

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

CITY OF ST. PETERSBURG, FLORIDA,
a municipal corporation

Plaintiff,

v.

Case No. 8:07-CIV-2105-T-24MSS

BRIGHT HOUSE NETWORKS, LLC,
a Delaware limited liability company,

Defendant.

CITY OF TAMPA, FLORIDA,
a municipal corporation

Plaintiff,

v.

Case No. 8:07-CIV-2106-T-23-TBM

BRIGHT HOUSE NETWORKS, LLC,
a Delaware limited liability company,

Defendant.

AFFIDAVIT of JOHN ARMBRUSTER

BEFORE ME, the undersigned authority, personally appeared **JOHN ARMBRUSTER**, who by me being first duly sworn, deposes and says:

1. I am making the following statements upon my personal knowledge and belief.
2. I am employed by the City of St. Petersburg as the Assistant Director of the Information and Communication Services Department of the City, and have been employed in that capacity at all times material to this lawsuit.

3. I am generally familiar with the realignment by Bright House Networks of the governmental access channel from Cable Channel 15 to Cable Channel 615 that occurred on or about December 11, 2007. More specifically, I am familiar with the effect that the realignment of the government access channel has had and is having upon the City of St. Petersburg.

4. The City utilizes Bright House Networks as its cable television service provider.

5. One effect of the realignment is that the City's governmental programs, such as meetings of the City Council and the commissions and boards of the City, emergency information relating to hurricanes and other severe weather, and other information promoting public health, safety and welfare, are now in digital format when accessed through Bright House Network's cable system.

6. Because the governmental programs are transmitted by Bright House Networks in digital format, they are no longer available to City officers and employees, including but not limited to personnel in the City's city hall, municipal services center, police and fire stations, recreation centers, and public libraries, whose duties sometimes require that they be able to view meetings of the City Council and other governmental programs, unless the television sets in their offices are equipped with converter boxes to enable access to the programs in digital format.

7. The number of television sets used in the various City offices is approximately 265. The number of converter boxes required by the City would be one box per set, or 265 boxes if all the sets are so equipped. Bright House has provided 15 converter boxes to the City without charge. This number is insufficient to equip the television sets used by City officers and employees to view meetings of the City Council and other governmental programs.

8. If the City acquires the additional converter boxes necessary to equip all of the television sets, at the current rate of \$1.00 per month per box, the estimated cost to the City for a

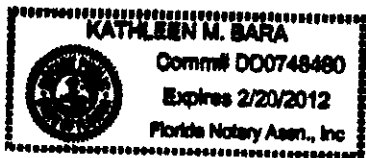
sufficient number of boxes will be more than \$3,000.00 per year.

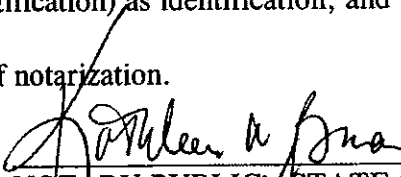


JOHN ARMBRUSTER

STATE OF FLORIDA
COUNTY OF PINELLAS

The foregoing instrument was sworn to and subscribed before me this 13th day of March, 2008, by JOHN ARMBRUSTER, who is personally known to me or has produced _____ (type of identification) as identification, and who did take an oath, and appeared before me at the time of notarization.





NOTARY PUBLIC, STATE OF FLORIDA
Printed name: KATHLEEN M. BARA
My commission expires: 2/20/2012
Notarial Stamp: