



THE MARITIME LAW ASSOCIATION  
OF THE UNITED STATES

**MLA PROCEEDINGS**

Fall Meeting, October 28, 2016  
Tulane University, New Orleans

Present:

HAROLD K. WATSON  
FRANCIS X. NOLAN, III  
DAVID J. FARRELL, JR.  
BARBARA L. HOLLAND  
WILLIAM ROBERT CONNOR, III  
GRADY HURLEY  
ROBERT G. CLYNE

And the following 120 Members:

RADM Steve Andersen	Patrick Bonner
Laura Avery	David Boyajian
Will Baldwin	Kyle Brennan
Francis Barry Jr.	Mary Broughton
Richard Basom	J. Michael Buhite
Elizabeth Beazley	Lizabeth Burrell
Michael Bell	Mike Butterworth
Nash Bilisoly	Christopher Carey
Peter Black	Gordon Carey Jr.
Gavin Black	Kathleen Charvet
Samuel Blatchley	Conte Cicala

Attilio Costabel	Jamie Madriaga
Charles Costanzo	Walter Maestri
Francis Courtenay Jr.	Brian Maloney
Martin Davies	Raymond Massey
Charles Davis	Daniel Massey
Charles DeLeo	Gini Mattson
Han Deng	David Mazaroli
Matthew Drenan	Charles McCarthy
Brian Eisenhower	Michael McCauley
Stephanie Espinoza	Howard McCormack
Philip Fant	Daniel McDermott
John Farmer	Timothy McLaughlan
Boriana Farrar	Pamela Milgrim
Destinee Finnin	Cheryl Morris
Vincent Foley	James F. Moseley Sr.
Peter Frost	Robert Murphy
CAPT Shannon Gilreath	Tom Muzyka
Sandra Gluck	Peter Myer
Joseph Grasso	George Nowell
Arthur Gribbin	Kevin O'Donovan
Carrol Hand	Ralph O'Neill
Chris Hannan	Bradley Pace
Chris Hart	Stephanie Penninger
Raymond Hayden	Rand Pixa
Marissa Henderson	Jennifer Porter
Mark Hill	Philip Powell
Sean Houseal	Tulio Prieto
Paul Jaffe	Stephanie Propsom
John Kavanagh Jr.	Anthony Pruzinsky
Andrew Kehagiaras	Vincent Reuter
RADM Fred Kenney (ret.)	William Riviere
Sandra Knapp	Kent Roberts
Laura Knoll	Manolo Rodriguez-Bird
Denise Krepp	James Roussel
Ross Landau	Thomas Rue
J. Dwight LeBlanc Jr.	Amy Schapansky
Edward LeBreton	Pamela Schultz
Robert T. Lemon	Dieter Schwampe

Destiny Scott  
Imran Shaukat  
Thomas Snook  
Christopher Spain  
Jonathan Spencer  
Norman Stockman  
William Storz  
Dong-Hee Suh  
Thomas Sullivan  
Patrick Talley Jr.  
Brandon Thibodeaux  
Brian Toder  
Mike Underhill  
David Ventker  
David Walker  
Joseph Walsh II  
William H. (Sandy) Welte  
Stephen White  
Andrew Wilson  
John Woods  
Robert Zapf  
JoAnne Zawitoski

And the following 7 Guests:

David Colford  
Paul Gill  
LCDR Stephen Miros  
John O'Connor  
Carra Smith  
Tim Taylor  
Ruixuan Zhuo

## TABLE OF CONTENTS

	<b>Page</b>
<b>President's Remarks</b>	
President Watson	19540
<b>Remarks of IMO Director of Legal and External Affairs</b>	
RADM Frederick Kenney (ret.)	19541
<b>Reports of Officers</b>	
Secretary's Report	19546
Treasurer's Report	19549
Membership Secretary's Report	19550
<b>Reports of Standing Committees</b>	
Website	19552
Fisheries	19553
Offshore Industries	19555
International Organizations, Conventions, and Standards	19557
Marine Financing/Maritime Bankruptcy and Insolvency/Practice and Procedure	19559
Cybersecurity	19560
Cruise Lines and Passenger Ships/Marine Torts and Casualties	19561
Inland Waters and Towing	19562
Stevedores, Marine Terminals, and Vessel Services	19564
Marine Insurance and General Average /Carriage of Goods	19565
Salvage	19568
Regulation of Vessel Operations, Safety, Security and Navigation/Marine Ecology and Maritime Criminal Law	19570
Young Lawyers	19571
<b>Presentation of MLA Historic Volumes to Tulane Law Library</b>	
President Watson	19572
<b>Report of Committee for 2017 Fall Meeting Arrangements</b>	19573

<b>Adjournment</b>	19575
<b>Board Minutes</b>	
Board of Directors Meeting, August 13, 2016	19577
Board of Directors Meeting, October 25, 2016	19590

PRESIDENT WATSON: I'd like to call the meeting to order. I want to welcome everyone to the General Meeting of the Maritime Law Association.

When the MLA and Tulane Admiralty Law Institute first conceived of this notion of a Joint Meeting to celebrate the 50th Anniversary of the first non-New York meeting of the MLA and the 50th Anniversary of the first Tulane Institute, I don't think we would have dared to imagine how successful this meeting was going to be.

We've had wonderful attendance. The Committee meetings that I attended were all standing room only. And the attendance at the Institute itself was, I think, the best we've had in years. And the content of the programs, both in the Institute and in the Committee meetings, has been just excellent.

There are a couple of other people that I'd like to thank, in addition to the people that Frank Barry thanked. First of all, I'd like to thank Frank for the wonderful job he did in chairing the Institute. And I also want to thank our Second Vice President Dave Farrell who organized the Committee meetings. I think he did a wonderful job, along with all those Committee Chairs who you're going to be hearing from.

I need to thank the people who organized the meeting from the point of view of the MLA: Grady Hurley, who was the Chair; Bret LeBreton, the Co-Chair; Chris Davis who assisted; and Janet Marshall. Janet I don't think is here because she is preparing for tonight's dinner, but Janet was in charge of the cocktail party on Wednesday night and the dinner tonight. And does that lady know how to throw a party or what?

I also want to thank the New Orleans Bar, and particularly our sponsors who gave us the space for our Committee meetings and provided financial support with their sponsorships, which I think you're going to see the results of tonight when we have a really spectacular evening at the dinner. Thank you very much.

We have a few special guests I want to recognize: Admiral Steve Anderson, who is the Judge Advocate General and Chief Counsel of the United States Coast Guard. Thanks for being here, Steve.

Capt. Shannon Gilreath, the Chief of the Office of Maritime and International Law of the United States Coast Guard. And Lieutenant Commander Stephen Miros. You know, the Coast Guard participation in our meetings really, really enriches the content of these meetings, and we really appreciate these gentlemen taking the time out of their very busy schedules to be here with us.

We also have David Colford. David has been with us this week. He's the President of the Canadian Maritime Law Association.

Dieter Schwampe, President of the German Maritime Law Association.

Is Paul Gill here? Paul, the President of the Irish Maritime Law Association.

And Admiral Fred Kenney who is the Director of Legal and External Affairs of the International Maritime Organization. I'd ask Fred to come forward right now. Fred was supposed to speak this morning. Fred took 28 hours to get here from London because of headwinds on the way that caused him then to miss his flight from Chicago here. Fred, if you'd like to make a few comments about the goings on at the IMO, we'd appreciate hearing from you.

ADMIRAL KENNEY: Well, thanks very much, Hal. And thanks for giving me a couple of minutes to speak.

I think there's a horror movie called 28 Days Later. Well, I was in one called 28 Hours Later. That's how long it took me to get here. I want to apologize to Grady Hurley and Chris Davis for not being there this morning. It was something I really wanted to do, and unfortunately I couldn't be here. But Hal did kindly give

me just a few minutes. And I'm glad all the Committee Chairmen are here because I just want to hit --he gave me five minutes, and I just want to hit six issues that I think you, as Committee Chairmen, might be interested in following up on in your areas of specialty, because there is an awful lot going on at the IMO.

This was really kind of a momentous week, this week, with the Marine Environmental Protection Committee. A number of the decisions they made, probably the most significant one, or at least the most newsworthy one, was the decision to leave the Global Sulfur Cap at 0.5% starting in 2020, and not shifting the date to 2025. That's going to have some significant impacts for the refineries, or the refiners, to get the low-sulfur fuel out to the market. It's also going to lead to, I think, interesting challenges for the shipping industry as well, because where that fuel is right now in the world is not evenly distributed, the prices are different, quality differs. So, there's a lot of challenges that are going to need to be worked out by 2020 to make that all work, and it may wind up in some legal work for some people as well.

I think Chris talked very briefly about the Judicial Sale of Ships. And I won't go into it too much other than to say that there was the proposal to put the Convention on Judicial Sale of Ships on the work program of the Legal Committee in June. That proposal was not accepted by the Legal Committee. But I think it's important to note, because some people have been saying that it was rejected and it's dead. That's not the case. The CMI has the ability to come back to the IMO, particularly if they can get another group to help support them with it, and come back to the IMO and get it onto the work program. Actually, it was interesting, I was counting the interventions as they were going on, and it was really about an even split before the decision was made by the Chairman to take it off the work program. But I don't think it's dead.

One of the other things that came up at the Legal Committee that's interesting, and this will be discussed and probably finalized at the next Legal Committee Meeting in April of 2017, is the delegation



of the authority to issue Insurance Certificates, or Blue Cards, to recognized organizations rather than just having national authorities to do that. So, those of you interested in marine insurance and following P&I, I think you should watch that, because the delegation to recognize organizations is going to be a fairly significant step.

At the Maritime Safety Committee coming up in November of this year, there's going to be a very interesting issue discussed. Right now, IMO only really recognizes two types of people on board ships, passengers and crew. There is now a proposal to create a third category of person called industrial personnel. I can tell you that the current definition in the proposal says an industrial personnel is someone who engages in industrial activities. I'm not exactly sure what that means. But I think there are some countries, and particularly the International Transport Federation, that have recognized that creating a new class of person on the water has some significant implications for the General Maritime Law. And that's something that I'd recommend that you follow.

The Ballast Water Convention: As many of you may know, the conditions for entry into force for the Ballast Water Convention have been achieved and it will enter into force on September 8th, 2017, after 12 years since its adoption. It took an incredibly long time. I think what's significant is, this week at the IMO, the Ballast Water Review Group in the Marine Environmental Protection Committee has approved new guidelines for type approval of ballast water systems which will replace the existing guidelines, and there will be a proposal made at the next MEPC meeting in April or May of next year to make those new type approval guidelines mandatory. What will be interesting legally from that is what is the effect going to be for ship owners who have installed the first generation of equipment, and what's going to happen if that's discovered to be non-compliant by ports they control. So, there's a lot of issues coming up. I expect those guidelines will be finalized and adopted either still as guidelines, or as a mandatory code, at the next MEPC.

The last thing I wanted to talk to you about was, at your meeting in May I gave you an update on the mandatory Member State audit scheme at the IMO, and indicated that the results of the voluntary Member State audit scheme had indicated that the number one deficiency is the lack of domestic implementing legislation around the world to implement IMO Treaties. We've now done 17 countries under the mandatory Member State audit scheme, and the results are interesting, and a little bit after twist, because we're seeing another issue is the lack of implementing legislation and regulations for amendments to the IMO instruments. And this is occurring even in developed countries that have implemented the conventions but are unable to or have not yet implemented any of the amendments.

For example, New Zealand just completed a project that took them a number of years to completely update their legislation to incorporate all the Amendments to SOLAS. And I think some of you will see the issue with a container mass verification issue that came up in the United States. Some of the regulatory issues that came up there highlight the difficulty that even some of the most advanced nations have in implementing amendments to IMO conventions in their legislation or regulations. I didn't want to go too long, so that's really it. Thank you very much for your attention.

PRESIDENT WATSON: Thank you very much, Fred.

Well, as all of you know, we're here celebrating a very important milestone in the history of the Maritime Law Association of the United States. Out of curiosity, I went back and looked at proceedings for the 1966 meeting, and it was a very interesting read. There were 233 members present. That is considerably more than we have at a typical New York meeting. Ben Yancey was the President at the time, and the first remark he made is that they have to get more chairs. There are a number of names that pop up out of the proceedings that will be familiar to many of you, particularly those of you from New Orleans. Ben Yancey, of course, was President. The Planning Committee included Bob Acomb, Bunny Deutsch, John Sims, Henry Read, Raymond Kerr, Warren Faris, George Matthews,

and Rufus Harris, Jr., Rufus, III's father. Leon Sarpy was the dinner Chair. The Secretary was Ed Carey, Chris Carey's dad. And Nick Healy was Chair of the Practice and Procedure Committee.

The first issue that was addressed in that meeting was legislation that had been proposed to repeal the Limitation of Liability Act. Any of you who were members of this Association in 2010 will remember that that was the issue we had to face that year as legislation was introduced to accomplish the same thing in the aftermath of the Deepwater Horizon disaster.

The Treasurer reported that the Association had \$38,000 in the General Account, and \$22,000 in Reserves, for a total of \$60,000. That may not sound like much, but in today's dollars the equivalent would be \$450,000. And you'll hear in a few minutes from Bob Connor that what we have now is \$600,000. So, they had the equivalent of about 75 percent of what we have now in terms of assets, but the Membership of the Association was 1,984, about 70 percent of today's membership. So, very much equivalent in terms of finances.

John Moore who was Chair of the Bills of Lading Committee reported on proposed amendments to the Hague Rules and stated, and I quote, "There has been no development at all with respect to the revision of the Hague Rules." We don't have anyone here from the Gang of Three who have worked so hard on the Rotterdam Rules, but I would imagine that they would agree that that sounds like a report on the Rotterdam Rules.

Finally, one of the members is reported as saying, and I quote, "This morning I have been advised that I had a very good time last night." I suspect that there's more than one person in the audience here today that could say the same thing.

In short, the more things change the more they remain the same. Or, rather, since we're in New Orleans, I should say, *plus ça change, plus c'est la même chose*.

We have a few people here that I want to recognize that are very special in that they were present at that 1966 meeting. Off to my left, in the front row, Don King. Is Jimmy Roussel here? Bob Deane, are you here? I know Bob was going to try to make it, but I don't see him. And my partner Dwight LeBlanc. And by the way, my two partners Bob Deane and Dwight LeBlanc were there at that meeting and are still around, which makes me think I need to spend more time at the New Orleans office. There must be something really good in the water cooler.

There are a couple of people who are not here that I want to mention. I'm certainly not going to take the time to mention everyone that was there and is not here today. But Henry Read, who was on that original Planning Committee, and was very active with the Institute, passed away last week. And I just wanted to mention his name.

And someone else that is not here who is very dear to our hearts, who's not well enough to be here, is Bob Acomb. Bob has meant so much to the Institute over the years, and I think I can say on behalf of the whole Association that he is in our thoughts and prayers.

And now, to get on to some business, Madam Secretary.

MS. HOLLAND: Thank you Mr. President.

Good afternoon, everyone. It has been a truly memorable week, and I want to join Hal in thanking all of those who participated in putting this joint meeting together. And thanks to all of you for staying this afternoon for the general meeting. I hope that you remembered to sign up in the back so that we have a record of your attendance here today.

I also want to mention our court reporter Joe Fairbanks who is in the back of the room. We are very grateful that Joe is here today. He has donated his services to the Association. I encourage any of

you who have court reporting needs in New Orleans to consider calling Mr. Fairbanks when you need them.

For the Committee Chairs, because Joe is in the back, you won't be handing your business cards to the court reporter as you have done in the past. He does have a list of your names. I would still ask, however, that you please say your full name as clearly as you can so that we have a good check against the list. I know sometimes some of the Committee Chairs are not here and there is a stand-in, so Hal might call one name and someone else stands up to give the report. So, please, if you will clearly say your name, that would be great.

We've had a great week. And now you can look ahead not only to New York but to next October when we are looking to the west coast to our Napa Valley resort meeting which promises to be terrific. You'll be hearing more about that later in the meeting from the resort meeting Chair John Farmer who I see is here. So, we hope you have that on your calendar. The Pacific Admiralty Seminar will be providing the CLE for that meeting.

In its recent meetings, the Board has spent quite a bit of time talking about membership issues. In August, President Watson established three Board Subcommittees, the first to study the trends in our membership and what it means to the future of the Association; the second to look at membership retention, including methods of encouraging timely payment of dues, and figuring out how we collect those that are outstanding; and the third, to study and provide ideas about recruitment of new members. This is clearly very important to the Association.

This study is in progress. We have a long list of recruitment suggestions already that have been floated, including, for example, holding regional meetings, perhaps having a committee on recruitment, and not surprisingly, improving the content and the quality of our MLA website.

That brings me to the next topic, the website: We have heard from many of you regarding your frustrations with the website. We are taking steps to improve its look and its functionality, and you're going to be hearing more about that here today from the Chair of the Website and Technology Committee Lynn Krieger. So, stay tuned for that.

I also want to mention that in recognition of the Association's great history, some of which Hal has talked about here, it has been suggested that we gather materials for an MLA History Project. And for that, we are hoping to reach out to many of you to look through what you may have from meetings and activities of the Association in the past. If you have photographs, important papers that aren't already in our archives, if you find those, if you could send them our way that would be much appreciated as we look at putting together this celebration of the history of the MLA.

Finally, I'm happy to report that the MLA Report for the spring of 2016 has been posted to the website. And it's been mailed to those of our members who have specifically requested they receive hard copies. Our thanks go out to Chet Hooper and David Nourse for their hard work on that.

That concludes my report, Mr. President.

PRESIDENT WATSON: You want to make a motion to accept?

MS. HOLLAND: I move for acceptance.

PRESIDENT WATSON: Second?

MEMBERS: Seconded.

PRESIDENT WATSON: All in favor?

MEMBERS: Aye.

PRESIDENT WATSON: Opposed?

Thanks. Thank you very much, Barb.

Bob Connor, the Treasurer's Report.

MR. CONNOR: Good afternoon Mr. President and fellow members.

And thank you to everyone here in New Orleans for a wonderful week. I am also happy to report that the status of our financial position is very sound, as Hal has given you the numbers previously here. We do still, as I report every meeting, have a few delinquents who haven't paid their dues, and we're working on that collection. Our billing system is not part of the website yet, it's one of the issues that they're working on fixing. When the website does get fixed, we will be on a monthly billing system rather than what we do now, which is about five or six times a year on a manual system.

One thing I would remind everybody: If you change firms, if you retire, if you change your e-mail address, would you please notify Robin, who's our administrator, and give her your most current address. When we send out notices, and in particular when we send out invoices for dues, we do get a large number that bounce back because the e-mail address is not correct. It takes a lot of time to search and find the correct e-mail address. So, once again, if you change firms, or change your e-mail address, please notify us about it.

That concludes my report, Mr. President. And I move its adoption.

PRESIDENT WATSON: Second?

MEMBERS: Seconded.

PRESIDENT WATSON: All in favor?

MEMBERS: Aye.

PRESIDENT WATSON: Opposed?

Thank you very much, Bob.

PRESIDENT WATSON: Grady Hurley, Membership Secretary's Report.

MR. HURLEY: Thank you, Mr. President.

Just a quick point of privilege: This is my first General Meeting as Membership Secretary, and I'd like to thank our Board for holding it in my hometown and at my alma mater, at Tulane. Also, it, as you have stated, Mr. President, is extra special for me, because my senior partner Donald King is here today. And also as a point of order, he was President of the Tulane Student Body in his day. So, thank you, Donald.

Also, you have thanked many people, but on behalf of the New Orleans Bar, as well as our Host Committee, I would like to thank you and the MLA and the Board for holding this meeting in New Orleans, and to welcome our many visitors. Among the people that have sponsored it, we also have, and this is my advertisement, a favor for everyone. It's on the back desk. We have about fifty of these luggage tags left over, so, please grab one on your way out.

And now for my official report, without undue delay, Mr. President: The Membership Secretary reports that the Proctor Liaison Committee reviewed exactly 11 timely submitted applications. They were recommended to our Board and accepted. Acknowledgment letters will be sent out to those Proctor applicants who have been accepted.

Since our last General Meeting, there were 23 new Associates accepted and elected in August, and an additional 27 in the interim before this meeting. The applications were received, and all were approved, and letters will be sent out to those individuals.



Since the last General Meeting, there has been one Judicial Membership and one Academic Membership approved. In addition, our Committee on Adjunct Members recommended, and the Board accepted, one Adjunct membership. I'm also pleased to report that there are a total of 26 new Law Student applicants who have been approved for membership.

Prior to the admission of those individuals, our Membership totals reflect that there were 1,286 Proctors, 1,178 Associates, 170 Adjunct Members, 22 Academic Members, which comprise our Voting Members, or a total of 2,656. There are approximately 135 Nonvoting Members, which are considered to be Ex-officio, Honorary, and Judicial, in addition to the Law Students, which brings the total to 2,814 prior to the admission of new Members.

Lastly, Mr. President, our Association is distinguished by our Membership, and I must report that since our last meeting the following members have passed away. They include:

The Honorable Walter E. Black, Jr.  
 Richard R. Jackson, Jr.  
 Edward C. Collagen  
 Donald P. Marinkovich  
 The Honorable Edward W. Northrop  
 Thomas G. O'Brien  
 Karen R. Quinn  
 The Honorable Joseph H. Young  
 Henry J. Read

A moment, please. (A moment of silence.)

MR. HURLEY: Mr. President, I would move that my report be accepted.

PRESIDENT WATSON: Is there a second?

MEMBERS: Second.

PRESIDENT WATSON: All in favor?

MEMBERS: Aye

PRESIDENT WATSON: Opposed?

Thank you very much Grady.

MR. WATSON: We're now going to have Committee Reports. I have already told the Committee Chairs and other people who are making reports that I'm going to take those in the order in which the meetings occurred this week. A little changeup from normal.

We'll start with the Website, Lynn Krieger, followed by Fisheries, Terry Kenneally.

MS. KRIEGER: Thank you, Mr. President.

Good afternoon, friends and colleagues. My name is Lynn Krieger, and I'm the Chair of the beleaguered Website Committee. Honoring our President's request that we keep these reports short, here's mine:

Don't worry, everybody, we have the website situation totally under control. All right; that's not completely accurate. More apt is probably the saying we've gone two steps forward, one step back. As most of you know, we are facing some struggles. But I can assure all of you that the Board and the Officers are completely committed to improving the website, and they have made it their top priority. Immediately following this meeting we will be switching out our original website development company. We will be retaining a new company that's already been vetted and we are in the contracting period. The new programmers will focus first on the Committee pages. We know that the Committee Chairs have been working valiantly to use the website.

We will make the Document Library a priority. I think that the new developers have the level of experience and programming skills that we really need to bring the website to where it should be, where we kind of expected it to be by now. I personally hope that happens really, really soon.

I am also reporting on the Archive Project. That's the project run by Bill Bell at Marshall Dennehey in New York. The Archive Project involves collecting historic maritime documents, our Committee proceedings, Committee works, correspondence from people's basements and offices and garages, culling through them, and getting rid of duplicates and isolating materials of historic interest and value. We're going to preserve those and then scan them into the website document library when the library becomes usable. We have some spunky young lawyers who are prepared to assist us in that regard. Right now, I think all of the boxes have been indexed and they're focusing on 15 boxes for scanning.

Thank you, Mr. President. That concludes the report of the Website Committee and the Archive Project.

PRESIDENT WATSON: Thank you, Lynn.

Fisheries, Terry Kenneally, followed by Offshore Industries, David Walker.

MR. KENNEALLY: Good afternoon, President Watson, Members of the Board, fellow Members.

My name is Terry Kenneally, and I'm Vice Chairman of the Fisheries Committee. And I am standing here on behalf of Mark Coberly, our Chairman, who had to return home for a family matter.

I would be remiss before I give my comments if I did not also thank Attorney Andrew Wilson for his assistance in coordinating this meeting at the Law offices of Fowler Rodriquez on this past Wednesday, October 26th. We had 17 people in attendance, along

with two people by telephone. Attorney Wilson responded to our inquiry with respect to trying to obtain the interests of – the commercial fishing interests, as well as recreational fishing interests, and the response to the Deepwater Horizon oil spill and the impact that it had here in the local community of New Orleans, as well as the other remaining Gulf Coast states.

We were able to obtain the presentations of two claimants' attorneys, Attorney Joel Waltzer, Law Firm of Waltzer, Wiygul & Garside, from Gretna, Louisiana, as well as Attorney Peter Barbee of Barbee & Associates in Belle Chasse, Louisiana. And these two gentlemen were involved in the submission of claims to the Seafood Compensation Fund, which was primarily funded by -- well, to this point, by BP, and the distribution of those claims to the thousands of different claimants that made claims with respect to that fund.

And it was an interesting discussion, and with respect to the response, in how this particular response might be a model for going forward in the event that we -- hopefully we don't have a spill of that size again, but in terms of even smaller spills, that we could protect and respond to the commercial fishing interests that would be affected.

Following that presentation, we had Attorney Bill Hughes from the Law Offices of Cooper Levenson in Atlantic City. Bill is a partner with Kevin Thornton, our former Chairman. Bill reported on a criminal matter that's pending in the United States District Court of New Jersey whereby he had some interesting comments about a TRO that was actually entered against a federal agent in that case in which a commercial fisherman allegedly killed a marine mammal that was protected by the Marine Mammal Protection Act.

The interesting thing about the criminal matter is that the federal judge actually entered an Order that restrained the contact of the federal agent with his confidential informant. And that case remains pending. And if you're interested in it, we have some materials -- or an Order from the Court, and that could be made available to you.

Finally, again, Andrew Wilson, from the Law Offices of Simon Peragine Smith & Redfearn here in New Orleans, talked about some of the political efforts to transfer the management authority of the Gulf of Mexico's red snapper fishery from NOAA to the various Gulf states, and the management issues that result. And the interesting thing about that conversation was the interplay between the various politicians that were involved in the case and the aspersions that were cast between them, which was actually pretty interesting.

Moving on, we had a brief discussion by Attorney David Smith from the Law Offices of Farrell, McAleer & Smith in Salem, Massachusetts. And David spoke about the recently established marine sanctuary off the coast of Massachusetts whereby 4900 square miles was deemed to be protected simply by proclamation by President Obama. David Smith talked about the implications of that declaration, as well as the potential impacts to both commercial and recreational fishing that the declaration will have. That's still to be determined. That just occurred back in August, and we're interested to see how that's going to develop. That's also building upon President Obama's extension of a very similar area off the coast of Hawaii in the Pacific.

Finally, I'd be remiss if I didn't mention the efforts of Scott Guntz who prepared our case summaries for us. And if anyone is interested in that, I'll be glad to provide you a copy of it.

And that, Mr. President, ends my report.

PRESIDENT WATSON: Thank you very much, Terry.

Offshore Industries, David Walker, followed by International Organizations, Vince Foley.

MR. WALKER: Thank you, Mr. President, Officers, and fellow members of the MLA.

David Walker, Chair of the Offshore Industries Committee.

This Committee convened Wednesday afternoon in the offices of Phelps Dunbar. Our sole business was a presentation by two representatives of a relatively new program within Customs and Border Protection, the Jones Act Division of Enforcement. And this is the non-personal injury part of the Jones Act.

Mike Hebert was the principal presenter, and I think he was experiencing a little nervousness about appearing before a bunch of lawyers. He showed up at the meeting in full uniform, with his sidearm, as well as his lawyer Assistant Chief Counsel Corina Wadde. But in any case, they gave a very interesting and informational presentation which was well received.

They emphasized that they want to be engaged with the industry. The other thing that they're doing is going around the country to the different port offices of CBP seeking to harmonize the approach taken by each office around the country with regard to Jones Act enforcement issues.

The meeting was very well attended. We had 54 people sign the attendance sheet, I think there were a few more, of whom 47 applied for the CLE credit. The PowerPoint presentation by Mike Hebert is among the materials on your thumb drive, and I recommend it to you. It's very interesting. I think you will find it so, as well.

I can't close without thanking very much Bill Riviere, our Secretary, who took the laboring oar in both identifying and arranging for the presence of our presenters, as well as his firm providing us the venue for the meeting, and Vice Chair Sal Puseteri who assisted in collating and gathering up the CLE credit request forms.

That concludes my report, Mr. President.

PRESIDENT WATSON: International Organizations, Vince Foley, followed by Joint Meeting of Marine Financing, Maritime Bankruptcy, Practice & Procedure, Kirby Aarsheim.

MR. FOLEY: Good afternoon, Mr. President, Officers, Members and Guests.

My name is Vincent Foley. I'm the Chair of the International Organizations, Conventions, and Standards Committee. We held our meeting on Wednesday, October 26th from 2:00 to 4:00 p.m. at the offices of Kean Miller. I want to thank Mike McGlone and Kean Miller for the use of their conference space, which included a really beautiful view of New Orleans and the Mississippi River. Our first report was from Chris Davis, the Vice President of the Comité Maritime International. He gave us an update on the activities with the CMI. The first issue was an update on the Revised York-Antwerp Rules that were adopted in New York. BIMCO has agreed to support use of those new rules in its contracts. So, that was a positive development. He gave us a recap on the Judicial Sale of Ship Convention. The CMI is seeking to have that draft convention incorporated as part of the Hague Convention on enforceability of judgments. And that's an ongoing project.

Other issues that are being addressed by the CMI include the International Working Group on Ship Nomenclature which our Frank Nolan is heading up, cybercrime, unmanned ships, they're working on the restatement of Lex Maritima, and a project to develop a database of decisions for interpretation of international conventions. The CMI will be holding an assembly and a seminar on September 7th and 8th, 2017, in Genoa. So, if you will, mark your calendars for that event.

Then we had a very interesting and engaging presentation from Professor Martin Davies of the Tulane -- the Admiralty Law Institute Professor of Maritime Law at Tulane Law School. He gave a presentation on the Ballast Water Management Convention. And as Fred Kenney mentioned, it's been a long time coming, on that

convention. It was drafted in 2004, and would come into effect after a minimum of 30 contracting states, or 35 percent of the combined world tonnage, acceded to the convention. On September 8th, 2016, Finland became the country that put that convention over the threshold. And so, 12 months after Finland's ratification of the convention it will come into effect.

We also heard Chris Davis at the meeting search for information on the Ballast Water Management Convention and report that Panama had presented its papers to the IMO, accepting the Ballast Water Management Convention. And that will get that 35 percent number up substantially higher.

We had a presentation from Norman "Skeet" Anseman of Jones Walker in Lafayette. He gave a presentation on offshore drilling in the U.S., and the use of UNCLOS – the potential use of UNCLOS as a tool to develop an international regime for offshore drilling. It was a very interesting presentation, as well.

Going forward, the Ballast Water Management Convention will impose new survey and certification requirements on vessel owners. And the U.S. is not likely to sign onto the convention, but I guess we're eternally hopeful that something might happen.

Finally, we were honored to have Capt. Shannon Gilreath from the U.S. Coast Guard update us on activities at the IMO. He reported on a new convention that's being developed under UNCLOS on biodiversity beyond national jurisdictions, and that under that convention there would be meetings in 2017 with an intent to start drafting language in 2018.

And that concludes my report.

PRESIDENT WATSON: Thank you, Vince.

Marine Financing, Maritime Bankruptcy, and Practice &



Procedure, Kirby Aarsheim, followed by Cybersecurity, Joe Walsh.

MS. AARSHEIM:

Good afternoon, everyone. I am the Secretary of the Maritime Practice & Procedure Committee. Our meeting was held as a joint meeting between Marine Financing, Maritime Bankruptcy Insolvency, and Practice & Procedure Committee, at the offices of Baker Donelson. We appreciate the kind hospitality of Baker Donelson for the meeting. It was held on Wednesday, at 2:00 p.m., and it was very well attended. The meeting started with a welcome introduction from Margie Krumholz including a brief introduction of the presentations that would be held during the meeting. Margie, as the Chair of the Marine Financing Committee, reported on the status of ongoing CMI projects and amendments to 46 CFR Part 67.

Margie also reported that the GAL had asked the Committee to respond to some questions about vessel documentation in connection with its audit of the National Vessel Documentation Center. She will be posting questions on the website to invite members to comment and give their input.

Bob Toney also provided an update on Financing Markets in the Lending Association Meeting.

Larry Rutkowski, the Chair of the Maritime Bankruptcy and Insolvency Committee provided a discussion of the ramifications of the Hanjin Petition for Reorganization in Chapter 15 on vessel owners, lien claimants, and cargo interests.

Then Sam Blatchley and Vince Router gave an update on the case summaries that myself, Sam, and Vince drafted, and those will be available on the website. They're case updates for various maritime practice and procedure cases over the past year. So, I encourage everyone to head on over to the website next week and give those a read.

They provided an update on just a few of those cases, and then, finally, the CLE portion of the meeting was held. The panelists included the Chair of the Practice and Procedure Committee Gina Venezia at Freehill, Hogan & Mahar, Bruce Paulsen of Seward & Kissel, and Hank Arnold at Baker Donelson. They gave a presentation on the OW Bunker litigation, and are also involved in that litigation. And they gave a very interesting discussion on the interpleader aspects of the pending litigation that they're involved in.

Our meeting concluded at four o'clock, and that concludes my report.

PRESIDENT WATSON: Thank you very much, Kirby.

Cybersecurity, Joe Walsh, followed by Marine Torts/Cruise Lines, Charlie DeLeo.

MR. WALSH: President, Officers, Proctors, and other Members.

I'm Joe Walsh. I'm the Chair of the Special Committee on Cybersecurity. I was challenged to keep my report short, sweet, and spunky. Let me try that.

The Special Committee on Cybersecurity met as scheduled on Wednesday at 3:15 at the beautiful offices of Montgomery Barnett. And I want to thank Philip Brooks and his partners for their hospitality. It was a very good setting. This Committee is technically a closed committee, having required an appointment from the President for the 21 members that we have. But in the spirit of the Admiralty Law Institute, this time we opened it up and had a CLE, and that was our main focus of the meeting. We had about 25 people in attendance, a third of which were probably standing committee members.

We had an excellent CLE presented by Kate Belmont, Blank Rome, New York. Kate gave us an overview of where things stood in light of some recent developments, particularly with respect to evolving guidelines and protocols that are being established by various organizations. It was a very good presentation, and prompted an open discussion afterwards. I want to thank Kate for taking the time to put the presentation together. A reference guide that Kate provided in order to get the CLE has been prepared, and I don't know that it made it to the thumb drive, but we will get it on the website under the cybersecurity tab.

And with that, Mr. President, I conclude my report.

PRESIDENT WATSON: Thank you very much, Joe.

Joint Marine Torts/Cruise Lines, Charlie DeLeo, followed by Inland Waters and Towing, Kent Roberts.

MR. DELEO: Good afternoon Mr. President, fellow Members, Guests.

My name is Charles DeLeo and I am the Chair of Marine Torts and Casualties. I'm also here for Carol Finklehoffe who's the Chair of Cruise Lines. I'm also happy to be in this room where I received my law degree, longer ago than I would care to remember but it is still a very nice room.

The two committees met jointly on Wednesday at the Board of Trade and we covered various topics that we thought would be of interest both to the membership of the Torts and Casualties Committee and the Cruise Lines Committee.

The first speaker was Bob Peltz from Miami who presented on what he called reconciling the clash between historical protection for seamen and the increasing use of international arbitration agreements. Bob is currently a plaintiff's lawyer, so it was from a different perspective to a similar topic that the Tulane ALI had held

in the morning so it was a good juxtaposition in that respect and generated some questions.

We then had Jean-Marie Fontaine from Borden Ladner in Montreal who gave a very good overview on the enforceability of U.S. jurisdictional clauses in passenger contracts with Canada and Canadian passenger compensation regimes which are considerably less than what a state court in Miami might award. In fact, it led everybody to the conclusion that the cruise lines should probably have Montreal jurisdictional clauses.

Finally we had Becky Hamra from Charles Taylor in New York who gave a very interesting presentation on the zika virus, not just the virus itself but the current pandemic that is spreading north from Miami through the southeast of the U.S. She also outlined the potential concerns from vessel owners, particularly female passengers that might have children after taking a cruise and various potential liability exposures. Becky also reviewed crew exposures from a maintenance and cure and unseaworthiness perspective.

The meeting was very well attended at the Board of Trade. We awarded CLE credits and the papers are on the thumb drive. We are also going to upload them to the committee websites.

And that concludes my report Mr. President.

PRESIDENT WATSON: Thank you, Charlie.

Inland Waters and Towing, Kent Roberts, followed by Stevedores, Terminals, and Vessel Services, Nash Bilisoly.

MR. ROBERTS: Thank you, Mr. President, Officers, Members of the Association, and our Guests today.

I am Kent Roberts from Portland, Oregon, Chairman of the Inland Waters and Towing Committee. We held our meeting yesterday afternoon at the offices of Liskow & Lewis. I'd like to

thank Ray Waid and the partners there at Liskow, and particularly the staff who helped us out. They were really wonderful.

We held a one-hour CLE entitled Subchapter M Towing Vessel Inspection: It's finally here. Now what do we do and what should lawyers be worried about? We had a full house with attendees spilling out into the hallway.

We first heard from Capt. Shannon Gilreath who was very busy this week and graced us with his attendance. He discussed open issues in implementation and incentivizing the Towing Safety Management System choice, or TSMS option, over the Coast Guard option for towing vessel inspections. And he talked a bit about Coast Guard expectations in casualty investigation resulting from the implementation of Subchapter M. He speculated that Subchapter M may result in the Coast Guard designating additional parties, such as third-party organizations, under Subchapter M, as persons of interest in towing vessel marine casualty investigations. He would want me to remind you that that was just speculation, but it got everybody's attention, given the source of the speculation.

We next heard from René Cheramie, President of A.R. Cheramie Marine Management, who gave the industry view in his experience using an ISM-based safety management system and compliance issues with Subchapter M for those who use an ISM-based system. He gave us his thoughts, also, on casualty investigations and other industry concerns that he sees on the horizon for the towing industry.

Finally, we heard from Barrett Rice of Jones Walker here in New Orleans. She discussed how Subchapter M may impact statutory fault and negligence per se issues when conducting casualty investigations to comply with Subchapter M, and led a nice discussion about the uncertainty over whether the mere occurrence of a towing vessel casualty may trigger a statutory violation of the Subchapter M TSMS requirements. We didn't have an answer to that question, but the level of speculation raised enough alarm amongst

the group that we had to retire and enjoy the refreshments and adult beverages supplied by our wonderful hosts Liskow & Lewis.

We encourage everybody to come to our towing industry meetings. There are lively discussions, good connections, and lots to learn. And we look forward to seeing everybody at our next committee meeting in New York.

Thank you, Mr. President. That concludes my report.

PRESIDENT WATSON: Thank you, Kent.

Stevedores, Terminals, and Vessel Services, Nash Bilisoly, followed by Marine Insurance, Carriage of Goods, and Uniformity, Andy Wilson.

MR. BILISOLY: Mr. President, and Members of the MLA and the Tulane ALI, thank you.

My name is Nash Bilisoly with Vandeventer Black in Norfolk, Virginia. We held the Stevedores, Marine Terminals, and Vessel Services meeting in the offices of King, Krebs & Jurgens, on Thursday, October 27th. I want to thank Patricia Krebs and Doug Matthews from that law firm for their hospitality. We needed it. We had so many people we used up all the chairs in the next conference room. You couldn't sit. We had people sitting on the counters. It was a very well attended meeting.

We started with Tom Langan who always gives the case law update for Longshore. It always should be CLE. It is CLE this year, and it's up on the website right now. We followed with JoAnne Zawitoski from Semmes, Bowen & Semmes, who spoke very interestingly about the re-regulation, or the regulation of the marine terminal industry right now, starting back from 1916 when it was first started to be regulated up until what's going on right now. And her paper, also, is on our website. We had another Semmes lawyer follow that, Imran Shaukat, who spoke about the ATHOS I decision.

If you represent marine terminals, or carriers, or a cargo interest, you should read the ATHOS I 190-page decision on who's responsible for clearing approaches to marine terminals. You really should read that decision. We were very lucky to have Derek Walker there, also, who was one of the primary lawyers at the time. It's always good to have a firsthand view.

Lisa Beasley from Long Beach then spoke about the Hanjin bankruptcy, as well, from a west coast perspective. But it is a national situation going on that affects all of our clients. It affects shippers, carriers, and all the way down, as she pointed out, to the chassis owners, which turn out to be the linchpin of west coast shipping.

I do lastly want to thank the Vice President Alex Giles and Secretary Deborah Waters and the Tulane ALI. This thing ran like a top, as it always does. We have *real* CLE credit. I'm a member of the Tulane ALI and the Chair of this Committee. I do want to say that in the future -- it was great being downtown, but it sure is nice being back in McAlister.

Thank you, Mr. President.

PRESIDENT WATSON: Thank you Nash.

Joint Meeting of Marine Insurance, Carriage of Goods, and Uniformity, Andy Wilson, followed by Salvage.

MR. WILSON: My name is Andrew Wilson. I'm with Simon Peragine here in New Orleans. We had the joint meeting of Carriage of Goods, Marine Insurance, and General Average. And it was held at the Board of Trade Building. We had 91 in attendance. We put on a CLE program which consisted of having two law students speak, and then each was followed by a panel on two different topics.

The first was on the UK Insurance Act of 2015 and its potential effect on the U.S. Hugh Baker, who's a Tulane law student, and also the Managing Editor of the Tulane Maritime Law Journal,

put together a paper which is going to be published in that publication, and it's worth picking up if you get a chance. But he did a quick summary of his paper with a PowerPoint presentation, and pointed out some of the major changes in that Act from the 1906 Act. He did a comparison across the board with particular emphasis on the doctrine of *uberrimae fidei* and how that will change under the new law -- essentially, it was abolished.

That was followed by a panel discussion headed by the Chair of Carriage of Goods, Susan Dorgan. And also on that panel was Jonathan Spencer, who's an Average Adjuster and Principal with The Spencer Company in New York, as well as Attilio Costabel of Miami, he is with the Costabel PA firm in Miami. Tony Pruzinsky of Hill Rivkins was also on the panel. They had a number of comments as to the effect of the UK Marine Insurance Act. Jonathan pointed out that it should be kept in mind that it should be read in the context of amendments to the 1906 Act, and the 2015 Enterprise Act which also still is involved in an interpretation. Mr. Costabel pointed out that perhaps with the UK moving in the direction of abolishing the doctrine of *uberrimae fidei*, perhaps the U.S. should follow suit, which was rejected in a recent case from Puerto Rico which is reported in our newsletter. And, in addition, Tony pointed out that at this point in time, with so much entrenched jurisprudence on the doctrine of *uberrimae fidei* under our present law, it was really not practical to jettison the doctrine.

Next was David Bury, who's another law student, he's the Senior Articles Editor for the Tulane Maritime Law Journal, and he presented on Electronic Bills of Lading, a Never Ending Story. He brought up some interesting points, comparing the history of the bill of lading and the three functions it serves with the new role of what an electronic bill of lading would have, and pointed out that it may be necessary to evolve into a new species of Bitcoin that would fund that type of transaction.

His presentation was followed by a panel discussion on electronic bills of lading with viewpoints from Professor Michael



Sturley of the University of Texas School of Law. He talked about how decentralizing the platform is going to be critical, so that if there was some centralized problem, it wouldn't affect all people associated with the bill of lading system as it was. Professor Martin Davies participated, as well. He's here with the Tulane Admiralty Law Institute, as we all know. And he pointed out that it might be a better choice to have somebody develop a new electronic bill of lading starting at the far end, rather than use the history of the bill of lading starting from an IT perspective.

And then, Andy Kehagiaras, who is the Vice Chair of our Marine Insurance Group, brought up the fact that perhaps the drafts of the bill of lading would benefit from using the International Trade Data System which has product lists, data associated with specific protocols for certain products, that might benefit. Again, the two papers would be important to understand these two topics. Following those two presentations, we then received an update on the Rotterdam Rules by Professor Michael Sturley. Doesn't look like a lot of progress there. He said that some of the countries may ratify those rules without U.S. approval, which would be kind of a break from what was anticipated.

That was followed by an update on the York-Antwerp Rules by Jonathan Spencer. And he pointed out that the rules had been approved by 42 countries at the last CMI meeting in New York. And then he covered various topics which are also covered in a paper that he did, it's been posted on the website, which deals with all aspects of the York-Antwerp Rules 2016, and guidelines. So, that's posted if you want to get some further details. He talked about the streamlining requirements, the modernization of the New For Old Rule, financial issues associated with interest, and treatment of cash deposits, how salvage would be handled, since that's been sort of an ongoing problem when it goes to the adjustment of a claim. And he also pointed out that CMI has guidelines for interpreting the rules that are posted on the CMI website.

Then we had an update from John Nicholas of the AIMU, and he had certain comments concerning all of these topics which were raised by the different panels. He also pointed out the various educational opportunities that the organization has.

And then we ran short of time, which I think I am, as well. So, the newsletter is posted on the website. There are a few hard copies outside. Don't get up right now. They're out there if you want to pick those up.

And that concludes my report.

PRESIDENT WATSON: Thank you, Andy.

Salvage, Olaf Aprans, followed by Vessel Regulation, Sean Houseal.

MR. APRANS: Thank you, Mr. President.

I received a telephone call last night from the Secretary of the Salvage Committee Ben Segarra, and he asked me to provide the Committee Report for Salvage. And I said, "sure, Ben, there's just one problem: I didn't go to the Salvage Committee Meeting." And he said, "that's okay because Jason Harris, the Chair of the Committee, will e-mail you exactly what to say."

And so, I am going to read, verbatim, Mr. Harris' e-mail. And I apologize in advance to everyone's name that I'm going to mispronounce.

The Salvage Committee met on Thursday, October 27th, from 3:00 to 4:00 p.m. at the Law Offices of Lugenbuhl, Wheaton, Peck, Rankin & Hubbard here in New Orleans. Thank you to all our hosts, including MLA Members David Sharpe and Stewart Peck. Approximately 30 people were in attendance, one hour of CLE credit was offered, and the topic was an examination of a marine casualty scenario, a vessel-to-bridge allision where bridge debris fell onto the ship and into the water. The ship then grounded and

released fuel along the coastline. Committee Chairman Jason Harris of North Carolina elicited perspectives from the following three industry expert panelists:

George Tsimis, Senior Vice President, General Counsel and Global Claims Director of the New York office of the American Club; Jim Elliott, Vice President from the Galveston office of T&T Salvage-Mr. Elliott is a prior U.S. Coast Guard Federal On-scene Coordinator, and now works for T&T, an international marine salvor offered, among other services, vessel response plan emergency assistance in the U.S.; Dagmar Schmidt Etkin. Dr. Etkin is a Non-Lawyer Vice Chairman of the Salvage Committee. And she offered her insight as an environmental scientist with significant pollution damage experience.

Several salvors attended, including a TowBoatUS franchisee from North Carolina, and a recovering lawyer Capt. Jim Shirley of JTS Marine. And further on the Club side, Charlie Anderson of Skuld was also an attendee.

A lively discussion was had regarding various hypothetical approaches to the disaster and cleanup. Peter Wiswell and Capt. Shirley reminded the panel and attendees of the potential usefulness and flexibility of the Society of Maritime Arbitrator's MARSALV agreement in such instances. The scholarly paper in support of the presentation was prepared by Tulane Law Students Hamzah Kahn and Guyer Bogan. It is entitled "When the Lights Go Out: An Analysis of a Hypothetical Vessel-Bridge Allision Through the Context of the Pennsylvania Rule, Salvage, Environmental and Insurance Issues." The paper and the hypothetical casualty fact pattern will soon be posted to the Salvage Committee website.

Mr. President, that concludes the report of the Salvage Committee.

PRESIDENT WATSON: Thank you very much for filling in on that.

Vessel Regulation, alias the committee with the longest name, Marine Ecology, and Government Counsel. Sean Houseal.

MR. HOUSEAL: Thank you, Mr. President.

My name is Sean Houseal, and I am the Chair of the Marine Ecology and Maritime Criminal Law Committee. I want to first commend Olaf for his presentation of Jason Harris' e-mail report that we punched out after our fabulous dinner last night. We, the Marine Ecology and Maritime Criminal Law Committee, held our traditional Joint Meeting yesterday afternoon at the Board of Trade, with Mike Underhill of the Government Counsel Committee and the Vessel Ops Committee. We started with and were honored to have the discussion provided by Capt. Gilreath on Cybersecurity issues. He focused initially on the continued recommendations to assess internal cyber vulnerabilities and encouraged participation in local area maritime security committees. The Captain also addressed the Cybersecurity Information Sharing Act of 2015, and he encouraged, of course, notification of cybersecurity incidents, followed by a notification to the National Cybersecurity and Communication Integration Center.

We next discussed the Presidential Policy Directive PPD-41, United States Cyber Incident Coordination, which sets forth principles governing the federal government's response to any cyber incident. Capt. Gilreath then provided us with an overview of some of the implementation issues that the Coast Guard is experiencing regarding the Subchapter M Towing Vessel Regulations. He also addressed the U.N. General Assembly initiative to develop a new international instrument on sustainable use and conservation of biodiversity beyond national jurisdiction.

Last, Capt. Gilreath provided us with an update on the Polar Code and Ballast Water International Conventions. Following these remarks, we held our one-hour CLE presented by Christine Walker and Rebecca Hamra, and their engaging presentation served as a practical guide for the handling of cases of crew member conduct in the U.S., particularly deserters, stowaways, and MARPOL whistle

blowers. Their presentation included a PowerPoint, and was very thorough and informative, and I encourage all of you to take a look at it.

Christine and Becky outlined procedures that govern foreign crew members who transit to and from the U.S., including the process by which crew members and passengers are screened by CBP, documentation that must be submitted by the shipowner, and penalties for violating the applicable regulations. Becky and Christine used real world hypotheticals to discuss applicable insurance coverage and to explain the role the P&I Club correspondent plays in these types of cases, and they even included a nifty crossword puzzle for good measure to illustrate their points.

I really appreciate and want to publicly thank both of them for all the time that they put into that presentation and, of course, to Mike Underhill and Dave Sump, Chairs of their respective Committees, for helping to coordinate.

Mr. President, this concludes my report. Thank you.

PRESIDENT WATSON: Thank you, Sean.

I will say that I first saw the presentation of Becky and Christine at a CLE, and it was truly an amazing presentation, one of the best CLE presentations I've ever seen.

Young Lawyers, Imran Shaukat. I will say, while Imran's coming up, that one of the great things about being President of this organization is that you get to claim Honorary Young Lawyer status and attend the Young Lawyer Committee meetings, which are invariably just terrific meetings, with great attendance, and really, really good subject matter.

MR. SHAUKAT: Mr. President, Officers, Directors, Members, and Distinguished Guests, I'm Imran Shaukat, the Secretary of the Young Lawyers Committee.

Jones Walker graciously hosted over 40 members of the Young Lawyers Committee on Wednesday afternoon. We were fortunate to have President Hal Watson, Second Vice President David Farrell, and Membership Secretary Grady Hurley in attendance. We appreciate the support of the Association Leadership in the Young Lawyers.

During our meeting, committee liaisons provided valuable updates on the work of their respective committees. We take this opportunity to please remind all standing committees that the Young Lawyers are ready, willing, and able to assist with projects and newsletters.

The meeting reconvened last night at Pat O'Brien's in the French Quarter, many hurricanes were consumed, and I have it on some authority that a few YLC members are still there.

Many thanks to the ALI, and in particular Walter Maestri, for arranging a truly superb event. It was a great opportunity for Young Lawyers to meet and to reconnect.

Finally, we would like to thank Tulane, the ALI, and those members of the MLA who helped to make this meeting a true success.

And Mr. President, that concludes our report.

PRESIDENT WATSON: Thank you very much.

I'll ask Martin Davies to come forward. Is Martin here? I'm not going to introduce Martin again. The Maritime Law Association is donating the bound volumes of our historic documents to Tulane University, and they'll be housed in the Tulane Law Library. And I have here, as sort of an exemplar, Volume 1 of our historical documents from 1899 to 1910 which I would like to present to Martin at this time. This is a particularly meaningful thing for me personally. As some of you may know, I did postgraduate work at

Yale with Grant Gilmore and Charlie Black. And I remember, when I was writing my thesis with Charlie Black on the 1976 London Limitation Convention, spending hours in the Sterling Law Library looking at the proceedings of the Maritime Law Association dealing with the issue of limitation of liability over the years. And it's very gratifying to me to know that some future Tulane student may be able to do something of that same nature with these historical documents of the MLA.

MR. DAVIS: I welcomed everybody this morning, standing in for the Dean.

I now accept this standing in for my colleague James Duggan who is the Director of the Law Library. I assure you I am not the only member of the Tulane law faculty. But on behalf of my colleague James Duggan, I thank the Association for this remarkable collection of volumes. I know James is actually really looking forward to having these in the library. So, thank you very much.

PRESIDENT WATSON: Just one little announcement I'd like to make:

Many of you know Frank Wiswall, one of the great figures in international maritime law over the last half century or so, has been awarded the International Maritime Organization Prize, so we're very pleased to be able to announce that.

I'd now like to call on John Farmer to tell us little bit about what we're going to be doing a year from now.

MR. FARMER: Thank you, Mr. President.

I'm John Farmer, and I'm the Chair of the 2017 Arrangements Committee for the Napa meeting. Our Committee met on Thursday, at Jones, Walker. And this is tough duty being on this Committee. It's a very, very gritty job, but we're going to power through it. A

year from now, we'll all be in Napa. The date of the meeting is the week of October 16th through the 22nd, 2017. The place for the conference will be the lovely Silverado Golf Resort and Spa, right outside of Napa. And this is a Joint Conference between the MLA and the Pacific Admiralty Seminar. The Pacific Admiralty folks will be helping us with CLE, so we'll have a great range of CLE for you. We'll have our committee meetings, we'll have winery tours, golf, tennis, all the things we love. There is a great spa on site. And we'll have a dinner field trip that we take to the nearby Artesa winery. It's a spectacular venue. They just hosted the annual event they do, a PGA golf tournament there. They have spectacular facilities for our meetings. The weather at this time of the year should be in the seventies, and probably not raining. So, please join us. I look forward to seeing you all there a year from now. Save the date. We will be sending out an official save the date to all the Members, so you'll get this by e-mail. But our room block is currently open. So, you can go ahead and reserve your rooms at the Silverado. It will fill up.

Thank you. And I hope to see you there.

MR. FARMER: Mr. President, that concludes my report.

PRESIDENT WATSON: Thank you, John.

I misspoke a moment ago. Frank Wiswall is very active in CMI, but it was the IMO prize. Forgive me, Fred.

Janet I don't believe has made it here. Has she? Janet Marshall, I talked to her at noon, and she was working very, very hard on concluding the seating arrangements for tonight's dinner. So, I'm going to ask Grady to say a word about tonight's dinner and the arrangements.

MR. HURLEY: As we all know, it's people that make the party, so we thank you all for attending our events this week.



Tonight is very special to us. The first thing you probably need to know, thanks to Walter Maestri, the buses have gone smoothly this morning and we anticipate the same. Buses will leave here after this meeting, and also will be available at the Windsor Court, to bring you back uptown to the Audubon Zoo where the dinner is being held at the Audubon Tea Room. Cocktails begin about 7:00. Cocktail hour will feature some music by the Commander's Palace Jazz Band, and we have a formal sit-down dinner, plenty of wine, plenty of good food, and a special dessert, and some other special things for you tonight.

When you come in the door, placard cards will be at the table. We ask you to pick those up. They will designate whether you are getting fish or fowl or meat. And so we ask you to pick those up. We look forward to seeing you tonight.

Thank you, Mr. President.

PRESIDENT WATSON: Thank you, Grady.

Well, I'm pleased that we're going to get back in time to freshen up before tonight's dinner. Let me ask, is there any new business to come before the Association? In that case, I would ask Former President Moseley if he has a Motion to make.

MR. MOSELEY: Thank you, Mr. President.

I wanted to mention three things on behalf of the past presidents, many of whom were here: Number one, it's very inspiring to see two groups merge as you all did, and with the Admiralty Law Institute. It doesn't always happen. Sometimes it never happens. But you did it seamlessly with respect to the other group and with respect to yourself. So, we thank you.

The second thing is that we in American Maritime Cases appreciate the opportunity to do what we did. And we always take that as a privilege and pleasure.

The third thing is that from the very first meeting, Bob Acomb, along with his wife Greta, created something, and we stand on their shoulders, the ALI. He went from the first ALI meeting to our last meeting at the ALI. And he was such an incredible leader that every time I heard anything about ALI, I always thought of Bob. I hope that the minutes will reflect that the MLA Officers and ALI, whatever they may have done in the past in honoring him, would also put it in these minutes.

I'm glad that ALI carried on his tradition. With that, I move that we adjourn.

PRESIDENT WATSON: Thank you very much, Jim. Do we have a second?

MEMBERS: Seconded.

PRESIDENT WATSON: All in favor?

MEMBERS: Aye

PRESIDENT WATSON: We stand adjourned.

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

Held at Semmes Bowen & Semmes LLP  
Baltimore, Maryland  
Saturday August 13, 2016  
8:00 a.m.

The August 13, 2016 meeting was called to order by President Harold K. Watson at 8:00 a.m. In addition to President Watson, the following Officers were present:

Francis X. Nolan, III, First Vice President  
David J. Farrell, Jr., Second Vice President  
Barbara L. Holland, Secretary (by telephone)  
William Robert Connor, III, Treasurer  
Grady S. Hurley, Membership Secretary

The following Directors were present:

Robert G. Clyne, Immediate Past President

Daniel G. McDermott	Jonathan S. Spencer
Donald C. Radcliff	R. Michael Underhill
Kevin J. Thornton	Phillip A. Buhler
David N. Ventker	Jason R. Harris
Joseph G. Grasso	Pamela L. Schultz (by telephone)
LeRoy Lambert	Deborah C. Waters

At President Watson's invitation, Past Presidents James F. Moseley, Howard M. McCormack, Thomas S. Rue, and Lizabeth L. Burrell (by telephone) attended the meeting.

Also attending at President Watson's invitation for a portion of the meeting was Lori Hopkins of American Maritime Cases.

Lynn Krieger, Chair of the Website Committee, also attended part of the meeting by telephone.

President Watson welcomed the new Board members and thanked the Past Presidents for their attendance.

## **SECRETARY'S REPORT**

On motion duly made and seconded, the Board unanimously approved the minutes from the May 3, 2016 meeting of the Board of Directors held in New York, New York.

## **TREASURER'S REPORT**

Mr. Connor discussed his Quarterly Report for the three months ending June 30, 2016.

Mr. Connor was pleased to report that the MLA is in good financial shape and that our cash position is better than it was at the same time last year. Out of the \$389,000 in annual dues that were invoiced, we have received approximately \$321,000 to date. As usual, there are delinquent dues outstanding, but Mr. Connor expects that we will collect a good portion of those dues from the one to two year delinquent category. He does not expect to collect most of the dues from the three year delinquent category.

Mr. Connor reported that the joint meeting with the CMI in New York in May was a break-even event, with revenues and expenses both in the neighborhood of \$1,000,000.

Past President Clyne reported that the joint meeting with the CMI was an outstanding event with an excellent program, and he complimented the organizers for the fine job they did. Mr. Clyne noted that \$200,000 was collected in sponsorships, making it possible to keep the registration fee down for MLA members. President Watson and First Vice President Nolan added their congratulations to the organizing committee for the success of the joint CMI/MLA meeting.

On motion duly made and seconded, the Board unanimously approved Mr. Connor's Quarterly Report.

## **MEMBERSHIP SECRETARY'S REPORT**

Mr. Hurley reported that the upcoming meeting in New Orleans had resulted in a surge of new member applications from New Orleans practitioners. He reported that 35 applications had been received and were recommended for Associate Lawyer membership:

Michael Amy  
New Orleans, LA

Heather Angelico  
New Orleans, LA

Laura Avery  
New Orleans, OA

Bradford Boyd  
Doral, FL

Peter Butler, Jr.  
New Orleans, LA

Nicholas Cenac  
New Orleans, LA

Matthew Drenan  
Newport Beach, CA

Destinee Finnin  
Newport Beach, CA

Rowan Fricker  
New Orleans, LA

19580

Cameron Hatzel  
Houston, TX

Laura Knoll  
New Orleans, LA

James Manson  
Toronto, Ontario

Alexander Marcopoulos  
Paris, France

Jennifer Michel  
Lafayette, LA

Carlos Felipe Llinas Negret  
Davie, FL

Nicholas Neidzwski  
Bellingham, WA

T. Patrick O'Leary  
New Orleans, LA

Richard Passler  
New Orleans, LA

Stewart Peck  
New Orleans, LA

Joseph Rabil  
Jacksonville, FL

Jeanine Tede  
San Francisco, CA

Brandon Thibodeaux  
New Orleans, LA

19581

Alexander Williams  
New Orleans, LA

Tod Everage  
New Orleans, LA

Brett Fenasci  
New Orleans, LA

Stephen Haneman  
New Orleans, LA

Mark Hill  
New Orleans, LA

Chauvin Kean  
New Orleans, LA

Susan Keller-Garcia  
New Orleans, LA

Amanda Lowe  
New Orleans, LA

Michael O'Brien  
New Orleans, LA

Eric Sella  
New Orleans, LA

Karen Shipman  
New Orleans, LA

Daniel Stanton  
New Orleans, LA

Zoe Vermeulen  
New Orleans, LA

19582

Mr. Hurley reported that one judge had submitted an application for Judicial membership:

Mayor Charles Scott, Sr.  
Suffolk, VA

Mr. Hurley reported that three former Associate Lawyers had applied and were recommended for reinstatement:

Kathleen Charvet  
New Orleans, LA

Daniel Eldridge  
Washington, DC

Jason Minkin  
Chicago, IL

And eight law students had become Law Student Members since the spring meeting in New York:

Hugh Baker  
New Orleans, LA

Chelsea Crews  
New Orleans, LA

Alexandra Davis  
New Orleans, LA

Trent Grable  
Columbia City, IN

Cameron Holmes  
New Orleans, LA

Bradley Kleihege  
Los Angeles, CA



19583

James Pound  
New Orleans, LA

Morgan Wilson  
New Orleans, LA

Mr. Hurley regretfully reported the deaths of the following eight Members:

Hon. Walter E. Black, Jr.  
Baltimore, MD  
Judicial Member; elected 1984

Richard R. Jackson, Jr.  
Stevenson, MD  
Life Member; elected 1967

Edward C. Kalaidjian  
Tequesta, FL  
Life Member; elected 1948

Donald P. Marinkovich  
Seattle, WA  
Life Member; elected 1959

Hon. Edward S. Northrop  
Baltimore, MD  
Life Member; elected 1962

Thomas G. O'Brien  
New Orleans, LA  
Associate Member; elected 1983

Kieron F. Quinn  
Baltimore, MD  
Life Member; elected 1971

Hon. Joseph H. Young  
 Baltimore, MD  
 Judicial Member; elected 1977

Mr. Hurley reported that with the above changes, the MLA's total membership is now 2,823, which is broken down as follows:

#### VOTING MEMBERS

Proctors	1,288
Associates	1,186
Adjunct	175
Academic	22
Subtotal	<u>2,671</u>

#### NON-VOTING MEMBERS

Ex-Officio	14
Honorary	4
Judicial	118
Law Students	16
Subtotal	<u>152</u>
TOTAL	<u>2,823</u>

On motion duly made and seconded, the Board unanimously approved Mr. Hurley's Membership Report.

#### **FIRST VICE PRESIDENT'S REPORT**

First Vice President Nolan reported regarding initial plans for a general membership meeting in Miami, Florida in the fall of 2018. He noted that there was consideration of a possible joint meeting with SEALI, and that the initial reaction from SEALI had been positive.

## **SECOND VICE-PRESIDENT'S REPORT**

Second Vice-President Farrell reported on the status of committee meeting arrangements for the New Orleans meeting in October. He noted that so far the Committee Chairs had reported the availability of five CLE credits at the meetings, on top of the CLE credits available at the Tulane Admiralty Law Institute ("ALI"). Mr. Farrell anticipates that the Committee Chairs' Handbook will be ready for the October meeting.

### **DISCUSSION ITEMS**

#### ***Fall 2016 New Orleans Meeting with the Tulane Admiralty Law Institute***

Mr. Hurley provided an update regarding plans for the joint MLA meeting in New Orleans with the Tulane ALI, Tuesday, October 25 through Friday, October 28, 2016. He described the schedule for the committee meetings, ALI sessions and social events, as well as the transportation arrangements and other services in place to assist the members. Mr. Hurley noted that there is no fee to attend the MLA meetings, only the Tulane ALI.

#### ***Fall 2017 Napa Valley Resort Meeting with the Pacific Admiralty Seminar ("PAS")***

President Watson provided an update on plans for the Fall 2017 Napa Valley Resort Meeting at the Silverado Resort and Spa. John Farmer is chairing the meeting. John and his committee expect to make a site visit in November. President Watson underscored the beauty of the location and excellence of the facility which we hope will draw high attendance. He expects that the committee will be seeking sponsorships in order to reduce the cost for MLA members.

The meeting will be jointly held with PAS which will provide the CLE program. Revenue sharing issues are under discussion between the MLA and PAS.

***Board Committees***

President Watson advised the Board that he was establishing three Board committees to address membership issues. The three committees are as follows:

1. Committee to review the effect of the aging membership/  
Life Membership, attrition and new membership trends

Dave Farrell, Chair  
Dan McDermott  
Kevin Thornton  
Mike Underhill  
Phil Buhler

2. Committee to review membership retention

Bob Connor, Chair  
LeRoy Lambert  
Jason Harris  
Jonathan Spencer  
David Ventker

3. Committee to review membership recruitment

Grady Hurley, Chair  
Deborah Waters  
Pamela Schultz  
Joe Grasso  
Donny Radcliff

***Meetings and Events Committee***

President Watson announced the creation of the Meetings and Events Committee. This committee pools the Association's experience and knowledge from past event planning, and will serve as a resource for the Committee Chairs for resort and city meetings. At President Watson's request, the following members have agreed to serve on this committee: Jim Moseley, Jr., Dennis Minichello, Donny Radcliff, and Janet Marshall.

### *MLA Archives*

Board member Dan McDermott addressed the topic of the MLA Archives. Currently his office has possession of 73 boxes of MLA documents. These documents include physical folders, numbered documents, bound volumes, floppy discs and microfiche. President Watson appointed a subcommittee consisting of Dan McDermott, Liz Burrell, Jonathan Spencer, Joe Grasso and Bill Bell to make recommendations regarding what should be done with these documents. There was discussion of Professor Martin Davies' suggestion that Tulane Law School may be interested in housing some of the historical MLA documents.

### *MLA History Project*

President Watson next discussed the proposal that the MLA develop a coffee table book to celebrate its history. He suggested that Board members consider if they have access to photographs that would be appropriate for such a book.

### *AMC Demonstration*

President Watson then called upon Past President Jim Moseley, Sr. to introduce Lori Hopkins of American Maritime Cases. Mr. Moseley described the long partnership between the MLA and AMC, noting that all of the editors are MLA members. Ms. Hopkins described the evolution of AMC over the last six years and highlighted some of its new features and developments. She then provided a very informative demonstration of the AMC website capabilities. AMC will be making a presentation at the New Orleans meeting.

### *Website*

First Vice President Nolan and Lynn Krieger (by telephone) together reported to the Board regarding the results of their search for a website consultant. At the previous Board meeting, the Board discussed a number of problems with the website and unanimously approved hiring a website consultant to help address these issues.

Ms. Krieger summarized the problems that had been experienced, noting that the functionality and look of the website is sub-par and not professional.

Mr. Nolan and Ms. Krieger reported that they had identified two potential consulting companies, and had spoken with the chief programmers at each company regarding the issues that had been identified, and what it would take to assess and fix the problems with the website. Both companies agreed that we have a framework that does not need to be torn down, but agreed it needs to be updated and made more user-friendly. After discussions with both consultants regarding their suggested approaches and estimates, Mr. Nolan and Ms. Krieger recommended that we negotiate a contract with POP Interactive. The Board discussed potential contract terms that could be used to protect the Association, as well as potential cost structures for the consultant's work.

Upon motion duly made and seconded, the Board unanimously authorized Mr. Nolan and Ms. Krieger to negotiate a consulting contract with POP Interactive to diagnose and fix the problems with the website. The details of the contract will be reviewed and approved by the Officers.

President Watson expressed his thanks to Ms. Krieger for all she has done in connection with the MLA website.

### ***Frank Wiswall***

President Watson reported that Frank Wiswall is the recipient of the IMO International Maritime Prize. In connection with this honor, the MLA has agreed to share the cost of flying Mr. Wiswall and his wife Libby to London to accept the prize.

## **RECENT ACTIVITIES OF THE PRESIDENT**

President Watson reported that he recently attended the Average Adjusters Meeting, the IMO Legal Committee meeting in London, and SEALI, where he made a luncheon presentation.

## **FUTURE BOARD MEETINGS**

### ***Spring 2017 Board Meeting in Mobile***

Mr. Radcliff reported on the plans for the Board meeting in Mobile, Alabama in March 2017. The Board agreed that March 11, 2017 was the preferred date for the meeting. Mr. Radcliff has secured the Grand Hotel in Point Clear, which is approximately 45 minutes from Mobile. He suggested flying into either Pensacola or Mobile. Mr. Connor encouraged the Board members to make their plane reservations early to get the best price.

### ***Summer 2017 Board Meeting***

President Watson raised the possibility of a joint meeting with the CMLA in the summer of 2017. Vancouver, B.C. was discussed as a potential location. President Watson will be speaking with the President of the CMLA and will keep the Board members apprised.

## **ADJOURNMENT**

There being no other business, President Watson thanked Mr. Bartlett for his help in setting up the Baltimore Board meeting and the reception hosted by the local bar, and the meeting was adjourned at 10:35 a.m.

Respectfully submitted,

*Barbara L. Holland*  
Secretary

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

Held at Jones Walker LLP  
New Orleans, Louisiana  
Tuesday October 25, 2016  
2:00 p.m.

The October 25, 2016 meeting was called to order by President Harold K. Watson at 2:15 p.m. In addition to President Watson, the following Officers were present:

Francis X. Nolan, III, First Vice President  
David J. Farrell, Jr., Second Vice President  
Barbara L. Holland, Secretary  
William Robert Connor, III, Treasurer  
Grady S. Hurley, Membership Secretary

The following Directors were present:

Robert G. Clyne, Immediate Past President

Daniel G. McDermott	Jonathan S. Spencer
Donald C. Radcliff	R. Michael Underhill
Kevin J. Thornton	Phillip A. Buhler
David N. Ventker	Jason R. Harris
Joseph G. Grasso	Pamela L. Schultz
LeRoy Lambert	Deborah C. Waters

At President Watson's invitation, Past Presidents James F. Moseley, Howard M. McCormack, Thomas S. Rue, Elizabeth L. Burrell, Robert B. Parrish, and Raymond Hayden attended the meeting.



## **SECRETARY'S REPORT**

On motion duly made and seconded, the Board unanimously approved the minutes from the August 13, 2016 meeting of the Board of Directors held in Baltimore, Maryland.

## **TREASURER'S REPORT**

Mr. Connor discussed his Quarterly Report for the three months ending September 30, 2016.

Mr. Connor reported that the MLA is in solid financial shape. He noted that \$38,000 had been collected for sponsorships of the New Orleans meeting. Given the meeting budget of \$28,000-\$30,000, he anticipates that there will be an overage.

Mr. Connor reported that 364 members are delinquent in paying their dues, and that 67 of them are three years in arrears. President Watson will be sending a letter to each of these members advising them that they will be removed from the Association's rolls if they do not pay their dues. Mr. Connor reported on the work of the Board Committee on Membership Retention, including the Committee's thoughts regarding dues collection. The Committee recommended that members who do not pay dues be terminated after two years of non-payment rather than three.

On motion duly made and seconded, the Board unanimously approved Mr. Connor's Quarterly Report.

## **MEMBERSHIP SECRETARY'S REPORT**

Mr. Hurley reported that the Committee on Proctor Admissions had recommended eleven Associate Members for elevation to Proctor status:

Gary Haugen  
Seattle, WA

19592

Marissa Henderson  
Norfolk, VA

Danielle Kaminski  
New York, NY

John Kavanagh  
Mobile, AL

Justin Mitchell  
Houston, TX

Richard E. Ogradowski  
Pittsburgh, PA

Luis G. Raven  
Panama City, Republic of Panama

Lindsay Sakal  
Alameda, CA

Nathalie Soisson  
Chavenay, France

Charles Talley  
New Orleans, LA

Alessandra Tebaldi  
New York, NY

He reported that twenty-seven applications had been received and were recommended for Associate Lawyer membership:

Giuseppe Aguanno  
New York, NY

Kevin Baldwin  
San Francisco, CA

19593

Eugene Barr  
Houston, TX

Lucas Bradley  
Savannah, GA

Kyle Brennan  
New Orleans, LA

Kenneth Bullock III  
Houston, TX

Benjamin Connally  
Sugar Land, TX

Kenneth Danielsen  
Hackensack, NJ

Katie Darden  
New Orleans, LA

Michael Dehart  
New York, NY

Dimitrios Dimitrakos  
San Ramon, CA

Mark Estrella  
Los Angeles, CA

Timothy Farrell  
Washington, DC  
Laura Gongaware  
New York, NY

Henry Gonzalez  
Washington, DC

19594

Norry Harn  
Long Beach, CA

Matthew Johnston  
San Francisco, CA

Joseph Kramek  
Alameda, CA

Ellen McGlynn  
Newport Beach, CA

Adam McNeil  
New Orleans, LA

Bradley Pace  
San Francisco, CA

Zachary Politis  
Long Beach, CA

Mitchell Popham  
Los Angeles, CA

Matthew Popp  
New Orleans, LA

Kari Rosamond  
New Orleans, LA

Christopher Ulfers  
New Orleans, LA

Jacob Wisniewski  
New York, NY

Mr. Hurley reported that one applicant for Academic membership had submitted an application and was recommended for admission:

Dr. Michael Sevel  
University of Sydney, New South Wales, Australia

Mr. Hurley further reported that the Committee on Adjunct Members had recommended one applicant for admission as an Adjunct Member:

Brian Murphy  
New York, NY

He reported that three former Associate Lawyer Members had applied and were recommended for reinstatement:

Nathaniel Eichler  
Jackson Heights, NY

James McCulloch  
Houston, TX

Julie Ward Pateman  
New York, NY

Mr. Hurley further reported that eighteen law students had become Law Student Members since the summer meeting in Baltimore:

Olawale Abudu  
New Orleans, LA

George Asare-Afriyie  
New Orleans, LA

Stephanie Brown  
New Orleans, LA

19596

Christine Behrman de Colindres  
Clearwater, FL

Anthony Bernal  
New Orleans, LA

Guyer Bogen  
New Orleans, LA

David Bury  
New Orleans, LA

Colin Crug  
New Orleans, LA

James Dunlap  
New Orleans, LA

Robert Gallagher  
West Palm Beach, FL

Benjamin Glass  
New Orleans, LA

Terence Grado  
New Orleans, LA

Cody King  
Covington, LA

John Miller  
Palos Verdes Estates, CA

Celia Ricardo  
Miami, FL

Amy Schapansky  
New Orleans, LA

19597

Zachary Wessler  
New Orleans, LA

Magdalini Yiannopoulos  
New Orleans, LA

Mr. Hurley regretfully reported the death of the following Member:

Henry J. Read  
New Orleans, LA; Life Member: elected 1950

Mr. Hurley reported that with the above changes, the MLA's total membership is now 2,860, which is broken down as follows:

#### VOTING MEMBERS

Proctors	1,296
Associates	1,194
Adjunct	171
Academic	23
Subtotal	<u>2,684</u>

#### NON-VOTING MEMBERS

Ex-Officio	14
Honorary	4
Judicial	117
Law Students	41
Subtotal	<u>176</u>
TOTAL	<u>2,860</u>

Mr. Hurley reported that a subcommittee of the Committee on Adjunct Member Admission has been tasked with reviewing the criteria for admission of Adjunct Members. He also reported regarding the recommendations of the Board Committee on Membership Recruitment. President Watson requested that the

Committee come back with a recommendation regarding specific recruiting events that should be scheduled.

On motion duly made and seconded, the Board unanimously approved Mr. Hurley's Membership Report.

### **FIRST VICE PRESIDENT'S REPORT**

First Vice President Nolan reported regarding the status of negotiations with website consultant POP Interactive. He expects to have a signed contract soon, and reported that POP believes it is possible to complete the upgrade of the MLA website by March 2017. Mr. Nolan also reported that work is proceeding on the Association's LinkedIn page.

Mr. Nolan updated the Board regarding initial planning for the general membership meeting in Miami in the fall of 2018. Alan Kelly has agreed to chair the meeting.

### **SECOND VICE-PRESIDENT'S REPORT**

Second Vice-President Farrell reported on the status of committee meeting arrangements for the upcoming General Meeting. He noted that 5.75 hours of CLE credits would be available at the committee meetings.

Mr. Farrell then introduced Kevin Thornton to report regarding the analysis done by the Board Committee on Membership Demographics. Mr. Thornton explained the downward trend in dues-paying members, and the anticipated upward trend in Life Members who are exempt from paying dues. A spirited discussion followed regarding strategies for recruiting and retaining dues-paying members, and for following up with members who have left the MLA to determine why. President Watson requested that the Committee come back to the Board with recommendations to consider at its next meeting.



**DISCUSSION ITEMS*****Fall 2016 New Orleans Meeting with the Tulane Admiralty Law Institute***

Mr. Hurley updated the Board regarding the schedule and plans for the week of meetings and activities in New Orleans. He thanked the members of the planning committee for their hard work. President Watson extended the MLA's thanks for the remarkable job done by Mr. Hurley and the entire planning committee.

***Fall 2017 Napa Valley Resort Meeting with the Pacific Admiralty Seminar ("PAS")***

President Watson reported that the planning was going well for the Fall 2017 Napa Valley Resort Meeting at the Silverado Resort and Spa. The Board discussed potential scheduling for the meetings and activities. The meeting will be jointly held with PAS which will provide the CLE program.

***Spring 2017 Board Meeting in Mobile***

Mr. Radcliff updated the Board on the plans for the Board meeting in Mobile, Alabama in March 2017.

***Summer 2017 Board Meeting in Los Angeles/Long Beach***

President Watson reported that he had consulted with the President of the CMLA, and that scheduling could not be worked out for a joint MLA/CMLA meeting in the summer of 2017. The Board approved his suggestion of the LA/Long Beach venue for the summer meeting, and agreed upon August 5 as the best date. Joseph Walsh will be the local Chair for the meeting.

***MLA Archives***

Board member Dan McDermott reported that he had begun the process of sorting the 73 boxes of MLA documents in his office.

Five boxes of the Association's historical bound volumes will be housed at Tulane Law School. Fifteen boxes contain the MLA numbered documents, most of which are already on the website in electronic form. Mr. McDermott is hoping that members of the Young Lawyers Committee will help go through the remaining fifty boxes. Past President Burrell offered her services as well.

### ***MLA History Project***

President Watson suggested that the Board ask the Members to donate photographs for inclusion in a book on MLA history. He noted that Frank Wiswall has recordings of interviews with some of the important MLA figures from the past.

### ***Board Meeting Costs***

The Board next discussed ideas for reducing the cost of Board meetings, including scheduling the meetings so that most of the Board members could obtain same day flights.

### ***Gray Staring's Article***

The Board discussed Gray Staring's insightful article regarding improving relations of Admiralty judges with Admiralty law. President Watson appointed a committee to review Mr. Staring's suggestions on behalf of the Board.

### ***Frank Wiswall***

President Watson reported that Frank and Libby Wiswall were very pleased that the MLA paid half of their airfare to fly to London so that Frank could accept the IMO International Maritime Prize.

## **RECENT ACTIVITIES OF THE PRESIDENT**

President Watson reported that he had recently attended the Houston Marine Insurance Seminar, the Average Adjusters meeting in New York, and the meeting of the American Institute of Marine Underwriters.

19601

**ADJOURNMENT**

There being no other business, President Watson adjourned the meeting at 4:20 p.m.

Respectfully submitted,

*Barbara L. Holland*  
Secretary

