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

Held at the Association of the Bar of the City of New York
42 West 44th St.

on
Thursday, May 6, 2010
at
9 a.m.

The May 6, 2010 meeting was called to order by President Warren J. Marwedel at 9:00 a.m. In addition to President Marwedel, the following officers also were present:

Patrick J. Bonner, First Vice President
Robert B. Parrish, Second Vice President
Harold K. Watson, Secretary
Robert G. Clyne, Treasurer
David J. Farrell, Jr., Membership Secretary
Lizabeth L. Burrell, Immediate Past President

The following directors also were present:

Forrest Booth	Donald J. Kennedy
Frank P. DeGiulio	Barbara L. Holland
Janet Marshall	C. Kent Roberts
Robert B. Hopkins	Kimbley A. Kearney
Joshua S. Force	Bradley A. Jackson
James F. Moseley, Jr	Arthur J. Volkle, Jr.

In addition, the following members and guests were present at the invitation of the President:

Charles E. Schmidt	Michael K. Bell
Joanne Zawitoski	

SECRETARY'S REPORT

Upon motion duly made and seconded, the minutes of the March 13, 2010 meeting of the Board of Directors were unanimously approved and accepted. The minutes of the March 13, 2010 meeting of the Board of Directors will be included in the Spring 2010 PROCEEDINGS.

Mr. Watson reported that a different printer has been selected for the Fall 2008 PROCEEDINGS. This should save the Association in excess of \$1000 per edition.

Mr. Watson has received a layout for a new podium fall, and is proceeding to purchase this item.

Mr. Watson also reported that former president Chester D. Hooper and David A. Nourse have agreed to serve as co-editors for the MLA Report. Mr. Watson will solicit committee newsletters to include in that publication.

TREASURER'S REPORT

Mr. Clyne reported that the Association has approximately \$550,000 in cash and investments. However, this figure is inflated, because a payment will be made shortly to Pier 60 for the dinner. There are 885 people registered for the dinner, which is a good turnout.

Dues collection remains sluggish, with approximately \$202,000 collected out of a total of \$360,000 billed. The collection efforts undertaken by the Board has shown good results, but the Board was asked to follow up and make sure that people who indicated that they were going to pay in fact do so.

The dues collection efforts have resulted in updating of numerous addresses. Historically, about 10% of the emails sent by PC Solutions are returned, and of these 20-30 are the result of members not providing current email addresses, the rest being technical problems.

With the upcoming election of a new Treasurer and the change of personnel on the resort/convention committee, Mr. Clyne proposed changes to the signatories on the Association bank accounts. In particular, Mr. Clyne suggested that the President, the new Treasurer and the immediate past Treasurer be the named signatories on all of the bank accounts and that, in addition, Charles Schmidt, Joanne Zawitowski and Kim Kearney be named signatories on the Association's convention accounts. On motion duly made and seconded, the Board of Directors approved the following changes to the signatories on the MLA bank accounts: 1) That the President, Patrick J. Bonner, the new Treasurer, William R. Conner III and the former Treasurer, Robert G. Clyne be named as signatories on HSBC bank account nos. 005-77790-9 (MLA Operating Acct.), 00577577-9 (MLA Dinner Acct), 641-46985-3 (Convention Money Market Acct) and 641-73054-3 (Convention Checking Acct.) and that Charles Schmidt, Joanne Zawitowski Fernandez and Kim Kearney be named as additional signatories on bank account nos. 641-46985-3 and 641-73054-3 and, further, that the Secretary, Treasurer and Mr. Clyne be authorized to draft and execute the necessary corporate resolutions and other documents necessary to accomplish the foregoing.

On motion duly made and seconded, the Treasurer's report was approved.

MEMBERSHIP SECRETARY'S REPORT

Mr. Farrell delivered the Membership Secretary's report. The Committee on Proctor Admissions has recommended the following ten persons for Proctor status:

Matthew J. Bauer, Mobile, Alabama
Ryan C. Donlon, San Francisco, California
Don T. Evans, Wilmington, North Carolina
Morgan J. Gray, Quincy, Massachusetts
David C. Hannan, Mobile, Alabama
Paul T. Hofmann, New York, New York
Kevin McGee, Philadelphia, Pennsylvania

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Colin A.B. McRae, Savannah, Georgia
David H. Sump, Norfolk, Virginia
George K. Walker, Winston-Salem, North Carolina

In addition, the following 33 applications for Associate membership have been received:

Grace Hae Woen Bae, New York, New York
Vijay Bhagwati, New York, New York
Laura Block, New York, New York
Thomas M. Brown, Bremerton, Washington
Dane C. Bruun, Corpus Christi, Texas
Casey D. Burlage, New York, New York
Seth P. Buskirk, Wilmington, North Carolina
Matthew J. Cowan, New York, New York
Patrick F. Flanigan, Swarthmore, Pennsylvania
Maria Jorgelina Foglietta, New York, New York
Geoffrey W. Gill, Los Angeles, California
J. Clifton Hall, Houston, Texas
Chad T. Kauffman, Miami, Florida
Susan Lee, New York, New York
Ira Leesfield, Miami, Florida
Richard A. Lidinsky, Washington, D.C.
Ryon L. Little, Miami, Florida
John T. Marin, San Diego, California
Jules V. Masee, Tampa, Florida
Eric J. Matheson, New York, New York
Peter H. Oppenheimer, Washington, D.C.
Frederick M. Robinson, Seattle, Washington
Dawn L. Serafine, Norfolk, Virginia
Robert Shababb, Jersey City, New Jersey
Maryann C. Shirvell, San Diego, California
Janice K. Smith, New York, New York
Michael E. Stern, New York, New York
Jonathan D. Stoian, New York, New York
Robert E. Sumner, IV, Charleston, South Carolina
Mark A. Sylvester, Miami, Florida
Laszlo M. Szabo, New York, New York

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Gina M. Venezia, New York, New York
Lauren B. Wilgus, New York, New York

The following two applications for Law Student membership have also been received:

M. Andrew Boran, University of Richmond
Guillermo Flores, Jr., Florida A&M University

In addition, the Committee on Non-Lawyer Nominations has recommended the following two persons for Non-Lawyer membership:

Mel Causer, Houston, Texas
Bryan C. Johnson, Manvel, Texas

On motion duly made and seconded, all of these applications were approved.

Mr. Farrell also regretfully reported the deaths of the following Members:

Donald B. Allen, Life/Proctor 1949, Pleasantville, NY
Carlyle Barton, Jr., Life/Proctor 1954, Baltimore, MD
Henry E. Engelbrect, Non-Lawyer 1993, Bedminster, NJ
Hon. Morris E. Lasker, Judicial 1973, D. Mass.
George W. Renaudin, Life/Proctor 1958, Houston, TX
Edward D. Vickery, Life/Proctor 1951, Houston, TX

Mr. Farrell reported on a proposal received from Morgan Marketing & Communications, LLC to solicit advertising for the Directory. The consensus was that it made more sense to start with advertising on the website before attempting to incorporate advertising in the Directory, and Mr. Farrell will approach Morgan Marketing in this regard. Mr. Bonner noted that some firms have lists of recommended service providers, and that these entities could be approached and requested to advertise. It was also suggested that advertising could be included in materials for the Fall 2010 meeting.

The Directory is scheduled to go to the publishers on August 1, and the Young Lawyers Committee will be asked to contact people for whom we do not have email addresses so that this information can be obtained. President Marwedel reported that Doug Petco of PC Solutions had suggested converting the Directory to a binder format that could be updated. There was also a discussion of how the directory on the website could be made more user-friendly, and Mr. Farrell will discuss this with PC Solutions.

ASSOCIATION MANAGEMENT

Committee leadership appointments

New committee chairs are being selected to be appointed by the incoming President.

Nominating Committee

Immediate Past President Burrell gave the report of the Nominating Committee. The following persons have been nominated to serve as officers of the Association:

President	Patrick J. Bonner
First Vice President	Robert B. Parrish
Second Vice President	Robert G. Clyne
Secretary	Harold K. Watson
Membership Secretary	David J. Farrell, Jr
Treasurer	William Robert Connor, III

The following persons have been nominated to serve as Directors for the next three years:

Dennis Minichello
Thomas J. Muzyka
Francis X. Nolan, III
George W. Nowell

American Maritime Law Foundation

Mr. Watson reported that he is awaiting confirmation from a tax lawyer that has been consulted, but that it appears that the tax advantages that the American Maritime Law Foundation has do not arise as a result of its status as a 501(c)(3) corporation under the Internal Revenue Code, but rather from its exemption from state sales tax because it is a charitable corporation under the state law, and the Association would probably not qualify as a charitable organization.

MLA Fall 2011 Meeting

Ms. Zawitoski presented the hotel contract with the JW Marriott Ihilani Resort and Spa. The hotel normally charges \$500-700 a night for its rooms, but the Planning and Arrangements Committee has negotiated a rate of \$239 per night. This price will also apply for three days before and after the meeting with no commitment from the Association to take any rooms. The hotel will also charge its 2010 catering prices, and is only requiring a \$35,000 food and beverage minimum. On motion duly made and seconded, the Board approved the contract and authorized its execution.

With respect to future resort meetings, it was suggested that a survey of the membership might be in order. Mr. Roberts indicated that SurveyMonkey is a tool that might facilitate this.

MLA Fall 2010 Meeting

Mr. Bell reported that the arrangements are being finalized for the Fall 2010 meeting in Houston. The University of Texas has scheduled its Admiralty and Maritime Law Seminar for Wednesday, November 10, and the meeting proper will be from November 11-13. The plan is currently to have cocktail parties Wednesday and Thursday night, and a dinner on Friday night. Committee chairs will be contacted to determine the number and size of conference rooms needed for committee meetings, which will take place in members' offices in the downtown area.

BOARD SUBCOMMITTEE REPORTS

Committees

Mr. Parrish reported on the committee chairs meeting held on Wednesday, May 5. Marc G. Marling, chair of the Website and Technology Committee, made a presentation on Go To Meeting technology, and the committee chairs gave a brief report on the matters under consideration by the committees. There are four new committee chairs.

Finance

Mr. Clyne reported that there are two sponsors for the General Meeting, both of which are paying \$1000.

Mr. Clyne discussed the preliminary report on cost trends. This report will be revised and circulated.

The possibility of paying dues with credit cards was again discussed, and it was pointed out that this requires a payment to each credit card company, and then a payment of a percentage of each charge.

Membership

A number of sources of potential new members were discussed, including people who have cases reported in American Maritime Cases and any other lawyers handling maritime cases, lawyers in the District of Columbia with maritime administrative practices, the maritime plaintiffs' personal injury bar, and military lawyers.

The Board discussed a request by the chairman of the Government Counsel Committee to have a lower rate for junior officers in active military service. The consensus of the Board was that this would be difficult to administer, and would probably net very few additional members, since most military lawyers have some years in service before going to law school.

Website

Doug Petco of PC Solutions is preparing a report that will raise a number of points for discussion, and breaking down the time and cost involved in PC Solutions activities.

The chairman of the Website and Technology Committee has acquired 10 speaker phones that can be used at away meetings to defray costs at away meetings. On motion duly made and seconded, the Board authorized the purchase of these phones by the Association.

The "Member Services" feature that will be added to the website was discussed. This will include a list of suggestions regarding technology, travel, and the advertising section. The "Breaking News" feature was also discussed.

BOARD REPORTS

Standing Committee Liaison Reports

In their status as liaisons to the various committees, Board members were requested to monitor the committee chairs compliance with requests for provision of agendas.

Special Committee Reports

Coast Guard Relations (Forum)

Captain Frederick Kenney is now the U.S. Coast Guard liaison for this committee. There are at present no issues pending before this committee.

RECENT ASSOCIATION ACTIVITIES AND PROJECTS

Amicus Request and Participation

President Marwedel reported that there were 16 requests for amicus briefs during his tenure as president. Only one was accepted, which

is probably appropriate in view of the Association's stated policy with regard to this issue. The difficulty in getting members to write amicus briefs was also discussed.

INTERNATIONAL ACTIVITIES

IMO

President Marwedel reported on his recent attendance at the meeting of the Legal Committee of the IMO. The subject of discussion was a protocol to the HNS Convention to raise the limitation amount by 15%. While at the meeting, Mr. Marwedel arranged a meeting between the Coast Guard and the P&I clubs.

Rotterdam Rules

It was noted that the Committee on Carriage of Goods is discussing whether the Rotterdam Rules should be adopted as a self-executing treaty by ratification by the Senate, or whether there should be implementing legislation passed by both Houses of Congress. It was reported that the overwhelming sentiment on the committee was to ratify the Rules as a treaty, but that there was some dissent. It was also reported that legislation has been proposed that would adopt the current Carriage of Goods by Sea Act as the domestic regime if the parties adopted it, which is the approach favored by the domestic carriers.

On motion duly made and seconded, the Board unanimously passed the following resolution that a certificate containing the following wording be given to Mary Helen Carlson in appreciation of her efforts with respect to the Rotterdam Rules:

In recognition of her distinguished service with the Department of State of the United States of America, and as head of the United States Delegation to the United Nations Commission on International Trade Law ("UNCITRAL") Working Group III on Transport Law, which negotiated the Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea, now referred to as the "Rotterdam Rules."

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The Association takes this means of recognizing and thanking her for her extraordinary leadership in marshalling the support of industry and governments to modernize a critical component of our maritime law. She has made an outstanding contribution to The Maritime Law Association of the United States and to the field of Maritime Law.

On motion duly made and seconded, the Board also unanimously approved the following resolution authorizing a certificate to be given to Vincent M. DeOrchis, Chester D. Hooper, and Michael F. Sturley:

In appreciation of the services of Vincent M. DeOrchis, Chester D. Hooper, and Michael F. Sturley

Whereas, Vincent M. DeOrchis, Chester D. Hooper, and Michael F. Sturley, affectionately known to their fellow members as the "Gang of Three," have worked tirelessly for most of a decade as part of the Working Group set up by UNCITRAL to negotiate a new international convention relating to the carriage of goods by sea; and

Whereas, working with the United States Department of State, the "Gang of Three" have represented the interests of the Association, the maritime bar, the shipping and commercial interests represented by members of the Association and their country with zeal, industry, and wisdom; and

Whereas the time and effort expended has involved extensive time and travel at the expense of their normal duties and their personal lives; and

Whereas, due in large part to their efforts, the Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea, otherwise known as the Rotterdam Rules, was eventually signed by the United States of America; and,

Whereas, at the meeting held on May 1, 2009, the Association recommended that the United States Senate ratify the Rotterdam Rules; and

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Whereas, the services of Messrs. DeOrchis, Hooper and Sturley have exemplified the highest standard of pro bono publico service and have furthered the objectives of the Association in furthering the improvement and uniformity of the maritime law;

Be it resolved, that the Maritime Law Association of the United States expresses its sincere appreciation to Vincent M. DeOrchis, Chester D. Hooper and Michael F. Sturley for their distinguished service. Be it further resolved, that this resolution be made a part of the permanent records of the Association.

President Marwedel thanked the Board Members for their hard work, and gave a special thanks to Immediate Past President Burrell for her many years of service to the Association.

There being no further business to come before the Board, the meeting was adjourned.

Respectfully submitted,

Harold K. Watson, Secretary