

THOMAS CAMPBELL  
July 9, 2010

1 UNITED STATES DISTRICT COURT FOR THE  
2 SOUTHERN DISTRICT OF FLORIDA  
3 KEY WEST DIVISION  
4 Case Number: 08-10084-CIV-BROWN

5 PETER HALMOS, INTERNATIONAL  
6 YACHTING CHARTERS, INC. AND  
7 HIGH PLAINS CAPITAL,  
8 Plaintiffs,

9 VS.

10 INSURANCE COMPANY OF NORTH AMERICA  
11 AND STRICKLAND MARINE INSURANCE, INC.  
12 (F/K/A STRICKLAND MARINE AGENCY, INC.),  
13 Defendants.

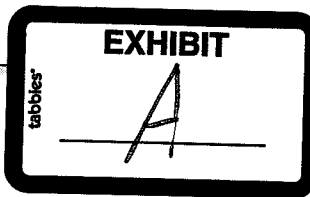
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16 ORAL & VIDEOTAPED DEPOSITION OF  
17 THOMAS A. CAMPBELL  
18 JULY 9, 2010

19 \*\*\*\*\*

20 ORAL & VIDEOTAPED DEPOSITION of THOMAS A. CAMPBELL,  
21 produced as a witness at the instance of the DEFENDANT,  
22 and duly sworn, was taken in the above-styled and  
23 numbered cause on the 9th of July, 2010, from 1:04 p.m.  
24 to 5:37 p.m., before Trista Jamail, CSR in and for the  
25 State of Texas, reported by stenographic means, at the  
offices of BROWN SIMS, P.C., 1177 West Loop South, Tenth  
Floor, Houston, Texas 77027, pursuant to the Federal  
Rules of Civil Procedure and the provisions stated on the  
record or attached hereto.

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1 Sanctuary Act for NAFTA, turn to Page 61, and it will be  
2 the second entry down, and the sixth entry down.

3 A. Yeah. Are there any other references to NAFTA?

4 Q. I would assume there are, but these are the ones  
5 I pulled for example purposes.

6 A. I would imagine that it was a -- something that  
7 was looked at and probably -- it would be part of what we  
8 were -- at the time, what our intention was is to put  
9 together the strongest claim we could against the federal  
10 government in order to get them to release the vessel.  
11 And that's -- that's -- that research, I assume, was  
12 related to exploring whether or not we had a viable claim  
13 under NAFTA.

14 Q. And affirmative claim?

15 A. Correct.

16 Q. And I've seen research related to the court's  
17 jurisdiction on this page as well. Two from the bottom,  
18 and the very bottom entry.

19 Was that related to jurisdiction to make an  
20 affirmative claim as well?

21 A. As part of the overall strategy to get her -- to  
22 get the vessel released, yes.

23 Q. I've seen a number of entries throughout these  
24 pre-January 5th, 2007 entries related to media work.

25 A. Uh-huh.

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1 Q. Is that a "yes"?

2 A. It is.

3 Q. And you were working with Peter Halmos'  
4 publicity agent, for lack of a better term?

5 A. Correct.

6 Q. And you are requesting -- or plaintiffs are  
7 requesting reimbursement for dealing with the PR  
8 consultant?

9 A. Absolutely.

10 Q. Can you tell me why INA should pay for work with  
11 the PR consultant?

12 A. Yes.

13 JUDGE HUBBART: Speak up, please.

14 A. Can we repeat the question so everyone can hear?

15 Q. (BY MR. BROWNING) Can you tell us why INA  
16 should pay for Pillsbury's work with a PR consultant?

17 JUDGE HUBBART: It's still not loud enough.  
18 I don't know if you're close enough to the speaker.

19 MR. BROWNING: We're real close to you.

20 Sorry.

21 Q. (BY MR. BROWNING) Can you answer the question?

22 A. Yeah. The question was whether -- why it is  
23 that INA should pay for a media consultant and reimburse  
24 Peter's cost for a media consultant.

25 In cases like this, I -- I will bring in a

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1 media consultant. When you are dealing with a case where  
2 the government is off base and doing something that they  
3 shouldn't be doing, sometimes the best way to back them  
4 off is to put some pressure in the press.

5 Q. In fact, I think I saw an e-mail from you  
6 talking about how it was important for you to create a  
7 media firestorm or something to that effect to --  
8 regarding the issue involving the Legacy.

9 Do you remember --

10 A. I don't remember that, but oftentimes when I'm  
11 involved in cases like this and -- and trying to achieve  
12 a settlement, there is nothing more effective than  
13 getting the government exposed for some of the  
14 unreasonable practices that it's engaging in.

15 Q. So not having to do with the merits, just having  
16 to do with --

17 A. Absolutely the merits. Absolutely the merits.  
18 The merits are sometimes the government gets off track,  
19 and when you shine the light of public scrutiny on their  
20 bad acts, it's the best disinfectant in the world.

21 Q. Your intention was to create media pressure; is  
22 that correct?

23 A. Correct. Media pressure in order to effect a  
24 settlement.

25 Q. As we sit here today, you have no evidence that

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1 it actually did so; is that correct?

2 A. There were articles and there was a -- I have a  
3 lifetime of evidence in cases of exactly this kind. In  
4 fact, I'm in the middle of one right now where we're  
5 employing very similar strategies.

6 Q. Did anybody from NOAA tell you that because  
7 there was a media strategy, they fell to their knees and  
8 settled the case, or anything to that effect?

9 A. I have ten years --

10 MR. BROWNING: Objection, nonresponsive.

11 Q. (BY MR. BROWNING) My question, sir, is did  
12 anybody with NOAA tell you something to -- that or  
13 something to that effect?

14 JUDGE HUBBART: Let him answer the  
15 question. He's trying his best. Go ahead.

16 A. I've been working on these cases for 25 years  
17 now, and I know that media makes a difference. And I do  
18 believe that in this case, it was effective.

19 Q. (BY MR. BROWNING) I understand that you believe  
20 that, sir, but that's not my question.

21 My question is, did anybody from NOAA tell  
22 you that?

23 A. They wouldn't.

24 Q. That's not my question.

25 A. So they didn't.

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