

<p style="text-align: right;">69</p> <p>1 davit and the FRC are fixed. If the man is not going 2 to tell me anything about what this speaks to, I can't 3 investigate much of that. 4 Q. So you're telling us that Chief Mate Gavis 5 refused to cooperate in the investigation? 6 MS. HALEVY: Objection, mischaracterizes 7 testimony. 8 A. He -- he didn't refuse. He just didn't want to 9 talk to me about it. 10 Q. (BY MR. ROSENBERG) Did he tell you why he 11 didn't want to talk to you about it? 12 A. Because the master that he was working for at 13 the time, things were getting hot, as he -- as he said 14 to me. 15 Q. The master being? 16 A. Dan Askins. 17 Q. What was getting hot, using your word, not 18 mine, as -- as reported to you? 19 A. Working with -- with the captain at the time. 20 Q. Okay. Did he elaborate? 21 A. No, sir. 22 Q. Did you question? 23 A. I questioned, and -- and there was not -- there 24 wasn't anything back my way on it, so -- 25 Q. Who did you question?</p>	<p style="text-align: right;">71</p> <p>1 Q. And however you characterize it, Chief Mate 2 Gavis didn't provide you with answers to your 3 questions, right? 4 A. That's correct. 5 Q. Is it fair to say that because of that you 6 could not conduct a thorough investigation? 7 A. Of -- of that incident you are correct. 8 Q. Right. I'm only talking about the davit 9 because Gavis wasn't involved in dropping the lifeboats 10 into the water, correct? 11 A. No. He was -- he was a part of the rig, yeah. 12 I mean -- 13 Q. Okay. How were you able -- you might have told 14 me this, and I might have forgotten. Did you come to a 15 conclusion as to what went on with regard to the davit? 16 A. Conclusion as to what? 17 Q. Conclusion davit failure or anything of that 18 issue. 19 A. Well, the Coast Guard wrote us up because it 20 did not operate properly. There was a third-party 21 company that came out and repaired the davit and 22 repaired the FRC. 23 Q. Fast rescue craft? 24 A. Fast rescue craft, yes, sir. 25 Q. Okay. And we're going to go to 10 from</p>
<p style="text-align: right;">70</p> <p>1 A. Gavis. 2 Q. Okay. Did you question Askins? 3 A. I don't remember having a conversation with 4 Captain Askins about that. 5 Q. In your -- in -- what's the protocol for you in 6 a situation where -- where a chief mate is -- is not 7 wanting to cooperate in an investigation you're 8 undertaking? 9 MS. HALEVY: I'm just going to object to 10 the extent it calls for speculation or assumes that 11 that's what you said about Gavis because it's not. 12 Q. (BY MR. ROSENBERG) Well, wait a second. You 13 told me Gavis didn't want to answer your questions, 14 right? 15 A. No, sir. He didn't. 16 Q. Okay. What's the difference between somebody 17 not wanting to answer questions and refusing to 18 cooperate in an investigation in your mind? 19 A. I can't tell you. I don't know. I mean -- 20 Q. Okay. You're charged with the responsibility 21 of conducting an investigation, correct? 22 A. Right. 23 Q. And as part of your investigation you're 24 presenting questions to Chief Mate Gavis, correct? 25 A. Yes, sir.</p>	<p style="text-align: right;">72</p> <p>1 Hawkins' deposition. 2 A. Okay. 3 Q. I'm going to ask you to review Exhibit 10 from 4 Mr. Hawkins' deposition. It's Noble Bates numbers 321 5 to 323 and ask if you recognize this. 6 A. Yes, sir. I recognize it. 7 Q. What is it? 8 A. It was my draft of my investigation into the 9 phone call that Captain Hagopian made to me. 10 Q. Okay. What's Dustin Stringer's role with the 11 -- what was his role with the company at that point? 12 A. He was the HSE manager for the Western 13 Hemisphere. 14 Q. Okay. Did you have any conversations with him 15 precipitating you writing this draft? I'm asking 16 because it says, "Dustin, here you go. It is a draft, 17 so I have not had time to check grammar and spelling, 18 but it should be all right." What do you recall about 19 your conversations leading up to preparation of this 20 with Dustin Stringer? 21 A. Well, he's the DPA, so him and I did have a 22 conversation with regards to this matter basically 23 talking about the phone call that -- that Captain 24 Hagopian had given me. And then e-mails back and forth 25 between Captain Hagopian and myself, and I went and</p>