

GREGG D. THOMAS

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Email

VCard

He has argued and won cases before the Florida and United States Supreme Courts, including *Butterworth v. Smith*, 494 U.S. 624 (1990), where he convinced the U.S. Supreme Court that laws prohibiting grand jury witnesses from disclosing their testimony violated the First Amendment. Gregg is also a Florida-certified mediator. He practices out of TLo's Tampa office.

Gregg repeatedly has been qualified as an expert witness on legal issues and attorneys' fees in defamation and public records cases.

Prior to entering private practice, Gregg was a judicial clerk to the Honorable Ben Krentzman and the Honorable George Carr, both United States District Judges for the Middle District of Florida. He is a former board member and president of the Tampa Museum of Art, and former president of the Tampa Bay Business Committee for the Arts. In 2007, he was inducted into the Florida Freedom of Information Summit Hall of Fame.



Representative Matters

Russell v. Waterman Broadcasting Corp., et al. (Fla. 20th Jud. Cir. 2019), obtained summary judgment for an investigative reporter in a public official defamation lawsuit brought by a state attorney regarding a broadcast documenting the high rate of unsolved homicides and whether the state attorney's prosecution policies was a contributing factor.

Folta v. The New York Times Co., et al. (N.D. Fla. 2019), obtained summary judgment for *The New York Times* and journalist Eric Lipton in a defamation lawsuit brought by a University of Florida professor regarding a news article documenting public academics' relationships with the biotechnology and organic food industries.

Has represented more than 50 newspapers and/or television stations in access litigation seeking governmental information in high-profile criminal cases, including cases involving Christine Falling, Ted Bundy, Danny Rolling, Julie Schneckler, Casey Anthony, and George Zimmerman.

Jews for Jesus, Inc. v. Rapp, 997 So. 2d 1098 (Fla. 2008). On behalf of a consortium of media companies, convinced Florida Supreme Court that Florida should not adopt the tort of false light invasion of privacy.

Led a media team seeking to prohibit local government officials from banning the film *The Last Temptation of Christ* and, within 24 hours of being retained, persuaded U.S. District Court to declare a ban unconstitutional and to permanently enjoin its enforcement.

Luszczynski v. Tampa Bay Television (Fla. Cir. Ct. 2006). Won jury verdict for WFTS in defamation and false light case brought by three police officers.

Tyne v. Time-Warner Entertainment, Co., 901 So.2d 802 (Fla. 2005). Persuaded Florida Supreme Court to affirm right of the producers of *The Perfect Storm* to create a movie depicting historical events without having to obtain consent of individuals portrayed in the movie.

Butterworth v. Smith, 494 U.S. 624 (1990). Obtained ruling from the U.S. Supreme Court that law prohibiting a reporter from disclosing the content of his own grand jury testimony violated the First Amendment.

Arabian Amer. Oil. Co. v. Scarfone, 713 F. Supp. 1420 (M.D. Fla. 1989), aff'd 939 Fo. 2d 1472 (11th Cir. 1991). Litigated RICO claim for ARAMCO against architect who submitted false and fraudulent invoices, resulting in judgment in excess of \$10,000,000.

Media General

Hubbard Broadcasting

Florida Press Association

Appearances and Publications

Co-author, Survey of Eleventh Circuit Libel Law, Media Libel Law, Media Law Resource Center (2010-15).

Interviewed by Fox News Sports for report about ESPN disclosing medical records of NFL player Jason Pierre-Paul. <http://www.foxnews.com/sports/2015/07/09/jason-pierre-paul-could-sue-espn-but-it-would-be-tough-experts-say.html>

Gregg's role as media attorney for the Lakeland Ledger described in Ledger story detailing scandals the paper has uncovered at the Lakeland Police Department. <http://www.theledger.com/article/20131018/news/131019122>

Gregg's role arguing for First Amendment protection of Hulk Hogan sex tape described in story about Hogan lawsuit at the website Gawker.com. <http://gawker.com/a-judge-told-us-to-take-down-our-hulk-hogan-sex-tape-po-481328088>

PRIMARY PRACTICES

Media Law

Intellectual Property

Defamation & Invasion of Privacy

Civil & Commercial Litigation

Newsgathering / Access

EDUCATION

JD, University of Florida (with honors), 1976

BA, Vanderbilt University (magna cum laude), 1972

BAR ADMISSIONS

Florida

Middle District Florida

Southern District Florida

Northern District Florida

11th Circuit

5th Circuit

U.S. Supreme Court

CLASSES / SEMINARS

Speaker, Media Law Issues

RECOGNITIONS

Martindale-Hubbell AV Preeminent Peer Review Rated

Best Lawyers in America

Florida Super Lawyers

Florida Legal Elite (Hall of Fame)

2019 Tampa Magazine Top Lawyers, Media Law Mediation

PROFESSIONAL ASSOCIATIONS & MEMBERSHIPS

American Bar Association, Litigation and Forum on Communications Law Sections, Member

Hillsborough County Bar Association, Media Law Section, Founding Chair

The Florida Bar Annual Media Law Conference in Tampa, Chair, 1987 - Present

The Florida Bar Annual Media Law Conference in Tampa, Co-Chair, Media and Communications Law Committee, 1988 - Present

Tampa Crossroads, Former Board Member

Tampa Bay Business Committee for the Arts, Former President

Tampa Museum of Art, Former Board Member

Tampa Museum of Art, Former President

LITIGATION PERCENTAGE

100% of Practice Devoted to Litigation

PAST EMPLOYMENT POSITIONS

Hon. Ben Krentzman, United States District Court, Law Clerk, 1976 - 1978

Hon. George Carr, Middle District of Florida, Law Clerk, 1978 - 1979

Holland & Knight, Associate, 1979 - 1982

Holland & Knight, Partner, 1982 - 2006