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

Held at
Amelia Island Plantation
Amelia Island, Florida
on
March 8, 2008
9:00 A.M.

The March 8, 2008 meeting was called to order by President Lizabeth L. Burrell at 9:00 A.M. In addition to President Burrell, the following officers also were present:

Warren J. Marwedel, First Vice President
Patrick J. Bonner, Second Vice President
James W. Bartlett, III, Secretary
Robert G. Clyne, Treasurer
Thomas S. Rue, Immediate Past President

The following directors also were present:

Joe E. Basenberg	Donald J. Kennedy
Forrest Booth	John D. Kimball
Dennis L. Bryant	Janet Wessler Marshall
David J. Farrell, Jr.	Stephen V. Rible
Grady S. Hurley	C. Kent Roberts
Allan R. Kelley	John M. Ryan

James F. Moseley, Gordon D. Schreck, and Robert S. Glenn, Jr. also attended the meeting.

SECRETARY'S REPORT

Secretary James W. Bartlett, III reported that the Fall 2007 PROCEEDINGS are in the hands of the MLA Administrator, Robin Becker, and they will be going out by bulk mail shortly. He also reported that the notice of the Spring 2008 Meeting and Dinner, the dinner reservation form, the hotel reservation form, and the flyer for the May 2 meeting have gone out to the membership by a blast e-mail and are posted on the MLA website.

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Secretary Bartlett also reported that he had distributed the minutes of the October 25, 2007 meeting of the Board of Directors, and there were no corrections. Upon motion duly made and seconded, the minutes of the October 25, 2007 meeting of the Board of Directors were unanimously approved and accepted. The minutes of the October 25, 2007 meeting of the Board of Directors are in the Fall 2007 PROCEEDINGS.

TREASURER'S REPORT

Treasurer Robert G. Clyne presented the Treasurer's report for the three months ended October 31, 2007. He reported that cash and investments total over \$400,000.00 and that over 90 percent of dues for 2007 have been collected.

Upon motion duly made and seconded, the Treasurer's report was unanimously approved and accepted. A copy of the Treasurer's formal report for the three months ended October 31, 2007 will be appended to the original of these minutes.

MEMBERSHIP SECRETARY'S REPORT

In the absence of Membership Secretary Philip A. Berns, Secretary Bartlett presented the Membership Secretary's Report prepared by Mr. Berns.

Mr. Bartlett reported that 21 applications were received for Associate membership. Upon motion duly made and seconded, the applications of the following 21 Associate members were approved unanimously:

Thomas Saunders Berkley of Norfolk, Virginia
Benjamin A. Bomrind of New York, New York
Michael S. Budelmann of Seattle, Washington
Michael Fischer of Costa Mesa, California
Steven L. Foremaster of Las Vegas, Nevada
Billy J. Frey of Houston, Texas
Matthew C. Guy of New Orleans, Louisiana
Kelly Haas of Galveston, Texas
Michael A. Khouri of Louisville, Kentucky
Ji Woon Kim of New York, New York
Harmony I. Loube of New York, New York
C. Robert Murray of Ft. Lauderdale, Florida
John C. Nichols of Alexandria, Virginia
Charmagne A. Padua of Jersey City, New Jersey
Robert William Phelan of New York, New York

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Kelly M. Pretoroti of Baltimore, Maryland
Luis G. Raven of Panama City, Republic of Panama
Aaron K. Rives of New Orleans, Louisiana
J. R. Ruble of Berkeley Heights, New Jersey
Rick A. Steinberg of Hackensack, New Jersey
Michael A. Timpone of New York, New York

Five applications were received for Law Student membership. Upon motion duly made and seconded, the application of the following Law Student members were approved unanimously:

Jeremy Binkley of the University of Houston
Thomas Dunlap of the University of Baltimore
Jonah M. Levine of NOVA Southwestern University
Wes Young of Texas Tech School of Law
Anthony J. Salerno, Jr. of Georgetown University Law Center

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

John R. Martzell of New Orleans, Louisiana
The Hon. Paul H. Roney of St. Petersburg, Florida
Charles L. Trowbridge of New York, New York
Robert C. Blumberg of Washington, D.C.
George D'Amato of New York, New York
William R.P. Hogan of New York, New York

After the admission of 21 Associate members, the total membership of the MLA is 3,053.

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.

BOARD SUBCOMMITTEE REPORTS

Committees

Second Vice President Patrick J. Bonner reported that each member of this Subcommittee has been assigned certain Standing Committees with which each Subcommittee member will coordinate. This does not, however, diminish the role of the Board liaisons in coordinating with each Committee.

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The Committee on Regulation of Vessel Operations and the Committee on Marine Ecology and Maritime Criminal Law will be holding a joint meeting in Washington, D.C. on Tuesday, April 29, 2008.

President Burrell reported that Arthur F. Meade, III of Crowley Maritime Corporation had accepted her appointment as Chair of the In-House Counsel Committee.

Finance

Treasurer Clyne reported that the Finance Subcommittee is exploring subjects such as possible dues increases, life memberships, and the MLA's investment account.

Membership

In the absence of Membership Secretary Berns, no report was given.

Website

First Vice President Warren J. Marwedel reported on various enhancements to the MLA website. These will include automatic assistance when a member forgets his or her password and the identification of the sender of e-mails distributed through the website. Some other administrative improvements were suggested by Robin Becker. In addition, it has been suggested by Membership Secretary Berns that the membership application forms be modified so that they can be filled out on the website and then e-mailed. First Vice President Marwedel made a motion that the administrative changes be implemented and that the membership forms be modified after the membership forms are examined to see if they can be simplified and reduced in number. After this motion was seconded, it was passed unanimously.

DISCUSSION ITEMS AND REPORTS

Board Liaison Reports

Each Board liaison reported on the status of the Standing Committees and each Committee's preparation for the Spring 2008 Meeting. It was suggested that each Committee's meeting agenda should include teleconferencing details for those members who will not be able to attend the meeting in person.

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City/Regional Luncheons

David J. Farrell, Jr. reported that he has organized another luncheon in New England, this time at the Roger Williams Law School in Rhode Island on April 4, 2008. The school is sponsoring the lunch and the topic will be Short Sea Shipping. He estimates that 40 to 50 people will attend.

President Burrell reported that Bruce A. King has organized an MLA luncheon in Seattle.

Coordination with the United States Coast Guard

President Burrell reported that Admiral Baumgartner, Judge Advocate General and Chief Counsel of the United States Coast Guard, is interested in creating a forum between the Coast Guard and the MLA in which concerns of common interest can be discussed. President Burrell stated that this is an extraordinary opportunity to serve our industry. The President will be appointing a special committee to serve on this forum.

President Burrell reported that Thomas L. Willis had retired as Director of the Coast Guard National Vessel Documentation Center. The MLA gave him a certificate of appreciation that was presented to him by Steve Johnson at the retirement ceremony.

ABA House of Delegates

James F. Moseley, the MLA delegate to the ABA House of Delegates, reported on developments of interest in the ABA. He reported that Hank White, the Executive Director of the ABA, who is also an MLA member, is reorganizing the ABA infrastructure.

President Burrell reported that the ABA has asked the MLA to recommend an MLA member for nomination to the Government and Public Sector Committee of the ABA. President Burrell intends to ask Rand Pixa if he would accept that nomination.

Continuing Legal Education

President Burrell reported that Betsy Bundy, Vice Chair of the Continuing Legal Education Committee, has successfully negotiated with the New York Continuing Legal Education Board, and the MLA is now authorized to award CLE credit for teleconferencing attendance at approved Committee meetings.

Fall 2008 Arrangements Committee

Forrest Booth reported on the Fall 2008 Meeting, which will be held in Long Beach, California. Robert J. Zapf is the Chair and William H. Collier, Jr. is the Vice Chair for this meeting. It will be held at the Long Beach Hyatt November 5-8, 2008 and will follow a New York format. On Wednesday, November 5, there will be a boat trip around the Port of Los Angeles-Long Beach.

Fall 2009 Meeting

Various alternatives for the Fall 2009 Meeting were discussed by the Board.

***Ad Hoc* Committee on Environmental Crimes**

Immediate Past President Thomas S. Rue reported that he and President Burrell attended a meeting with Joseph Ludwiczak of the Liberian Shipowners Council, Joseph Cox of the American Chamber of Shipping, Peter Hinchliffe of the International Chamber of Shipping, Stacey H. Mitchell, Chief of the Environmental Crimes Section of the Department of Justice, and Joseph Poux and Richard Udell of the Department of Justice. We are trying to work toward some kind of workshop in September, and Mr. Rue is communicating with Mr. Udell in that regard.

Title 46 Codification

Dennis L. Bryant, Chair of the Ad Hoc Committee on the Codification of Title 46, reported that this process is almost entirely completed, and he recommended that this Special Committee be disbanded. Upon motion duly made and seconded, this Special Committee was disbanded, with the Board of Directors giving special thanks to Mr. Bryant for his diligent chairmanship of this Committee for seven years.

Certification

Forrest Booth reported that the efforts to certify admiralty as a specialty in California unfortunately are still alive. President Burrell wrote a letter opposing this concept, as did many others.

President Burrell reported that she continues to be frustrated in her attempts to communicate with the New York State Bar Association in connection with certification efforts in that state.

Short Sea Shipping

David J. Farrell, Jr. and C. Kent Roberts reported that this Committee will be meeting in New York on May 1, 2008, with a CLE presentation.

Amicus Requests and Participation

As approved by the Board of Directors, the MLA has agreed to file *amicus* briefs in support of petitions for writ of certiorari to the Supreme Court of the United States in *National Casualty Co. v. Lockheed Martin Corp.* and *Magnolia Industrial Fabricators v. Devon Louisiana Corp.*

Subpoena and Rule 45 Requests

The MLA received a Subpoena and Rule 45 Requests in connection with the Katrina Canal Breaches Consolidated Litigation in the United States District Court for the Eastern District of Louisiana. As approved by the Board, Grady S. Hurley and Janet Weschler Marshall filed a Motion for Protective Order. (This motion was granted on March 19, 2008 and the Subpoena was quashed.)

International Activities

Second Vice President Bonner presented a report on the Seventh Session of the Expert Working Group on Abandonment and Liability and Compensation for Claims for Death and Personal Injury, which took place in Geneva during the prior week. The United States delegation consisted of Captain Charles Michel of the Coast Guard, Lieutenant Ward of the Coast Guard, Doug Stevenson of Seamen's Church Institute, William Eglington of the Seafarers' International Union, and Mr. Bonner. Mr. Bonner praised Captain Michel for his effort and interest in this subject.

The Board of Directors thanks Carter, Ledyard & Milburn for its assistance in preparing a response to the CMI Questionnaire on Promotion of Quality Shipping by Non-Technical Measures.

The UNCITRAL Draft Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea was completed during a two-week meeting of the Working Group III in Vienna in January 2008. There will be nothing for the MLA to address in this regard until probably the Fall 2008 Meeting.

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The CMI Executive Council will be meeting in New York April 28–May 1, 2008, and the members of the Council will be joining the Board of Directors at its luncheon on May 1, 2008.

Future Officer and Board Meetings

- A. MLA Spring Meeting, New York, New York—April 30–May 2, 2008
- B. MLA Fall Meeting, Long Beach, California—November 5–8, 2008

There being no further business to come before the Board of Directors, the meeting was adjourned at 11:38 A.M.

Respectfully submitted,
James W. Bartlett, III,
Secretary
