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

Held in the Québec Room
Fairmont le Château Montebello
392 Notre Dame
Montebello, Québec

on
August 20, 2005
8:30 a.m.

The August 20, 2005 meeting was called to order by President Thomas S. Rue at 8:30 a.m. In addition to President Rue, the following officers also were present:

Lizabeth L. 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:

Dennis L. Bryant	John M. Ryan
Christopher O. Davis	Harold K. Watson
Allan R. Kelley	M. Hamilton Whitman, Jr.
Edward F. Lebreton, III	John M. Woods
Stephen V. Rible	

At the invitation of President Rue, Past Presidents Chester D. Hooper and James F. Moseley also attended the meeting.

SECRETARY'S REPORT

Upon motion duly made and seconded, the minutes of the May 5, 2005 meeting were unanimously approved and accepted. The minutes of the May 5, 2005 meeting of the Board of Directors will be published in the Spring 2005 issue of the PROCEEDINGS.

TREASURER'S REPORT

Treasurer Patrick J. Bonner of New York presented the Treasurer's Report for the three months ended April 30, 2005. He reported that as of April 30, 2005, the MLA had cash and investments of approximately \$356,783.98, which represents an improvement over that figure for this time last year.

Treasurer Bonner reported that approximately 85% of this year's dues have been collected.

The annual audit of the MLA books was recently completed, and all went well.

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 April 30, 2005 will be appended to the original of these minutes.

MEMBERSHIP SECRETARY'S REPORT

Membership Secretary Philip A. Berns of Henderson, Nevada recommended the admission of nine lawyers nominated for Associate membership. Upon motion duly made and seconded, the applications of the following nine Associate members were approved:

Antonios C. Backos of New York, New York
Michael J. Daly of Providence, Rhode Island
John T. Jozwick of Scottsdale, Arizona
Paul G. Kratzig of Corpus Christi, Texas
E. Richard Ogradowski of Pittsburgh, Pennsylvania
Kevin L. McGee of Philadelphia, Pennsylvania
Lisa O'Neill of Miami, Florida
Kevin J. Philbin of New York, New York
H. Jake Rodriguez of New Orleans, Louisiana

Mr. Berns reported that a former member, Terence K. McGee, of Seattle, Washington, had applied for reinstatement. Upon motion duly made and seconded, the reinstatement of Terence K. McGee was approved.

Mr. Berns recommended approval of the nomination of the Honorable Richard J. Arcara of the United States District Court for the Western District of New York as a Judicial member. Upon motion duly made and seconded,

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the nomination of the Honorable Richard J. Arcara as a Judicial member was approved.

Mr. Berns reported with regret the deaths of the following MLA members:

Edward L. Tubens of Unadilla, New York
Francis M. Shea of Washington, D.C.
The Honorable Morris E. Lasker of New York, New York
The Honorable Nina Gershon of New York, New York

Mr. Berns recommended that the MLA directory be printed biannually rather than annually. Considerable savings will be realized if the directory is printed only every two years. The most current information relating to members can now be found on the MLA website. If the MLA directory were to be printed biannually, the next directory would be printed in August 2006. Upon motion duly made and seconded, the biannual printing of the MLA directory was approved.

After the admission of the nine new associate members, the reinstatement of Terence K. McGee, and the admission of the honorable Richard J. Arcara as a Judicial member, the total membership of the MLA is 3,117.

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

Director Dennis J. Bryant, who also is Chair of the MLA *Ad Hoc* Committee on the Title 46 Codification, reported that the bill was reported out of the House Judiciary Committee on July 14, 2005. He expects Congress will vote to codify the uncodified portions of Title 46 of the United States Code during the current session.

2005 Fall Meeting

President Rue reported that the arrangements for the 2005 Fall Meeting in Scottsdale Arizona are going well. The CLE programs that will take place

on Thursday, November 3 and Friday, November 4 will feature speakers Gregory Linsin of the Environmental Crimes Section of the Department of Justice and Mary Helen Carlson of the Office of the Assistant Legal Advisor for Private International Law of the Department of State. President Rue has sent invitations to numerous foreign guests.

Comité Maritime International

Director Christopher O. Davis, who is Chair of the Committee on International Organizations, Conventions, and Standards and is a Councillor on the Executive Council of the CMI, reported that a CMI Colloquium will take place in Cape Town, South Africa on February 12-15, 2006. Some of the issues that will be addressed will be fair treatment of seafarers, places of refuge, wreck removal, marine insurance, limitation, and transport law.

Proposed ABA Resolution on U.S. Oceans Policy

Past President James F. Moseley of Jacksonville, Florida reported on his attendance at the recent American Bar Association in Chicago, at which he voiced the MLA's concerns relating to three proposed resolutions that were before the ABA House of Delegates. President Rue had earlier expressed the MLA's concerns in a letter dated July 28, 2005 to the Chair of the ABA Standing Committee on Environmental Law, the content of which had been approved by the MLA Board of Directors. Mr. Moseley reported that the resolutions were approved by the ABA House of Delegates on a voice vote. Mr. Moseley, as the MLA's delegate to the House of Delegates, voted against the three resolutions. As a result of meetings following the House of Delegates vote, the MLA received an invitation to have a non-voting membership on the ABA Standing Committee on Environmental Law.

UNCITRAL

Past President Chester D. Hooper reported on the progress of the working group dealing with 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 form chosen in the contract for arbitration of the dispute.

MLA Website

Treasurer Bonner reported that the upgrade of the MLA website should be completed by November, so as to allow us to introduce it to the membership at the Fall Meeting in Scottsdale.

2006 Spring Meeting

Negotiations are underway to hold the reception and dinner in connection with the 2006 MLA Spring Meeting in New York at Pier 60 at 20th Street and the Hudson River.

2006 Fall Meeting

As reported in the minutes of the May 5, 2005 meeting of the Board of Directors, it has been proposed that the 2006 MLA Fall Meeting be held in San Francisco on October 4–7, 2006. This meeting would be held in conjunction with the Pacific Admiralty Seminar and also would coincide with Fleet Week In San Francisco. Upon motion duly made and seconded, the Board unanimously approved holding the 2006 MLA Fall Meeting in San Francisco.

Hague Convention

President Rue reported that on behalf of the MLA Alan Van Praag of New York attended a U.S. State Department Advisory Committee meeting in Washington on May 9, 2005. Mr. Van Praag reported that it appears that the Advisory Committee will adopt the position of the MLA that contracts for carriage of goods and passengers at sea will be exempted from the draft convention.

Law Student Division

Membership Secretary Berns will prepare a letter to be sent to admiralty law professors.

Board Liaisons

Board members are to monitor the Committees for which they are the liaisons and provide Board of Directors meeting agenda items to address subjects their Committees want addressed. Board liaisons also are to ensure that Committee Chairs are following the Committee Chair's Guide.

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Presidential Activities

President Rue reported that he had attended the following meetings or events:

- A. Average Adjusters Association Meeting and Dinner, London—May 12, 2005.
- B. SEALI Seminar—June 24, 2005.

Future Officer and Board Meetings

- A. MLA Fall Meeting, Scottsdale, Arizona—November 2–6, 2005.
- B. Officers Meeting, Washington, D.C.—January 2006.

There being no further business to come before the Board of Directors, the meeting was adjourned at 10:55 a.m.

Respectfully Submitted,
James W. Bartlett, III, Secretary