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**MINUTES OF THE BOARD OF DIRECTORS MEETING
OF THE MARITIME LAW ASSOCIATION OF THE
UNITED STATES**

Held in the Jones Room, 52nd Floor
Jones, Walker, Waechter, Poitevent, Carrere & Denegre
201 S. Charles Avenue
New Orleans, Louisiana

on
March 15, 2005
9:30 a.m.

The March 15, 2005 meeting was called to order by President Thomas S. Rue at 09:40 a.m. In addition to President Rue, the following officers also were present:

Lizabeth I. Burrell, First Vice President
Warren J. Marwedel, Second Vice President
James W. Bartlett, III, Secretary
Patrick J. Bonner, Treasurer
Philip A. Berns, Membership Secretary
Raymond P. Hayden, Immediate Past President

The following directors also were present:

Robert G. Clyne	Sandra L. Knapp
Christopher O. Davis	Edward L. Lebreton, III
Robert S. Glenn, Jr.	Richard M. Leslie
Glenn G. Goodier	Harold K. Watson
Robert J. Gruendel	M. Hamilton Whitman, Jr.

SECRETARY'S REPORT

Upon motion duly made and seconded, the minutes of the November 12, 2004 meeting were unanimously approved and accepted. The minutes of the November 12, 2004 meeting of the board of directors will be published in the fall 2004 issue of the PROCEEDINGS.

TREASURER'S REPORT

Treasurer Patrick J. Bonner of New York presented the Treasurer's Report for the three months ended October 27, 2004. He reported that as

of October 27, 2004, the MLA had cash and investments of approximately \$228,000, which is up by over \$50,000 from the same date last year. He attributed the improved reserve position to increased use of emails, less printing costs, and less travel expenses. In addition, the decision to delay printing of the MLA directory resulted in a savings.

Dues collections are strong, with approximately 89 percent of billed dues collected.

Upon motion duly made and seconded, the Treasurer's Report was unanimously approved and accepted. A copy of the treasurer's formal written report for the three months ended October 27, 2004 will be appended to the original of these minutes.

MEMBERSHIP SECRETARY'S REPORT

Membership Secretary Philip A. Berns of San Francisco recommended the admission of 15 lawyers nominated for associate membership. Upon a motion duly made and seconded, the applications of the following 15 Associate members were approved:

Matthew John Bauer of New Orleans, Louisiana
Wiley Richmond Beevers of Arlington, Virginia
Samuel C. Coluzzi of New York, New York
Eileen M. Gorman of Washington, D.C.
Catalina Guillen of New Orleans, Louisiana
David C. Hannan of Mobile, Alabama
Lisa M. Houlihan of Alameda, California
I. Ray Kerlick of Houston, Texas
Carmen Victoria Markakis of New York, New York
Patrick J. McStravick of Philadelphia, Pennsylvania
Chris Parker Reilly of Juneau, Alaska
Adam P. Samansky of Boston, Massachusetts
Steven L. Snell of Baltimore, Maryland
Susan L. Stevens of New York, New York
Justin S. Walker of Philadelphia, Pennsylvania

Mr. Berns also reported that a former Associate member, Gregg A. Cervi of Washington, D.C. had applied for reinstatement. Upon motion duly made and seconded, the reinstatement of Gregg A. Cervi as an Associate member was approved.

President Rue reported that he had extended invitations for Judicial memberships to the Honorable Raymond A. Jackson of the United States District Court for the Eastern District of Virginia and Robert S. Lasnik of the United States District Court for the Western District of Washington. After motion duly made and seconded, Judge Jackson and Judge Lasnik were approved as Judicial members.

Mr. Berns regretfully reported the deaths of the following MLA members:

Alexander E. Rugani of New York, New York
John S. Osborne of New York, New York
John J. Martin of Merrick, New York
Gordon L. Poole of San Francisco, California

After the admission of the 15 new Associate members, the reinstatement of Gregg Cervi, and the admission of Judges Jackson and Lasnik as Judicial members, the total membership of the MLA is 3135.

Upon motion duly made and seconded, the Membership Secretary's Report was unanimously approved and accepted. A copy of the Membership Secretary's written report will be appended to the original of these minutes.

DISCUSSION ITEMS AND REPORTS

Title 46 Codification

President Rue reported that the legislation relating to the codification of Title 46 of the United States Code was not enacted last year by the 108th Congress. Dennis Bryant, Chair of the MLA *Ad Hoc* Committee on the Title 46 Codification, was asked to suggest any final changes to the proposed legislation. He circulated the current draft of the proposed legislation to his Committee and provided additional comments. The proposed legislation will be reintroduced in the 109th congress.

MLA Fall Meeting in Scottsdale, Arizona, November 2-6, 2005

The Fall Meeting of the MLA will be held at the Fairmont Princess Resort in Scottsdale, Arizona on November 2-6, 2005. It is expected that materials relating to this meeting will be distributed to the membership shortly.

UNCITRAL

President Rue reported that he had received a report from Chester D. Hooper that certain countries, specifically the United Kingdom, the Netherlands, and Greece, are attempting to have UNCITRAL adopt complete contractual choice of law relating to the proposed carriage of goods convention. It is the position of the MLA that the convention should preserve cargo's right to choose between the law of the place of origin, the place of destination, the principal place of business of the carrier, or the forum chosen in the contract for arbitration of the dispute.

Comité Maritime International

President Rue reported that the next meeting of the CMI would be held in Paris in April. President Rue and First Vice-President Burrell will attend on behalf of the MLA. Frank L. Wiswall, Jr. of Castine, Maine will be retiring as Vice-President of the Executive Council. Christopher O. Davis of New Orleans has been nominated to be a Councilor on the Executive Council of the CMI and also will be attending the Paris meeting.

Hague Convention

President Rue reported that Alan Van Praag, who has been monitoring the Hague Convention regarding the enforceability of choice-of-law and forum selection clauses in commercial contracts on behalf of the MLA, will attend a U.S. State Department Advisory Committee meeting in Washington, D.C. on May 9, 2005 relating to this convention.

MLA Website

Treasurer Bonner reported that a project to upgrade and improve the MLA website has been approved, and this project will begin in April and take approximately two months to complete.

BIMCO and Argentine MLA Centenaries

President Rue reported that BIMCO and the Argentine MLA are celebrating their centenaries in 2005. A motion was made and duly seconded that the MLA issue resolutions to those organizations congratulating them on these events.

Fisheries Committee

President Rue reported that an objection had been received from an MLA member relating to the two resolutions proposed by the Fisheries Committee and approved by the MLA at its November 13, 2004 General Meeting. President Rue will send a response to this letter.

2006 Fall Meeting

The Board of Directors is exploring the possibility of holding the 2006 Fall Meeting of the MLA in a city other than New York, perhaps San Francisco. The officers and directors will communicate with the various San Francisco maritime law firms and the Pacific Admiralty Seminar and will look into various venues for a San Francisco meeting. This subject will then be addressed at the May 5, 2005 meeting of the Board of Directors.

Special *Ad Hoc* Committee on Enhancing MLA Membership and Participation

First Vice-President Burrell, Chair of the Special Committee, provided the Board of Directors with the fifth report of the Special Committee. Among other recommendations, the Special Committee suggested the creation of Subcommittees of the Board of Directors to manage certain responsibilities of the board, so as to enhance the responsibilities and participation of board members in MLA management functions.

Law Student Section

The Board of Directors discussed the suggestion that the MLA should form a law student section, with the opinions on this subject varying widely. President Rue suggested that a conscious effort be undertaken to discuss this subject with admiralty law professors. President Rue asked that the members of the Board of Directors provide him written proposals on this subject by April 10, 2005.

Presidential Activities

President Rue reported that he has attended or will be attending the following meetings or events:

- A. American Club Luncheon, March 10, 2005.
- B. Tulane Admiralty Law Institute, March 16-18, 2005.

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- C. Comité Maritime International Meeting, Paris, April 16, 2005.
- D. International Maritime Organization Meeting, London, April 25-29, 2005.
- E. Average Adjusters Association Meeting and Dinner, London, May 12, 2005.
- F. SEALI Seminar, June 24, 2005.

Future Officer and Board Meetings

- A. MLA Spring Meeting, New York, Officers Meeting (May 4, 2005), Board of Directors Meeting (May 5, 2005), and General Meeting (May 6, 2005).
- B. Officers' Meeting and Board of Directors Meeting at Chateau Montebello, Québec, Canada, August 18-20, 2005.

There being no further business to come before the Board of Directors, the meeting was adjourned at 11:45 a.m.

Respectfully Submitted,
James W. Bartlett, III, Secretary