 MR. MORRISS: Form.
15 A. Same answer.
16 Q. (By Mr. Hymel) Do you deny that
17 you returned to the drill shack and told
18 Mr. Vidrine that you had notified the BP
19 office in Houston that Mr. Vidrine was going
20 to move the negative test to the kill line?

21 MR. MORRISS: Form.
22 A. Same answer.
23 Q. (By Mr. Hymel) Did you discuss
24 the pressure on the drill pipe during the
25 negative test with Mr. Vidrine?
00219:01 A. Same answer.
02 Q. Do you deny that when BP
03 declares a negative test a success, it's
04 reasonable for the Drill Crew to rely on that
05 interpretation?

Page 219:07 to 219:10

00219:07 A. Same answer.
08 Q. (By Mr. Hymel) Do you deny that
09 it is -- it was BP's responsibility to
10 interpret the negative test?

Page 219:12 to 219:16

00219:12 A. Same answer.
13 Q. (By Mr. Hymel) Do you deny that
14 the Well Site Leader makes the final decision
15 regarding whether the negative test has
16 passed or failed?

Page 219:18 to 219:22

00219:18 A. Same answer.
19 Q. (By Mr. Hymel) And Mr. Vidrine
20 ultimate conclu -- ultimately concluded that
21 the negative test had been successful; isn't
22 that correct?

Page 219:24 to 220:04

00219:24 A. Same answer.
25 Q. (By Mr. Hymel) And Mr. Vidrine
00220:01 concluded that the negative test was
02 successful because he had seen no flow from
03 the kill line for 30 minutes; isn't that
04 correct?

Page 220:06 to 220:06

00220:06 A. Same answer.

Page 221:17 to 221:21

00221:17 Q. (By Mr. Hymel) Do you agree that
18 BP should have told the Transocean crew that
19 Halliburton recommended 21 centralizers on

20 the production casing but BP decided to use
21 only six centralizers?

Page 221:23 to 222:02

00221:23 A. Same answer.
24 Q. (By Mr. Hymel) Did BP tell the
25 Transocean crew that Halliburton recommended
00222:01 21 centralizers on the production casing, but
02 BP decided to use only six centralizers?

Page 222:04 to 222:10

00222:04 A. Same answer.
05 Q. (By Mr. Hymel) Do you agree that
06 BP should have told the Transocean rig crew
07 that the April 18th OptiCem Report prepared
08 by Halliburton predicted a severe gas flow
09 problem if seven or fewer centralizers were
10 used on the production casing?

Page 222:12 to 222:18

00222:12 A. Same answer.
13 Q. (By Mr. Hymel) Did BP tell the
14 Transocean rig crew that the April 18th
15 OptiCem Report prepared by Halliburton
16 predicted a severe gas flow problem if seven
17 or fewer centralizers were used on the
18 production casing?

Page 222:20 to 223:01

00222:20 A. Same answer.
21 Q. (By Mr. Hymel) Do you agree that
22 BP should have told the Transocean crew that
23 Weatherford recommended circulating at five
24 barrels per minute to seven barrels per
25 minute to convert the float collar, but BP
00223:01 chose not to circulate at those rates?

Page 223:03 to 223:09

00223:03 A. Same answer.
04 Q. (By Mr. Hymel) Did BP tell the
05 Transocean rig crew that Weatherford
06 recommended circulating at five barrels per
07 minute to seven barrels per minute to convert
08 the float collar, but BP chose not to
09 circulate at those rates?

Page 223:11 to 223:15

00223:11 A. Same answer.
 12 Q. (By Mr. Hymel) You agree that BP
 13 should have told the Transocean crew that
 14 questions existed regarding whether the float
 15 collar converted?

Page 223:17 to 223:20

00223:17 A. Same answer.
 18 Q. (By Mr. Hymel) Did BP tell the
 19 Transocean rig crew that questions existed
 20 regarding whether the float collar converted?

Page 223:22 to 224:03

00223:22 A. Same answer.
 23 Q. (By Mr. Hymel) You agree that BP
 24 should have told the Transocean crew that it
 25 deviated from the plan that called for 1.5
 00224:01 pipe volume circulation before the cement job
 02 on the production casing, and that it did not
 03 perform a full bottoms up?

Page 224:05 to 224:11

00224:05 A. Same answer.
 06 Q. (By Mr. Hymel) Did BP tell the
 07 Transocean rig crew that it deviated from the
 08 plan that called for 1.5 pipe volume
 09 circulation before the cement job on the
 10 production casing, and that it did not
 11 perform a full bottoms up?

Page 224:13 to 224:17

00224:13 A. Same answer.
 14 Q. (By Mr. Hymel) Do you agree that
 15 BP should have told the Transocean crew that
 16 the circulating pressure, after shearing out
 17 the float collars, was lower than modeled?

Page 224:19 to 224:23

00224:19 A. Same answer.
 20 Q. (By Mr. Hymel) Did BP tell
 21 Transocean -- tell the Transocean crew that
 22 the circulation pressure, after shearing out
 23 the float collars, was lower than modeled?

Page 224:25 to 225:05

00224:25 A. Same answer.
00225:01 Q. (By Mr. Hymel) You agree that BP
02 should have told the Transocean crew that BP
03 performed the cement job on the protuction --
04 production casing without getting complete
05 lab tests on the cement?

Page 225:08 to 225:12

00225:08 A. Same answer.
09 Q. (By Mr. Hymel) Did BP tell the
10 Transocean rig crew that BP performed the
11 cement job on the production casing without
12 getting complete lab tests on the cement?

Page 225:15 to 225:21

00225:15 A. Same answer.
16 Q. (By Mr. Hymel) Do you agree that
17 BP should have told the Transocean crew that
18 the limited volume of cement used for the
19 production casing, and the low rate at which
20 that cement was pumped, increased the risk of
21 cement failure?

Page 225:23 to 226:03

00225:23 A. Same answer.
24 Q. (By Mr. Hymel) Did BP tell the
25 Transocean rig crew that the limited volume
00226:01 of cement used for the production casing, and
02 the low rate at which the cement was pumped,
03 increased the risk of cement failure?

Page 226:05 to 226:09

00226:05 A. Same answer.
06 Q. (By Mr. Hymel) You agree that BP
07 should have told the Transocean rig crew that
08 it was using lost control material as a
09 spacer?

Page 226:12 to 226:15

00226:12 A. Same answer.
13 Q. (By Mr. Hymel) Did BP tell the
14 Transocean rig crew that it was using lost
15 control material as a spacer?

Page 226:18 to 226:18

00226:18 A. Same answer.

Page 227:17 to 227:23

00227:17 Q. (By Mr. Hartley) It's my
18 understanding you first arrived on the
19 DEEPWATER HORIZON on April 16th, 2010; is
20 that right?
21 A. Same answer.
22 Q. When you arrived out there, you
23 understood that the well was behind schedule?

Page 227:25 to 228:02

00227:25 A. Same answer.
00228:01 Q. (By Mr. Hartley) And you
02 understood it was overbudget?

Page 228:04 to 228:09

00228:04 A. Same answer.
05 Q. (By Mr. Hartley) When you went
06 to the rig in this last four or five days
07 between April 16th and April 20th, did you
08 feel pressured to save additional time or
09 money?

Page 228:11 to 228:15

00228:11 A. Same answer.
12 Q. (By Mr. Hartley) During those
13 last several days on the rig between
14 April 16th and April 20th, did you feel
15 pressured to expedite operations?

Page 228:17 to 228:20

00228:17 A. Same answer.
18 Q. (By Mr. Hartley) Did you get the
19 sense that there was a hurry to finish the
20 Macondo Well and move on to the Nile?

Page 228:22 to 228:25

00228:22 A. Same answer.
23 Q. (By Mr. Hartley) Did you get the
24 sense that BP was cutting corners to get done
25 with this well?

Page 229:02 to 229:06

00229:02 A. Same answer.
03 Q. (By Mr. Hartley) Had you heard
04 discussions on the DEEPWATER HORIZON about
05 efforts to expedite operations and hurry up
06 to finish the well?

Page 229:08 to 230:03

00229:08 A. Same answer.
09 Q. (By Mr. Hartley) With respect to
10 the conversion of the float collar, you were
11 involved in those efforts to convert the
12 float collar, right?
13 A. Same answer.
14 Q. It's my understanding that there
15 with are nine separate attempts to increase
16 pressure to establish circulation, shear the
17 pins?
18 A. Same answer.
19 Q. You were on the rig during all
20 nine of those efforts?
21 A. Same answer.
22 Q. You were involved in the efforts
23 to convert the float collar?
24 A. Same answer.
25 Q. You were involved in making
00230:01 calls to Houston to obtain authorization to
02 increase pressure in those efforts to convert
03 the float collar?

Page 230:10 to 230:10

00230:10 A. Same answer.

Page 230:15 to 230:17

00230:15 Q. (By Mr. Hartley) The last effort
16 to convert the float collar, you pressured up
17 to 3,142 psi; is that right?

Page 230:20 to 231:02

00230:20 A. Same answer.
21 Q. (By Mr. Hartley) At that point,
22 circulation of some level was established?
23 A. Same answer.
24 Q. While you increased the psi to
25 shear the pins on the float collar, you did
00231:01 not increase the circulation volume rate of
02 the mud, did you?

Page 231:04 to 231:09

00231:04 A. Same answer.
05 Q. (By Mr. Hartley) At no point did
06 any of those nine pressuring up efforts to
07 convert the float collar did the circulation
08 rate meet or exceed that suggested by
09 Weatherford to convert the float collar?

Page 231:11 to 231:15

00231:11 A. Same answer.
12 Q. (By Mr. Hartley) In fact, there
13 was an effort by you and others with BP to
14 keep the circulating rate low because of the
15 ECD concerns?

Page 231:17 to 231:22

00231:17 A. Same answer.
18 Q. (By Mr. Hartley) At -- at that
19 point in the well's progress, you and others
20 at BP understood that there was a narrow
21 window between the frac gradient and the pore
22 pressure?

Page 231:24 to 232:03

00231:24 A. Same answer.
25 Q. (By Mr. Hartley) Because of that
00232:01 narrow window between frac gradient and pore
02 pressure, there was extra concern with the
03 ECD established at the bottom of the well?

Page 232:05 to 232:09

00232:05 A. Same answer.
06 Q. (By Mr. Hartley) Once the float
07 collar was deemed to have converted at 3,142
08 psi, you were surprised at the low
09 circulating rate?

Page 232:11 to 232:16

00232:11 Q. (By Mr. Hartley) Is that right?
12 A. Same answer.
13 Q. At that point, shortly after
14 that low circulating rate was established,
15 you made a comment that you think you blew
16 something further up the casing?

Page 232:18 to 232:22

00232:18 A. Same answer.
19 Q. (By Mr. Hartley) You had a
20 concern at that point that either the casing
21 or casing joint had -- had ruptured or a hole
22 was caused in it?

Page 232:24 to 233:03

00232:24 A. Same answer.
25 Q. (By Mr. Hartley) You attributed
00233:01 the low circulating volume to mud going
02 through that hole rather than circulating
03 through the float collar?

Page 233:05 to 233:11

00233:05 A. Same answer.
06 Q. (By Mr. Hartley) You commented
07 shortly after that ninth effort to convert
08 the float collars, quote, "I'm afraid that
09 we've blown something higher up in the casing
10 joint," end quote.
11 Isn't that right?

Page 233:13 to 234:03

00233:13 A. Same answer.
14 Q. (By Mr. Hartley) After that
15 ninth effort to convert the float collar,
16 pressuring up to 34 p -- 42 psi, you never
17 ran any additional tests to determine the
18 casing integrity or whether, in fact,
19 something had ruptured higher up, did you?
20 MR. MORRISS: Form.
21 A. Same answer.
22 Q. (By Mr. Hartley) Did you call
23 anybody at BP onshore to express any concerns
24 about the float collar conversion efforts?
25 A. Same answer.
00234:01 Q. To this day, you don't know
02 whether the float collar actually converted
03 on April 20th, 2010, do you?

Page 234:05 to 234:08

00234:05 A. Same answer.
06 Q. (By Mr. Hartley) You still think
07 there may have been some damage to the casing
08 or the -- or the joint higher up?

Page 234:11 to 234:20

00234:11 A. Same answer.
12 Q. (By Mr. Hartley) Turning to the
13 cement job, you were on the DEEPWATER HORIZON
14 on April 19th and 20th while the cement job
15 was pumped, weren't you?
16 A. Same answer.
17 Q. In fact, you were involved in
18 drafting the cement job procedure that was
19 implemented, weren't you?
20 A. Same answer.

Page 234:22 to 235:03

00234:22 Q. (By Mr. Hartley) You had
23 conversations with Mr. Chaisson and
24 Mr. Tabler from Halliburton about the cement
25 job?
00235:01 A. Same answer.
02 Q. You directed the pump rate for
03 the cement job?

Page 235:05 to 235:08

00235:05 A. Same answer.
06 Q. (By Mr. Hartley) You set forth
07 the volume of cement that was going to be
08 pumped in the cement job?

Page 235:10 to 235:14

00235:10 A. Same answer.
11 (Phone ringing.)
12 Q. (By Mr. Hartley) You were
13 involved in determining the volume of cement
14 to be pumped during the cement job?

Page 235:16 to 235:19

00235:16 A. Same answer.
17 Q. (By Mr. Hartley) You were
18 involved in determining the pump rate to be
19 used during the cement job?

Page 235:21 to 236:01

00235:21 A. Same answer.
22 Q. (By Mr. Hartley) You -- the
23 decision as to the amount of cement utilized
24 in the cement job and the rate at which to
25 pump that cement was driven, again, by ECD

00236:01 concerns downhole?

Page 236:03 to 236:07

00236:03 A. Same answer.
04 Q. (By Mr. Hartley) Prior to the
05 cement job, you did not circulate bottoms-up,
06 did you?
07 A. Same answer.

Page 236:09 to 236:12

00236:09 Q. (By Mr. Hartley) Would you agree
10 that part of the function of bottoms-up
11 circulation is to better clean the drill pipe
12 and annulus?

Page 236:14 to 236:19

00236:14 A. Same answer.
15 Q. (By Mr. Hartley) You would also
16 agree that a bottoms-up circulation is
17 implemented in part to break up the gel
18 strength of mud that's been standing in
19 the -- in the hole?

Page 236:21 to 236:25

00236:21 A. Same answer.
22 Q. (By Mr. Hartley) Failing to
23 perform bottoms-up circulation increases the
24 risk of channeling in the subsequent cement
25 job?

Page 237:02 to 237:09

00237:02 Q. (By Mr. Hartley) Wouldn't you
03 agree with that?
04 A. Same answer.
05 Q. You would agree that failing to
06 do a bottoms-up further compromises the
07 ability of a cement job to obtain zonal
08 isolation due to the risk of contamination
09 and/or channeling?

Page 237:11 to 238:02

00237:11 A. Same answer.
12 Q. (By Mr. Hartley) Prior to
13 April 20th, 2010, you never saw a standard
14 procedure from BP for a negative test, did
15 you?

16 A. Same answer.
17 Q. You never saw one on the
18 DEEPWATER HORIZON?
19 A. Same answer.
20 Q. And the initial displacement
21 procedure that you were involved in creating
22 did not include a negative test, did it?
23 A. Same answer.
24 Q. It was only after conversations
25 with the OIM, Mr. Jimmy Harrell, that a
00238:01 negative test procedure was then added to the
02 procedure?

Page 238:04 to 238:06

00238:04 A. Same answer.
05 Q. (By Mr. Hartley) You left it out
06 of your initial forward ops notes?

Page 238:09 to 238:20

00238:09 A. Same answer.
10 Q. (By Mr. Hartley) There were two
11 negative tests run on April 20th, 2010; isn't
12 that right?
13 A. Same answer.
14 Q. The first one was run on the
15 drill pipe?
16 A. Same answer.
17 Q. Despite trying to bleed off the
18 pressure several times, you were never able
19 to establish a zero psi pressure on the drill
20 pipe, were you?

Page 238:22 to 239:01

00238:22 A. Same answer.
23 Q. (By Mr. Hartley) After some time
24 of being unable to establish that zero psi,
25 you and Mr. Vidrine instructed that there be
00239:01 a negative test performed on the kill line --

Page 239:03 to 239:04

00239:03 Q. (By Mr. Hartley) -- is that
04 right?

Page 239:06 to 239:10

00239:06 A. Same answer.
07 Q. (By Mr. Hartley) At that point,
08 although there was no flow from the kill

09 line, the pressure on the drill pipe
10 remained?

Page 239:12 to 239:17

00239:12 A. Same answer.
13 Q. (By Mr. Hartley) You were aware
14 on April 20th while the negative test was
15 being performed that between 1200 and 1400
16 psi remained on the drill pipe during all
17 those negative test procedures?

Page 239:19 to 239:22

00239:19 A. Same answer.
20 Q. (By Mr. Hartley) You were
21 involved in interpreting the negative test on
22 April 20th, weren't you?

Page 239:24 to 240:01

00239:24 A. Same answer.
25 Q. (By Mr. Hartley) In consultation
00240:01 with others, you deemed it a successful test?

Page 240:03 to 240:11

00240:03 A. Same answer.
04 Q. (By Mr. Hartley) You would agree
05 today, though, that the test was not
06 successful on the drill pipe?
07 A. Same answer.
08 Q. You would similarly agree today
09 that the test was not successful when
10 performed on the kill line due to the
11 remaining pressure on the drill pipe?

Page 240:13 to 240:23

00240:13 A. Same answer.
14 Q. (By Mr. Hartley) In trying to
15 determine what that pressure arose or why it
16 existed in the drill pipe, you had
17 conversations with Jason Anderson and Dewey
18 Revette, didn't you?
19 A. Same answer.
20 Q. On April 20th, 2010 you
21 attempted to identify the nature source of
22 that drill pipe pressure during the negative
23 test, didn't you?

Page 240:25 to 241:03

00240:25 A. Same answer.
00241:01 Q. (By Mr. Hartley) Jason Anderson
02 explained to you that -- that it was a
03 bladder effect or annular compression?

Page 241:05 to 242:02

00241:05 A. Same -- same answer.
06 Q. (By Mr. Hartley) Prior to April
07 20th, 2010, you had never heard of a bladder
08 effect with respect to negative pressures --
09 negative tests, did you?
10 A. Same answer.
11 Q. You've never heard of that since
12 April 20th, 2010, either, have you?
13 A. Same answer.
14 Q. Later in the day on April 20th,
15 after Mr. Anderson explained this to you, you
16 had a conversation with Lee Lambert about the
17 negative test, didn't you?
18 A. Same answer.
19 Q. In your conversation with
20 Mr. Lambert, you explained him -- to him this
21 bladder effect that Mr. Anderson conveyed to
22 you, didn't you?
23 A. Same answer.
24 Q. In your conversation with
25 Mr. Lambert, you told him that it was a
00242:01 possibility as an explanation for the drill
02 pipe pressure, didn't you?

Page 242:04 to 242:10

00242:04 A. Same answer.
05 Q. (By Mr. Hartley) And as we saw
06 earlier this morning in response to Ms. --
07 Mr. Bickford's questionings, even five days
08 after the incident, you were explaining the
09 drill pipe pressure during the negative test
10 as a bladder effect to those within BP?

Page 242:13 to 242:18

00242:13 A. Same answer.
14 Q. (By Mr. Hartley) Have you ever
15 talked to anybody other than Mr. Anderson or
16 Mr. Revette who's explained to you the
17 viability of a bladder effect during a
18 negative test?

Page 242:21 to 242:25

00242:21 A. Same answer.
22 Q. (By Mr. Hartley) During the
23 displacement procedure, a spacer was pumped
24 using two separate lost circulation material
25 pills, weren't -- wasn't it?

Page 243:02 to 243:11

00243:02 A. Same answer.
03 Q. (By Mr. Hartley) There was a
04 Form-A-Set lost circulation material pill on
05 the DEEPWATER HORIZON prior to the
06 displacement procedure?
07 A. Same answer.
08 Q. There was also a Form-A-Set AK
09 LCM, or lost circulation material, pill on
10 the DEEPWATER HORIZON prior to displacement;
11 is that right?

Page 243:13 to 243:18

00243:13 A. Same answer.
14 Q. (By Mr. Hartley) Those LCM pills
15 on the DEEPWATER HORIZON, had they not been
16 run downhole, would have had to have been
17 disposed of as hazardous waste; would you
18 agree with that?

Page 243:20 to 243:24

00243:20 A. Same -- same answer.
21 Q. (By Mr. Hartley) On April 19th,
22 2010, was that your understanding of how
23 those LCM pills would have had to be disposed
24 if they were not used as spacers?

Page 244:02 to 244:05

00244:02 A. Same answer.
03 Q. (By Mr. Hartley) Okay. You've
04 never used a Form-A-Squeeze LCM as a spacer
05 before, have you?

Page 244:08 to 244:11

00244:08 A. Same answer.
09 Q. (By Mr. Hartley) You've never
10 used a Form-A-Set AK LCM pill as a spacer
11 before, have you?

Page 244:14 to 244:17

00244:14 A. Same answer.
15 Q. (By Mr. Hartley) You've never
16 used those pills in combination as a spacer
17 before, have you?

Page 244:20 to 244:25

00244:20 A. Same answer.
21 Q. (By Mr. Hartley) In fact, you've
22 never heard of anybody in the industry using
23 either a Form-A-Set AK, Form-A-Squeeze, or a
24 combination of the two as a spacer prior to
25 April 20, 2010, have you?

Page 245:03 to 245:09

00245:03 A. Same ans -- answer.
04 Q. (By Mr. Hartley) Prior to the
05 displacement procedure on April 20th, 2010,
06 you never saw any tests relating to the
07 suitability of Form-A-Set AK and/or
08 Form-A-Set -- Form-A-Squeeze as a spacer, did
09 you?

Page 245:12 to 245:15

00245:12 A. Same ans -- answer.
13 Q. (By Mr. Hartley) Had you heard
14 of any tests relating to the suitability of
15 those LCM pills as a spacer?

Page 245:17 to 245:24

00245:17 A. Same answer.
18 Q. (By Mr. Hartley) Other than
19 hearing that Mr. Lindner poured them together
20 to test their suitability, saw that they were
21 too thin, and added some material, were you
22 aware of any testing that anybody had done as
23 to those LCM pills being suitable as a
24 spacer?

Page 246:02 to 246:05

00246:02 A. Same answer.
03 Q. (By Mr. Hartley) Those LCM pills
04 were used to save time and money, weren't
05 they?

Page 246:07 to 246:11

00246:07 A. Same answer.
08 Q. (By Mr. Hartley) There was --
09 was there any operational basis for BP
10 utilizing those LCM pills as a spacer in the
11 displacement procedure?

Page 246:13 to 246:17

00246:13 A. Same answer.
14 Q. (By Mr. Hartley) Were you aware
15 of any operational basis for using those LCM
16 pills as a spacer during the displacement
17 procedure?

Page 246:20 to 246:25

00246:20 A. Same answer.
21 Q. (By Mr. Hartley) By using those
22 LCM pills as a spacer during the displacement
23 procedure, BP was able to save the si -- save
24 the time and money associated with disposing
25 of them as hazardous waste?

Page 247:02 to 247:07

00247:02 A. Same answer.
03 Q. (By Mr. Hartley) By combining
04 the Form-A-Set and the -- AK and the
05 Form-A-Squeeze, you end up using 454 barrels
06 of spacer during the displacement procedure,
07 didn't you?

Page 247:09 to 247:12

00247:09 A. Same answer.
10 Q. (By Mr. Hartley) That's a larger
11 volume of spacer than -- than you've used
12 before, isn't it?

Page 247:14 to 247:14

00247:14 A. Same answer.

Page 247:18 to 247:20

00247:18 Q. (By Mr. Hartley) Did you perform
19 any testing as to the effect of using that
20 spacer on the negative test?

Page 247:22 to 248:01

00247:22 A. Same answer.
23 Q. (By Mr. Hartley) Did you perform
24 any test as to the effect of the barite and
25 the Duo Vis contained in those LCM pills on
00248:01 the negative test?

Page 248:04 to 248:08

00248:04 A. Same answer.
05 Q. (By Mr. Hartley) Did you engage
06 in any efforts to verify that all of the
07 spacer was above the BOP before it was closed
08 to perform the negative test?

Page 248:11 to 248:15

00248:11 A. Same answer.
12 Q. (By Mr. Hartley) Did you run any
13 tests or evaluations of the effect of a
14 portion of the spacer remaining below the BOP
15 on the negative test?

Page 248:18 to 249:09

00248:18 A. Same answer.
19 Q. (By Mr. Hartley) Also during the
20 displacement procedure, there was a lot of
21 activity going on in the mud pits on the
22 DEEPWATER HORIZON, weren't there?
23 A. Same answer.
24 Q. A trip tank was being emptied
25 during the displacement procedure; is that
00249:01 right?
02 A. Same answer.
03 Q. Pits were being cleaned by OCS
04 during the displacement procedure?
05 A. Same answer.
06 Q. A part of the displacement
07 procedure involved diverting the flow from
08 the well overboard after the sheen test,
09 didn't it?

Page 249:11 to 249:15

00249:11 A. Same answer.
12 Q. (By Mr. Hartley) You understood
13 that once the flow from the well was diverted
14 overboard, that that would bypass various --
15 various sonic flow out sensor?

Page 249:17 to 249:21

00249:17 A. Same answer.
 18 Q. (By Mr. Hartley) You also
 19 understood that at the point flow was
 20 diverted overboard, it would bypass various
 21 gas sensors, didn't you?

Page 249:23 to 250:04

00249:23 A. Same answer.
 24 Q. (By Mr. Hartley) You were aware
 25 that with fluid being diverted from the well
 00250:01 overboard, that the Sperry mud loggers would
 02 be unable to evaluate flow out, gas, or pit
 03 volume changes due to well conditions,
 04 weren't you?

Page 250:06 to 250:10

00250:06 A. Same answer.
 07 Q. (By Mr. Hartley) Nobody needed
 08 to tell you that that would be the result of
 09 that fluid being diverted overboard, did
 10 they?

Page 250:13 to 250:20

00250:13 A. Same answer.
 14 Q. (By Mr. Hartley) You're familiar
 15 with BP's policy on SEM ops, aren't you?
 16 A. Same answer.
 17 Q. You're aware that BP counsels
 18 against simultaneous operations, or when they
 19 occur, to institute a heightened state of
 20 vigilance?

Page 250:23 to 251:04

00250:23 A. Same answer.
 24 Q. (By Mr. Hartley) You were aware
 25 that after the neg -- after the sheen test
 00251:01 was performed between about 2108 to 2114 on
 02 April 20th, that the Sperry mud logger would
 03 be unable to detect a kick if one should
 04 occur downhole?

Page 251:06 to 251:06

00251:06 A. Same answer.

Page 251:25 to 252:22

00251:25 You never communicated with

00252:01 anybody from Anadarko or any entity you knew
 02 to be affiliated with Anadarko about the
 03 Macondo Well prior to the April 20th, 2010
 04 incident, correct?
 05 A. Same answer.
 06 Q. You weren't aware of anyone
 07 from or on behalf of BP communicating with
 08 Anadarko about any decisions made with
 09 respect to the design of the Macondo Well; is
 10 that correct?
 11 A. Same answer.
 12 Q. You weren't aware of anyone from
 13 or on behalf of BP communicating with
 14 Anadarko about any decisions made with
 15 respect to the drilling of the Macondo Well;
 16 is that correct?
 17 A. Same answer.
 18 Q. And you aren't aware of anyone
 19 from or on behalf of BP communicating with
 20 Anadarko about any decision made with respect
 21 to the operations of the Macondo Well,
 22 correct?

Page 252:24 to 253:18

00252:24 A. Same answer.
 25 Q. (Ms. Hertz) You weren't aware of
 00253:01 communications between BP and Anadarko after
 02 the incident on April 20th, 2010; is that
 03 correct?
 04 A. Same answer.
 05 Q. Now, you didn't learn until
 06 approximately April 6th that you would be
 07 acting as the substitute Well Site Leader on
 08 the DEEPWATER HORIZON; is that correct?
 09 A. Same answer.
 10 Q. And when you came aboard the
 11 DEEPWATER HORIZON on April 16th, 2010, you
 12 were reporting directly to John Guide; is
 13 that correct?
 14 A. Same answer.
 15 Q. Okay. And at time that you came
 16 aboard the DEEPWATER HORIZON on April 16th,
 17 2010, you'd only been in deepwater for one
 18 year; isn't that correct?

Page 253:20 to 254:12

00253:20 A. Same answer.
 21 Q. (By Ms. Hertz) Okay. Let's
 22 turn, please, to Tab 7, which we're going to
 23 mark as Exhibit 3568.
 24 (Exhibit No. 3568 marked.)
 25 THE COURT REPORTER: What Tab?

00254:01 MS. HERTZ: Tab 7.
02 THE COURT REPORTER: (Nodding.)
03 Q. (By Ms. Hertz) And this purports
04 to be a document sent from Charles Holt to
05 Wes Black and others, including John Guide,
06 Ian Little, David Rich, and it says well --
07 "WSL," Well Site Leader, "Ranking
08 Spreadsheet."
09 And I wanted to know if you were
10 aware that in 2009 in the Gulf of Mexico BP
11 had ranked its Well Site Leaders on a metric
12 from a highest score to the lowest score?

Page 254:14 to 254:18

00254:14 A. Same answer.
15 Q. (By Ms. Hertz) And were you
16 aware that you had the second to lowest
17 ranking in the entire Gulf of Mexico as a
18 Well Site Leader at BP?

Page 254:20 to 255:02

00254:20 A. Same answer.
21 Q. (By Ms. Hertz) And were you
22 aware that John Guide and Ian Little and
23 David Rich at a minimum were aware that you
24 were the second lowest ranked Well Site
25 Leader or tied for the second lowest ranked
00255:01 Well Site Leader in the Gulf of Mexico in
02 2010?

Page 255:04 to 255:09

00255:04 A. Same answer.
05 Q. (By Ms. Hertz) All right. And
06 John Guide is the one who ultimately agreed
07 that you could substitute for Ronnie
08 Sepulvado on the DEEPWATER HORIZON; isn't
09 that correct?

Page 255:11 to 255:17

00255:11 A. Same answer.
12 Q. (By Ms. Hertz) And John Guide
13 agreed that you could substitute for Ronnie
14 Sepulvado despite the fact that he made no
15 effort whatsoever to discuss with you your
16 knowledge or skill level before making that
17 decision, did he?

Page 255:19 to 255:25

00255:19 A. Same answer.
20 Q. (By Ms. Hertz) Prior to April
21 16th, 2010, did John Guide or anyone from the
22 BP Wells Team -- the Engineers, the other
23 Well Site Leaders, or John Guide -- did they
24 ask you whether you knew how to plan a
25 negative pressure test?

Page 256:02 to 256:05

00256:02 A. Same answer.
03 Q. (By Ms. Hertz) Did they ask you
04 if you knew how to execute a negative
05 pressure test?

Page 256:07 to 256:10

00256:07 A. Same answer.
08 Q. (By Ms. Hertz) Did they ask you
09 if you knew how to interpret or read a
10 negative pressure test?

Page 256:12 to 256:17

00256:12 A. Same answer.
13 Q. (By Ms. Hertz) Did John Guide or
14 anybody on the BP Wells Team before putting
15 you on the DEEPWATER HORIZON ask you anything
16 about your Wells Site Leader training, skill,
17 or experience?

Page 256:19 to 257:02

00256:19 A. Same answer.
20 Q. (By Ms. Hertz) earlier you were
21 asked some questions about the conversion of
22 the float collar, and I just have a followup
23 question: After you had difficulty in
24 converting the float collars and you had nine
25 tries and seeing the low pump pressure, you
00257:01 called John Guide to discuss that, together
02 with Keith Daigle; is that correct?

Page 257:05 to 257:10

00257:05 A. Same answer.
06 Q. (By Ms. Hertz) Okay. And John
07 Guide made a decision during that phone call
08 that he was not going -- or that no one was
09 to perform any diagnostic testing regarding
10 the slow pump pressure; isn't that correct?

Page 257:12 to 257:16

00257:12 A. Same answer.
13 Q. (By Ms. Hertz) Okay. And this
14 was despite your concerns about the low pump
15 pressure, John Guide directed you to pump
16 cement; isn't that correct?

Page 257:18 to 257:22

00257:18 A. Same answer.
19 Q. (By Ms. Hertz) And as the Well
20 Site Leader, are you required to follow
21 Mr. Guide's instructions even if you don't
22 agree with them?

Page 257:24 to 258:02

00257:24 A. Same answer.
25 Q. (By Ms. Hertz) Okay. And that's
00258:01 because he's your boss, and he's Head of
02 Operations on the well; isn't that correct?

Page 258:04 to 258:20

00258:04 A. Same answer.
05 Q. (By Ms. Hertz) Let's turn to Tab
06 39. This has previously been marked as
07 Exhibit 63, and these are notes taken of an
08 interview that you gave on April 28th, 2010
09 in connection with the Bly Investigation; is
10 that correct?
11 A. Same answer.
12 Q. And in the attendance were Jim
13 Cowie, Jim Wetherbee, Rex Anderson, and Steve
14 Robinson; is that correct?
15 A. Same answer.
16 Q. Okay. And when you gave your
17 testimony -- or excuse me -- when you gave
18 this interview to the BP Investigative Team,
19 were you striving to give as accurate an
20 account of the events as possible?

Page 258:22 to 258:22

00258:22 A. Same answer.

Page 259:04 to 259:24

00259:04 MS. HERTZ: You know what, let's just
05 leave it, because it's already -- Kym, it's

06 already been marked as Exhibit 45. So let's
07 just not put another sticker on it and do it
08 that way.

09 Q. (By Ms. Hertz) Okay.
10 Mr. Kaluza, these are notes of an interview
11 that you gave on April 28th, 2010; is that
12 correct?

13 A. Same answer.

14 Q. And these notes were taken by
15 the Bly Investigative Team; is that correct?

16 A. Same answer.

17 Q. Excuse me.

18 (Discussion off the record.)

19 Q. (By Ms. Hertz) Can you -- excuse
20 me.

21 MS. HERTZ: (Indicating.)

22 Q. (By Ms. Hertz) And when you
23 gave these -- gave this interview, you were
24 as accurate as you could; is that correct?

Page 260:01 to 260:01

00260:01 A. Same answer.

Page 260:03 to 260:11

00260:03 Q. (By Ms. Hertz) Okay. Is there
04 anything in these notes that you disagree
05 with?

06 MR. MORRISS: Form.

07 A. Same answer.

08 Q. (By Ms. Hertz) And same question
09 with respect to Tab 39, Exhibit 63: Are
10 there anything in those notes that you
11 disagree with?

Page 260:13 to 261:12

00260:13 A. Same answer.

14 Q. (By Ms. Hertz) Let's go to Tab
15 41. These have not been marked. Let's mark
16 this as 3570.

17 MR. CLARKE: Or do you want to do 3569?

18 MS. HERTZ: Oh, 3569. There you go.

19 This one may be sticky.

20 (Exhibit No. 3569 marked.)

21 Q. (By Ms. Hertz) And these are
22 notes taken by Rex Anderson on April 28th of
23 an interview with you; is that correct?

24 A. Same answer.

25 Q. And you did, in fact, give an
00261:01 interview to Rex An -- Anderson on April
02 28th, 2010?

03 A. Same answer.
 04 Q. And you in giving tho -- that
 05 interview attempted to be as honest and
 06 truthful as possible; is that correct?
 07 A. Same --
 08 MR. CLARKE: Objection.
 09 A. Same answer.
 10 Q. (By Ms. Hertz) All right. Is
 11 there anything in these notes that you
 12 disagree with?

Page 261:14 to 262:16

00261:14 A. Same answer.
 15 Q. (By Ms. Hertz) All right. Turn,
 16 please, to page -- or Tab 37.
 17 MS. HERTZ: I'm going to mark this as
 18 3570.
 19 (Exhibit No. 3570 marked.)
 20 Q. (By Ms. Hertz) This is similar
 21 to but slightly different than an exhibit
 22 that was marked earlier this morning.
 23 This is an E-mail from Jim Cowie
 24 to Rex Anderson and en -- entitled
 25 "Interviews," "Attachments: Bob Kaluza
 00262:01 Interview.doc."
 02 Have you seen this document,
 03 Mr. Kaluza?
 04 A. Same answer.
 05 Q. Okay. And these are notes that
 06 Mr. Cowie took of your April 28th, 2010
 07 interview to the Bly Investigative Team;
 08 isn't that correct?
 09 A. Same answer.
 10 Q. And when you gave this
 11 interview, you attempted to be as truthful
 12 and forthright as possible; is that correct?
 13 MR. CLARKE: Objection.
 14 A. Same answer.
 15 Q. (By Ms. Hertz) Is there anything
 16 in these notes that you disagree with?

Page 262:18 to 262:21

00262:18 A. Same answer.
 19 Q. (By Ms. Hertz) Okay. Is a
 20 negative pressure test a safety critical
 21 procedure, Mr. Kaluza?

Page 262:24 to 263:01

00262:24 A. Same answer.
 25 Q. (By Ms. Hertz) Is displacement a

00263:01 safety critical procedure, Mr. Kaluza?

Page 263:03 to 263:08

00263:03 A. Same answer.
04 Q. (By Ms. Hertz) Okay. In Tab 37,
05 you mentioned that -- or the notes indicate
06 that you mentioned that you left the rig
07 floor after the positive pressure test had
08 been run. Is that, in fact, true?

Page 263:10 to 263:15

00263:10 A. Same answer.
11 Q. (By Ms. Hertz) So you chose to
12 be absent from the rig floor during a
13 significant portion of the critical
14 procedures that were going on; is that
15 correct?

Page 263:18 to 263:24

00263:18 Q. (By Ms. Hertz) And --
19 A. Same answer.
20 Q. Sorry. And we've looked this
21 morning at Exhibit 3555, which was your 2009
22 Performance Review, which criticized you for
23 spending too little time on deck; is that
24 correct?

Page 264:01 to 264:07

00264:01 Q. (By Ms. Hertz) And in fact, that
02 document said you: "...can't assure HSE and
03 rig operational performance or be aware of
04 the details of how...crews are executing
05 their jobs from" the Well Site Leaders
06 office."
07 Isn't that correct?

Page 264:09 to 264:13

00264:09 A. Same answer.
10 Q. (By Ms. Hertz) And despite that
11 admonition, you were absent during
12 significant and important critical procedures
13 on April 20th; isn't that right?

Page 264:15 to 264:21

00264:15 A. Same answer.
16 Q. (By Ms. Hertz) When you came

17 back to the rig floor, you said: It appeared
18 to you that displacement was finished, and
19 they were filling the riser.
20 Is that what you told the
21 Investigators?

Page 264:23 to 265:04

00264:23 A. Same answer.
24 Q. (By Ms. Hertz) And you later
25 told Investigators: "I don't know why they
00265:01 were filling the riser. They were topping it
02 off. One guy was watching it with a
03 flashlight."
04 Is that correct?

Page 265:06 to 265:09

00265:06 A. Same answer.
07 Q. (By Ms. Hertz) Okay. And you
08 never even asked why they were topping the
09 riser off, did you?

Page 265:11 to 265:16

00265:11 A. Same answer.
12 Q. (By Ms. Hertz) And as a result
13 of failing to be on the rig floor during a
14 critical procedure, you were not able to
15 determine that some of the spacer had leaked
16 below the BOP, were you?

Page 265:19 to 266:04

00265:19 A. Same answer.
20 Q. (By Ms. Hertz) And, in fact,
21 according to the Bly Investigation conducted
22 by BP, by the time you came back to the rig
23 floor, at the time where you stated in
24 exhibit -- or in Tab 37, that "Nothing had
25 been bled off that I know of," the Bly
00266:01 Investigation Report says that there had been
02 two bleed downs, the first from 2,325 to
03 1,220 and the second from 1,350 psi to 273
04 psi. Are you aware of that?

Page 266:07 to 266:11

00266:07 A. Same answer.
08 Q. (By Ms. Hertz) And also
09 accord -- according to the Bly Report, after
10 the second bleed down, the pressure rose

11 again to 1,250 psi; isn't that right?

Page 266:13 to 266:17

00266:13 A. Same answer.
14 Q. (By Ms. Hertz) And you also
15 indicate that you missed a 300 barrel active
16 pit gain during the negative pressure test;
17 isn't that --

Page 266:20 to 266:21

00266:20 Q. (By Ms. Hertz) Isn't that the
21 truth?

Page 266:23 to 267:05

00266:23 A. Same -- same answer.
24 Q. (By Ms. Hertz) All right. So
25 you missed all of these critical operations
00267:01 that were going on on the rig floor on the
02 DEEPWATER HORIZON, safety critical
03 procedures, and that this was a problem that
04 you previously been criticized for; isn't
05 that correct?

Page 267:08 to 267:11

00267:08 Q. (By Ms. Hertz) And this was a
09 problem that was known to BP as it was set
10 forth in your 2009 review; isn't that
11 correct?

Page 267:14 to 267:14

00267:14 A. Same answer.

Page 267:20 to 268:01

00267:20 MS. HERTZ: Let's mark this as 3571.
21 (Exhibit No. 3571 marked.)
22 Q. (By Ms. Hertz) And this is a
23 statement that you gave the United States
24 Coast Guard Investigations Department on
25 April 21st, 2010; isn't that correct?
00268:01 A. Same answer.

Page 268:05 to 268:08

00268:05 Q. And were you truthful and honest
06 when you gave this statement to the

07 Investigations Department of the U.S. Coast
08 Guard?

Page 268:10 to 268:10

00268:10 A. Same answer.

Page 268:12 to 268:18

00268:12 MS. HERTZ: Behind that document, the
13 next page, 87, I'd like to mark as a separate
14 Exhibit, 3572.
15 (Exhibit No. 3572 marked.)
16 Q. (By Ms. Hertz) And these are
17 typewritten notes of your "Interview by
18 telecom at BP office." Is that right?

Page 268:21 to 269:10

00268:21 A. Same answer.
22 Q. (By Ms. Hertz) And it's entitled
23 "Interview of Robert Kaluza, Well Site
24 Leader."
25 Is that correct?
00269:01 A. Same answer.
02 Q. And you gave these -- this
03 interview to BP on or about April 23rd, 2010;
04 is that correct?
05 A. Same answer.
06 Q. Okay. Going back to the
07 previous exhibit, No. 3571, you gave this
08 statement to the Coast Guard where you were
09 still on the DAMON BANKSTON; is that correct?
10 A. Same answer.

Page 269:12 to 270:11

00269:12 MS. HERTZ: Mark this as 3573.
13 (Exhibit No. 3573 marked.)
14 THE COURT REPORTER: 73.
15 MS. HERTZ: Yes.
16 Q. (By Ms. Hertz) Mr. Kaluza, if
17 you look at this document, which is three
18 pages of handwritten notes, you'll see on the
19 last page, the bottom it says: "BP Well Site
20 Leaders on Duty on 4/20/2010."
21 Do you see that?
22 A. Same answer.
23 Q. And, in fact, this is a
24 handwritten document that you and Don Vidrine
25 prepared while you were still on the DAMON
00270:01 BANKSTON on April 20th and 21st, 2010; isn't
02 that correct?

03 A. Same answer.
04 Q. And, in fact, that's your
05 signature on the third page of this exhibit,
06 isn't that?
07 A. Same answer.
08 Q. Okay. And when you wrote this
09 statement, you attempted -- you and
10 Mr. Vidrine attempted to be as honest and
11 thorough as possible; is that correct?

Page 270:13 to 270:16

00270:13 A. Same answer.
14 Q. (By Ms. Hertz) And these notes
15 were prepared by you and Mr. Vidrine at the
16 request of Pat O'Bryan; is that correct?

Page 270:18 to 270:18

00270:18 A. Same answer.

Page 271:03 to 271:05

00271:03 Q. (By Ms. Hertz) You conducted two
04 negative pressure tests on April 20th; is
05 that correct?

Page 271:07 to 271:09

00271:07 A. Same answer.
08 Q. (By Ms. Hertz) Do you not
09 understand what a negative pressure test is?

Page 271:12 to 271:16

00271:12 Q. (By Ms. Hertz) During the first
13 negative pressure test, which was conducted
14 on the drill pipe, you noticed that there was
15 an anomalous amount of pressure on the drill
16 pipe, correct?

Page 271:19 to 271:21

00271:19 A. Same answer.
20 Q. (By Ms. Hertz) And it was a
21 failed test; isn't that right?

Page 271:23 to 272:03

00271:23 A. Same answer.
24 Q. (By Ms. Hertz) All right. And

25 you then conducted the second test on the
00272:01 kill line for 30 minutes with little to no
02 flow and concluded the test was, in fact, a
03 success; is that correct?

Page 272:05 to 272:10

00272:05 A. Same --
06 Q. (By Ms. Hertz) And you -- sorry.
07 A. Same answer.
08 Q. And you never were able to
09 eliminate the anomalous pressure on the drill
10 pipe; is that correct?

Page 272:12 to 272:20

00272:12 A. Same answer.
13 Q. (By Ms. Hertz) Okay. I'd like
14 you to turn, please, again to Tab 39, which
15 is Exhibit 63. Now, we've looked at some
16 interview notes that you have given. You
17 gave an interview -- you wrote a statement on
18 the 20th, you gave an interview on the 21st,
19 and there's a statement from the 23rd. This
20 is dated April 28th. Do you see that?

Page 273:17 to 273:23

00273:17 Q. (By Ms. Hertz) On April 28th,
18 2010 when you were giving an interview to the
19 Bly Investigation Team, this is the first
20 time that you told anybody that Jason
21 Anderson said that he explained the pressure
22 anomaly by the so-called bladder effect;
23 isn't that correct?

Page 274:01 to 274:01

00274:01 A. Same answer.

Page 274:07 to 276:18

00274:07 (Exhibit No. 3574 marked.)
08 MS. HERTZ: We're going to mark this as
09 3574. This is a transcript. Well, it's
10 entitled "Interview of Robert Kaluza."
11 Q. (By Ms. Hertz) And, Mr. Kaluza,
12 this is, in fact, a transcript of your
13 interview by the MMS, including a Mr. Glenn
14 Breaux, as well as the Coast Guard, on
15 April 21st on the DAMON BANKSTON; isn't it?
16 MR. MORRISS: I -- I object to the form

17 of the question.
18 A. Same answer.
19 Q. (By Ms. Hertz) Okay. And during
20 that interview, you attempted to be as
21 truthful with the MMS and the Coast Guard as
22 possible; is that correct?
23 MR. CLARKE: Object to the form.
24 MR. MORRISS: And, again, I object to
25 the form of the question.
00275:01 A. Same answer.
02 Q. (By Ms. Hertz) And at no time
03 during this interview with the MMS or the
04 Coast Guard did you ever mention anything
05 about a bladder effect; isn't that correct?
06 MR. MORRISS: Objection, form.
07 MR. CLARKE: Object to the form of the
08 question.
09 A. Same answer.
10 Q. (By Ms. Hertz) And, in fact, on
11 April 21st, during this interview, before you
12 got back to town to discuss this matter with
13 anyone, you told the MMS and the Coast Guard
14 that during the negative pressure test, no
15 matter whether you were using the drill pipe
16 or the kill line, the pressure should be
17 equal because you have seawater everywhere,
18 didn't you?
19 MR. CLARKE: Objection.
20 MR. MORRISS: Object to form.
21 A. Same answer.
22 Q. (By Ms. Hertz) And when the
23 second negative pressure test was conducted
24 on April 20th, the drill pipe and the kill
25 line were both in communication with the
00276:01 well, weren't they?
02 MR. MORRISS: Objection, form.
03 Q. (By Ms. Hertz) And if the upper
04 annular communicated pressure into the well,
05 that pressure would have been transmitted up
06 the drill pipe as well as the kill line;
07 isn't that true?
08 MR. MORRISS: Objection, form.
09 A. Same answer.
10 Q. (By Ms. Hertz) So if, in fact,
11 Jason Anderson or anyone told you that there
12 was a bladder effect and that that would
13 explain the drill pipe pressure reading of
14 1400 psi, and that it could co-exist with the
15 kill line pressure reading of zero, you knew
16 that was wrong, didn't you?
17 MR. MORRISS: Objection, form.
18 A. Same answer.

00276:22 All right. 43, please. I'm
 23 going to mark one last document. This we're
 24 going to mark as 3575.
 25 (Exhibit No. 3575 marked.)
 00277:01 Q. (By Ms. Hertz) This is a log of
 02 telephone calls that were placed on or to --
 03 on -- to or from John Guide or Mark Hafle on
 04 the one hand, and BP managed telephone lines
 05 on the DEEPWATER HORIZON on the other. And
 06 this information, I res -- I present to you
 07 comes entirely from Exhibit 7318, which was
 08 introduced by BP on June 29th, 2011, and
 09 representations made by Mr. Cowie.
 10 You spoke with John Guide twice
 11 for over three minutes between 5:57 and 6:44
 12 on April 20th; isn't that correct?
 13 MR. MORRISS: Objection, form.
 14 A. Same answer.
 15 Q. (By Ms. Hertz) And you discussed
 16 with him the anomalous pressure readings on
 17 the drill pipe, didn't you?
 18 MR. MORRISS: Objection, form.
 19 A. Same answer.
 20 Q. (By Ms. Hertz) Okay. And he was
 21 aware that there was 1400 pounds of pressure
 22 unexplained on the drill pipe when you all
 23 decided it was a good -- to pressure test,
 24 didn't it --
 25 MR. CLARKE: Objection.
 00278:01 Q. (By Ms. Hertz) -- wasn't he?
 02 MR. MORRISS: Objection, form.
 03 A. Same answer.
 04 Q. (By Ms. Hertz) And he told you
 05 to go ahead and finish displacement, didn't
 06 he?
 07 MR. MORRISS: Objection, form.
 08 A. Same answer.

Page 278:16 to 278:22

00278:16 Q. (By Ms. Hertz) Now, you were
 17 aware, were you not, when you told Jimmy
 18 Harold that -- Harrell that, "This is the way
 19 we're going to do the displacement," that,
 20 quote, "the displacement makes a negative
 21 pressure test very risky and more risky
 22 operation," didn't you?

Page 278:25 to 279:11

00278:25 A. Same answer.
 00279:01 Q. (By Ms. Hertz) And, in fact, you
 02 told the Government investigators, quote,
 03 "The" safed -- "safest method is to leave

04 synthetic oil-based mud inside your system,
05 because if you do get flow and you've got
06 everything already displaced to seawater, now
07 you've got to put it all back to
08 synthetic-based mud, and you now have maybe
09 mixed gas with seawater with spacers with
10 synthetic oil and with synthetic oil-based
11 mud." Isn't that what you told them?

Page 279:13 to 279:18

00279:13 A. Same answer.
14 Q. (By Ms. Hertz) Okay. But
15 nonetheless, you ran -- even though you know
16 it was dan -- knew it was dangerous, you ran
17 the test, because that's what the BP
18 Engineers told you to do; isn't that correct?

Page 279:20 to 279:23

00279:20 A. Same answer.
21 Q. (By Ms. Hertz) And you were
22 required to follow their instructions, were
23 you not?

Page 279:25 to 280:03

00279:25 A. Same answer.
00280:01 Q. (By Ms. Hertz) Okay. Well, Pat
02 O'Bryan was on the rig during the negative
03 pressure test; isn't that correct?

Page 280:05 to 280:10

00280:05 A. Same answer.
06 Q. (By Ms. Hertz) And you saw
07 earlier an E-mail where Pat O'Bryan wrote
08 several hundred question marks only in
09 response to your alleged definition of the
10 bladder effect. You saw that this morning?

Page 280:13 to 280:17

00280:13 A. Same answer.
14 Q. (By Ms. Hertz) Okay. Pat
15 O'Bryan, in fact, discussed with you the
16 trouble you were having lining up the
17 negative pressure test, didn't he?

Page 280:19 to 280:22

00280:19 A. Same answer.

20 Q. (By Ms. Hertz) And yet
21 Mr. O'Bryan never asked for any details as to
22 what the problems were, did he?

Page 280:24 to 281:03

00280:24 A. Same answer.
25 Q. (By Ms. Hertz) And he's an
00281:01 Engineer, yet he never offered his expertise
02 and never came back and checked to see how
03 the tests went, did he?

Page 281:05 to 281:07

00281:05 A. Same answer.
06 Q. (By Ms. Hertz) He went on to
07 finish his VIP tour, isn't that what he did?

Page 281:09 to 281:09

00281:09 A. Same answer.

Page 281:22 to 282:04

00281:22 MS. HERTZ: Let's mark two more
23 documents. Let's go to Tab 33, please. This
24 is going to be 3576.
25 (Exhibit No. 3576 marked.)
00282:01 Q. (By Ms. Hertz) I'll represent to
02 you, sir, that these are notes that Keith
03 Daigle took of an interview with you on April
04 25th. Do you recall that interview?

Page 282:06 to 282:06

00282:06 A. Same answer.

Page 282:11 to 282:19

00282:11 Q. (By Ms. Hertz) Okay. If you'll
12 turn to Page thirty -- excuse me, Tab 34,
13 which we'll mark as 3577.
14 (Exhibit No. 3577 marked.)
15 Q. (By Ms. Hertz) I'll represent to
16 you that these are John Guide's notes of that
17 same interview you gave on April 25th, 2010.
18 Do you recall giving that same interview to
19 Mr. Guide and Mr. Daigle?

Page 282:23 to 283:01

00282:23 A. Same an -- same answer.
24 Q. (By Ms. Hertz) -- neither
25 Mr. Daigle nor Mr. Guide were Members of the
00283:01 BP Investigation Team, were they?

Page 283:03 to 283:07

00283:03 A. Same ans -- answer.
04 Q. (By Ms. Hertz) Okay. But these
05 were the individuals with whom you discussed
06 your concerns regarding the float collar
07 valves conversion, aren't they?

Page 283:09 to 283:09

00283:09 A. Same answer.

Page 283:15 to 284:03

00283:15 Q. (By Ms. Hertz) On April 20th,
16 two thou -- 2010, the crew -- the rig crew
17 was offloading mud to the DAMON BANKSTON
18 during displacement. And if BP had
19 determined that the negative pressure test
20 rezeal -- revealed a serious problem with the
21 integrity of the well, as you told
22 investigators on April 21st, as I previously
23 read, it would have been necessary to
24 transfer the mud that had been offloaded to
25 the DAMON BANKSTON back to the DEEPWATER
00284:01 HORIZON so it could have been pumped down the
02 drill pipe and into the well; isn't that
03 correct?

Page 284:06 to 284:09

00284:06 A. Same answer.
07 Q. (By Ms. Hertz) And this would
08 have taken a considerable amount of time to
09 do this, wouldn't it have?

Page 284:12 to 284:16

00284:12 A. Same answer.
13 Q. (By Ms. Hertz) And as you've
14 said previously, BP gets to the end of
15 drilling a well and wants to speed things up;
16 isn't that right?

Page 284:19 to 284:23

00284:19 A. Same answer.

20 Q. (By Ms. Hertz) And so this was
 21 time and effort and expense that BP
 22 deliberately chose not to expend; isn't that
 23 correct?

Page 284:25 to 284:25

00284:25 A. Same answer.

Page 285:12 to 286:01

00285:12 Q. Mr. Kaluza, good afternoon. My
 13 name is Greg Lembrich with the New York
 14 office of the law firm of Pillsbury Winthrop
 15 Shaw Pittman. My firm represents MOEX
 16 Offshore 2007 LLC and MOEX USA Corporation.
 17 For purposes of my questions today, I'll
 18 refer to them collectively as "MOEX." Is
 19 that okay with you or will counsel
 20 stipulate --

21 MR. CLARKE: That's fine. Thanks.

22 Yes.

23 Q. (By Mr. Lembrich) Have you ever
 24 heard of either MOEX Offshore 2007 LLC or
 25 MOEX USA Corporation?

00286:01 A. Same answer.

Page 286:03 to 288:08

00286:03 Q. (By Mr. Lembrich) Do you
 04 personally have any knowledge of an Operating
 05 Agreement between BP, Anadarko, and MOEX
 06 Offshore?

07 A. Same answer.

08 Q. Do you have any knowledge that
 09 under that Operating Agreement BP was
 10 designated as the operator of the Macondo
 11 Well project?

12 A. Same answer.

13 Q. Do you have any knowledge that
 14 under that agreement MOEX was a nonoperating
 15 party with respect to the Macondo Well?

16 A. Same answer.

17 Q. Did you have any personal
 18 contact or communication with MOEX or any of
 19 its Representatives in connection with the
 20 Macondo Well?

21 A. Same answer.

22 Q. Are you aware of any
 23 communications that others had with MOEX or
 24 its Representatives regarding the Macondo
 25 Well?

00287:01 A. Same answer.

02 Q. To your knowledge, did BP as
 03 operator ever consult with MOEX or its
 04 Representatives with respect to any Health,
 05 Safety, Security and Environment issues
 06 related to the Macondo Well?

07 A. Same answer.

08 Q. To your knowledge, did MOEX or
 09 its Representatives provide any technical
 10 input related to the production casing that
 11 was used for the Macondo Well?

12 A. Same answer.

13 Q. To your knowledge, did MOEX or
 14 its Representatives provide any technical
 15 input related to the type or number of
 16 centralizers used for the Macondo Well?

17 A. Same answer.

18 Q. To your knowledge, did MOEX or
 19 its Representatives provide any technical
 20 input related to the determination that the
 21 float collar had converted on the Macondo
 22 Well?

23 A. Same answer.

24 Q. To your knowledge, did MOEX or
 25 its Representatives provide any technical
 00288:01 input related to the decisions about the
 02 cement job for the Macondo Well?

03 A. Same answer.

04 Q. To your knowledge, did MOEX or
 05 its Representatives provide any technical
 06 input related to the decision to accept the
 07 results of the negative pressure tests of the
 08 Macondo Well?

Page 288:10 to 288:20

00288:10 A. Same answer.

11 Q. (By Mr. Lembrich) To your
 12 knowledge, did MOEX or its Representatives
 13 provide any technical input related to the
 14 Temporary Abandonment Procedure for the
 15 Macondo Well?

16 A. Same answer.

17 Q. To your knowledge, did MOEX or
 18 its Representatives provide any technical
 19 input related to the use of heavy spacer
 20 material in connection with the Macondo Well?

Page 288:22 to 289:13

00288:22 A. Same answer.

23 Q. (By Mr. Lembrich) To your
 24 knowledge, did anyone from MOEX ever visit
 25 the DEEPWATER HORIZON in connection with
 00289:01 drilling or the attempt to temporarily

02 abandon the Macondo Well?
 03 A. Same answer.
 04 Q. To your knowledge, did MOEX or
 05 any of its Representatives express any
 06 concerns to BP with regard to any of the
 07 operations or equipment at the Macondo Well?
 08 A. Same answer.
 09 Q. To your knowledge, did BP
 10 express any concerns to MOEX with regard to
 11 any of the operations or equipment at the
 12 Macondo Well?
 13 A. Same answer.

Page 290:10 to 290:12

00290:10 Q. (By Mr. Gannaway) Okay. Would
 11 you agree that you and BP misinterpreted the
 12 negative test on the DEEPWATER HORIZON?

Page 290:14 to 290:19

00290:14 A. Same answer.
 15 Q. (By Mr. Gannaway) Would you
 16 agree that differential pressures on the
 17 drill pipe and the kill line would have
 18 indicated that there was a problem that
 19 should have been investigated?

Page 290:21 to 291:01

00290:21 A. Same answer.
 22 Q. (By Mr. Gannaway) Under those
 23 circumstances, would you agree that you
 24 should have shut down operations at the
 25 DEEPWATER HORIZON on the Macondo Well and
 00291:01 investigated further?

Page 291:03 to 291:07

00291:03 A. Same answer.
 04 Q. (By Mr. Gannaway) Would you
 05 agree that at that point, the well should
 06 have been shut-in with the BOP immediately
 07 upon seeing those differential pressures?

Page 291:09 to 291:22

00291:09 A. Same answer.
 10 Q. (By Mr. Gannaway) Do you agree
 11 that the BOP was not shut-in immediately upon
 12 seeing pressures that would have indicated a
 13 kick or flow in the well?

14 A. Same answer.
15 Q. Do you agree that the well
16 should have been shut-in with the BOP before
17 the blowout and explosion actually occurred?
18 A. Same answer.
19 Q. Would you agree that there
20 was -- would have been time to do so if the
21 flow had been detected and recognized
22 properly and appropriately?

Page 291:24 to 292:17

00291:24 A. Same answer.
25 Q. (By Mr. Gannaway) You have
00292:01 attended Well Control School, correct?
02 A. Same answer.
03 Q. And you've been taught the best
04 practices with respect to controlling a well?
05 A. Same answer.
06 Q. And the best practice with
07 respect to using a BOP to control a well?
08 A. Same answer.
09 Q. Would you agree that those best
10 practices regarding using a BOP and
11 controlling a well were not followed on
12 April 20th, of 2010?
13 A. Same answer.
14 Q. And would you agree that, in
15 fact, poor decisions were made regarding well
16 control and using the BOP on April 20th of
17 2010?

Page 292:19 to 292:19

00292:19 A. Same answer.

Page 292:25 to 293:04

00292:25 Q. (By Mr. Gannaway) Would you
00293:01 agree that the decisions made regarding well
02 control and use of the BOP on April 20th
03 limited or eliminated the BOP's ability to be
04 able to seal the well?

Page 293:06 to 293:11

00293:06 A. Same answer.
07 Q. (By Mr. Gannaway) As the Well
08 Site Leader of the DEEPWATER HORIZON on
09 April 20th, part of your responsibility was
10 to identify a kick or the beginning of flow
11 in the well, correct?

Page 293:13 to 293:18

00293:13 A. Same answer.
14 Q. (By Mr. Gannaway) You had enough
15 indications to determine that the Macondo
16 Well was, in fact, experiencing a kick and
17 was flowing on April 20th, 2010 prior to the
18 first explosion, right?

Page 293:21 to 293:25

00293:21 A. Same answer.
22 Q. (By Mr. Gannaway) And, in fact,
23 you were actually aware the Macondo Well was
24 flowing and experiencing a kick on April 20,
25 2010 prior to the first explosion, right?

Page 294:02 to 294:13

00294:02 A. Same answer.
03 Q. (By Mr. Gannaway) When a well is
04 having a kick or is flowing, the best
05 procedure and the safest procedure is to act
06 immediately to activate the BOP to attempt to
07 secure the well, right?
08 A. Same answer.
09 Q. And you knew on April 20, 2010,
10 that the sooner a BOP is activated during a
11 kick or flow, the more likely it is that the
12 BOP will be able to successfully control the
13 well, right?

Page 294:15 to 294:21

00294:15 A. Same answer.
16 Q. (By Mr. Gannaway) You knew on
17 April 20th, that without quick activation of
18 the BOP, flow through the well could make it
19 more difficult or even impossible for the BOP
20 to seal the well because the BOP components
21 could be damaged?

Page 294:23 to 295:02

00294:23 A. Same answer.
24 Q. (By Mr. Gannaway) For example,
25 flow through a well, especially at high rates
00295:01 of speed, could damage BOP elastomers in rams
02 or annulars?

Page 295:04 to 295:09

00295:04 Q. (By Mr. Gannaway) Did you know
05 that?
06 A. Same answer.
07 Q. And, in fact, rams themselves
08 can be damaged by high rates of flow through
09 the BOP, right?

Page 295:12 to 295:15

00295:12 Q. (By Mr. Gannaway) By not acting
13 more quickly to activate the BOP, you and BP
14 hampered its ability to be able to seal the
15 well; is that correct?

Page 295:17 to 295:22

00295:17 A. Same answer.
18 Q. (By Mr. Gannaway) And if the BOP
19 had been activated more quickly, it's
20 possible that the explosion and spill could
21 have been avoided at the Macondo Well,
22 correct?

Page 295:24 to 295:24

00295:24 A. Same answer.

Page 296:06 to 296:08

00296:06 Q. (By Mr. Gannaway) Would you
07 agree that you and others at BP acted too
08 slowly to activate the BOP on April 20?

Page 296:10 to 296:14

00296:10 A. Same answer.
11 Q. (By Mr. Gannaway) Would you
12 agree that you and others at BP did not try
13 to activate the BOP until the explosion was
14 inevitable or had already occurred?

Page 296:16 to 296:16

00296:16 A. Same answer.

Page 297:13 to 297:16

00297:13 Q. You don't have any complaints or
14 criticisms about the BOP that was being used
15 at the DEEPWATER HORIZON on the Macondo Well

16 in April of 2010, do you?

Page 297:18 to 297:18

00297:18 A. Same answer.

Page 298:09 to 298:12

00298:09 Q. (By Mr. Gannaway) You have no
10 complaints or criticisms about any equipment
11 manufactured by Cameron International, do
12 you?

Page 298:14 to 298:22

00298:14 A. Same answer.
15 Q. (By Mr. Gannaway) No complaints
16 or criticisms about any Cameron personnel, do
17 you?
18 A. Same answer.
19 Q. You don't allege that any
20 Cameron equipment or personnel played any
21 role in the explosion or the oil spill at the
22 Macondo Well, do you?

Page 298:24 to 298:24

00298:24 A. Same answer.

Page 299:07 to 299:11

00299:07 Q. (By Mr. Gannaway) And do you
08 know that those DVS rams had been disclosed
09 as being more efficient at shearing than
10 other types of Cameron shear rams; is that
11 right?

Page 299:13 to 299:17

00299:13 A. Same answer.
14 Q. (By Mr. Gannaway) That includes
15 that the DVS rams were more efficient at
16 shearing what's the BSR or the SBR rams that
17 were in use on the DEEPWATER HORIZON, right?

Page 299:19 to 299:19

00299:19 A. Same answer.

Page 301:07 to 301:10

00301:07 Q. (By Mr. Gannaway) And you knew
08 that the DVS rams and the hydraulic deadman
09 system were available for the DEEPWATER
10 HORIZON, if they wanted it?

Page 301:12 to 301:12

00301:12 A. Same answer.

Page 302:10 to 302:24

00302:10 Are you aware that Weatherford
11 provided a float collar that was installed on
12 the nine and seven-eighths by seven-inch long
13 string installed on the Macondo Well?
14 A. Same answer.
15 Q. Are you familiar with what an
16 auto-fill float collar is --
17 A. Same answer.
18 Q. Would you agree with me, from
19 your experience in the oil field, that an
20 auto-fill float collar of the type that
21 Weatherford manufactured and BP installed on
22 the Macondo Well is not in -- designed or
23 intended to be a mechanical barrier to the
24 flow of hydrocarbons?

Page 303:01 to 303:07

00303:01 A. Same answer.
02 Q. (By Mr. Lemoine) Do you disagree
03 with the conclusion of the National Oil Spill
04 Commission Report that the Weatherford
05 auto-fill float collar was not designed or
06 intended to be a mechanical barrier to the
07 flow of hydrocarbons?

Page 303:09 to 303:15

00303:09 A. Same answer.
10 Q. (By Mr. Lemoine) Was it ever
11 represented to you by my client, Weatherford,
12 that the auto-fill float collar it
13 manufactured and BP installed on the Macondo
14 Well was, in fact, intended to be a
15 mechanical barrier to hydrocarbon flow?

Page 303:17 to 304:22

00303:17 A. Same answer.
18 Q. (By Mr. Lemoine) With respect to

19 the nine attempts to establish circulation
 20 through the long string and the Weatherford
 21 auto-fill float collar on April 19th, 2010,
 22 it is -- is it correct that you were on the
 23 rig floor during those attempts?
 24 A. Same answer.
 25 Q. Do you have any evidence or any
 00304:01 indication, from your personal knowledge of
 02 being there, whether those nine attempts
 03 damaged the Weatherford auto-fill float
 04 collar?
 05 A. Same answer.
 06 Q. Would you agree with me that
 07 the -- a test was performed subsequent to the
 08 cement job to determine if the Weatherford
 09 auto-fill float collar had converted?
 10 A. Same an -- same answer.
 11 Q. Would you agree with me that
 12 there was a test performed subsequent to the
 13 cement job to determine if the Weatherford
 14 auto-fill float collar was, in fact, closed
 15 and preventing the ingress of cement through
 16 the shoe track?
 17 A. Same answer.
 18 Q. Would you agree with me that all
 19 persons on the rig that evening believed,
 20 subsequent to that test, that the auto-fill
 21 float collar was, in fact, preventing the
 22 ingress of cement through the shoe track?

Page 304:24 to 305:07

00304:24 A. Same answer.
 25 Q. (By Mr. Lemoine) Are you
 00305:01 familiar with the term "floats holding"?
 02 A. Same answer.
 03 Q. Would you agree with me that the
 04 Halliburton Report indicates that subsequent
 05 to the test, after the cement job, that the
 06 Hal -- that the Weatherford float collar was
 07 holding?

Page 305:09 to 307:10

00305:09 A. Same answer.
 10 Q. (By Mr. Lemoine) Would you agree
 11 with me that one of the purposes of the
 12 Weatherford auto-fill float collar was to
 13 reduce surge pressure on the formation?
 14 A. Same answer.
 15 Q. Do you have any indication that
 16 the Weatherford float collar failed to serve
 17 that function on the Macondo Well?
 18 A. Same answer.

19 Q. Do you agree with me that one of
20 the purposes of the Weatherford auto-fill
21 float collar was to prevent the ingress of
22 cement to the shoe track subsequent to the
23 cement job?
24 A. Same answer.
25 Q. Would you agree with me that you
00306:01 have no evidence or indication that the
02 Weatherford auto-fill float collar failed to
03 perform that function on the Macondo Well?
04 A. Same answer.
05 Q. Would you agree with me that one
06 of the purposes of the Weatherford auto-fill
07 float collar was to land the bottom and top
08 plugs on the long string?
09 A. Same answer.
10 Q. Did -- would you agree with me
11 that you have no indication or evidence to
12 indicate that the Weatherford -- that the
13 Weatherford auto-fill float collar failed to
14 perform that function?
15 A. Same answer.
16 Q. Do you have any complaints
17 regarding the Weatherford auto-fill float
18 collar that was installed on the long string
19 on the Macondo Well?
20 A. Same answer.
21 Q. Do you have any indication or
22 evidence to indicate that the Weatherford
23 auto-fill float collar installed on the long
24 string on the Macondo Well contributed in any
25 way to the subsequent blowout of the well on
00307:01 April 20th, 2010 --
02 A. Same answer.
03 Q. -- or the explosion that per --
04 that resulted thereafter?
05 A. Same answer.
06 Q. Do you have any indication or
07 evidence to indicate that the Weatherford
08 auto-fill float collar was defective in any
09 manner?
10 A. Same answer.