

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

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WESTERNGECO LLC, . 4:09-CV-01827  
 . HOUSTON, TEXAS  
 PLAINTIFF, .  
 .  
 vs. .  
 .  
 ION GEOPHYSICAL .  
 CORPORATION, FUGRO GEOTEAM, .  
 INC., ET AL, .  
 .  
 DEFENDANTS . JULY 24, 2012  
 . . . . . 7:37 A.M.

TRANSCRIPT OF JURY TRIAL  
BEFORE THE HONORABLE KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE

A P P E A R A N C E S :

FOR THE PLAINTIFF:

Lee K. Kaplan  
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TRUE COPY I CERTIFY  
ATTEST:

By Shelia Roque Clerk of Court  
Deputy Clerk

Mayra Malone, CSR, RMR, CRR  
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*LOCASCIO Continued Direct of THOMAS SCOULIOS*

1 Q Same company?

2 A Yes.

3 Q When you said they were an early adopter of the technology,  
4 what do you mean?

5 A Statoil had been using Q for many years. They had  
6 written -- they were very proud of the stuff. They had worked  
7 with us on it. They had written glowing report cards of our  
8 use of it. They had said that our technology was above and  
9 beyond the best.

10 *MR. LOCASCIO:* Pull up Plaintiff's Exhibit Number 95.

11 BY MR. LOCASCIO:

12 Q What are we looking at here, sir?

13 A This is a press release by Schlumberger.

14 Q What is the title of it?

15 A "Realtime news, Statoil awards WesternGeco Q-Marine 4D  
16 projects in Norway."

17 Q And it says "repeat surveys," the subheading. What is a  
18 repeat survey?

19 A A repeat survey is a 4D survey.

20 Q Are there two components to a 4D survey?

21 A Yes.

22 Q The second one, I assume, is the 4D survey. What is the  
23 other one called?

24 A The first survey is called the baseline survey.

25 Q Are there times where you were asked to bid a survey that

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*LOCASCIO Continued Direct of THOMAS SCOULIOS*

1 will ultimately become the baseline for a later survey but you  
2 are not told it is 4D when you do the first one?

3 A Yes.

4 Q In that instance, are you just told it is a 3D survey?

5 A Correct.

6 *MR. LOCASCIO:* Dave, let's pull back from that and  
7 blow up the second paragraph. The one that begins with "lease  
8 selected."

9 BY MR. LoCASCIO:

10 Q You mentioned that Statoil was, if you will, saying nice  
11 things about your product and services.

12 A They were.

13 Q Is this one of those examples?

14 A They did.

15 Q Can you read that for the jury?

16 A "We selected the WesternGeco Q-Technology because of the  
17 repeatability provided by steer streaming and minimum azimuth  
18 variation between base and monitor surveys, said Erik  
19 Havarstein, manager, seismic acquisition, Statoil."

20 *MR. LOCASCIO:* Let's go down three paragraphs from  
21 there, to the one that begins with the other quote.

22 *THE WITNESS:* "Our first Q surveys on Norne confirmed  
23 that the repeatability was accurate enough to detect subtle 4D  
24 effects and resulted in changed drilling plans. We expect the  
25 2004 surveys to similarly increase our knowledge of these

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*LOCASCIO Continued Direct of THOMAS SCOULIOS*

1 reservoirs, said Hans A. Aronsen, project leader, seismic  
2 activities, Halten-Nordland area, Statoil Harstad.

3 BY MR. LOCASCIO:

4 Q Were these comments consistent with what you heard from  
5 Statoil and others in the field?

6 A They were.

7 Q We were talking about the Chukchi -- is that how you  
8 pronounce it?

9 A Yes, it is.

10 Q The Chukchi Sea job in the Arctic for Statoil, which  
11 ultimately didn't go to WesternGeco, correct?

12 A Correct.

13 Q Did you at WesternGeco tender on the job?

14 A We did. We provided -- they asked for services, and we  
15 provided a response.

16 Q Can you explain how the tender process works from a, if you  
17 will, paperwork standpoint? What comes first?

18 A An oil company will put out a request for a tender or a  
19 request for bid. They have 20 different names for it, but it  
20 is basically, we have this job in this location, we would like  
21 it done on this time frame, use it with these survey  
22 objectives.

23 Q And did you receive one of those at WesternGeco for the  
24 Statoil Chukchi job?

25 A We did.

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