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1 the activity, what was going on.

2 **A. Yes. It was an accurate representation of**

3 **the -- I mean, I don't want to say it's not a huge**

4 **deal, but it's -- it is a tank we're not supposed**

5 **to --**

6 Q. Right.

7 **A. -- pump out.**

8 Q. And I'm not -- I just want to make sure I

9 know what's going on.

10 **A. Okay.**

11 **Q. In your -- in your mind, was -- what was**

12 **placed -- what was recorded, noting your comment about**

13 **the date, but the action, was it a -- an accurate**

14 **recording of an improper action?**

15 **A. Yes.**

16 MS. HALEVY: And just for the record, he

17 said time and date. I think your question just

18 mentioned date.

19 MR. ROSENBERG: Well -- okay.

20 Q. (BY MR. ROSENBERG) I mean --

21 **A. It's kind of the same thing, right?**

22 Q. Right. And I'm not even talking about -- I

23 wasn't asking about the time or date. I tried to put

24 that to the side.

25 **A. Sorry.**

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1 **Q. I just want to make -- and I'm not going to**

2 **ask it again. I think you answered about what was**

3 **actually recorded.**

4 **A. Okay.**

5 Q. Okay. So Hawkins sends you this e-mail on

6 February 9th at 6:41 p.m. asking you, "Did you get the

7 guidance you needed from Jed regarding U.S. Coast

8 Guard inspection," right?

9 **A. Yes.**

10 Q. What guidance did he -- did you need?

11 **A. We had had a few conversations regarding the**

12 **best way to handle this procedural violation with the**

13 **upcoming Coast Guard inspection.**

14 Q. Right.

15 **A. I was a relatively new captain, and seeing as**

16 **this was kind of a -- the oil record books potentially**

17 **can be very touchy subjects with the Coast Guard. I**

18 **know industry wide that several companies have faced**

19 **sanction because of entries and discharges.**

20 Q. Well, one company is named Noble, right?

21 **A. One company is named Noble.**

22 Q. And that was 64 days before this, yes?

23 **A. Yes.**

24 Q. Get in some big trouble?

25 **A. Yes. So obviously, that concerned me with**

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1 the Coast Guard coming to look and see this, knowing

2 that we -- Noble -- we, Noble, had had prior issues

3 with this.

4 Q. A prior issue is a guilty plea in federal

5 court in Alaska, right?

6 **A. Yes. And Department of Justice probation, I**

7 **believe.**

8 Q. Right. So what was your concern?

9 **A. It was more just the strategy question, like,**

10 **Jed -- Vaclac Jedlicka is a former Coast Guard**

11 **inspector, so I really felt that he would give good**

12 **insight on how best to approach it with the Coast**

13 **Guard because it's a delicate question. On the one**

14 **hand, you don't want the Coast Guard to focus on this,**

15 **but on the other hand, it's not something you ever**

16 **want to hide from the Coast Guard. You always want to**

17 **be absolutely honest. So it's just a delicate issue,**

18 **and -- and me, as captain on board, I felt that it**

19 **would be best if I had a -- a consensus from both my**

20 **supervisor and the DPA on how best to approach it.**

21 Q. All right. You just said something that --

22 that caught my attention. You don't want to hide

23 something from the Coast Guard, but you want to do

24 what? I'm --

25 **A. Decide how best to present an issue.**

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1 Q. All right. Well -- all right. What was it

2 that had to be presented? Was it this entry in this

3 oil record book?

4 **A. Yes.**

5 Q. Okay. And you wanted guidance from Jed as to

6 how to handle the situation with the Coast Guard?

7 **A. Yes.**

8 Q. It seems to me, from what you just said --

9 and I want you to correct me if I'm wrong. I don't

10 want to put words in your mouth. All right? It seems

11 to me that with your knowledge of the -- the guilty

12 plea and the Department of Justice issue, that the

13 most -- that the safest approach would have been just

14 tell the Coast Guard what was going on, right?

15 MS. HALEVY: Objection; form.

16 **A. Safest --**

17 Q. (BY MR. ROSENBERG) Is that right?

18 **A. -- in terms of what?**

19 Q. Can't get into any trouble.

20 **A. Okay.**

21 Q. Right?

22 **A. Possibly. But I think that for us, chain of**

23 **command was very important. You -- I was keeping my**

24 **supervisor and the DPA in the loop and asking their**

25 **advice on how to approach it, and when it ended up**