



**STORY & PHOTOS**  
**BY DONNA BALANCIA**  
**TFLJ Editor-In-Chief**

**Tonya Meister:**  
**Maritime**  
**Maestro**  
**Takes**  
**On BP**



**MIAMI, FLORIDA – All those nights Tonya Meister poured over books for her certification exam in maritime law, she never dreamed that shortly after passing, she would be filing a class action suit against one of the world's largest oil companies.**

**B**ut that dream looks like a reality. She will represent Florida victims of the oil spill – individuals and businesses – who may lose their livelihoods and their lifestyles. Meister was contacted by a law firm in New Orleans to join forces against oil behemoth BP.

Meister has never had any fear of the big corporations. In her Miami-based maritime practice, Meister Law, she has fought for the rights of people who venture out to the high seas – with success.

There were the members of the crew on the bankrupt cruise ship that she helped get paid back wages and a ticket back to their home countries. There was the motorboat death of a young man in Tampa involving a local politician. And there were violent inci-



**The current worst-case estimate of what's spewing into the Gulf is about 2.5 million gallons a day. Anywhere from 67 million to 127 million gallons have spilled since the April 20 explosion on the Deepwater Horizon rig .**

dents on the ships that involved young women.

All have been challenges won along the way, and those wins were the building blocks of Meister's business and her reputation. She looks

at the monstrous BP disaster as another opportunity to help victims who have been beaten down. And she says she will not lose.

Because this time, it's not one passenger vic-

timized on a cruise ship and it's not foreigners who don't speak the language. This time, the victims are American mom and pop types and generations of workers and business owners in Florida.

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"I'll be bringing the claim on my own, initially," Meister said. "It's going to be interesting. A lot of people fear they will be affected, and it's going to be wait and see. I'm on standby to file when it's appropriate. Some people are racing to the courthouse and I don't know if that's in the best interest."

**Meister said if experience proves correct, BP will make claimants force the issue.**

"The company is not going to say, 'Sure, you de-

serve money,'" Meister said. "They're going to make people prove their case."

BP hopes to limit its liability to \$75 million under the Oil Pollution Act of 1990 passed in response to Exxon Valdez. The act was passed to mitigate and prevent liability for oil spills off the coast of the United States.

But Meister said this time – with what is considered the worst environmental disaster to impact the United States and sur-

rounding nations – that cap likely won't hold.

"There is indication of fault," Meister said. "There are statements that exist that liability would exceed that to compensate the victims."

In addition, there are many organizations involved, but Transocean and Haliburton are also expected to have financial responsibility.

There is a lot at stake with this disaster and Meister takes the damage personally. She is a longtime

resident of Florida, she is a surfer, and a lover of Florida marine wildlife.

"I love the water," Meister said. "There are some species that don't exist anywhere but here. To me that is the biggest tragedy. There is no amount of money that can make up for this."

**It was Meister's reputation that earned her the latest opportunity.**

"I think that they felt my maritime experience demonstrated superior knowledge," said Meister, who recently became board certified in admiralty and maritime law. In addition to being a specialist and



**The nation would impose tougher penalties on polluters under legislation approved by the Senate Judiciary Committee. The bill would require restitution to victims when oil companies or others violate the Clean Water Act, the nation's primary law against water pollution.**





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expert in maritime law, she is also the chair of the Florida Bar’s Admiralty and Maritime Law Committee.

Meister says she wants to protect her profession from unethical players and so she is also chair of the one of the Florida Bar’s grievance committees, Committee 11F.

She is in the Big Brother Big Sister program and is a member of The Junior League through which she counsels victims of domestic violence.

“It’s an honor to represent people damaged from this disaster,” Meister said. “BP needs to be held accountable and by holding them account-

able, we can prevent this in the future. I want to see a change that puts more regulation on the drilling to make sure this doesn’t happen again.”

“It’s outrageous there was no plan B,” Meister said. “It’s shocking these people were allowed to drill oil and not have a plan B.”

Meister’s background is much like her approach to the legal profession.

**She earned everything she has and works hard for what she wants**

“I didn’t come from a wealthy family and always had to work for what I had,” Meister said. “My parents said I could

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have anything I wanted if I earned. It you have to work for everything, you have to be dedicated you can't give up. That's the same approach I use in law.

**She feels a particular empathy for those in the Gulf disaster, those who are going to have to fight for compensation.**

"In this circumstance, if there's a business owner who suffers a loss they're entitled to be made whole," Meister said. "BP is going to find every reason to not pay. You have to be diligent, file the proper claims in the proper court.

"We don't live in a world where if you say it so, it is," Meister said. "You

have to prove the claims and justify the verdict you get from the court or get the defendant to make the person whole. They're not going to voluntarily give you what you claim.

"Using the example of a hotel that has lost revenue, BP will want proof it was the oil that made it lose revenue," Meister said. "They'll say in reality

it was the economic situation or 'You weren't doing enough advertising.' "They'll ask, 'Why do you think it's our fault?' Those are the things you have to prove to get someone made whole."

There will be examples that are clear, Meister said, for example, a charter fisherman cut off. But it's the cases where there



is some doubt that the oil may have caused damages that will be a tough fight. That's where her expertise comes in.

"There are a lot of attorneys who handle various cases from automobile accidents and see this as an opportunity to get a piece of the action and they're putting out advertising but they don't have credentials," Meister said. "The board certification exam that I had to go through, part of it was detailed study on The Ocean Pollution Act of 1990. I was tested on that act, then I had to go through a peer review process, bringing in those who have seen me practice and handle cases and those people are questioned and they each have to get three more people, it's an extensive process."

**For Meister, even getting to sit for the certification process is an honor, she said.**

"This is a milestone for me and there are



tough requirements," Meister said. "You have to practice for at least five years, have a substantial amount of practice in maritime cases, and have continuing legal education on maritime topics. "

Meister said a lot of attorneys will want to help defend clients against BP. Her advice?

"If attorneys want to help out they need to af-

filiate themselves with someone who is board certified," Meister said. "There are about 50 certified maritime attorneys in Florida so seek out one of those specialists."

The people impacted by the disaster need Meister's help. But there is only so much she can do.

"If our coral reefs are so stressed, this will be the

thing that kills them," she said. "It breaks my heart we're going to lose species. There are certain species that exist only in the Gulf area. We have a vast array of fish and marine plant life species. If those species disappear, how do you quantify that loss? We have laws in place to compensate the individuals, but we can't bring back the environment that will be killed." ■