

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
PLAINTIFF DESIGNATIONS	DEFENDANT -DESIGNATIONS			
11: 5 PETER GREGG, 6 called as a witness, being duly sworn on oath, was 7 examined and did testify as follows: 8EXAMINATION				
11: 9 BY MR. MORAN: 10 Q. Good morning, Mr. Gregg. We met a little 11 while ago, but I'll introduce myself again for the 12 record. My name is Christopher Moran. I represent 13 the United States in this matter, in the captioned 14 matter. 15 Before we go any farther can the other 16 attorneys in the room put their appearances on the 17 record. 18 MR. JONES: Paul Jones, counsel for Peter 19 Gregg. 20 MS. HEALY GALLAGHER: Erin Healy 21 Gallagher, also for the United States.			108 109 204-294	

**Plaintiff
Exhibit**
689

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>22 MR. MORAN: And, for the record, there is 23 no appearance by anyone representing RaPower-3, 24 Neldon Johnson, International Automated Systems, 25 LTB1 LLC, Roger Freeborn, or R. Gregory Shepard. 12: 1 Q. BY MR. MORAN: Mr. Gregg, before we get 2 started, can you please state and spell your name. 3 A. P-E-T-E-R, G-R-E-G-G. 4 Q. Do you use a middle initial or middle 5 name? 6 A. No, I have a middle -- Peter Christopher 7 Gregg, so... 8 Q. Okay. And can you please give your 9 address. 10 A. 38490 Bickford Street, sandy, Oregon 11 97055.</p>				
<p>14:13 Today we're here to get your testimony and 14 your recollection about the facts of this case as</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>15 you understand them. So I just need to ask: Is 16 there anything that would preclude you from 17 truthfully answering questions today? 18 A. No. 19 Q. Are you taking any medications that 20 would -- 21 A. No. 22 Q. -- inhibit -- 23 A. Sorry. 24 Q. -- your ability to answer questions 25 truthfully? 15: 1 A. No. 2 Q. Have you had any alcohol to drink in the 3 last 12 hours? 4 A. No. 5 Q. Okay. Are you feeling well today? 6 A. I'm fine. 7 Q. Good. Okay. Before we went on the 8 record, you and your attorney, Mr. Jones, looked at 9 several exhibits which have been premarked.</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
 Deposition of Peter Gregg taken November 16, 2016*

<p>Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)</p>	<p>Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)</p>	<p>Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE</p>	<p>Exhibits</p>	<p>Ruling</p>
<p>10 Do you recall that? 11 A. Yes. 12 Q. Okay. To speed things up today, what we 13 are going to do is run through some questions about 14 those documents and then we'll be done with them. 15 A. Okay. 16 Q. You've produced e-mails to the government, 17 pursuant to the government subpoena; correct? 18 A. I believe to her. 19 Q. Well, to the government -- The government 20 issued a subpoena? 21 A. Yes. Yeah. Yes. 22 Q. Can you tell me, how did you search for 23 the documents that you provided to the government? 24 A. I looked through all my e- mails and all 25 the documentation that I had. 16: 1 Q. That was responsive to the government 2 subpoena? 3 A. Correct. 4 Q. Okay. Where were these e-</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>mails stored? 5 A. On a server -- I don't know. On a server. 6 Q. That you have access to? 7 A. I -- Not really. 8 Q. Well, when you responded to the government 9 subpoena -- 10 A. Correct. I asked somebody who had more 11 knowledge on how to pull all of them off, because 12 that would have been a -- I probably wouldn't have 13 given any. 14 Q. But the e-mails you produced are e-mails 15 that you received? 16 A. Yes. 17 Q. Okay. What e-mail addresses have you used 18 since becoming involved in RaPower-3? 19 A. I have three e-mail addresses. 20 Q. What are they? 21 A. Well, the BFS mail is now no longer -- no 22 longer going; PG bone say at Yahoo; and I started a 23 new one with -- so I could keep</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

<p>Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)</p>	<p>Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)</p>	<p>Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE</p>	<p>Exhibits</p>	<p>Ruling</p>
<p>everything straight, 24 at Gmail, and that's just recent. 25 Q. Okay. You mentioned a BFS e-mail that's 17: I no longer in use? 2 A. In use at all, no. 3 Q. Is that e-mail address PGregg@bfsmail.com? 4 A. Was. 5 Q. But you used it? 6 A. Yes, I did use it. 7 Q. Okay. And some of the documents that you 8 produced -- 9 A. Most of them should be from that. 10 Q. Okay. And the PGBonzai@yahoo.com, that's 11 an e-mail address that you used -- that you used? 12 A. That's my normal e-mail address, yeah. 13 The other is my -- was a business e-mail address 14 through BFS. 15 Q. And that's -- Some of the documents you've 16 produced, you used that e-mail address; is that 17 correct?</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

<p>Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)</p>	<p>Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)</p>	<p>Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE</p>	<p>Exhibits</p>	<p>Ruling</p>
<p>18 A. Which? 19 Q. Some of the e-mails that you produced to 20 the government. 21 A. Through BFS, yes. 22 Q. What about PGBonzai@yahoo.com? 23 A. There was probably a couple, but they were 24 probably -- I probably forwarded them to that 25 account. 18: 1 Q. And what's the Gmail address? 2 A. Peter -- PGBonzai80@gmail, I think. I 3 don't use it that often, so... 4 Q. When did you start using that e-mail 5 address? 6 A. After BFS mail stopped. 7 Q. Do you recall when BFS mail stopped 8 working? 9 A. Whenever I sent this. 10 Q. Sent what? 11 A. Sent all of this in. 12 Q. So would that be around April or May of 13 this year?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>14 A. Sure. That sounds right. 15 Q. Okay. Whose e-mail address is 16 CoachFreeb@bfsmail.com? 17 A. Say that again. 18 Q. C-O-A-C-H-F-R-E-E-B. 19 A. Roger Freeborn. 20 Q. Thank you. Whose e-mail address is 21 Greg@bfsmail.com? 22 A. Greg Shepard. 23 Q. Whose e-mail address is Greg@rapower3.com? 24 A. Greg Shepard. 25 Q. And when you say Roger Freeborn and Greg 19: 1 Shepard, are you referring to the defendants in this 2 matter? 3 A. Yeah, I'm -- Yes, I'm assuming. 4 Q. Whose e-mail address is 5 RJameson08@gmail.com? 6 A. Rick Jameson. 7 Q. Who is Rick Jameson? 8 A. He is my tax adviser. 9 Q. Do you know where he operates out of? 10 A. He's in Saint George, Utah. 11 Q. Okay. The documents that</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
 Deposition of Peter Gregg taken November 16, 2016*

<p>Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)</p>	<p>Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)</p>	<p>Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE</p>	<p>Exhibits</p>	<p>Ruling</p>
<p>you've looked at 12 earlier, which are marked as Exhibits 204 through 13 294, are for identification, as well as Exhibits 108 14 and 109, which were marked in a previous deposition. 15 Those are all e-mails that you produced? 16 A. To you, yes. 17 Q. That's correct? So when I see e-mail 18 addresses from the individuals we just discussed -- 19 Roger Freeborn, Greg Shepard, and Rick Jameson -- am 20 I to understand that you received or sent e-mails to 21 those individuals? 22 A. Yes. 23 Q. Okay. All right. I think we're done with 24 these. 25 MR. MORAN: Mr. Jones, we can make copies 20: I available to you at a break or something. 2 MR. JONES: Thank you. I'll just get them 3 after the deposition.</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
4 MR. MORAN: Okay. Fine.				
20:12 Q. Okay. So you spent most of your life in 13 the Portland, Oregon area? 14 A. Outside -- Yes. I don't consider myself 15 from Portland. 16 Q. Okay. Within the -- Within -- 17 A. Within the general area, yes. 18 Q. Okay. When did you graduate high school? 19 A. 1998. 20 Q. Where did you go to high school? 21 A. Estacada High School. 22 Q. Okay. What activities did you participate 23 in in high school? 24 A. Three-sport athlete, honor society. That 25 took up most of my time. 21: 1 (Mr. Austin enters the room.) 2 MR. MORAN: For the record, Mr. Austin has 3 joined us. 4 MR. AUSTIN: Sorry, guys. Go ahead. Is 5 there someone on the phone? 6 MR. MORAN: No, no one is on the phone.			204 108 109	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>7 Mr. Austin -- 8 MR. AUSTIN: Just for the court reporter's 9 record. 10 MR. MORAN: Would you like to put your 11 appearance on the record? 12 MR. AUSTIN: Yeah. Christian Austin for 13 RaPower-3. 14 Q. BY MR. MORAN: You mentioned you were a 15 three-sport athlete. What sports did you play? 16 A. I played football, wrestled, and 17 participated in track. 18 Q. Okay. When you were playing sports, did 19 you come into contact with an individual named Roger 20 Freeborn? 21 A. He was my football coach. 22 Q. He was your football coach? 23 A. My senior year, yes. 24 Q. What did you do after high school? 25 A. Went to college. 22: 1 Q. Where did you go to college?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>2 A. Oregon State. 3 Q. Okay. What did you study there? 4 A. Horticulture and history. 5 Q. Did you play any sports? 6 A. I played football. 7 Q. All four years? 8 A. I wrestled one year and played football 9 for four. 10 Q. Okay. When did you graduate from college? 11 A. 2003. 12 Q. Okay. What did you do after college? 13 A. I work at a nursery, grow trees. 14 Q. Growing trees. Anything else? 15 A. I coach football. 16 Q. Okay. Do you teach at all? 17 A. I don't. Well, I wrestle -- I coach 18 wrestling as well. 19 Q. Okay. And where's the nursery that you 20 work at? 21 A. In Boring. 22 Q. Okay. How far is that from where you</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>23 live? 24 A. Five miles. 25 Q. Okay. How far is that from Estacada? 23: 1 A. Estacada. It's about ten, ten or twelve. 2 Q. So the general vicinity of where you grew 3 up? 4 A. Yes. Very similar, yes. 5 Q. Okay. What are your parents' names? 6 A. Kevin and Michael Gregg. 7 Q. Are they still alive? 8 A. Yep. 9 Q. Okay. What are their occupations? 10 A. My dad is retired; he was a journeyman 11 lineman. And my mom is a nurse. 12 Q. When you say "lineman," do you mean 13 somebody who works on the power lines? 14 A. Yes. 15 Q. Okay. And your mom's still active as a 16 nurse? 17 A. Yes.</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>18 Q. Okay. Are you married? 19 A. I am. 20 Q. What's your spouse's name? 21 A. Renae Gregg. 22 Q. How long you been married to Ms. Gregg? 23 A. Since 2010. 24 Q. What's her occupation? 25 A. She's a high school science teacher. 24: 1 Q. Does she coach at all? 2 A. She used to. She doesn't anymore. 3 Q. What did she coach? 4 A. Women's basketball, volleyball. 5 Q. When did she stop? 6 A. When we had our child. 7 Q. And you answered my next question. Do you 8 have any children? 9 A. One son, Isaac Gregg. 10 Q. Okay. When was he born? 11 A. Near 2010. 12 Q. Okay. So he's only six years old? 13 A. Yep. 14 Q. Okay. Who cares for Isaac? 15 A. He goes -- He's in school now. 16 Q. Okay. Before he was in</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>school -- you say 17 he was born in 2010 -- 18 A. Renae, my wife. 19 MR. JONES: Let him finish the question. 20 THE WITNESS: I'm sorry. 21 MR. MORAN: So let me finish the question. 22 THE WITNESS: Right. Right, right, right. 23 Q. BY MR. MORAN: Did you have any child care responsibilities? 24 A. Yes. 25: 1 Q. Okay. You mentioned that your occupation 2 is landscaping? 3 A. No. I'm a horticulturist. I grow plants 4 for landscapers. 5 Q. Understood. 6 A. We're a wholesale landscape nursery. 7 Q. So do you have a separate business 8 property? 9 A. Separate business property? 10 Q. Do you grow the plants out of your home? 11 A. I have -- Yes, and then I do</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>have some -- 12 I do landscaping on the side, but my main occupation 13 is I grow plants for Iseli Nursery. 14 Q. Okay. And do you do that out of your 15 home? Do you grow the plants in your home? 16 A. I grow some and I buy some from the 17 nursery or other sources, other nurseries. It's a 18 very high-density nursery area; there's a lot of 19 people that have plants. 20 Q. Okay. I'm just trying to understand your 21 business, so just bear with me for a minute. 22 A. Sure. 23 Q. You're an -- You said you were a 24 nurseryman and you grow some plants in your house? 25 A. I enjoy growing plants. 26: 1 Q. And you grow some -- or you buy some from 2 Iseli Nursery? 3 A. For independent landscape jobs that I do</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>4 on the side. 5 Q. Okay. Are you an employee or an 6 independent contractor at Iseli Nursery? 7 A. No -- I'm an employee at Iseli Nursery. I 8 grow plants at the nursery, and then whatever I do 9 on my own time is what I do. 10 Q. Okay. So you're employed at Iseli? 11 A. Sure. 12 Q. And they give you a paycheck? 13 A. I'm a salaried employee, yes. 14 Q. Okay. They give you a W-2 at the end of 15 the year? 16 A. Yes. 17 Q. Okay. And then on the side, at home, it 18 sounds like you grow some plants and you also sell 19 those? 20 A. I do. 21 Q. Okay. That makes sense. 22 About how many hours a week would you say 23 you spend working at Iseli</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>Nursery? 24 A. Forty to 45, depending. In the 25 summertime, we work nines, so... 27: 1 Q. When you say "we work nines," what -- 2 A. Nine-hour days. 3 Q. So does that mean you work about 45 hours 4 a week? 5 A. Yes. 6 Q. And about how many hours a week would you 7 say you spend working on the plants that you're 8 growing at your house? 9 A. Not very -- A couple I have to water, so 10 during the summertime it would be a couple hours a 11 day -- or a couple hours a week, two or three. 12 Q. All right. 13 A. And then if I have a landscape job, then 14 whatever that entails. 15 Q. When you say "a landscape job," do you 16 mean your -- 17 A. Okay. People assume that you work in the</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>18 nursery business, that you go do landscape jobs; but 19 that's not always the case. However, I do that on 20 the side for people that I know. 21 Q. Okay. Can you just elaborate on what a 22 landscape job is? 23 A. Somebody who wants new plants in their 24 yard, so you rip out old plants and put in new 25 plants. 28: 1 Q. About how often in a year do you do those 2 kinds of jobs? 3 A. Three to four. 4 Q. Okay. And when you do a landscaping job, 5 about how many hours does that entail? 6 A. Depends on the job. 7 Q. Okay. When you're not working at Iseli 8 Nursery or caring for your own plants and working on 9 those few landscaping jobs during the year, what 10 else do you do? 11 A. Coach.</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>12 Q. Coach football? 13 A. And wrestling. 14 Q. And wrestling. About how many hours a 15 week do you spend doing that? 16 A. Less this year, but I'd say at least four 17 to five. 18 Q. Four to five hours a week? 19 A. Yeah, at least. 20 Q. During football season? 21 A. Well, if you're considering a game, then 22 that's five hours right there -- so, I guess, more 23 then, and then practices. We'll say ten to twelve, 24 then, I guess. 25 Q. All right. So let's back up a little bit. 29: 1 How long have you been coaching football? 2 A. Since 2004 or '05, somewhere around there. 3 Q. Okay. So over ten years? 4 A. Yes. 5 Q. Okay. And when does football season run? 6 A. Through the fall. 7 Q. Does it begin in August?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>8 A. Mid August to -- we're still -- we're in</p> <p>9 the playoffs right now, so...</p> <p>10 Q. And during football season, about how long</p> <p>11 is each practice?</p> <p>12 A. Hour and a half-ish.</p> <p>13 Q. Okay. And you practice once a day?</p> <p>14 A. Once a day.</p> <p>15 Q. Monday through Friday?</p> <p>16 A. Monday through Friday.</p> <p>17 Q. Saturdays?</p> <p>18 A. No.</p> <p>19 Q. No Saturdays. Double sessions in August?</p> <p>20 A. Oregon's -- it's getting not so much. So</p> <p>21 a couple -- a couple of those days are doubles, but</p> <p>22 not all of them; and then I would work, so I would</p> <p>23 only hit one of them.</p> <p>24 Q. Okay. Do you spend time working with</p> <p>25 players, doing strength conditioning?</p> <p>30: 1 A. I do.</p> <p>2 Q. About how many hours a week would you say</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>3 you're doing that?</p> <p>4 A. Depending on the scheduling, not very</p> <p>5 many. One, if that. In the summertime, it was much</p> <p>6 more; but during the season, not so much.</p> <p>7 Q. What about reviewing tapes?</p> <p>8 A. That's Sunday, coaches meeting.</p> <p>9 Q. About how many hours?</p> <p>10 A. At least two.</p> <p>11 Q. Anything else you do for the football</p> <p>12 team?</p> <p>13 A. No.</p> <p>14 Q. Any fund raisers?</p> <p>15 A. Yes, a few, but they're pretty confined.</p> <p>16 They're not a long-going thing, so...</p> <p>17 Q. And you mentioned you're a wrestling</p> <p>18 coach?</p> <p>19 A. I'm a volunteer wrestling coach at Sandy</p> <p>20 High School.</p> <p>21 Q. Okay. When does wrestling season run?</p> <p>22 A. It starts right about now and</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>goes through 23 February. 24 Q. And one other question on football: Is it 25 at the varsity level? 31: 1 A. Yes. 2 Q. And the wrestling team you coach is at the 3 varsity level? 4 A. Yes. 5 Q. Okay. How many hours a week would you say 6 you spend coaching the wrestling team? 7 A. It's volunteer, so I try to go twice a 8 week at least, for an hour or so, maybe two, 9 depending on how soon I get there after work. 10 Q. Attend any meets? 11 A. A few, if they're not eight hours away. 12 Q. So do you have to travel to the meets 13 sometime? 14 A. Yes. 15 Q. Okay. How many meets in a year? 16 A. Five to six. Especially if</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>they're home, 17 it makes it easier. 18 Q. Are those usually -- Withdrawn. 19 About how many hours would you say, on 20 average, each meet takes? 21 A. If it's a dual, then an hour and a half. 22 If it's a Saturday meet, then all day. 23 Q. Okay. By "all day," do you mean about 24 eight hours? 25 A. That sounds reasonable. 32: 1 Q. You sound like a pretty busy guy? 2 A. Keep myself busy, yes. 3 Q. So you're working 40 to 45 hours at the 4 landscaping business -- at Iseli Nursery? 5 A. Um-hum. 6 Q. You spend a couple hours a day taking care 7 of your plants? 8 A. Not a day. A week. 9 Q. A week. Okay. A couple hours a week 10 taking care of your plants?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>11 A. Sure, in the summertime. In the 12 wintertime, they're pretty -- they can do it, they 13 can handle it. Well, it's raining, so... 14 Q. Sounds like from about August till 15 February, you're spending a lot of time coaching? 16 A. I do. 17 Q. Okay. When you're not at work, taking 18 care of the plants, doing landscaping jobs, 19 coaching, do you have any child care 20 responsibilities? 21 A. I do watch my son, yes. 22 Q. Okay. Nights, weekends, things like that? 23 A. Yeah. When Renae needs to grade papers, 24 yes. 25 (Reporter request.) 33: 1 THE WITNESS: When Renae needs to grade 2 papers. 3 Q. BY MR. MORAN: You said your son was born</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>4 in 2010? 5 A. Um-hum. Yes. 6 Q. Okay. Did your wife continue teaching 7 when he was a baby, or did she take some time off? 8 A. She took time off. 9 Q. About how long? 10 A. Five years, until he got into 11 kindergarten. 12 Q. Okay. So did she care for him between the 13 ages of zero and kindergarten? 14 A. Yes. 15 Q. Okay. You mentioned you had a BFS e-mail 16 account? 17 A. (Nods head.) 18 Q. I need a -- 19 A. Yes. 20 Q. What is BFS? 21 A. Bigger Faster Stronger. 22 Q. Okay. Were you an employee of Bigger 23 Faster Stronger? 24 A. I was an independent contractor. 25 Q. Let me just back up. What is Bigger 34: 1 Faster Stronger?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>2 A. It's a strength and conditioning company 3 geared towards high-school athletes. 4 Q. Where is it based out of? 5 A. Salt Lake City, Utah. 6 Q. How did you come to learn about Bigger 7 Faster Stronger? 8 A. I did it in high school. That was our 9 strength and conditioning program in high school. 10 Q. So when you were an athlete in high 11 school -- 12 A. Yes. 13 Q. -- did you participate in their 14 conditioning program? 15 A. Yes. 16 Q. Okay. How did you learn about it in high 17 school? 18 A. Roger Freeborn. 19 Q. Do you know what Mr. Freeborn's 20 involvement was with Bigger Faster Stronger was? 21 A. He was an independent clinician, I</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>22 believe, for them as well at that time.</p> <p>23 Q. So you participated in the Bigger Faster</p> <p>24 Stronger program in high school?</p> <p>25 A. Correct.</p> <p>35: 1 Q. Did you continue through college?</p> <p>2 A. No. We had our own program at Oregon</p> <p>3 State.</p> <p>4 Q. When did you become a Bigger Faster</p> <p>5 Stronger contractor?</p> <p>6 A. After college.</p> <p>7 Q. Was that around the same time you became a</p> <p>8 football coach?</p> <p>9 A. Probably right around then.</p> <p>10 Q. Bigger Faster Stronger -- Is the Bigger</p> <p>11 Faster Stronger conditioning program used at the</p> <p>12 high school where you coach?</p> <p>13 A. Yeah, I try to implement it. Our head</p> <p>14 football coach doesn't implement it very well,</p> <p>15 but...</p> <p>16 Q. And from the time that you</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>became an 17 independent contractor for Bigger Faster Stronger, 18 what exactly did you do? 19 A. I did a few -- Well, I learned how to do 20 clinician -- or clinics at high schools and tried to 21 sell equipment and -- that's about it, yeah. 22 Q. When did you stop working for Bigger 23 Faster Stronger? 24 A. I never really stopped. I just - - It was 25 -- I never really got going, per se. I never sold a 36: 1 whole bunch of equipment. I never did any 2 independent clinics of my own. 3 Q. So do you know when you stopped being an 4 independent contractor? 5 A. Probably -- After I sent all my e-mails to 6 you guys. 7 Q. So earlier this year? 8 A. Yeah. 9 Q. Were you ever -- Were you told that you</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>10 were no longer a Bigger Faster Stronger contractor? 11 A. I was -- I did. 12 Q. Who told you that? 13 A. Well, whoever the -- Bob Rowbotham. 14 (Reporter request.) 15 THE WITNESS: Bob Rowbotham, I believe. 16 Q. BY MR. MORAN: Did Mr. Rowbotham give you 17 a reason? 18 A. I believe he said that he didn't want to 19 be involved with the details of the RaPower thing. 20 Q. How is RaPower connected to Bigger Faster 21 Stronger? 22 A. Through Greg Shepard. 23 Q. Can you tell me what Mr. Shepard's 24 involvement was in? 25 A. Of who? Of what? 37: 1 Q. Well, I asked you how Bigger Faster 2 Stronger was related to RaPower, and you said Greg 3 Shepard. Can you tell me Mr. Shepard's involvement?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
4 A. He was a president and CEO of Bigger 5 Faster Stronger.				
38:16 Q. We just talked about your activities at 17 Iseli Nursery, your -- your own side business, 18 growing plants, a few landscaping jobs, coaching, 19 football and wrestling, Bigger Faster Stronger; and 20 you testified about the approximate number of hours 21 you spent on each. 22 Has that been true since 2009? 23 A. Yes.				
38:24 Q. Okay. Thanks. Now, you also just 25 testified about an entity called RaPower-3, which is 39: 1 a defendant in this case. 2 Did there come a time when you became 3 involved with RaPower-3 and a solar lens leasing 4 activity? 5 A. You're asking me questions that you 6 already know the answers to. Are you --				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>7 Q. You need to answer the question. 8 A. Yes. Okay. 9 Q. How did you learn about RaPower-3? 10 A. Through Greg Shepard and Roger Freeborn. 11 Q. Okay. What is RaPower-3? 12 A. It is a marketing branch of IAUS to sell 13 solar power lenses. 14 Q. And when you say IAUS, are you referring 15 to International Automated Systems? 16 A. Yes. 17 Q. Okay. Do you recall when you learned 18 about RaPower-3? 19 A. 2009-ish. 20 Q. And you said you were introduced to it by 21 Roger Freeborn and Greg Shepard? 22 A. Yes. 23 Q. Okay. When was the first time you met 24 Greg Shepard? 25 A. I can't recall exactly. 40: 1 Q. Do you think it was before</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>2009? 2 A. It was. 3 Q. Okay. Do you think it was when you were 4 in high school? 5 A. I'm trying to remember if he did a clinic 6 at our school. I'm pretty sure he did, but I'm not 7 positive. 8 Q. Okay. Do you remember the circumstances 9 where you first heard about RaPower-3? So I'm 10 asking: Where were you? What was going on? 11 A. I have no idea. 12 Q. But you think it was around 2009? 13 A. I do. 14 Q. Why do you think that you first heard 15 about it in 2009? 16 A. Why? Looking through e- mails, the old 17 e-mails, and it's somewhere around that time. 18 Q. Okay. When you say "looking through the 19 e-mails," are you referring to the</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
exhibits -- 20 A. Correct. 21 Q. – 204 through 294 that you looked at -- 22 A. Yes. 23 Q. -- at the beginning of this deposition? 24 A. Yes. 25 Q. Okay. Did you have a sponsor? 41: 1 A. Roger Freeborn. 2 Q. Mr. Freeborn was your sponsor at 3 RaPower-3? 4 A. Yes. 5 Q. Okay. What's your understanding of how 6 RaPower-3 International Automated Systems relate to 7 each other? 8 A. As I said before, I believe it's a 9 marketing branch of IAUS. 10 Q. Okay. And what do you mean by "marketing 11 branch"? 12 A. Let people know what it is. 13 Q. That -- Is it that RaPower-3 markets solar 14 lenses?				
41:17 THE WITNESS: That's my				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>understanding. 18 Q. BY MR. MORAN: Okay. What did you 19 purchase from RaPower-3? 20 A. Lenses. 21 Q. What kind of lenses? 22 A. Acrylic, plastic lenses. 23 Q. What's your understanding of what these 24 lenses would be used for? 25 A. To magnify the sun's rays to create heat, 42: 1 steam, and electricity. 2 Q. When you say "create steam, heat, and 3 electricity," what's the end product?</p>				
<p>42: 6 A. Electricity. 7 Q. So it was your understanding that -- 8 A. Or steam. You could -- You could 9 evaporate water to create -- what is that -- clean 10 water, because you could -- you could use dirty 11 water and create clean water through that steam 12 process. 13 Q. BY MR. MORAN: And that -</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>- that's using 14 the solar -- the solar lenses that you purchased 15 from RaPower-3? 16 A. I could do that, yes. 17 Q. Okay. Do you recall how much you paid for 18 each lens? 19 A. About \$3,000. \$3,000. 20 Q. You think it was \$3,000? 21 A. I believe so, or -- I don't know. More 22 than that, maybe.</p>				
<p>43: 8 Q. BY MR. MORAN: Mr. Gregg, I've handed you 9 a document that's been marked for identification as 10 Exhibit 295. It is Bates labeled GREGG_P&R-000240. 11 As we discussed prior to the deposition, that's the 12 number that we labeled it with when we received your 13 documents. 14 You're looking at Exhibit 295. Can you 15 identify it? 16 A. It's a RaPower-3 invoice. 17 Q. Did you receive this invoice? 18 A. Yes.</p>			295	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>19 Q. Okay. Earlier you testified you thought 20 that you'd paid about \$3,000 per lens. 21 Looking at Exhibit 245, does that refresh 22 your recollection? 23 A. Looks like \$3,000 it is. 24 Q. In Exhibit 295, it looks like you 25 purchased two solar thermal lenses? 44: 1 A. Correct. 2 Q. And the full unit price was \$6,000? 3 A. Correct. 4 Q. So that works out to \$3,000 per lens, as 5 you testified? 6 A. Yes. 7 Q. There's a reference to a down payment of 8 \$2,040? 9 A. Yes. 10 Q. When I asked you how much you paid for the 11 lens, did you pay the full \$6,000?</p>				
<p>44:15 A. No, I paid the down payment. 16 Q. Okay. Do you recall if you've</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
ever paid 17 the full unit price of \$6,000? 18 A. I have not, for the lenses that I have 19 purchased.				
44:20 Q. Okay. Why did you get involved in the 21 RaPower-3 program? 22 A. To make the world a better place. 23 Q. What do you mean by that? 24 A. We're, as a nation, dependent on coal and 25 oil, and I would like to see that stop. 45: 1 Q. How do you think RaPower-3 will achieve 2 that goal? 3 A. RaPower-3 will achieve that goal through 4 helping us become less oil- and coal-dependent. 5 Q. How will it do that? 6 A. There's energy that is needed in this 7 United States, and RaPower-3 will create that. 8 Q. How is it going to create the energy?				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>45:14 A. Through solar. 15 Q. Solar what? 16 A. It can be solar electricity. It can be a 17 lot of different avenues. 18 Q. Okay. Did you expect to receive any 19 compensation from your participation in RaPower-3? 20 A. Yes. 21 Q. How did you expect that compensation to be 22 received? 23 A. Bonus money and through leasing my lenses. 24 Q. Let's talk about that. What's the bonus 25 contract? 46: 1 A. It is a percentage of the gross sales, I 2 believe. 3 Q. Gross sales of what? 4 A. IAUS. 5 Q. What does IAUS sell?</p>				
<p>46: 8 THE WITNESS: Solar lenses. 9 Q. BY MR. MORAN: Okay. So the bonus 10 contract is that you receive a percentage of IAUS's 11 gross sales of solar lenses?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>12 A. As far as I understand. 13 Q. Okay. Have you received any portion of 14 that bonus contract? 15 A. I have not. 16 Q. Okay. And then you also said that you 17 expect to be -- you expected to be compensated from 18 the sale of power from your lenses? 19 A. No, from the -- well, leasing the lenses, 20 which -- whatever they produce through that. 21 Q. Who did you lease the lenses to? 22 A. LB something. I don't remember offhand. 23 Q. Is it LTB1 LLC? 24 A. That sounds like it. 25 Q. Have you ever received any lease payments 47: 1 for your lenses? 2 A. I have not.</p>				
<p>47: 5 Q. BY MR. MORAN: Mr. Gregg, I've handed you 6 a copy of what's been marked for identification as 7 Exhibit 296, which has been</p>			296	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>Bates labeled 8 GREGG_P&R-000247. 9 (Reporter request.) 10 Q. BY MR. MORAN: Mr. Gregg, you're looking 11 at a copy of Exhibit 296 -- what's been marked for 12 identification as Exhibit 296. What is it? 13 A. It's a team member compensation contract. 14 Q. Is this a document that you produced -- 15 A. Excuse me? 16 Q. Is it a document that you produced to the 17 United States? 18 A. Yes. 19 Q. And just previously you testified about 20 two ways that you expected to receive compensation 21 for your participation in RaPower-3? 22 A. Yes. 23 Q. Okay. Are those methods reflected in 24 Exhibit 296? 25 A. No. This is a commission- based contract.</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>48: 1 Q. And what's the commission-based contract?</p> <p>2 A. To basically advertise for RaPower-3 and</p> <p>3 see if you can get more people involved.</p> <p>4 Q. Did you ever participate in that method?</p> <p>5 A. I did.</p> <p>6 Q. How did you do that?</p> <p>7 A. Talked to people and told them about it.</p> <p>8 Q. Who did you talk to?</p> <p>9 A. Family members and friends.</p> <p>10 Q. Did any of these individuals sign up for</p> <p>11 RaPower-3 to buy power lenses?</p> <p>12 A. Yes, they did.</p> <p>13 Q. Who are those individuals?</p> <p>14 A. Kevin and Michael Gregg and, I believe,</p> <p>15 my sister Sarah.</p> <p>16 Q. And Kevin and Michael Gregg are your</p> <p>17 parents?</p> <p>18 A. Correct.</p> <p>19 Q. Okay. And the commission-based</p> <p>20 compensation that you've just described, is that the</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>21 first method of compensation in Exhibit 296? 22 A. It looks like that. 23 Q. Okay. And a second method of compensation 24 in the second paragraph, is that referring to the 25 potential that you would receive revenues from the 49: 1 sale of power? 2 A. From the sale of power. 3 Q. Like you testified that you were -- that 4 you expected to receive revenue from leasing your 5 lenses? 6 A. Correct. Yes, I believe so. 7 Q. And this second method of compensation 8 refers to revenues generated from the sale of power? 9 A. I believe so. 10 Q. Are those two the same avenue of 11 compensation or no? 12 A. I don't believe so. One's the sale of 13 power and one's advertising it. 14 Q. So it sounds like there's four ways that</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>15 you could potentially receive income from RaPower-3. 16 You talked about the bonus? 17 A. (Nods head.) 18 Q. We just talked about commissions? 19 A. Correct. 20 Q. You mentioned -- 21 A. Leasing lenses. 22 Q. -- leasing lenses? 23 A. (Nods head.) 24 Q. And then the fourth would be, I guess, 25 what's referred to in Exhibit 296 as the second 50: 1 method of compensation?</p>				
<p>50: 4 THE WITNESS: I don't understand what 5 you're -- I mean, I understand it as three ways of 6 making money. 7 Q. BY MR. MORAN: Okay. So when did you -- 8 When do you expect to receive income from leasing 9 your lenses? 10 A. When they come online. 11 Q. What do you mean by "come online"? 12 A. When they start producing</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>whatever we need 13 to produce, either water or electricity or heat, to 14 make a create a revenue. 15 Q. Okay. To your knowledge, have any 16 revenues been generated? 17 A. I have no idea. 18 Q. Have you received any revenues? 19 A. I have not received any revenues. 20 Q. Okay. And you recall being involved in 21 RaPower-3 and purchasing solar lenses in 2009? 22 A. Looks like my contract said 2010, so... 23 Q. So is it fair to say it's been at least 24 six years? 25 A. Correct.</p>				
<p>51: 2 Q. BY MR. MORAN: Mr. Gregg, you've been 3 given a copy of what's been marked for 4 identification as Exhibit 297 and labeled -- 5 THE REPORTER: 297. 6 Q. BY MR. MORAN: You've</p>			297	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>been given a copy of 7 what's been marked for identification as Exhibit 297 8 and which has been Bates labeled GREGG_P&R-000003. 9 You previously testified a bonus - - about 10 a bonus contract? 11 A. I did. 12 Q. Is this -- 13 A. This is it. 14 Q. Okay. And at the bottom of Exhibit 297, 15 there's a signature from Neldon Johnson? 16 A. Yes. 17 Q. Do you know who Neldon Johnson is? 18 A. I believe he owns IAUS. 19 Q. Okay. Do you know if he does anything 20 else with regards to the solar lenses? 21 A. I believe -- Well, no, I don't know. 22 Q. Okay. No more questions on that exhibit. 23 In total, do you know how many lenses 24 you've purchased?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
25 A. We'll probably see soon. 52: 1 Q. Can you give me a ballpark estimate? 2 A. Thirty-ish.				
52:11 Q. -- like to establish: You've bought about 12 30 lenses; is that it? 13 A. I believe so. 14 Q. Okay. Were there any other methods 15 through which you expected to benefit from having 16 purchased your solar lenses? 17 A. Any other methods that I would benefit? 18 Q. Any other benefits? 19 A. Not -- Not directly through the company, 20 no. 21 Q. What about indirectly through the company? 22 A. Indirectly through the company? No. 23 Q. Well, you said "not directly through the 24 company," and I'm asking: Did you expect to receive 25 any benefits that weren't directly from the company?				
53: 3 THE WITNESS: There's --				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
No.				
<p>53:20 Q. You testified earlier that you paid \$3,000 21 per lens but you only made a down payment of, I 22 believe, about \$1,000 per lens. Do you recall that? 23 A. Yes. 24 Q. When do you expect to pay the remainder? 25 A. When the leases go, it will help pay that 54: 1 off. 2 Q. What do you mean, "when the leases go"? 3 A. When the lease on -- When the lenses 4 create revenue, they will make money, and that will 5 help pay that off, the rest of that off. 6 Q. The rest of what off? 7 A. The rest of the down payment - - or the 8 rest of the remainder of the down -- well, whatever 9 it is, the balance. 10 Q. You mean the difference between -- 11 A. The balance of the down</p>			295	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
payment and the 12 price of the lens. 13 Q. So if you could look back to Exhibit 295. 14 When you say "the difference," you're 15 referring to the difference between the down payment 16 of \$2,040 and the full unit price of \$6,000? 17 A. Correct. 18 Q. Okay. So is it fair to say that - - Do you 19 think that you owe money to RaPower-3 for that 20 difference? 21 A. At some point, yes. 22 Q. Do you know if there's a promissory note? 23 A. I have no idea. 24 Q. Do you consider yourself personally 25 liable?				
55: 3 THE WITNESS: I can't answer that. 4 Q. BY MR. MORAN: Okay. If it turns out that 5 these lenses never produce any solar power of any 6 kind, do you intend to pay that				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
debt?				
55: 9 THE WITNESS: I don't know. 10 Q. BY MR. MORAN: What if RaPower-3 came to 11 you right now and said, "Pay off the remainder"? 12 What would you do?				
55:15 THE WITNESS: I would be in a -- I 16 couldn't pay it. 17 Q. BY MR. MORAN: Why not? 18 A. Because I don't have money lying around. 19 Q. Do you know how the \$3,000 price per lens 20 was calculated?				
55:22 THE WITNESS: I don't. 23 Q. BY MR. MORAN: Did you have any 24 opportunity to negotiate that pricing? 25 A. I did not. 56: 1 Q. Did you ever get an independent opinion or 2 appraisal on whether or not your lens was worth what 3 you were paying for it? 4 A. I did not. 5 Q. Do you know if there's a				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
market where you 6 could sell your lenses? 7 A. I'm sure there is not. It's pretty 8 specialized. 9 Q. Do you know if you can sell your lenses to 10 someone else if you wanted?				
56:13 THE WITNESS: No.				
56:20 Q. BY MR. MORAN: Mr. Gregg, I've given you a 21 copy of what's been marked for identification as 22 Exhibit 8A. 23 Do you recognize this document? 24 A. It looks like from the RaPower-3 website. 25 Q. Do you recall downloading it from the 57: 1 RaPower-3 website? 2 A. I've downloaded a lot of things. No. 3 Q. Is it fair to say that you got it in some 4 form from RaPower-3? 5 A. From the Internet, I imagine. So, yeah, 6 RaPower-3 put it on the Internet. 7 Q. On their website? 8 A. The website, yeah. 9 Q. It says it's by Greg Shepard?			8A	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
10 A. Yes. 11 Q. Is it your understanding that Mr. Shepard 12 authored this document? 13 A. As far as I know. 14 MR. MORAN: Okay. No more questions on 15 that document.				
57:18 Q. BY MR. MORAN: Mr. Gregg, I'm handing you 19 a copy of what's been marked for identification as 20 Exhibit 298 and which has been labeled 21 GREGG_P&R-003382. 22 Do you recognize this document? 23 A. Looks like an e-mail. 24 Q. Who's the e-mail from? 25 A. Greg Shepard. 58: 1 Q. And did you receive this e- mail? 2 A. I'm sure I did. 3 Q. It's dated November 4th, 2013. 4 A. Okay. 5 Q. In the second paragraph, it says: "We are 6 planning on producing power today." 7 A. Okay.			298	
58:13 Q. BY MR. MORAN: Earlier				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
you testified that 14 you expected -- that you expected your solar lenses 15 to produce electricity or, I believe, desalinize 16 water; is that correct?				
58:19 THE WITNESS: I would like it to produce a 20 revenue source, whether it is desalinized water, 21 electricity, or heat. 22 Q. BY MR. MORAN: Great. And I think that 23 does fairly characterize your earlier testimony. 24 So, in the second paragraph, when it says, 25 "Confidential update: We are planning on producing 59: 1 power today," what does that statement mean to you?				
59: 4 THE WITNESS: It means that they're using 5 solar -- the solar lenses. 6 Q. BY MR. MORAN: Using the solar lenses to 7 do what? 8 A. Create whatever they want to create at				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
9 that time. 10 Q. Okay. Were you ever compensated for 11 producing that power? 12 A. No. No.				
59:16 Q. BY MR. MORAN: Mr. Gregg, you've been 17 given a copy for what's been marked for 18 identification as Exhibit 299 and which has been 19 labeled GREGG -- 20 I'm handing you a copy of what's been 21 marked for identification as Exhibit 299 and has 22 been labeled GREGG_P&R- 000729. 23 Do you recognize this document? 24 A. Yes. 25 Q. What is it? 60: 1 A. It's an e-mail from Greg Shepard, talking 2 about IRS audits. 3 Q. You received this e-mail from Mr. Shepard? 4 A. I did. 5 Q. If you can go to the second page, at the 6 end of the first line it says: "Ten			299	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
towers are 7 efficiently following the sun and producing 8 electricity for demonstration purposes." 9 Do you see that? 10 A. Yes. 11 Q. What does that statement mean to you? 12 A. It means ten towers are up and running. 13 Q. What's the date on that e- mail? 14 A. September 4th, 2014. 15 Q. Let me just ask you this: If the towers 16 are producing electricity, why haven't you gotten 17 any income?				
60:20 THE WITNESS: I can't answer that 21 question. 22 Q. BY MR. MORAN: Would you expect to be 23 receiving income if the towers are producing 24 electricity?				
61: 1 THE WITNESS: It all depends. 2 Q. BY MR. MORAN: What does				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>it depend on? 3 A. It depends on if the company recovers 4 costs on their outlay of materials, I would assume. 5 Q. So when you say, "if the company recovers 6 costs on the outlay of their materials," what does 7 that mean? 8 A. It takes materials to build things, and 9 manpower to do that. 10 Q. Okay. You think the company needs to 11 recover costs before they'll pay you? 12 A. That's usually how business works. 13 Q. So you think they're still recovering 14 their costs? 15 A. I don't know.</p>				
<p>61:21 Q. BY MR. MORAN: Mr. Gregg, I've handed you 22 a copy of what's been marked for identification as 23 Exhibit 300 and labeled GREGG_P&R-002353. 24 Do you recognize Exhibit 300?</p>			300	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>25 A. Looks like an e-mail from Greg Shepard. 62: 1 Q. Did you receive this e-mail? 2 A. Yes. 3 Q. At the top of the e-mails, in purple 4 lettering, it says "responses" in bold. Do you see 5 that? 6 A. I do. 7 Q. Whose responses are in bold? 8 A. Greg Shepard. 9 Q. Okay. So am I to understand that when I 10 see text that's bold and purple, those are Greg 11 Shepard's words? 12 A. I believe so. 13 Q. Okay. And the first paragraph in purple 14 bold text, it says: "We should have a tower running 15 next Monday with new CSP technology, 15 towers 16 running two weeks after that." 17 Do you see that? 18 A. I do. 19 Q. What does that statement mean to you?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>62:22 THE WITNESS: It means that they're 23 continually working on new technology. 24 Q. BY MR. MORAN: What's the date on that 25 e-mail? 63: 1 A. May 22nd, 2015.</p>				
<p>63: 5 Q. So Exhibit 300 occurs after Exhibit 299? 6 A. I understand that.</p>			300 299	
<p>63:13 Q. BY MR. MORAN: Exhibit 299 says: "Ten 14 towers are efficiently following the sun and 15 producing electricity for demonstration purposes." 16 Is that correct? 17 A. That's what you just read. 18 Q. So in Exhibit 299 it says they have ten 19 towers operating, and in Exhibit 300 it says a 20 tower?</p>			299	
<p>63:23 THE WITNESS: Well, like I said, the 24 technology was -- is evolving still, as we speak. 25 Q. BY MR. MORAN: Okay. In</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>the first 64: 1 paragraph, in bold, it also says: "We're working on 2 a news release." Do you see that? 3 A. I do. 4 Q. Have you ever seen that news release? 5 A. Possibly. I don't know. 6 Q. Do you think you would have produced it to 7 us if you had seen it? 8 A. Oh, for sure, yes. 9 Q. In the third paragraph, in bold, it says: 10 "Neldon has said he won't penalize you because you 11 are being audited." 12 My first question is: Who is Neldon? 13 A. Neldon Johnson. 14 Q. Okay. And what does the term "penalize" 15 mean? 16 A. Because I've been audited, I did not -- I 17 haven't been able to continue to pay down-payments 18 on the lenses I have purchased. 19 Q. So because the IRS audited you, you</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>20 stopped making payments to RaPower?</p> <p>21 A. No. The IRS and Oregon.</p> <p>22 Q. Okay. So the Internal Revenue Service and</p> <p>23 the State of Oregon audited you; and, therefore, you</p> <p>24 were unable to make payments to RaPower-3?</p> <p>25 A. Because I'm making payments to the State</p> <p>65: 1 of Oregon.</p> <p>2 Q. And what was it that Mr. Johnson wasn't</p> <p>3 going to penalize -- or what was it that he wasn't</p> <p>4 going to do because of this?</p> <p>5 A. It was -- My recollection is I would</p> <p>6 receive bonus monies.</p> <p>7 Q. You were going to continue to receiving</p> <p>8 bonus monies?</p> <p>9 A. No, not continue. I have not received</p> <p>10 any. I would get bonus monies when those came.</p>				
<p>65:15 You said you stopped paying RaPower-3</p> <p>16 because you were being audited;</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>is that correct? 17 A. No. I said I stopped paying because I 18 needed to pay the State of Oregon to fight the 19 Oregon audit prior to. 20 Q. So you were unable to meet your 21 obligations to RaPower-3? 22 A. As of right now, yes. 23 Q. Okay. And Mr. Johnson has said you won't 24 be penalized; is that correct? 25 A. As far as I know.</p>				
<p>66: 4 Q. BY MR. MORAN: Mr. Gregg, I'm handing you 5 a copy of what's been marked for identification as 6 Exhibit 301 and labeled GREGG_P&R-004071. 7 What is Exhibit 301? 8 A. It's an e-mail from Greg Shepard. 9 Q. You received this e-mail? 10 A. I did. 11 Q. Okay. If you can look at the middle of 12 the page, there's an e-mail that appears to be from 13 Greg Shepard.</p>			301	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>14 It says: "I think we can get done by at 15 least 2:00 p.m. Bring your camera, photo/video. 16 You will want to take advantage of photo ops with me 17 and Neldon. That should help your case." 18 A. Um-hum. 19 Q. Did I read that correctly? 20 A. You read it verbatim. 21 Q. From the context of this e- mail, it looks 22 like you visited -- 23 A. I have. 24 Q. What did you visit? 25 A. I visited the site in Milford -- or, no, 67: I excuse me -- Delta. 2 Q. And when you say "Delta," are you 3 referring to Delta, Utah? 4 A. Delta, Utah. 5 Q. Okay. How many times have you visited the 6 site in Delta, Utah? 7 A. One. 8 Q. And when was that? 9 A. After this -- After June 12th. I don't</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>10 know exactly. 11 Q. Sometime in June 2015? 12 A. I believe so. 13 Q. Okay. Did you take advantage of photo ops 14 with Mr. Shepard and Neldon Johnson? 15 A. I believe I did. 16 Q. Mr. Shepard says: "That should help your 17 case." What does that mean? 18 A. I'm assuming it's referring to the Oregon 19 case. 20 Q. Do you have any photos between -- taken of 21 you and Mr. Johnson and Mr. Shepard? 22 A. Not on me. 23 Q. Okay. Do you know if you produced them to 24 the United States? 25 A. Can I produce them to the United States? 68: 1 Q. Well, my first question is: Did you? 2 A. No. 3 Q. Okay. Can you tell me why a photo of you, 4 Neldon Johnson, and Greg</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
Shepard will help your 5 case?				
68: 7 THE WITNESS: I'm looking at the business. 8 Q. BY MR. MORAN: What business is that? 9 A. My lens business. 10 Q. Did you see your lenses? 11 A. I did. I saw lenses; I don't know if they 12 were specifically mine. 13 Q. Okay. About how many lenses did you see?				
68:15 THE WITNESS: Thousands. 16 Q. BY MR. MORAN: Where were these lenses? 17 A. There were some in the warehouse, there 18 were some on towers. 19 Q. About how many -- How many towers did you 20 see? 21 A. Ten to 15. 22 Q. Okay. Do you know how many lenses are in 23 each tower? 24 A. I do not. 25 Q. Okay. So you don't know if your lenses				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>69: 1 were on towers or in the warehouse? 2 A. I do not. 3 Q. Okay. What happened at your site visit? 4 A. We went and looked at the manufacturing 5 plant and talked to engineers working for the 6 company and looked at the automation process for 7 making lens tower apparatuses. 8 Q. Can you describe how that works for me, in 9 your own words? 10 A. Bending some large pipe, welding different 11 pieces onto that pipe, so that the lenses are held 12 on to that circular unit. 13 Q. And where does the circular unit go? 14 A. I'm sure on the towers. 15 Q. Did you see the lenses -- or the towers 16 operating?</p>				
<p>69:18 THE WITNESS: I couldn't tell. I'm -- I 19 couldn't tell if they were operating or not.</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
20 Q. BY MR. MORAN: Did you see them producing 21 electricity?				
69:23 THE WITNESS: You can't see electricity. 24 Q. BY MR. MORAN: Did you see them making 25 steam? 70: 1 A. No, I did not.				
70: 3 Q. BY MR. MORAN: Did you see them producing 4 heat? 5 A. No. 6 Q. Did you see anything to make you believe 7 they were generating electricity? 8 A. I can't answer that. 9 Q. Why not? 10 A. Why not? Again, because I don't -- I 11 don't know all the mechanics of the operation. 12 Q. Did anyone explain it to you? 13 A. It was explained, but that doesn't mean 14 it's -- I don't know. 15 Q. Who led the tour? 16 A. Greg led the tour, Greg Shepard. 17 Q. Who else was on the tour?				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>18 A. Neldon and, I believe, Matt Shepard, and</p> <p>19 then a few other people I don't know.</p> <p>20 Q. Were the other people customers of</p> <p>21 RaPower-3, or were they employed, or were they there</p> <p>22 on behalf of RaPower-3?</p> <p>23 A. I have no idea their connection, honestly.</p> <p>24 Q. About how many people?</p> <p>25 A. Three more? Three or four?</p> <p>I'm not -- I</p> <p>71: I don't know.</p> <p>2 Q. Okay. And I think you may have touched on</p> <p>3 this, but just so the record's clear: You never saw</p> <p>4 your lenses?</p>				
<p>71: 6 THE WITNESS: No. I don't know if what my</p> <p>7 lenses -- they were -- I don't know if they're</p> <p>8 labeled or not.</p> <p>9 Q. BY MR. MORAN: Do you know where they are?</p> <p>10 A. They're in a warehouse or they're on the</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>11 towers. 12 Q. How do you know that? 13 A. How do I know that? 14 Q. How do you know that your lenses are 15 either on the towers or in the warehouse? 16 A. Because that's where they're stored, 17 that's where they're at. 18 Q. How do you know that that's where they're 19 stored or that's where they're at?</p>				
<p>71:22 THE WITNESS: That's what I know. 23 Q. BY MR. MORAN: And my question is: How 24 did you gain that knowledge?</p>				
<p>72: 2 THE WITNESS: That's where they're stored, 3 is what I -- that's what I know. 4 Q. BY MR. MORAN: And I understand that's 5 what you know and that's your understanding. 6 A. Correct. 7 Q. What I want to know is: Did you read that 8 somewhere or did someone tell</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>that to you? 9 A. I'm not -- I don't recall. 10 Q. Okay. Did you see anything referred to as 11 molten salt? 12 A. Did I see anything referred to as molten 13 salt. 14 Q. Yes. 15 A. I have read a white paper on that. 16 Q. During your tour, do you recall seeing 17 anything -- 18 A. No, I do not. 19 Q. -- that was referred to as molten salt? 20 A. I do not. 21 Q. Did you see any heat exchangers? 22 A. I believe I did. 23 Q. Can you describe what that was? 24 A. A spherical chrome ball. 25 Q. Was it operating in any way? 73: 1 A. Not that I was -- When I was looking at 2 it, no; that was probably just an example. 3 Q. Okay. Did you see any</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
turbines? 4 A. Turbines? Bladeless turbines? No, I did 5 not.				
74: 9 Q. Who led the tour?				
74:12 THE WITNESS: Greg Shepard. 13 Q. BY MR. MORAN: Thanks. Did Neldon Johnson 14 speak at all during the tour? 15 A. He did. 16 Q. Do you recall what he said? 17 A. No. 18 Q. Did he describe the technology? 19 A. I'm sure he did. 20 Q. Have you ever been to a RaPower national 21 convention? 22 A. I have not. 23 Q. Okay. So the visit that you went on was 24 not a national convention? 25 A. No, it was a small version.				
75: 4 Q. BY MR. MORAN: Mr. Gregg, you've been 5 given a copy of plaintiff's Exhibit 302, which is 6 labeled GREGG_P&R-001085. 7 Do you recognize Exhibit 302?			302	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>8 A. I do. 9 Q. What is it? 10 A. It's an e-mail from Greg Shepard after I 11 went on my visit to the site in Delta. 12 Q. And you received Exhibit 302 from 13 Mr. Shepard? 14 A. Yes. 15 Q. And on the bottom half of the first page, 16 it looks like there's an e-mail from you to 17 Mr. Shepard; is that correct? 18 A. Correct. 19 Q. Okay. And you ask a series of questions 20 in that e-mail? 21 A. I do. 22 Q. The first question you ask is: "How are 23 we dealing with the heat problem with CPV? Usually, 24 when a photovoltaic array is set up, it has an 25 optimum temperature range as well; however, we 26 I seldom have too much heat problem."</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>2 Did I read that correctly? 3 A. Yes, verbatim. 4 Q. What were you referring to there? 5 A. The heat exchanger, I think it was, was 6 the answer to the heat problem. And then CPV is 7 concentrated photovoltaic, and I wasn't -- I didn't 8 know all that much about that, other than that big 9 one down in California. I can't remember what it's 10 called. 11 Q. Is this -- You're referring to a problem 12 here. 13 Is this a problem you learned about when 14 you were -- 15 A. No. 16 Q. Let me finish the question. 17 A. Okay. 18 Q. Is this a problem you learned about during 19 your visit? 20 A. No. 21 Q. Okay. When did you learn about this</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>22 problem? 23 A. I've researched -- researched stuff and 24 just there -- it has been a problem with CPV with 25 heat, too much heat making it less efficient. 77: 1 Q. Did you ever get an answer to this 2 question? 3 A. I don't know if I did. I don't remember. 4 Q. Okay. In the second paragraph of your 5 e-mail, you say also: "I don't know if you ever 6 really answered my question of what we are going to 7 market or focus on." 8 Did I read that correctly? 9 A. Correct. 10 Q. My first question is: When you refer to 11 "he," who are you referring to? 12 A. Neldon Johnson. 13 Q. Okay. What was being marketed? 14 A. Lenses or whatever -- whatever revenue 15 source we can create.</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>16 Q. Okay. And you testified earlier about 17 potential revenue sources? 18 A. Yeah, so the heat exchanger could be one 19 of them. 20 Q. Okay. And did you ever get an answer to 21 this question? 22 A. I don't even remember if I called back; 23 so, no. 24 Q. In the third paragraph, you say: "What I 25 really want to know is: We have so many products. 78: 1 What are we going to focus on marketing to create 2 revenue?" 3 Did I read that correctly? 4 A. Correct. 5 Q. Is that a follow-up to the previous 6 question? 7 A. Yes. 8 Q. Kind of asking the same question in a 9 different way? 10 A. Yes. 11 Q. Okay. And when you say</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>"focus on 12 marketing," are you referring -- what are you 13 referring to? 14 A. My role as a RaPower-3 member. 15 Q. Okay. And what is your role? 16 A. Marketing IAUS products, i.e. lenses. 17 Q. To sell lenses? 18 A. Sell lenses, creating revenue. 19 Q. And selling lenses brings in revenue to 20 you; correct? 21 A. Yes. It would be a commission. 22 Q. Okay. Does selling more lenses have 23 anything to do with your lease payments coming in? 24 A. No. 25 Q. Okay. Do you have any role in creating a 79: 1 product that would be marketable, other than lenses? 2 A. I have no role. 3 Q. Okay. In the fourth paragraph, it says: 4 "It seems to me the DVC alone could be marketed and</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>5 make us a chunk. So I'm wondering what else needs 6 to be done to get the ball rolling, and why are we 7 waiting? Or the smaller heat exchanger. I'm sure 8 all the new technology does not necessarily have to 9 come out all at once." 10 What are you referring to here? 11 A. DVC is -- I don't know the exact acronym, 12 what it's -- something voltaic controller. 13 Q. Is it the dynamic voltage controller? 14 A. Yes, I believe that's it. 15 Q. What is the dynamic voltage controller? 16 A. As far as I understand, it can regulate 17 electricity going in to -- I don't -- Actually, I 18 don't know exactly what it does. 19 Q. Have you seen it? 20 A. I have seen, yes, a little tiny piece of 21 plastic. 22 Q. The dynamic voltage controller is a piece</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>23 of plastic? 24 A. As far as I know. There's probably 25 internal components. 80: 1 Q. You've seen one? 2 A. I have, on the tour. 3 Q. Let me ask the question: When did you see 4 it? 5 A. On the tour. 6 Q. Okay. And who showed it to you? 7 A. Greg Shepard. 8 Q. And previously you testified about what -- 9 what's your understanding of what it is, and it 10 sounds like it's pretty limited; is that correct? 11 A. Very limited, yes. 12 Q. Okay. But what you do know of it, who 13 told you about it? 14 A. I believe I read on the -- online on the 15 products that are created, the IAUS website or the 16 RaPower-3 website. 17 Q. Okay. And in this e-mail, it sounds like</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>18 you're talking about you marketing the dynamic voltage controller?</p> <p>19 voltage controller?</p> <p>20 A. I'm -- No, not me personally, because I</p> <p>21 don't know enough about it.</p> <p>22 Q. Who would be marketing the dynamic voltage controller?</p> <p>23 controller?</p> <p>24 A. Somebody in the company.</p> <p>25 Q. Did you ever get an answer to this</p> <p>81: 1 question?</p> <p>2 A. Like I said, I don't remember even</p> <p>3 calling, so...</p> <p>4 Q. And you've -- you've referenced calling.</p> <p>5 At the top of the e-mail, Mr. Shepard says: "Peter,</p> <p>6 easier if you call me. Greg."</p> <p>7 Did you ever call Mr. Shepard?</p> <p>8 A. I don't remember calling.</p> <p>9 Q. Okay. So you in Exhibit 302, you ask a</p> <p>10 series of questions.</p> <p>11 Is it unfair to characterize your</p> <p>12 testimony that you never got answers to these</p> <p>13 questions?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
14 A. I don't recall. 15 Q. You don't recall ever getting an answer to 16 the questions you raised in Exhibit 302? 17 A. Correct.				
81:21 Q. BY MR. MORAN: Mr. Gregg, you've been 22 handed a copy of what's been marked for 23 identification as plaintiff's Exhibit 303 and 24 labeled GREGG_P&R-002308. 25 Do you recognize Exhibit 303? 82: 1 A. Looks like an e-mail. 2 Q. Is this an e-mail you received from Greg 3 Shepard? 4 A. I'm sure I did. 5 Q. In Exhibit 303, there's a reference to 6 some pictures that are attached and it's -- the 7 biomass burner is referred to. Do you see that? 8 A. I do. 9 Q. And earlier you testified about the 10 biomass burner. Do you recall that?			303	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>11 A. I do. 12 Q. And you described it for me? 13 A. I did. 14 Q. Are the pictures that are attached to 15 Exhibit 303 the biomass burner? 16 A. Not the one I saw. 17 Q. Not the one you saw. Okay. 18 Okay. If you could flip back to the last 19 page, which is labeled GREGG_P&R-002312. 20 Do you recognize that photo? 21 A. I do. 22 Q. What is it? 23 A. It is a bladeless turbine. 24 Q. Okay. And how do you know that that's a 25 bladeless turbine? 83: 1 A. That's what I know. 2 Q. How did you gain that knowledge? 3 A. Looking at the picture. 4 Q. Well, looking at this picture -- but, 5 before I showed you this picture, you knew what a 6 bladeless turbine is; correct? 7 A. Correct. 8 Q. Okay. How did you gain that</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
knowledge? 9 A. Research on the IAUS website. 10 Q. Okay. Did it ever come from the RaPower-3 11 website as well? 12 A. Could have. It could have, yes. 13 Q. Okay. Have you seen bladeless turbines on 14 your tour? 15 A. We -- I can't -- I can't recall.				
83:17 Q. BY MR. MORAN: Mr. Gregg, you've been 18 handed a copy of what's been marked for 19 identification as plaintiff's Exhibit 304, which is 20 labeled GREGG_P&R-001444. 21 Do you recognize Exhibit 304? 22 A. It's an e-mail from Greg Shepard. 23 Q. And you received this e-mail? 24 A. Yes. 25 Q. Okay. The top of that e-mail, and an 84: 1 e-mail from Mr. Shepard, it says: "Solar only gives 2 about 2,000 hours a year, but it doesn't matter; the			304	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

<p>Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)</p>	<p>Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)</p>	<p>Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE</p>	<p>Exhibits</p>	<p>Ruling</p>
<p>3 rental fee is what matters, and that's \$150 a lens, 4 regardless of the hours." 5 What's your understanding of that 6 statement? 7 A. I probably asked a question. 8 Q. You can take a minute to review the 9 document and see if that refreshes your 10 recollection. 11 A. Okay. So what I understand is that 2,000 12 hours are the daylight hours. 13 Q. And why does that number matter to you? 14 A. Well, you can't create solar heat without 15 solar sun, the solar rays coming down. 16 Q. So are you saying that, when the sun's not 17 out, you can't generate solar electricity? 18 A. I'm saying you cannot create heat at that 19 point, unless you have a reserve. 20 Q. Okay. And what do you mean by "reserve"? 21 A. Whether it's stored in some</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>way. 22 Q. Okay. Do you know -- Do you know if 23 RaPower-3 or International Automated Systems have 24 any way to reserve heat, electricity, steam, any 25 other product that they generate from your solar 85: 1 lenses? 2 A. I do not. 3 Q. Okay. In the second sentence, it says: 4 "The rental fee is what matters, and that's 150 a 5 lens, regardless of the hours." 6 Do you know what rental fee Mr. Gregg is 7 referring to -- or Mr. Shepard is referring to? 8 A. It's the lease, the lease on the lens. 9 Q. And is that the lease that you've never 10 received any revenue from? 11 A. Correct.</p>				
<p>85:13 Do you have any past experience in the 14 solar energy business? 15 A. I do not.</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>16 Q. Okay. Do you have any training in solar 17 energy? 18 A. I don't. 19 Q. How about multi-level marketing? 20 A. I was a part of multi-level marketing 21 prior to. 22 Q. What organization was that with? 23 A. Pharmanex. 24 Q. Pharmanex? 25 A. Um-hum. 86: 1 Q. What does it sell? 2 A. Neutraceuticals. 3 Q. What are neutraceuticals? 4 A. Supplements. 5 Q. When did you participate in that? 6 A. Oh, two thousand -- I don't know. I don't 7 know. Prior to -- 8 Q. Prior to 2009, 2010? 9 A. Yes. 10 Q. Was it after you graduated college in 11 2002? 12 A. Sounds -- Sounds about right. 13 Q. Okay. Do you remember</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>about how many 14 years you participated in Neutranex? 15 A. Pharmanex? A couple, maybe, actively. I 16 was -- 17 Q. Was it successful? 18 A. No. 19 Q. Did you earn any revenues from Pharmanex? 20 A. No. I mean, I may have got a few checks, 21 but they did not -- No. 22 Q. Since 2009, have you received any revenues 23 from Pharmanex? 24 A. No. 25 Q. And you testified earlier about your solar 87: 1 energy business? 2 A. Yes. 3 Q. Do you consider yourself to be in the 4 solar energy business? 5 A. I do. I'm leasing lenses, yes. 6 Q. Do you have any experience leasing 7 anything? 8 A. No, I don't. 9 Q. Did you develop a business</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>plan for your 10 solar energy business? 11 A. Make money. 12 Q. Your plan is to make money? 13 A. (Nods head.) 14 Q. Did you write down your plan? 15 A. No, I didn't. 16 Q. What do you do in any given week in your 17 solar energy business? 18 A. I research quite a bit online. 19 Q. What do you research? 20 A. I look at different -- Phys.org is a 21 pretty good science site. 22 Q. Phys.org? 23 A. Physical -- yeah, P-H-Y-S-O- R-G. So I 24 guess it's "physical science dot org," and there are 25 a lot of science-related things. 88: 1 Q. Okay. About how many hours do you spend 2 doing that? 3 A. At least a couple. 4 Q. Two hours per week? 5 A. At least a couple. 6 Q. Okay. At most, how many? 7 A. Depends on if I get interested</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>in 8 something. If I do, I'll research more. So, per 9 week, up to five hours a week, possibly more. 10 Q. Can you give me an average number? 11 A. I -- I don't know. 12 Q. Okay. Can you tell me how your online 13 research at Phys.org aids in your business? 14 A. Looking at competition, looking at other 15 people's technologies, so I have a background in 16 what I'm talking about. 17 Q. Anything else? 18 A. No. 19 Q. Thank you. Can you tell me how your 20 online research makes it any more probable that 21 you'll earn revenues at your business? 22 A. No. 23 Q. Are you aware of who the defendants are in 24 this case? 25 A. I think it was Greg Shepard</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>and Roger 89: 1 Freeborn and Neldon Johnson, I believe. 2 Q. I'll represent to you that RaPower-3, 3 International Automated Systems, and LTB1 LLC are 4 also defendants in this case. I'm going to ask you 5 a series of questions about all those defendants 6 collectively. 7 A. Okay. 8 Q. What did any defendant tell you about your 9 business or how to operate it? 10 A. Tell me about my business or how to 11 operate it? 12 Q. So did they offer suggestions? Did they 13 offer strategies? Anything like that? 14 A. Go out and tell people about it. 15 Q. And who are you referring to? 16 A. Roger and Greg. 17 Q. Roger Freeborn and Greg Shepard? 18 A. Correct.</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>19 Q. Okay. Did they give you marketing 20 materials? 21 A. I'm sure there was some marketing 22 materials given. 23 Q. And what did you do with those marketing 24 materials? 25 A. Read them. I didn't -- Like I said, I 90: I didn't -- I didn't sell a whole bunch, but... 2 Q. You mentioned you sold lenses to your 3 parents and your sister? 4 A. Um-hum. 5 Q. Do you think you forwarded those materials 6 on to either your parents or your sister? 7 A. Possibly, but I doubt it. My -- I just 8 talked to them. 9 Q. Okay. Do you have any oversight over any 10 of the defendants? 11 A. Oversight? 12 Q. In other words, as it relates to your</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

<p>Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)</p>	<p>Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)</p>	<p>Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE</p>	<p>Exhibits</p>	<p>Ruling</p>
<p>13 solar lens business, do you supervise any of the 14 defendants in this case? 15 A. No. 16 Q. What's the name of your business? 17 A. What's the name of my business? 18 Q. Yes. 19 A. I don't have a name per se. 20 Q. Did you file anything with any state to 21 establish a business? 22 A. No. 23 Q. Okay. Do you know what the term sole 24 proprietorship means? 25 A. Sole proprietorship? It sounds vaguely 91: 1 familiar, but no. 2 Q. Okay. So what I'm trying to understand is 3 how your business is organized, and it sounds like 4 it's just an activity you perform. Is that a fair 5 characterization? 6 A. An activity I perform? Similar to my 7 landscape business, yeah, an</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>activity I perform. 8 Q. And you consider it to be a business? 9 A. I -- I get taxed on it; so, yeah. 10 Q. Okay. Does your solar business have a 11 bank account? 12 A. Yes. 13 Q. Where is that bank account? 14 A. OnPoint. 15 Q. OnPoint? What's the name of that? 16 A. OnPoint Community Credit Union. 17 Q. And what's the name of the account, or 18 what's the name of the -- 19 A. It's a business account. 20 Q. But who's the account holder? 21 A. Peter Gregg. 22 Q. Okay. Yourself individually? 23 A. Correct. 24 Q. Okay. Does your business have any office 25 space? 92: 1 A. No. 2 Q. Have you ever created business cards? 3 A. I have. 4 Q. You have business cards for</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>your solar 5 lens business? 6 A. And my landscape business, yes. 7 Q. Are they two separate letter cards -- or 8 are they two separate business cards? 9 A. It's two-sided. 10 Q. It's two-sided? 11 A. I was being efficient. 12 Q. Did you -- Do you have copies of those 13 business cards? 14 A. I do not. 15 Q. You don't have them anymore? 16 A. I don't pack them with me, no. 17 Q. Do you have them at home? 18 A. I do have them, possibly, still. I'm not 19 for sure. I might have thrown them away. My wife's 20 been cleaning a lot lately. 21 Q. Okay. Did you distribute a lot of those 22 business cards? 23 A. I would say no, not a lot. 24 Q. When did you establish the bank account?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>25 A. I'm not sure.</p> <p>93: 1 Q. Why did you establish the bank account?</p> <p>2 A. I don't know. To legitimize the business.</p> <p>3 Q. Did anyone suggest to you that you create</p> <p>4 that bank account?</p> <p>5 A. I don't recall.</p> <p>6 Q. Do you know if that was before or after</p> <p>7 you were audited by either the State of Oregon or</p> <p>8 the IRS?</p> <p>9 A. Probably after.</p> <p>10 Q. Okay. So you created the bank account</p> <p>11 after you came under audit?</p> <p>12 A. As far as I know.</p> <p>13 Q. Okay. What kind of expenses does your</p> <p>14 solar lens business have?</p> <p>15 A. Traveling. Been down -- I've been down to</p> <p>16 Utah. I've done a lot with audit actions. I'm</p> <p>17 here, I'm not working. That's about it that I can</p> <p>18 think of offhand.</p> <p>19 Q. Okay. You mentioned</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>traveling. Where do 20 you travel to? 21 A. I traveled to Utah in 2015. 22 Q. Okay. Have you done any other traveling? 23 A. I have not. 24 Q. And you mentioned audits; is that correct? 25 A. Um-hum. 94: 1 Q. Do you consider your audits to be a trade 2 or business expense? 3 A. Do I -- Say that again, clearer, please. 4 Q. Do you -- Do you consider expenses 5 associated with your audit to be a trade or business 6 expense? 7 A. Yes, because -- trade or business expense 8 because it's part of what's happening. 9 Q. And what's happening? 10 A. You're auditing us. 11 Q. Who's "us"? 12 A. RaPower-3 lens business owners. 13 Q. How did you come to understand that your</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
14 traveling and audit expenses were business expenses? 15 A. That's just off the top of my head.				
94:17 Q. BY MR. MORAN: Mr. Gregg, you've been 18 handed a copy of what's been marked for 19 identification as plaintiff's Exhibit 305, which is 20 labeled GREGG_P&R-002143. 21 Do you recognize Exhibit 305? 22 A. Yes. 23 Q. What is it? 24 A. It's an e-mail from Greg Shepard. 25 Q. You received this e-mail? 95: 1 A. I believe so. 2 Q. Is there any reason to believe you did not 3 receive this e-mail? 4 A. No, there's no reason to believe that I 5 didn't. 6 Q. Okay. The first paragraph of this e-mail, 7 it says: "Just a note to say all your expenses 8 associated with the audit are tax			305	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
deductible." 9 Before I showed you this exhibit, you said 10 it was just off the top of your head that you came 11 to believe that expenses associated with your audit 12 are tax deductible.				
95:14 Q. BY MR. MORAN: Is that correct? 15 A. Correct. That's what I said. 16 Q. Okay. Seems like Greg Shepard told you 17 that expenses associated with your audit are tax 18 deductible?				
95:22 A. It looks like he wrote an e- mail about 23 that in 2014. 24 Q. Okay. In the third paragraph of that 25 e-mail, it also says: "Something very good happened 96: 1 today, I think. I just" -- "I just to get the info 2 confirmed. If true, it should help all of your 3 cases." 4 Did I read that correctly? 5 A. Looks like it.				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
6 Q. Do you know what Mr. Shepard is referring 7 to in that paragraph?				
96:10 THE WITNESS: I have no idea. 11 Q. BY MR. MORAN: Okay. You never learned 12 what the good thing was that happened? 13 A. I -- No.				
Annotation: 97:25 Q. Okay. Thanks. Have you received any 98: 1 income from your solar energy business?				
98: 4 THE WITNESS: Commissions from sales. 5 Q. BY MR. MORAN: Okay. And what were those 6 commissions from? 7 A. Sales. 8 Q. To who? 9 A. Of solar lenses to my mom and dad and my 10 sister. 11 Q. Okay. Any other revenue from the solar 12 energy business? 13 A. No.				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
14 Q. Have you ever participated in webinars or 15 conference calls as part of your solar energy 16 business? 17 A. I didn't, no.				
98:22 Q. BY MR. MORAN: Mr. Gregg, you've been 23 given a copy of what's been marked for 24 identification as plaintiff's Exhibit 307 and 25 labeled GREGG_P&R-000004. This is a somewhat 99: 1 voluminous document that goes through 2 GREGG_P&R-000031. 3 Do you recognize Exhibit 307? 4 A. Looks like my 2009 tax return. 5 Q. Okay. And you produced this document to 6 the United States? 7 A. I did. 8 Q. Pursuant to our subpoena? 9 A. Excuse me? 10 Q. Pursuant to our subpoena? 11 A. Correct. 12 Q. Okay. Mr. Gregg, I'm going to ask you to 13 go back to page 11. And when I			307	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>say 11, I'm 14 referring -- 15 A. Bottom. 16 Q. -- to that bottom number that we talked 17 about. Are you there? 18 A. I am. 19 Q. Okay. This appears to be a schedule C, 20 profit or loss from business; is that correct? 21 A. Yes. 22 Q. The principal business or profession is 23 solar energy system? 24 A. Correct. 25 Q. Does this refer to your solar energy 100: 1 business? 2 A. Yes. 3 Q. And these are the solar lenses you 4 purchased from RaPower-3? 5 A. Correct. 6 Q. Okay. On the schedule C, I see no income, 7 and depreciation of \$3600. 8 A. Correct. 9 Q. Is that correct? 10 A. (Nods head.)</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>11 Q. Is that correct? 12 A. Correct. 13 Q. Okay. And if you could go back to page 14 GREGG_P&R-000013. 15 This is a form 3800, general business 16 credit; is that correct? 17 A. That's what it says at the top. 18 Q. Okay. This calculates a general business 19 credit of \$738; is that correct? 20 A. Yes. 21 Q. Is that general business credit related to 22 your solar energy system? 23 A. As far as I know. 24 Q. To your knowledge, do you have any other 25 activities that would qualify you for a general 101: 1 business credit? 2 A. Other than the landscape business 3 potentially; but, again, because I'm just looking at 4 this again, so I don't know. 5 Q. You don't know? 6 A. I don't. 7 Q. Okay. Go ahead.</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>8 A. Just for the record, these -- there's a 9 lot of paper going around with my social security 10 number, so... 11 Q. Yes. Before we file anything with the 12 court, the rules require us to redact them. 13 A. Okay. 14 Q. Now, earlier you testified about a 15 landscaping business that you have a few jobs a 16 year; correct? 17 A. Correct. 18 Q. And I'll direct your attention to 19 GREGG_P&R-000009. This is also a schedule C in your 20 name, and it indicates that you're an independent -- 21 or your principal business or profession is 22 independent contractor; is that correct? 23 A. Sure. 24 Q. Is that your landscaping business? 25 A. That could be BFS. I don't</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
know -- 102: 1 Q. You don't know? 2 A. -- what that was referring to. Either BFS 3 or my landscaping business.				
102: 7 Q. BY MR. MORAN: Mr. Gregg, you've been 8 given a copy of plaintiff's Exhibit 308, which is 9 labeled GREGG_P&R-003954 and it runs through 10 GREGG_P&R-003998. 11 Do you recognize Exhibit 308? 12 A. Looks like a 2010 tax return. 13 Q. Okay. And whose tax return is that? 14 A. My wife and I's joint return. 15 Q. Okay. You produced this document to the 16 United States? 17 A. I did. 18 Q. Mr. Gregg, I'll direct your attention to 19 the page ending in 3962. 20 On page 3962, this appears to be a 21 schedule C, profit or loss from business, and it 22 indicates that the principal			308	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>business or profession 23 is solar energy system? 24 A. Correct. 25 Q. Is this business your solar energy 103: 1 business? 2 A. Yes. 3 Q. Okay. The only expense I see here is 4 \$21,960 of depreciation; is that correct? 5 A. Yes. 6 Q. Okay. And if you could look at the page 7 ending in 3965. 8 This is a form 3800, general business 9 credit, and you claim a general business credit of 10 \$1697. If it helps, you can look also look at 11 page 3958, which is the second page of your tax 12 return. 13 A. Okay. I do see \$1697, net income tax. 14 Q. Look at line 53. Sorry, I'm on -- I 15 jumped around on you. I'm on the second page of</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>16 your tax return, which is labeled Exhibit 3958. 17 A. Yes. \$1697. 18 Q. My question to you is: What is that 19 general business credit related to? 20 A. Solar energy. 21 Q. Okay. And that was claimed on form 3800? 22 A. That's what it says. 23 Q. Okay. Who prepared your 2009 and 2010 tax 24 returns? 25 A. Me. 104: 1 Q. Okay. Did you have any assistance 2 preparing those returns? 3 A. No. TurboTax tried to help me, but I 4 don't think they did a very good job. 5 Q. Why don't you think they did a very good 6 job? 7 A. I got audited.</p>				
<p>104:13 Q. BY MR. MORAN: So you said you don't think 14 TurboTax did a very good job, because you got 15 audited; is that correct?</p>			309	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>16 A. I did.</p> <p>17 Q. Do you blame TurboTax for the fact that</p> <p>18 you were audited?</p> <p>19 A. I don't blame TurboTax for the fact that</p> <p>20 I'm audited. There's probably other factors.</p> <p>21 Q. What do you think those factors are?</p> <p>22 A. I'm sure that -- I don't know. I don't</p> <p>23 know what those factors are.</p> <p>24 Q. Mr. Gregg, can you flip back to the page</p> <p>25 that ends in 3975.</p> <p>105: 1 This is a form 3468 investment credit, and</p> <p>2 on line 1 it says: "Name of lessor, RaPower-3 LLC."</p> <p>3 Did I read that correctly?</p> <p>4 A. You did.</p> <p>5 Q. Okay. Why did you claim the investment</p> <p>6 credit?</p> <p>7 A. Again, TurboTax asks questions, and I</p> <p>8 thought I was doing the right thing.</p> <p>9 Q. Okay. Did you consider your</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
solar lenses 10 to be an investment? 11 A. No. It's a business. 12 Q. But you claimed an investment; correct?				
105:15 THE WITNESS: I answered the questions 16 that they asked, and it led me astray. 17 Q. BY MR. MORAN: If you could flip back to 18 the page that ends in 3993. 19 This is a depreciation and amortization 20 report. Under the column asset description, it says 21 "depreciation, solar energy systems," and a cost of 22 \$21,000. 23 Did I read that correctly? 24 A. That's what it looks like. 25 Q. Okay. That's related to your solar 106: 1 lenses? 2 A. Correct.				
106: 6 Q. BY MR. MORAN: Mr. Gregg, you've been 7 handed a copy of what's been marked for			309	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>8 identification as plaintiff's Exhibit 309 and 9 labeled GREGG_P&R-004188 through GREGG_P&R-004190. 10 Do you recognize Exhibit 309? 11 A. It's an e-mail. 12 Q. Who's the e-mail from? 13 A. Greg Shepard. 14 Q. Did you receive this e-mail from 15 Mr. Shepard? 16 A. I did. 17 Q. I'd like to direct your attention to the 18 second page, ending in 4189. There's a paragraph 5. 19 Do you see that? 20 A. Um-hum. 21 Q. It says: "From Peter G. I have around 22 7000 in credits that I plan to carry forward. They 23 are already paid for. I plan to buy 26 systems 24 today for a carry-back, this year's tax credit, so 25 that I can maximize the bonus and utilize the 107: 1 sweetness of the 10 percent program."</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
2 Did I read that correctly? 3 A. You did.				
107: 7 Q. Do you know who Peter G. is? 8 A. It would be referring to me.				
107:18 Q. BY MR. MORAN: Mr. Gregg, you've been 19 handed a copy of what's been marked for 20 identification as plaintiff's Exhibit 310 and 21 labeled GREGG_P&R-000244. 22 Do you recognize this exhibit? 23 A. Yes. 24 Q. What is it? 25 A. It's an invoice. 108: 1 Q. And this appears to be an invoice in which 2 you purchased 26 solar -- 26 units? 3 A. Twenty-six, yes. 4 Q. Okay. And then Exhibit 309, when you 5 indicated that you planned to purchase 26 units, is 6 this what you were referencing? 7 A. Yes. 8 Q. Okay. And in the invoice at			310 309	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>Exhibit 310, 9 it looks like you made a down payment of \$27,300; is 10 that correct? 11 A. That is the down payment. The amount paid 12 is \$8400. 13 Q. Okay. And that left an \$18,900 balance? 14 A. Correct. 15 Q. Okay. Do you know if you ever paid that 16 balance? 17 A. I'm not sure on that. 18 Q. Okay. Do you think it's paid off, or do 19 you think -- 20 A. Oh, it's not. It's not paid off. 21 Q. Okay. And that indicates a full unit 22 price of \$91,000? 23 A. That's what it says. 24 Q. Okay. Is that your understanding of what 25 the cost of the lenses is? 109: 1 A. Correct.</p>				
<p>109: 3 Q. BY MR. MORAN: Mr. Gregg, you've been 4 handed a copy of what's been marked as plaintiff's</p>			<p>309 310 311</p>	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

<p>Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)</p>	<p>Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)</p>	<p>Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE</p>	<p>Exhibits</p>	<p>Ruling</p>
<p>5 Exhibit 311 and is labeled GREGG_P&R-000520. 6 Do you recognize Exhibit 311? 7 A. It's a check. 8 Q. Did you produce this exhibit to the United 9 States? 10 A. I did. 11 Q. Okay. And what was this check for? 12 A. Down -- Down payment on lenses. 13 Q. Okay. In the memo line it says: "26 14 systems at 10 percent." 15 Did I read that correctly? 16 A. That's what it looks like. 17 Q. Okay. So if you refer back to 18 Exhibit 310, there was a down payment of \$27,300? 19 A. Correct. 20 Q. Okay. Am I to understand that 26 systems 21 at 10 percent is actually 10 percent of the down 22 payment? 23 A. No. 24 Q. Well, this check is for \$2730? 25 A. Correct. 110: 1 Q. Isn't that 10 percent of the</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
down payment 2 that's referenced in the invoice at Exhibit 309? 3 A. Okay. Yes. Yes. I'm sorry.				
110: 7 Q. BY MR. MORAN: Mr. Gregg, you've been 8 handed what's been marked for identification as 9 plaintiff's Exhibit 312 and labeled as 10 GREGG_P&R-000001. 11 Do you recognize plaintiff's Exhibit 312? 12 A. It's another bonus contract. 13 Q. For how many systems? 14 A. Twenty-six. 15 Q. Okay. And is this referencing the same 16 lens purchase -- 17 A. Correct. 18 Q. -- that we'd talked about -- 19 A. Yes. 20 Q. -- in the invoice at Exhibit 310? Is that 21 correct? 22 A. Yes.			309 312	
111: 1 Q. BY MR. MORAN: Mr. Gregg, you've been 2 handed a copy of what's been marked for			313	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>3 identification as plaintiff's Exhibit 313 and 4 labeled GREGG_P&R-000133. 5 Do you recognize exhibit -- or plaintiff's 6 Exhibit 313? 7 A. It looks like a letter from Greg Shepard. 8 Q. What's the date on that letter? 9 A. February 2nd, 2012. 10 Q. Do you recall what year you purchased the 11 26 lenses that you've just testified about? 12 A. Looks like 04/11. 13 Q. So that's April 2011? 14 A. Yes. 15 Q. Okay. Exhibit 313 says: "This letter is 16 regarding the alternative energy systems that you 17 purchased from RaPower-3 LLC. RaPower-3 put into 18 service your equipment on or before December 31st, 19 2011. This will qualify you for the Internal 20 Revenue Service's solar energy tax credit." 21 Did I read that correctly?</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
22 A. Yep. 23 Q. Okay. Did you receive this letter from 24 Greg Shepard? 25 A. I did. 112: 1 Q. Okay. Do you understand the signature at 2 the bottom to be Greg Shepard's signature? 3 A. I do.				
112: 7 Q. BY MR. MORAN: Mr. Gregg, you've been 8 handed a copy of what's been marked for 9 identification as plaintiff's Exhibit 314, which is 10 labeled GREGG_P&R-004007, and that exhibit runs 11 through GREGG_P&R-004038. 12 Do you recognize plaintiff's Exhibit 314? 13 A. I do. 14 Q. What is it? 15 A. It's a TurboTax return for 2011 federal 16 tax. 17 Q. And whose tax return is it? 18 A. My wife and I's joint return. 19 Q. Okay. Who prepared this return?			310 314	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>20 A. I did.</p> <p>21 Q. Mr. Gregg, I direct your attention to the</p> <p>22 page ending in 4014.</p> <p>23 A. Um-hum.</p> <p>24 Q. Are you there?</p> <p>25 A. I'm there.</p> <p>113: 1 Q. Thanks. This appears to be a schedule C,</p> <p>2 profit or loss from business. The principal</p> <p>3 business or profession indicated in line A is solar</p> <p>4 energy system.</p> <p>5 A. (Nods head.)</p> <p>6 Q. Is this schedule C for your solar energy</p> <p>7 business?</p> <p>8 A. It is.</p> <p>9 Q. Okay. This schedule C indicates that you</p> <p>10 received \$746 of income?</p> <p>11 A. Yep.</p> <p>12 Q. Is that income from commissions you</p> <p>13 received from selling lenses to other people?</p> <p>14 A. I believe so.</p> <p>15 Q. Okay. And on line 13 you claimed \$77,926</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>16 of depreciation; is that correct? 17 A. That's what it looks like. 18 Q. Okay. And now if I could have you go back 19 to the page that ends in 4036. Are you there? 20 A. I don't -- 036? 21 Q. 4036. 22 A. Sorry. Yeah, it's back -- 23 Q. A page near the end. 24 A. Yeah, I'm looking for it. 25 Q. It says solar energy systems -- and I'm in 114: 1 the second row: Solar energy systems, date in 2 service 12/01/11, cost of \$91,000? 3 A. That's what it says. 4 Q. Okay. \$91,000 was the total cost of the 5 lenses that was in the invoice at Exhibit 310; is 6 that correct? 7 A. Yes. 8 Q. Okay. So you prepared this return; right? 9 A. Yeah. 10 Q. Do you know how you determined that the 11 cost of your solar energy systems was \$91,000?</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>12 A. That's the total cost. That's what I put 13 in the -- whatever that -- they asked me questions 14 and I put what I thought was right. 15 Q. And "they" being TurboTax? 16 A. Yes. Yes. 17 Q. Okay. Do you think you would have looked 18 at the invoice and the -- invoice or records you 19 received from -- 20 A. Oh, I'm sure, yes. 21 Q. Let me finish. 22 A. Oh. 23 Q. Do you think you would have looked at 24 either the invoice or other records you received 25 from RaPower-3 to put in the cost that you reported 115: 1 on your tax return of the solar lenses? 2 A. Yes. 3 Q. Okay. If you follow over on that line, it 4 says "section 179, \$13,650." 5 A. Okay. 6 Q. Do you know what section 179</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>is? 7 A. Nope. 8 Q. Okay. Could I have you look back at the 9 schedule C on page -- on the page that ends in 4014. 10 A. Yes. 11 Q. Look down on line 32A. 12 A. 32A, yes. 13 Q. There's an X in the box that says "all 14 investment is at risk"? 15 A. Okay.</p>				
<p>20 Q. BY MR. MORAN: You prepared this tax 21 return? 22 A. Correct. 23 Q. When you put an X in the box for "all 24 investment is at risk," what did that mean to you?</p>				
<p>116: 2 THE WITNESS: I -- I don't know. 3 Q. BY MR. MORAN: Why did you check the box 4 at 32A? 5 A. I can't recall. 6 Q. Did you get guidance from anyone in 7 preparing your 2011 tax return?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>8 A. No. 9 Q. Mr. Gregg, you made -- if you look at the 10 first page of your return, the page ending in 4009 11 -- \$46,422? 12 A. Yes. 13 Q. Is that your earnings from your -- from 14 your job at Iseli Nursery? 15 A. I believe so. 16 Q. Okay. Was your wife working during that 17 time? 18 A. This is 2011? No, she was not. 19 Q. Okay. If you earned \$46,422 in 2011, is 20 it possible that you spent \$91,000 purchasing solar 21 lenses?</p>				
<p>117: 1 Q. If you made \$46,422 in 2011, is it 2 possible that you purchased \$91,000 of solar lenses?</p>				
<p>117: 5 THE WITNESS: Some of that is financed, 6 obviously. 7 Q. BY MR. MORAN: Who's it financed by?</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>8 A. I don't know. 9 Q. You don't know who financed your solar lenses? 10 lenses? 11 A. Me. I financed my solar lenses. 12 Q. Well, then, if you made \$46,422 in 2011, 13 my question to you was: How did you spend \$91,000 14 on solar lenses and you said it was financed? 15 So my question is: Who financed it? 16 A. I don't know how to answer your question. 17 Q. Who advanced the money? 18 A. I understand your question. I don't know 19 how to answer your question.</p>				
<p>117:23 Q. BY MR. MORAN: If you understand the 24 question, you need to answer it. 25 A. I do under -- I -- My understanding of the 118: 1 question is it's financed. 2 Q. And I'd like to know who financed it. 3 A. The LBT -- that's my</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>understanding. 4 Q. Okay. And if I could direct your 5 attention back at page -- the page 6 ending in 4009, 6 line 22. 7 Your total income for the year was 8 negative \$36,800; is that correct? 9 A. That's what it says.</p>				
<p>118:13 Q. BY MR. MORAN: Mr. Gregg, you've been 14 handed a copy of what's been marked for 15 identification as plaintiff's Exhibit 315, which is 16 labeled GREGG_P&R-004810, and that runs through 17 GREGG_P&R-004825. 18 Do you recognize plaintiff's Exhibit 315? 19 A. I do. 20 Q. What is it? 21 A. 2012 tax return for Peter and Renae Gregg. 22 Q. Who prepared this return? 23 A. I believe I was getting tax help with Rick 24 Jameson by this time.</p>			315	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>25 Q. Have you gotten -- Has anyone else 119: 1 prepared your returns? 2 A. In this time frame? 3 Q. Yes. 4 A. No. 5 Q. Okay. Previously, when you were looking 6 at your 2011 tax return, we noted that your total 7 income for 2011 was negative \$36,800? 8 A. Correct. 9 Q. I see on line 21 of the 2012 return, 10 plaintiff's 315, a net operating loss of negative 11 \$36,800; is that correct? 12 A. I see the same thing. 13 Q. And that's at line 21? 14 A. (Nods head.) 15 Q. And if you can flip back to the last page 16 of Exhibit 315. 17 There's a statement that refers to 18 line 21, net operating loss carried forward, it 19 says, from 2011 form 1040; is that correct? 20 A. That's what this says.</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
21 Q. Is it fair to say that you carried forward 22 your loss on the 2011 return onto the 2012 return? 23 A. Yes.				
120: 7 Q. BY MR. MORAN: Mr. Gregg, you've been 8 given a copy of what's been marked for 9 identification as plaintiff's Exhibit 316 and which 10 is labeled GREGG_P&R-000157 through GREGG_P&R-00176 11 -- I'm sorry -- 177. 12 Do you recognize plaintiff's Exhibit 316? 13 A. It looks to be a 2013 federal tax return 14 for Peter and Renae Gregg. 15 Q. Who prepared this return? 16 A. Rick Jameson. 17 Q. If you could go back to the page ending in 18 164. 19 This is a schedule C for equipment rental 20 services; is that correct? 21 A. That's what it looks like. 22 Q. Is this your solar lens business?			316	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>23 A. Yes.</p> <p>24 Q. Okay. Mr. Gregg, on this document, if you</p> <p>25 look at the page ending 160, at line 21 there's a</p> <p>121: 1 net operating loss again of \$33,895. Do you see</p> <p>2 that?</p> <p>3 A. Yep.</p> <p>4 Q. Do you see what that -- Do you know what</p> <p>5 that operating loss is from?</p> <p>6 A. Probably depreciation.</p> <p>7 Q. Depreciation of what?</p> <p>8 A. Solar lenses.</p> <p>9 Q. Okay. One other question: Why did you</p> <p>10 stop preparing your own return?</p> <p>11 A. Didn't work out, did it?</p> <p>12 Q. What do you mean, "it didn't work out"?</p> <p>13 A. I got audited.</p> <p>14 Q. Okay. You said possibly the 2012 and</p> <p>15 definitely the 2013 return --</p> <p>16 A. Yes.</p> <p>17 Q. -- was prepared by Richard Jameson?</p> <p>18 A. Yes.</p> <p>19 Q. How did you learn about</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
Richard Jameson? 20 A. I believe either Roger or Greg. 21 Q. Roger Freeborn and Greg Shepard? 22 A. Correct. 23 Q. Okay. What did they tell you about 24 Mr. Jameson? 25 A. He was a good CPA. 122: 1 Q. Did they say why he was good?				
122: 3 THE WITNESS: No. They said he was a good 4 CPA.				
122: 5 Q. BY MR. MORAN: Okay. Did they tell you 6 anything about his familiarity with solar lenses? 7 A. No, not that I can recall.				
122: 9 Q. BY MR. MORAN: Mr. Gregg, you've been 10 handed a copy of what's been marked for 11 identification as plaintiff's Exhibit 317 and which 12 is labeled GREGG_P&R- 000186, and that exhibit runs 13 through GREGG_P&R-000220. 14 Mr. Gregg, do you recognize plaintiff's			317	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>15 Exhibit 317? 16 A. It's a federal tax return for Peter and 17 Renae Gregg for 2014. 18 Q. And you produced this document to the 19 United States? 20 A. I did. 21 Q. Okay. If I could have you flip back to 22 the page ending in 193. 23 A. I'm there. 24 Q. Are you there? 25 A. (Nods head.) 123: 1 Q. Okay. This is a schedule C for you, and 2 it says equipment rental services, similar to your 3 2013 return. 4 What business does the equipment rental 5 services refer to? 6 A. Solar lenses. 7 Q. Okay. I noticed the principal business 8 switched between the 2012 and the 2013 return. Do 9 you recall that? 10 A. No, but you've looked at these documents</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>11 much more than I have. 12 Q. Well, I don't want to misquote, so let's 13 check. 14 A. Yes, between 2012 and 2013. 15 Q. In 2012 it refers to solar power on the 16 schedule C? 17 A. Right. Yes. 18 Q. And then in 2013 and 2014, the business 19 switches to -- 20 A. Equipment rental. 21 Q. Did anything about the business, about the 22 solar lens business, change? 23 A. No. 24 Q. Okay. You just changed the name or you -- 25 Withdrawn. 124: 1 You changed the principal business or 2 profession? 3 A. Yes. 4 Q. Why did that happen? 5 A. Because I wasn't -- I wasn't stating what 6 I was doing adequately. 7 Q. So who came up with the term "equipment</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
8 rental services"? 9 A. I don't recall.				
125:24 Q. Okay. Mr. Gregg, I'm handing you copies 25 of plaintiff's Exhibit 318, which is labeled 126: 1 GREGG_P&R-000134; plaintiff's Exhibit 319, which is 2 labeled GREGG_P&R-000185; and plaintiff's 3 Exhibit 320, which is labeled GREGG_P&R-000229. Is 4 that correct? 5 A. Yep. 6 Q. Can you tell me what Exhibits 318, 319, 7 and 320 are? 8 A. 1099s from RaPower-3. 9 Q. Did you receive these 1099s from 10 RaPower-3? 11 A. I did. 12 Q. And do these 1099s represent the income 13 that you received from your solar lens business? 14 A. Yes. 15 Q. Have you received any other income from 16 your solar lens business --			318 319 320	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
17 A. No. 18 Q. -- that is not reflected in the 1099s? 19 A. No. Oh, I'm sorry. 20 MR. MORAN: Okay. Thank you.				
126:23 Q. BY MR. MORAN: Mr. Gregg, you've been 24 handed a copy of what's been marked for 25 identification as plaintiff's Exhibit 321 and 127: 1 labeled GREGG_P&R-003191 and exhibit -- plaintiff's 2 Exhibit 322, which has been labeled 3 GREGG_P&R-004402. 4 Do you recognize plaintiff's Exhibit 321 5 and 322? 6 A. I do. 7 Q. What is it? 8 A. It's a letter from Greg Shepard. 9 Q. What does this letter -- What do these 10 letters say? 11 A. "Regarding the alternative energy systems 12 purchase from RaPower-3, we've put into service your			321 322	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>13 equipment December 31st, 2010, and the other 14 December 31st, 2012." 15 Q. Thank you. Just so the record's clear: 16 You received these letters from Greg Shepard? 17 A. Yes.</p>				
<p>127:20 Q. BY MR. MORAN: Mr. Gregg, you've been 21 handed a copy of what's been marked for 22 identification as plaintiff's Exhibit 323, which is 23 labeled GREGG_P&R-004557. 24 Do you recognize plaintiff's Exhibit 323? 25 A. Looks like an e-mail. 128: 1 Q. Who's the e-mail from? 2 A. Roger Freeborn. 3 Q. This looks like an e-mail chain. Is that 4 a fair characterization? 5 A. That looks -- Fair enough, yes. 6 Q. And I also see Peter Gregg and Roger 7 Freeborn on this? 8 A. Correct. 9 Q. Okay. If you could go to the e- mail dated</p>			<p>321 322 323</p>	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>10 February 9th, 2010, from Roger Freeborn to you. 11 A. Yes. 12 Q. Do you see that? 13 A. Yeah, I do. 14 Q. Okay. The first line says: "Give it a 15 couple days. I just got mine last Sat. You really 16 do not need the letter to figure the taxes. If you 17 do not get it this week, we'll get a hold of Greg 18 and get it to you. You only need it if you get 19 audited, and no one has been audited to date, 20 especially with someone with such a low tax 21 liability as yourself." 22 Did I read that correctly? 23 A. Yes. 24 Q. What's the letter that is being referred 25 to in this e-mail? 129: 1 A. I can't speculate on that, other than it 2 could be this -- It's got to be that letter. 3 Q. And when you say that --</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>4 A. The placed-in-service letter. 5 Q. And when you say "the placed-in-service 6 letter," are you referring to, for example, the 7 Exhibits 321 -- 8 A. Correct. 9 Q. -- and 322? 10 A. Yes. 11 Q. Okay. And you've received similar letters 12 for other tax years; is that correct? 13 A. Yes. 14 Q. Okay. Mr. Freeborn said: "You only need 15 it if you get audited, and no one has been audited 16 to date." Is that correct? 17 A. That's what he said. 18 Q. Okay. Did there come a time when you were 19 audited? 20 A. Yes. 21 Q. Okay. Who is -- Who audited you? 22 A. The IRS. 23 Q. Anyone else? 24 A. The State of Oregon. 25 Q. Okay. Do you recall when</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>you first 130: 1 learned -- Withdrawn. 2 Which audit occurred first? 3 A. I don't remember. 4 Q. Okay. Do you recall about when you first 5 learned that your tax returns were being audited? 6 A. It's been a very long process; so, no. 7 Q. Okay. Did any of the defendants in this 8 case, who we discussed earlier -- do you remember 9 who they are? 10 A. Yes. 11 Q. Okay. Did any of the defendants in this 12 case say anything to you about the potential of 13 having your tax returns examined? 14 A. Having them examined? 15 Q. Or audited? 16 A. No. 17 Q. Did they ever discuss paying for your 18 representation if your tax returns were examined or 19 audited?</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>20 A. After the fact, I believe I asked that</p> <p>21 question, and I believe I would be getting help.</p> <p>22 Q. What did they tell you?</p> <p>23 A. Tax advice or representation, so...</p> <p>24 Q. Okay. And who is paying for that</p> <p>25 representation?</p> <p>131: 1 A. I have -- The business?</p> <p>2 Q. Which business.</p> <p>3 A. I don't know.</p> <p>4 Q. Let me ask you this: Are you paying for</p> <p>5 your representation?</p> <p>6 A. No, I'm not.</p> <p>7 Q. Who represented you during your exam?</p> <p>8 A. In -- In --</p> <p>9 Q. During your audit.</p> <p>10 A. Who represented me during my audit? The</p> <p>11 federal audit?</p> <p>12 Q. Both.</p> <p>13 A. Me and Rick Jameson, and then I've talked</p> <p>14 to Paul.</p> <p>15 Q. Okay. I don't want you to tell me</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>16 anything about your discussions with Mr. Jones; but 17 you mentioned Mr. Jameson. 18 A. Yes. 19 Q. Okay. Has Mr. Jameson ever sent you a 20 bill associated with representing you before either 21 the State of Oregon or the IRS? 22 A. Doing my tax returns and then doing more 23 work associated with that. 24 Q. Okay. So you paid Mr. Jameson to prepare 25 your tax returns? 132: 1 A. Correct. 2 Q. But you also testified that Mr. Jameson 3 represented you before the -- before the State of 4 Oregon as well as the IRS? 5 A. He was not present, but he helped prepare 6 the legal documents or the documents that you guys 7 get, so... 8 Q. Who did? 9 A. Rick. 10 Q. Okay. Did he send you a bill for</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

<p>Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)</p>	<p>Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)</p>	<p>Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE</p>	<p>Exhibits</p>	<p>Ruling</p>
<p>11 preparing those documents? 12 A. I'm not positive. I think yes. 13 Q. In addition to preparing your tax returns? 14 A. Correct. Because it was more work on his 15 part. 16 Q. What about Mr. Jones? Has he ever sent 17 you a bill? 18 A. No. 19 Q. And he's here representing you today? 20 A. Yes. 21 Q. Okay. Do you expect to get a bill from 22 him? 23 A. No. 24 Q. Okay. Do you know who's paying his bill? 25 A. I do not. 133: 1 Q. Okay. You just know it isn't you? 2 A. It's not me. 3 Q. Okay. Have you ever discussed your 4 audits, both before the State of Oregon and the IRS, 5 with any of the defendants? 6 A. Yes.</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>7 Q. Okay. What was the content of those 8 discussions? 9 A. What was the content? 10 Q. What -- What -- 11 A. I'm getting audited. 12 Q. Okay. What did they tell you about how 13 you should respond to the audit? 14 A. "Get everything you've got. If there's a 15 subpoena, be forthcoming." 16 Q. Okay. What was the result of your audit 17 with the department of Oregon? 18 A. I believe I failed the audit -- or I don't 19 know all the rigmarole -- but I went down and saw a 20 magistrate judge, and he made a declaration or 21 whatever they do, and then we were going to appeal. 22 But I had not paid -- the State of Oregon has -- you 23 have to pay your taxes before you can fight them, 24 fight the audit. 25 Q. Okay. 134: 1 A. So I -- we dropped the</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>appeal. 2 Q. Do you remember what years that was for? 3 A. No. 4 Q. Okay. Do you have any ongoing audits with 5 Oregon? 6 A. I don't know. No, not at this point. 7 I've paid all my -- I've been working on paying all 8 my back taxes; and, as far as I know, no. 9 Q. Okay. What's your understanding of why 10 you owe back taxes to the State of Oregon? 11 A. I -- Well, I'm working -- because of the 12 RaPower-3 discrepancy on my TurboTax, there's 13 probably some red flags there that instigated that. 14 Q. Okay. When you say "red flags," do you 15 mean that certain things were disallowed by the 16 State of Oregon? 17 A. I -- I don't know. I'm not a tax person.</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>18 Q. Okay. You don't intend to dispute that</p> <p>19 you owe those back taxes to the State of Oregon?</p> <p>20 A. I would like -- Well, there's a - - there's</p> <p>21 a case going right now, and I will probably -- I</p> <p>22 don't know exactly, I don't know the verbiage -- but</p> <p>23 put my case back in, now that I've paid them.</p> <p>24 Q. Okay. Do you know what the result was of</p> <p>25 your IRS audit?</p> <p>135: 1 A. I think it's like an ongoing process. I'm</p> <p>2 not -- I don't know.</p> <p>3 Q. Do you know what stage it is at right now?</p> <p>4 A. I can't say.</p> <p>5 Q. Okay. Do you know if you've filed a</p> <p>6 petition in the United States Tax Court?</p> <p>7 A. Probably.</p> <p>8 Q. But you're not positive?</p> <p>9 A. I'm not positive.</p>				
135:10 (Exhibit 324 marked.)			324	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>11 Q. BY MR. MORAN: Mr. Gregg, you've been 12 handed a copy of plaintiff's Exhibit 324, which has 13 been labeled GREGG_P&R-001854. 14 Do you recognize plaintiff's Exhibit 324? 15 A. It's an e-mail from Roger Freeborn. 16 Q. To whom? 17 A. Peter Gregg. 18 Q. Okay. The date on this e-mail is May 7th, 19 2013? 20 A. Yes. 21 Q. Okay. Down below, there's an e-mail from 22 May 6th of 2013, where it appears that you say: 23 "The IRS sent me some documents, asking for more 24 information." 25 A. Um-hum. 136: 1 Q. Does this refresh your recollection of 2 about when you came under audit? 3 A. That's probably it right there.</p>				
<p>136: 4 Q. So you learned you were</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
audited somewhere 5 around May 2013? 6 A. That -- If -- Yes.				
136:10 Q. BY MR. MORAN: Mr. Gregg, you've been 11 handed a copy of what's been marked for 12 identification as plaintiff's Exhibit 325 and 13 labeled GREGG_P&R-001917 through GREGG_P&R-001918. 14 Do you recognize plaintiff's Exhibit 325? 15 A. This looks like an e-mail from Greg 16 Shepard to me, or a string of e- mails. 17 Q. And this is also dated May 2013? 18 A. Yes.			325	
137: 3 Q. Okay. The top e-mail it says: "Call me 4 at 801-699-2284." 5 Do you know whose phone number that is? 6 A. If this is from Greg Shepard, I'm assuming 7 it's him. 8 Q. Okay. Do you recall calling Mr. Shepard?				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
9 A. I probably did. 10 Q. Okay. Any recollection of that 11 conversation? 12 A. No.				
137:16 Q. BY MR. MORAN: Mr. Gregg, you've been 17 given a copy of what's been marked for 18 identification as plaintiff's Exhibit 326 and 19 labeled GREGG_P&R-000282. 20 Do you recognize plaintiff's Exhibit 326? 21 A. It is an e-mail from Glenda to me. 22 Q. You produced plaintiff's Exhibit 326 to 23 the United States? 24 A. I did. 25 Q. Okay. Who is Glenda? 138: 1 A. I believe -- I believe she's the 2 secretary. 3 Q. Secretary where? 4 A. At RaPower-3. 5 Q. Okay. Do you know if she's related to 6 anyone? 7 A. I don't.			326	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>8 Q. Okay. Have you ever met Glenda Johnson? 9 A. Not that I can recall. 10 Q. Okay. But you did exchange this e-mail 11 with her? 12 A. I did. 13 Q. Okay. If you'd please look at the e-mail 14 on the bottom of the page. 15 A. Um-hum. 16 Q. In the third line down, it says: "First, 17 I need a placed-in-service letter for 2012. And, 18 second, I need a copy of my bonus contract for the 19 first two systems I bought back in 2010. And, last, 20 I need an invoice for my 26 system purchases and 21 proof of the three payments I have made on it. I 22 have been back" -- "been to the back office area of 23 RaPower-3 and it looks fine until it converts into a 24 PDF format, then the numbers get messed up. If you 25 have any questions, I can call."</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>139: 1 Did I read that correctly? 2 A. Yeah. 3 Q. Okay. What are you asking for here?</p>				
<p>139: 6 THE WITNESS: Documents. 7 Q. BY MR. MORAN: What did you need these 8 documents for? 9 A. The audit. 10 Q. And that's the audit with the IRS? 11 A. I believe so. 12 Q. Okay. And then in the top e-mail dated 13 May 17th, 2013, it looks like you ask for these 14 documents again; is that correct? 15 A. Yes.</p>				
<p>139:19 Q. BY MR. MORAN: Mr. Gregg, you've been 20 handed a copy of what's been marked for 21 identification as plaintiff's 327 22 labeled GREGG_P&R-004409. 23 What is plaintiff's Exhibit 327? 24 A. It looks like a letter to me from Greg</p>			327	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>25 Shepard, a placed-in-service letter. 140: 1 Q. And you've testified about these -- about 2 similar documents you've received from Greg Shepard? 3 A. Correct. Yes. 4 Q. Correct? 5 A. Yes. 6 Q. Okay. The placed-in-service letter at 7 Exhibit 327 is dated May 18th, 2013; is that 8 correct? 9 A. That's what it looks like. 10 Q. Okay. And it references equipment placed 11 in service before December 31st, 2011? 12 A. Correct.</p>				
<p>141:20 Q. BY MR. MORAN: Mr. Gregg, you've been 21 handed a copy of what's been marked for 22 identification as plaintiff's Exhibit 328, labeled 23 GREGG_P&R-001223; and that's a four-page document 24 that ends in GREGG_P&R-001226.</p>			328	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>25 Do you recognize plaintiff's Exhibit 328? 142: 1 A. This looks like an e-mail from Greg 2 Shepard. 3 Q. Did you receive this e-mail? 4 A. I'm assuming I did. 5 Q. And did you produce it to the United 6 States? 7 A. Yes. 8 Q. Okay. The first paragraph says: 9 "Attached is our first request for an appeal. Bryan 10 Bolander, CPA, will handle the appeal meeting, and I 11 will be his special witness." 12 Did I read that correctly? 13 A. Yes. 14 Q. Is this referencing your audit? 15 A. I'm not -- I don't know if this is mine or 16 other audits. 17 Q. Okay. In the second page -- In the second 18 paragraph, second sentence, it says: "But delay as 19 long as possible." 20 A. Okay.</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
21 Q. Do you know what Mr. Shepard is referring 22 to? 23 A. I don't -- No. 24 Q. Do you know what he wants to delay as long 25 as possible?				
143: 3 THE WITNESS: The -- I don't know. The 4 talking with the IRS. 5 Q. BY MR. MORAN: Okay. And the last three 6 pages of Exhibit 328, who created those documents? 7 A. I don't know. And I'm assuming they were 8 sent on -- with this particular document.			328	
143:12 Q. BY MR. MORAN: Mr. Gregg, you've been 13 handed a copy of what's been marked for 14 identification as plaintiff's Exhibit 329, labeled 15 GREGG_P&R-002202 through GREGG_P&R-002204. 16 Do you recognize it? 17 A. It looks like an e-mail. 18 Q. From who? 19 A. Looks like I sent it to Bryan			329	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
Bolander. 20 Q. Who is Mr. Bolander? 21 A. He is a CPA.				
143:24 How did you come to learn about about 25 Mr. Bolander? 144: 1 A. Through Greg Shepard.				
145:24 Q. Okay. Just one question on the e-mail 25 dated July 2nd, 2013, from you from -- it looks like 146: 1 it's from you to Greg Shepard; but above that, I see 2 a statement, "responses," in caps. 3 A. Hmm. 4 Q. Do you see that? 5 A. Yes. 6 Q. All right. And then -- And the e-mail 7 from you to Mr. Shepard, dated July 2nd, 2013, at 8 9:31:41, I see text in caps. Do you see that? 9 A. Text in caps? 10 Q. In capital letters. 11 A. Yes. 12 Q. Okay. Whose statements appear in capital 13 letters? 14 A. I believe that would be Greg				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>Shepard's. 15 Q. Okay. In the fifth sentence, in capital 16 letters -- 17 A. Fifth sentence, in capital letters. One, 18 two, three, four, five. Um-hum. 19 Q. It says: "We are just about ready to flip 20 the switch." 21 Do you know what switch Mr. Shepard is 22 referring to? 23 A. Flip the switch? I can't speculate on 24 that, "flip the switch." 25 Q. You have no idea what he's referring to? 147: 1 A. Turning on power? I don't know.</p>				
<p>147: 5 Q. BY MR. MORAN: Mr. Gregg, you've been 6 handed a copy of what's been marked for 7 identification as plaintiff's Exhibit 330, which is 8 labeled as GREGG_P&R-001465. It's a three-page 9 document ending with GREGG_P&R-001467.</p>			330	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>10 Do you recognize plaintiff's Exhibit 330?</p> <p>11 A. Looks like a string of e-mails from Greg</p> <p>12 Shepard to me.</p> <p>13 Q. I'd like to direct your attention to the</p> <p>14 second page.</p> <p>15 There's an e-mail dated July 12th, 2013,</p> <p>16 at 11:40:33. Do you see that?</p> <p>17 A. 11:40:33.</p> <p>18 Q. It's an e-mail from Greg Shepard to you.</p> <p>19 A. To me? Oh, yes.</p> <p>20 Q. It says: "Peter, I recommend the</p> <p>21 following," and then there's four paragraphs. Do</p> <p>22 you see that?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. What does Mr. Shepard's</p> <p>25 recommendation relate to?</p> <p>148: 1 A. The Oregon audit.</p> <p>2 Q. Okay. I see the subject of that</p> <p>3 particular e-mail is actually "IRS appeal."</p> <p>4 A. Okay. The subject is "Oregon Department</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>5 of Treasury," is what I have on mine, but...</p> <p>6 Q. And then in the text of the e-mail that we</p> <p>7 were just discussing, the one from July 12th,</p> <p>8 2013 --</p> <p>9 A. Oh, yes. Yes, "IRS appeal," on that</p> <p>10 particular one, yes.</p>				
<p>149: 1 Q. BY MR. MORAN: Why did Mr. Shepard send</p> <p>2 you this e-mail?</p> <p>3 A. Because I asked for help.</p> <p>4 Q. Okay. Help with what?</p> <p>5 A. I was being audited.</p> <p>6 Q. By who?</p> <p>7 A. Oregon and the IRS.</p>			331	
<p>149:11 Q. BY MR. MORAN: Mr. Gregg, I've handed you</p> <p>12 a copy of what's been marked for identification as</p> <p>13 plaintiff's Exhibit 331, labeled GREGG_P&R-001986.</p> <p>14 Do you recognize this document?</p> <p>15 A. Yes. It's me to Greg Shepard -</p> <p>- or</p> <p>16 another string.</p> <p>17 Q. You received -- or you</p>			331	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
exchanged these 18 e-mails with Mr. Shepard? 19 A. Yes.				
149:23 Q. BY MR. MORAN: Mr. Gregg, you've been 24 handed a copy of what's been marked for 25 identification as plaintiff's Exhibit 332, labeled 150: 1 GREGG_P&R-004139. 2 Do you recognize plaintiff's Exhibit 332? 3 A. It's an e-mail from me to Greg Shepard, 4 and a string from him.			332	
151: 7 Q. BY MR. MORAN: Mr. Gregg, you've been 8 handed a copy of what's marked for identification as 9 plaintiff's Exhibit 333 and labeled 10 GREGG_P&R-001354. 11 Do you recognize plaintiff's Exhibit 333? 12 A. It's an e-mail from Greg Shepard to me. 13 Q. You produced this document to the United 14 States? 15 A. I did. 16 Q. Okay. Is this e-mail where			333	

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
you first 17 learned of a CPA by the name of Rick Jameson? 18 A. Possibly.				
151:20 Q. BY MR. MORAN: Mr. Gregg, you've been 21 handed a copy of what's been marked for 22 identification as plaintiff's Exhibit 334, labeled 23 GREGG_P&R-004415. 24 Do you recognize plaintiff's Exhibit 334? 25 A. It's an e-mail from me to Rick Jameson.			334	
153:25 Q. BY MR. MORAN: Mr. Gregg, we just took a 154: 1 break; and, during that break, we examined -- you 2 and your attorney examined several documents which 3 we've marked for -- marked for identification as 4 plaintiff's Exhibit 335 through 343. 5 A. Yes. 6 Q. Did you produce all those documents to the			335	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>7 United States? 8 A. I did. 9 Q. The documents that appear in Exhibits 335 10 to 343, is there any reason to believe that those 11 documents are not what they purport to be? 12 A. No. 13 Q. Okay. In other words, those -- those are 14 your records and they are copies of what you have in 15 your possession? 16 A. Yes.</p>				
<p>157:15 Q. BY MR. MORAN: Mr. Gregg, you've been 16 given a copy of what's marked for identification as 17 plaintiff's Exhibit 346, labeled GREGG_P&R-003095. 18 Do you recognize plaintiff's Exhibit 346? 19 A. It looks like an e-mail or an e-mail 20 string from me to Greg Shepard. 21 Q. Just below the bottom half of the page, a 22 person named Jeanne is</p>			346	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
referenced? 23 A. Um-hum. 24 Q. Who's Jeanne Barker? 25 A. I have no idea. 158: 1 Q. You don't? 2 A. I don't. 3 (Reporter request.) 4 MR. MORAN: J-E-A-N-N-E. 5 Q. BY MR. MORAN: Also, below Ms. Barker's 6 name there are several numbered paragraphs. It 7 says: "Kevin is a RaPower-3 team member," in 8 paragraph 1. Do you see that? 9 A. Yep. 10 Q. Is Kevin your father? 11 A. Kevin's my father, yes.				
158:15 Q. BY MR. MORAN: Mr. Gregg, you've been 16 given a copy of what's marked for identification as 17 plaintiff's Exhibit 347. This document is seven 18 pages long, it begins on GREGG_P&R-001818 and goes 19 through GREGG_P&R-001829. 20 Do you recognize this document? 21 A. No, I don't. 22 Q. Can you look at the e-mail			347	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>header and tell 23 me where it may have come from? 24 A. Greg Shepard. 25 Q. Does this look like an e-mail that you 159: 1 produced to the United States? 2 A. Again, it could have been. 3 Q. If you produced this document to the 4 United States, is there any reason to believe you 5 didn't receive it from Greg Shepard? 6 A. No.</p>				
<p>159:10 Q. BY MR. MORAN: Mr. Gregg, you've been 11 given a copy of what's marked for identification as 12 plaintiff's Exhibit 348. It's a two-page document 13 labeled GREGG_P&R-003343. 14 Do you recognize this document? 15 A. Looks likes an e-mail from Greg Shepard. 16 Q. Did you receive this e-mail from Greg 17 Shepard? 18 A. I'm going to say yes.</p>			348	

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>160: 4 Q. BY MR. MORAN: Mr. Gregg, you've been 5 given a copy of what's been marked for 6 identification as plaintiff's Exhibit 349. It's a 7 three-page document beginning with GREGG_P&R-001807 8 and goes through GREGG_P&R-001809. 9 Do you recognize this document? 10 A. I'm sure I got it. 11 Q. Who do you believe you received it from? 12 A. I don't know. 13 Q. On the second e-mail, I see Roger 14 Freeborn's name? 15 A. Yes, I do. 16 Q. Is there any reason to believe you didn't 17 receive that e-mail from Roger Freeborn? 18 A. No.</p>			349	
<p>161: 3 Q. BY MR. MORAN: Mr. Gregg, how do you know 4 that your solar lenses can produce electricity or 5 steam or clean water?</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>6 A. I've seen a video where they can produce 7 heat, and producing heat creates -- can create all 8 those other things. 9 Q. Where did you get that video? 10 A. I think it's on YouTube. 11 Q. Do you recall who published it on YouTube? 12 A. I don't. 13 Q. Okay. Can you describe for me what you 14 saw in that video? 15 A. A solar lens array with the sun coming 16 down and starting something on fire. 17 Q. Okay. Do you know what it was that caught 18 on fire? 19 A. No. 20 Q. Okay. Do you remember what individuals, 21 if any, were in that video? 22 A. I believe Neldon Johnson. 23 Q. Okay. So you saw something burning? 24 A. Um-hum. 25 Q. Okay. Did you see anything else?</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

<p>Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)</p>	<p>Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)</p>	<p>Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE</p>	<p>Exhibits</p>	<p>Ruling</p>
<p>162: 1 A. No. 2 Q. Okay. Did you see steam? 3 A. Steam's only created with water. There's 4 not very much water in southern Utah. 5 Q. Okay. So did you -- 6 A. It has to be a closed system to create 7 steam. 8 Q. Did you see such a closed system? 9 A. This was an example of the heat produced; 10 so, no, I did not see the closed system on the 11 video. 12 Q. Okay. So you saw a lens which you 13 understood to be concentrating the sun's rays? 14 A. Correct. 15 Q. Okay. And you saw something catch on 16 fire? 17 A. I saw a piece of sagebrush. 18 Q. Okay. Did you see anything else that led 19 you to believe that your lenses can produce steam,</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>20 clean water, or electricity? 21 A. No. 22 Q. Okay. Did you research any other business 23 mechanisms through which you could generate 24 renewable energy? 25 A. Like I said, I've done a lot of research 163: 1 on that science website and there's lots of other 2 ways to produce renewable energies. 3 Q. Are you involved in any of those? 4 A. No. 5 Q. Okay. Just RaPower? 6 A. Just RaPower. 7 Q. Okay. Why did you choose RaPower and not 8 other ventures? 9 A. Why did I choose RaPower? Because I saw a 10 ground-level opportunity to be involved with a 11 business that is ground-breaking. 12 Q. Do you consider RaPower ground-breaking? 13 A. I do. 14 Q. Okay. But you haven't</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

<p>Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)</p>	<p>Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)</p>	<p>Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE</p>	<p>Exhibits</p>	<p>Ruling</p>
<p>received any 15 revenue from it? 16 A. Nope. 17 Q. Okay. Why do you think it's 18 ground-breaking? 19 A. Do you know of any other bladeless 20 turbines out there? 21 Q. I'm not answering the questions. 22 So my question to you is: What's 23 ground-breaking on it? 24 A. It's a bladeless turbine. If used to 25 create steam or energy, it's much more efficient. 164: 1 Q. What's unique about a bladeless turbine? 2 A. It doesn't have any blades. 3 Q. And do most turbines have blades? 4 A. Yes, most turbines have blades. If you 5 look in any hydroelectric, those are bladed 6 turbines. 7 Q. Okay. Have you seen the bladeless 8 turbine? 9 A. I have.</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>10 Q. Have you seen it in operation? 11 A. Not in -- Well, maybe on video as well. 12 Q. Okay. So even on your tour, you didn't 13 see the bladeless turbine? 14 A. Not in motion. 15 Q. Okay. So why do you think the bladeless 16 turbine works? 17 A. Why do I think it works? It's a -- It's 18 basic physics. It's spinning. 19 Q. What causes it to spin? 20 A. Steam. 21 Q. Have you ever seen the steam turn the 22 bladeless turbine? 23 A. Like I said, in the video.</p>				
<p>165: 1 Q. BY MR. MORAN: And that's the video that 2 you saw on YouTube? 3 A. I believe it might be on YouTube. 4 Q. Okay. But that's the video where you 5 saw -- 6 A. That's a different -- It's probably two</p>				

Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
<p>7 different videos, probably under the same area. 8 Q. Okay. Do you know what was turning the 9 bladeless turbine? 10 A. Do I know? Steam. 11 Q. Okay. Do you know where that steam is 12 generated? 13 A. I can't say for certain. 14 Q. Okay. Where do you think it was 15 generated? 16 A. Through heat through the sun. 17 Q. Okay. And how did you gain that 18 understanding? 19 A. How did I -- Rephrase the question. 20 Q. Well, you said that you -- You testified 21 that you saw the steam turning the turbine; right? 22 A. Correct. 23 Q. Okay. And I'm trying to understand -- And 24 then you testified that the sun's rays generated 25 that steam? 166: 1 A. That is my understanding,</p>				

*Case Name: United States v. RaPower-3, LLC, et al. Case Number: 15-cv-00828
Deposition of Peter Gregg taken November 16, 2016*

Plaintiff Designations – BLUE Defendant Completeness— PURPLE Defendant Counter-Designations – RED (at end)	Defendant Designations – RED Plaintiff Completeness— PURPLE Plaintiff Counter Designations – BLUE (at end)	Defense Objections/Responses – RED Plaintiff Objections/Responses – BLUE	Exhibits	Ruling
yes. 2 Q. Okay. And what I'm trying to understand 3 is: How did you gain that understanding that the 4 sun's rays were generating the steam? 5 A. I don't know -- I honestly don't know how 6 to answer that question.				
171:20 MR. MORAN: No further questions at this 21 time. Go off the record. 22 MS. HEALY GALLAGHER: Read and sign? 23 MR. JONES: Yes, please. 24 (DEPOSITION ADJOURNED AT 12:57 P.M.)				

