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

Held at the offices of
Locke Lord Bissell & Liddell LLP
2800 JP Morgan Chase Tower
600 Travis St.
Houston, Texas
On
Friday, November 12, 2010
At
9:00 a.m.

The November 12, 2010 meeting was called to order by President Patrick J. Bonner at 9:00 a.m. In addition to President Bonner, the following officers were also present:

Robert G. Clyne, Second Vice President
Harold K. Watson, Secretary
William Robert Connor, III, Treasurer
David J. Farrell, Jr., Membership Secretary
Warren J. Marwedel, Immediate Past President

The following directors were also present:

Barbara L. Holland
Joshua S. Force
Bradley A. Jackson
James F. Moseley, Jr.
Arthur J. "Skip" Volkle

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

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

Chester D. Hooper (by telephone)
Michael K. Bell
Joann Zawitoski

SECRETARY'S REPORT

Upon motion duly made and seconded, the minutes of the July 24, 2010 meeting of the Board of Directors were unanimously approved and accepted.

TREASURER'S REPORT

Mr. Connor delivered the Treasurer's report. As of November 8, 2010, the Association had approximately \$466,798.55 in cash and investments. This will be reduced when the invoice for the directory is received, which will be approximately \$40,000.

Dues delinquency remains high. Approximately \$42,000 of dues is one year in arrears, \$23,000 is two years in arrears, \$32,000 is three years in arrears, and \$37,000 is four years in arrears. A letter will be written to members whose dues are three and four years in arrears, informing them that their membership will be terminated on January 1, 2011 if their dues are not paid. Letters have been written to members whose dues were one or two years in arrears, and this resulted in significant payment of back dues.

Mr. Connor reported that the audit has been completed. The cost will be somewhat more than \$20,000, and Messrs. Connor and Clyne will explore whether other accountants might be less expensive.

The auditors have raised questions about the lack of control by officers and the Board over the convention accounts. On motion duly made and seconded, the Board passed a resolution that the signatories on the convention accounts be changed to correspond with the Association's regular accounts.

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The conflict of interest forms have been circulated to the Board to be executed and returned. The Code of Ethics will be revised and circulated.

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

MEMBERSHIP SECRETARY

Mr. Farrell delivered the Membership Secretary's report. The Association had an outstanding increase in Proctor and Associate applications attributable to President Bonner's email soliciting applications and the targeting of Houston and New Orleans firms. Ten applications for Proctor status were received, versus four in the fall of 2008 and four in the fall of 2009, and 50 applications for Associate membership were received versus 12 in the fall of 2009 and 18 in the fall of 2008.

The following applications for Proctor membership have been received and approved by the Committee on Proctor Admissions:

Rear Admiral William Baumgartner, Miami
Conte Cicala, San Francisco
Vincent F. Corteselli, New York
Lewis E. Henderson, Sugar Land, Texas
Patrick F. Lennon, South Port, Connecticut
John H. Musser, New Orleans
Andrew B. Saunders, Boston
Christina K. Schovajsa, Houston
Jonathan W. Thames, Walnut Creek, California
Michael D. Williams, Houston

In addition, the following applications for Non-Lawyer membership have been received and approved by the Committee on Non-Lawyer Nominations:

Fiona Dhurjon-Singh, New York
Austin L. Dooley, Ph.D, City Island, New York
Edward C. Fleureton, New York

Gavin O'Hare, Annapolis
Ghulam M. Suhrawardi, Parlin, New Jersey

In addition, the following applications for other classes of membership have been received:

Academic

Capt. Tuuli Messer-Bookman, Vallejo, CA

Associate

Jonathan C. Anderson, Sugar Land, Texas
James A. Babst, New Orleans
David M. Bates, Houston
Robert M. Browning, Houston
Blair H. Burnside, Sugar Land, Texas
Danielle Rinkoff Carlson, Sugar Land, Texas
Charisse Coleman, Houston, Texas
Rachel A. de Cordova, Houston, Texas
Emile J. Dreuil, III, New Orleans
Peter Economou (Reinstatement), Piraeus, Greece
Brian P. R. Eisenhower, New York
Erasmia M. Gardner, Sugar Land, Texas
John S. Gray, Houston
Michael A. Harowski, New Orleans
Justin M. Heilig, New York
Molly J. Henry, Seattle
Lori P. Hopkins, Baltimore
Jay T. Huffman, Houston
Adam Jay Jaffee, Camarillo, California
Paris K. Kallas, Seattle
Lauren E. Komsa, New York
Sharla Manglitz, Ludington, Michigan
Marcus C. Matthews, Houston
Armand P. Mele, New York
Nicholas A. Morrow, Houston
Perry J. Nagle, Milwaukee

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Adam A. Nagorski, New York
John C. Partridge, Houston
Colleen E. Patterson, New York
Brian T. Peel, Sugar Land, Texas
Jason C. Petty, Houston, Texas
Mark R. Pharr, III, Lafayette, Louisiana
Richard Preston, Houston
Ryan A. Puttick, New York
Christine R. Raborn, Houston
Elizabeth M. Reza, Houston
Carlos Luis Lorenzo Roain, Aguada, Puerto Rico
John L. Robert, III, New Orleans
Lindsay A. Sakal, Basking Ridge, New Jersey
Nelson Skyler, Houston
John R. Stevenson, New York
Russell R. Stewart, Panama City, Florida
James M. Thompson, Houston
Joseph D. Turano, New York
Nancy Walseth, Portland, Oregon
Bin Wang, New York
Alison M. Weir, New Haven, Connecticut
Carrie Weitinger, Houston
Lauren Wygant Woodard, Houston
Patrick H. Yancey, Houma, Louisiana

Law Student

Michael Arthur, Tulane Law School
Kevin Baldwin, Tulane Law School
Douglas Bagwell, Tulane Law School
Nicholas Campbell, Tulane Law School
Michael Crain, Tulane Law School
Aldrich C. Del Rosario, Tulane Law School
Hamsa Devineni, Tulane Law School
Mark DiCicco, Tulane Law School
Aneliya Dobreva, Loyola University School of Law
Michael Fasel, California Western School of Law
Samuel Fuller, Tulane Law School

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Brooke Grant, Tulane Law School
Jeremy Greenwood, Tulane Law School
Carlos Ruiz Hernandez, Tulane University Law School
Jonathan A. Hirsch, Tulane Law School
Rebecca Lasoski, Tulane University Law School
Hojin Lee, Tulane Law School
Ling Li, Tulane Law School
Christopher Liuzza, Tulane Law School
Melanie Mariotti,
Charles Marts, Tulane Law School
Mark Melasky, Tulane Law School
Andrew Miner, Tulane Law School
Nathan Orf, Tulane Law School
Brittany Orlando, St. Thomas University School of Law
Cristina Piechocki, Tulane Law School
Jarrod Rainey, Tulane Law School
Charles Rothermel, Tulane Law School
Joe R. Savoie, Texas Tech School of Law
Michael E. Streich, University of Houston School of Law
Kristen L. Stringer, St. Thomas University School of Law
Joel Talley, Tulane Law School
Zachary Van Vactor, Tulane Law School
David A. Villarreal, St. Thomas University School of Law
Paige Young, Tulane Law School

On motion duly made and seconded, these applications for membership were approved.

Mr. Farrell regretfully reported the deaths of the following members since the Portland, Oregon meeting:

George W. Ashford, Jr., of Kailua, Hawaii; Proctor: elected 1971
Thomas A. Clure, of Duluth, Minnesota; Life Member: elected 1967
Peter H. Ghee, of New York, Life Member: elected 1960
Paul D. Hardy, of Clearwater, Florida; Life Member: elected 1964
Dennis J. Lindsay, of Portland, Oregon; Life Member: elected 1954
Prof. Jo Desha Lucas, of Chicago, Academic: elected 1978

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Norman A. Peloquin, II, of Providence, Rhode Island; Proctor: elected 1991
Hon. Philip C. Wilkins, of Sacramento, California; Judicial: elected 1970
Prof. Gabriel Wilner, of Athens, Georgia; Academic: elected 1973

The membership of the Association is now 3137, consisting of the following categories of members:

Proctor	1056
Associate (more than five years)	1136
Associate (less than five years)	147
Non-lawyer	170
Academic (more than five years)	36
Academic (less than five years)	2
Law student	114
Honorary	4
Judicial	131
Ex-officio	13
Life (Proctor)	298
Life (Non-lawyer)	12
Life (Judicial)	15
Life (Academic)	3
Total	3137
	(2661 dues paying, 476 non-dues paying)

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Mr. Farrell presented an amendment to By-Law 203 presented by First Vice-President Parrish, which reads as follows:

By-Law 203. Eligibility for Proctor Membership

An Associate Lawyer or Academic member who has been a member of the Association for four years, may apply for Proctor membership.

An applicant for Proctor membership shall file with the Membership Secretary an application on a form provided by the Membership Secretary and shall furnish to the Membership Secretary satisfactory evidence of experience and qualifications as required. Each application shall be supported in writing by two Proctor members of the Association, neither of whom shall be associated with the applicant in the practice or teaching of law.

Upon recommendation of the Committee on Proctor Admissions, or in the Board of Directors' discretion, the Board of Directors may waive the four-year requirement, if an applicant is otherwise qualified for Proctor membership.

On motion duly made and seconded, this By-Law amendment was approved.

Mr. Farrell reported that many law students had not been paying their dues, but that this was largely attributable to there being a problem with email addresses that has now been corrected.

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

ASSOCIATION MANAGEMENT

Website

President Bonner reported that Doug Petco is retiring, and wants Robin Becker to take over PC Solutions. President Bonner asked Past Presidents Burrell and Marwedel, First Vice President Parrish and Second Vice President Clyne to investigate how best to go forward in this regard.

First Vice President Parrish, Marc Marling and the Website and Technology Committee have been asked to explore improvements or replacement of the website, but it was agreed that this should await a determination on how to deal with the changes at PC Solutions.

BOARD SUBCOMMITTEES

Meetings

President Bonner reported that Lars Forsberg is now at Reed Smith, and has indicated that his firm has sufficient conference room space to host all the committee meetings at the May meeting. President Bonner has asked the committee chairs to advise the Board how having meetings in midtown is affecting attendance, and any decisions regarding scheduling committee meetings should await receipt of this information.

BOARD REPORTS AND ACTIONS

Amicus Requests

President Bonner reported that the Association had received one request for an amicus curiae brief in a case styled *Stacy v. Rederiet Otto Danielsen, A. S., et al.*, 609 F.3d 1033 (9th Cir. 2010). A vote will be held the week following the meeting.

Houston meeting

Mr. Bell reported that approximately 280 people had registered for the meeting, of whom 175 are coming from out of town. This is approximately 75 more than had been anticipated. In this regard, Mr. Bell reported that it has been helpful to have the meeting coincide with the University of Texas Admiralty Law Seminar.

Mr. Bell also reported that there has been broad financial support from the local maritime bar, vendors and the maritime industry that will probably exceed the cost of the meeting. Any surplus could either be

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returned on a pro rata basis, or donors could be asked if they wanted to donate their pro rata share of the surplus to charity.

Hawaii meeting

Ms. Zawitoski reported on arrangements for the meeting to be held in Hawaii in December 2011. The Australian MLA will be joining us for the meeting. The tentative schedule calls for sports events to take place on Friday, December 2, with committee meetings on Saturday, and CLE on Sunday and Monday. There will be a welcoming reception on Saturday, and a "dry snacks" reception on Monday, and the General Meeting and dinner dance will take place on Tuesday, December 6. Pearl Harbor commemorative activities will take place early on Wednesday, December 7. The arrangements committee is working on sponsorships, and hopes to keep the registration fee lower than for past meetings.

Gray Staring Insurance project

President Bonner has received a proposal from Past President Graydon Staring for a project to prepare an authoritative paper defining "marine insurance." Mr. Bonner announced that he was referring this to the Committee on Marine Insurance and General Average with instructions to form a subcommittee to study the issue.

NCCUSL Effort on state registration of vessels

Mr. Nolan reported that the National Conference of Commissioners on Uniform State Laws and the United States Coast Guard have formed a working group to study the rationalization of state and federal laws regarding registration of vessels.

Employment of Don O'Hare

The Board discussed a proposal from Mr. Don O'Hare that he be employed as a consultant to assist the Association in making its views known on legislative matters. There was a general consensus not to retain Mr. O'Hare in that it might be construed as involving the Association in lobbying. It was further felt that there were members of the As-

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sociation that had significant contacts in Washington who could assist the Association as needed.

Appointment of Captain Steve Poulin

President Bonner announced that Captain Steve Poulin has been named as head of the Coast Guard's Office of Maritime and International Law, and will be the principal liaison between the Coast Guard and the Association.

Documentation of fishing vessels

Mr. Farrell reported on efforts to amend 46 U.S.C. § 12102(5) (A). This statute created a trap for unwary vessel owners and mortgagees by providing that large fishing vessels that lost their fishery endorsement and did not apply for a new certificate of documentation within 15 days would be permanently ineligible for a fishery endorsement. In 2004, the Fisheries and Marine Finance Committees had sponsored a joint resolution to authorize the President of the Association to urge Congress to amend this statute, and this has now been accomplished.

Marine Transportation System (MTS) National Advisory Council

Mr. Farrell has been contacted by the Department of Transportation, requesting the MLA to appoint a representative to the Marine Transportation National Advisory Council.

Coast Guard Forum

President Bonner reported that the Coast Guard Forum is to be continued. The membership will be canvassed to determine appropriate issues to present to the Coast Guard.

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CMI

President Bonner reported on ongoing discussions with the CMI on a variety of issues, including dues and the possibility of holding a CMI Conference in New York.

Respectfully submitted,
Harold K. Watson, Secretary