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THE MARITIME LAW ASSOCIATION
OF THE UNITED STATES

MLA PROCEEDINGS
Fall Meeting, October 17, 2018
Coral Gables, Florida

Officers Present:
Francis X. Nolan, III
David J. Farrell, Jr.
Barbara L. Holland
William Robert Connor, III
Grady S. Hurley
James F. Moseley, Jr.
Lynn L. Krieger
Harold K. Watson

And the following additional Members, totaling 93.

Anderson, Charles	Lambert, LeRoy
Arnold, Edward	Leslie, Richard
Bartlett, Jim	Lindberg, Erika
Bell, Michael	Lloke, Penz
Black, Michael	Lochner, Todd
Booth, Forrest	Marshall, Janet
Buhler, Mark	Marwedel, Warren
Buhler, Phillip	McCarthy, Chas
Burger, Rob	McLaughlan, Peter
Calvesbert, Paul	Minichello, Dennis
Cammarano, Dennis	Moller, Jeffrey
Cardone, Tina	Newcomb, Marc
Carey, Christopher	O'Connell, Liam
Cassidy, William	O'Donovan, Kevin
Chacon, Raul	Picó, Andrés
Cicala, Conte	Poitien, John
Cleary, John	Powers, Ed
Clyne, Bob	Powers, Katharina
Coberly, Mark	Real, Edvaron
Collins, Robert	Rivera, J. Ramon
Costabel, Attilio	Riviere, William
Daniel, Eric	Rutkowski, Lawrence
Davies, Martin	Schaffer, John
Davis, Christopher	Schovajsa, Christiana
DeLeo, Charles	Schultz, Pamela
Eisenhower, Brian	Schupp, Ben
Farrar, Boriana	Schwampe, Dieter
Filiato, Anthony	Segarra, J. Ben
Foley, Vincent J.	Shaukat, Imran
Friedman, Shari	Smith, David
Giles, Alex	Snook, Thomas
Glenn, Robert	Sturley, Michael
Goldman, Shannon	Stevenson, Douglas
Greenbaum, Aaron	Stockman, Norman
Hails, Barrett	Sullivan, Tom
Hartman, Ed	Toney, G. Robert
Hartmann, Kevin	Tsimis, George
Holbrook, Seth	Valdez Otero, Michelle
Houseal, Sean	Waters, Deb
Isaacs, Marc	Webster, Jess
Kehagiaras, Andrew	Welte, Sandy
Kelley, Allan	Woods, John
Knapp, Sandra	Wylie, Stephanie
Kravets, Audrey	Zawitoski,

And the following 12 guests:

Admiral Steve Andersen, U.S. Coast Guard
Jose Apolo
Gloria Buhler
Aurelio Fernandez Concheso
Captain Shannon Gilreath, U.S. Coast Guard
Annette Hughes, University of Miami
Mark Isaacs, President, Canadian MLA
Dr. Jose Manuel Zapico Mackay
Carmen Perez-Llorca, University of Miami
Jeannie Sanchez, Court Reporter
Dieter Schwampe

SPEAKERS AND PRESENTERS:

Phil Buhler of Moseley Prichard Parrish, et al.
Charles De Leo of De Leo & Kuylenstierna
Vincent Foley of Holland & Knight
Sean Houseal of Womble Bond Dickinson
William Riviere of Phelps Dunbar
Mark Buhler of Buhler Law Firm
John Cleary of Polsinelli
Stephanie Wylie of Horr Novak & Skipp
Andrew Kehagiaras of Roberts & Kehagiaras
David Smith of Farrell Smith
George Tsimis of GJT Marine Consultants
Alexander Giles of Semmes
Imran Shaukat of Semmes
Christopher Davis of Baker Donelson, et al.
Warren Marwedel of Marwedel, Minichello & Reeb
Michael Sturley of University of Texas Law School
Corina Kuss of Kuss Law Firm, Cologne, Germany

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MR. NOLAN: Thank you for coming this morning. It's been a very interesting experience for me. First time at a general meeting that I have been constructively responsible for. I actually have done a good amount of work for it, but I am very happy with the results of this meeting so far. It has been good company. It has been a very interesting experience. And this is, of course, due to the efforts of a number of people we will shortly recognize.

In the meantime, I would like to welcome in particular some of our distinguished guests. Actually, I think we are all distinguished or distinguishable.

Admiral Steve Andersen, United States Coast Guard.

(Applause.)

Dieter Schwampe. We missed him.

(Applause.)

Aurelio Fernandez Concheso of Caracas, Venezuela.

Aurelio?

Not up yet.

MS. OTERO: He closed the party last night.

MR. NOLAN: He closed the party last night. Okay. We're happy to have him here, and not here.

Dr. Jose Manuel Zapico Mackay of Santiago, Chile.

(Applause.)

MR. NOLAN: Jose Apolo.

He was out late too, huh?

So we have made a point.

And Marc Isaacs. All right. There you are.

(Applause.)

MR. NOLAN: President of the Canadian MLA.

So it has been our policy to reach out more and more even at our national home meetings to keep our connections fresh and our interchange of ideas as lively as we can.

Now, there is another group of people, who are distinguished, distinguished by their labors and the success of them. I would like to invite Phil Buhler and his posse.

Phil will identify that posse for you. It's probably half of the room. Phil was a chair that I came to, and not knowing anything about organizing a general meeting, Phil agreed to do it. Of course, if he knew anything about it, he never would have done it.

Phil, I want to thank you, and I want you, please, to identify your --

MR. PHIL BUHLER: I would like to ask all of my committee members who are here, present, to please come forward.

You know who you are. And if not, I am going to -- I am going to out you here.

And that includes two members of the University of Miami who have been the most instrumental in a lot of this, and they are part of this.

There is some. . . some of our committee members aren't here, but I am going to recognize, Mr. President, as quickly as I can, all of the people who participated in this.

Chris and Lisa Carey.

They arranged the events at the university, the social events. They manned the tables, and plenty of advice from a lot of experience before.

Jonathan Skipp, who I don't believe is here this morning, local attorney, he arranged

MR. DE LEO: His daughter is getting married tonight.

MR. PHIL BUHLER: Yeah. And I didn't know that until this week. And he actually his daughter was getting married this week, and he was working on this all the way through yesterday and left in time to go to the airport and pick up people and go to the wedding.

He arranged the shuttles, the tables, the fishing tournament that's going to happen Saturday, et cetera.

Allan and Kathleen Kelley. This phenomenal CLE program that you saw yesterday and will see again this afternoon, Allan has been working on that for well over a year, putting that together. Allan and Kathleen have been local contacts on the ground for arrangements for everything we needed.

Janet Marshall, most of you know the wizardry that Janet Marshall performs at social events. And, of course, I immediately defer to her on all banquet issues.

But the wonderful receptions and the dinner we are going to have here in this room tonight, that is Janet Marshall's work. And I can tell you, we couldn't pull this off without what she has done, and she was even manning the tables most of the time. So she has been in five places at once.

Mike Black, he has set up the golf tournament for Saturday at Crandon. He was a miracle worker. He jumped into this in June when the Biltmore suddenly closed the golf course here and rearranged it, has done a marvelous job, and has backed us up on many other issues large and small locally.

Deborah Waters, her husband Louis. Husband not here. Deborah sure is. She got sucked into this vortex when we were talking about arranging the gift bags, the handout bags. She did that, she got those designed, got them printed, decided what we were going to stuff in them, that wonderful mango salsa. Janet had a hand in that too, and went through this. And this was she said, you know, I just volunteered to help you with the bags, but she got sucked into the vortex of this, the committee, and doing everything else as well, including the marathon stuffing party we had on Tuesday before this started.

Lynn Krieger, everybody knows the magic that Lynn Krieger performs with our website and e mails. All the web postings for this event -- and there were multiple -- and the design of the brochure and the web advertising, that is Lynn, and you know what she does. That is why she is sitting up here. We made a new office for her in that position, because that is fantastic. And I think -- I must have sent her so many things to post on the website and change, and I am surprised she didn't put my e mail in spam.

But she did a miracle job with that.

Alex Giles, around, we got background. Hey, Alex, you are supposed to be standing here.

He was -- Alex has worked on so many of these programs. I -- the most I had ever done for an arrangements committee for a meeting in the past was to arrange, for a sailing tournament one time. So that is the extent of my experience. Alex has been doing this for years, and really, his advice on the details of things I didn't even think of was invaluable.

And we will see the product of that in the future meetings that I know you are involved in.

So I really appreciate him stepping in and backstopping us on some things.

Charlie De Leo, the band you are going to enjoy tonight was Charlie's choice. He also helped us with some of those restaurant recommendations, and I know we were at the Mexican

MR. DE LEO: Talavera.

MR. PHIL BUHLER: Talavera last night. I know there was another big group there. That's Charlie's recommendation, and I will just speak for ourselves. That was phenomenal.

AUDIENCE MEMBER: Definitely.

MR. PHIL BUHLER: So he was heavily involved with that in our local context.

Michael Moore. He is not in the room.

Michael Moore, another local attorney, he stepped in with local advice. He had a very good contact here at the hotel and made things run a lot smoother here as we were working in the final days, and giving us local advice about things to do in town. And I guess he is not here. A lot of the local lawyers who were involved in this are not present this morning because they are trying to run offices, but we really appreciate that.

He had the hotel contacts.

Now, I want to introduce two special people. Some of you have probably met them. But since we had a lot of this meeting at the University of Miami, Carmen Perez Llorca, she is the director of international graduate law programs and a lecturer of law at the University of Miami.

She has probably worked on this program almost longer than I have. This program generated a couple of years ago when Frank suggested we might want to go to Miami the first time, because it's a major maritime center. And, coincidentally, I was down here for a seminar given by Professor Oxman, and I was introduced to Carmen, and we started talking about why can't we put the MLA and the University of Miami together.

And since that time, she has been involved in this every single day, getting things worked through the university.

And her colleague in crime, Annette Hughes. Now, Annette, I have had -- she is on speed dial for me. And she probably never wants to see my e mails again.

But she is the director of events and conferences for the University of Miami School of Law, and everything that happened at the university, she was involved in.

And I have called her ten times a day, sometimes to get things set up. And it has worked like clockwork. And these two are miracle workers. You want to see an example of the University of Miami School of Law, there you go.

So we really appreciate that.

And the last but certainly not least person involved in this, Gloria. Where is she?

Gloria, as a lot of you know her, she loves this organization as much as I do, and she has been by my side in it for almost 30 years, and she loves arranging things. She arranged the tour yesterday. She has another tour going Saturday for people who have signed up. I suggested she just do one. She says, "No, no, no. I have to do two, because people really want to do this."

She has been supportive in so many ways for this, because she really wants to help this organization, and I really appreciated it.

Mr. President, there are a number of sponsors, I think you are going to address them, as well -- because the

MR. NOLAN: As soon as you give me the final list.

MR. PHIL BUHLER: I want to mention one, who is a crossover, Bob Toney, not only a major sponsor to this event, but he was also backstopping us with local information. Arranging a meeting in a city like Miami, you need that local on the ground information and help, and he was very good at that too.

Mr. President, I could go on all day with what these people have done. But...

Thank you.

(Applause.)

MR. NOLAN: We look forward to continued collaborations with the University of Miami School of Law in the future as well as our connections with the other universities, the academic side of our practice.

Now, we will head to the -- the sober part of the program and hear from the secretary and his report.

MR. HURLEY: Good morning, Mr. President, relatively short report. I remind all of our members to sign in, if you have not, at the front desk. We use your name for not only attendance at this meeting but for other important purposes to the MLA. So please sign in if you have not.

Also, I would like to thank our court reporter today, Jeannie. Her swag bags are out front if you have not seen them. We would also ask anyone coming to the microphone to speak to hand her your card, so we do recognize you and spell your name correctly. It is only a 50 percent chance I will get it right.

And two other short items. At our last board meeting in Portland, the Preti Flaherty firm in August, there was a decision made by our board to post the MLA proceedings of today as well as our MLA report on our website. It will be in a form that is printable for those of you that like to maintain a hard copy.

That is the report that was submitted to you, Mr. President, and to the extent that it needs to be accepted, I ask that we accept it.

MR. NOLAN: Do we have a motion?

ALL: Aye.

MR. NOLAN: Mr. Treasurer, is there anything left?

MR. CONNOR: Yes. We still have a few pennies left in the treasury. Welcome, everybody, to Miami. A little nostalgic for me because I also attended the University School of Law here just a few years ago. Graduated in 1974. Which is why I am a life member. Life member who pays dues, by the way.

I would like to report that the treasury is in good shape, a little bit better total than we had a year ago. So that is good, looking forward for our programs.

To date -- just somebody once said you never give any figures, so I will give you one. To date, we have collected in dues \$323,257.50. I don't know where the 50 cents comes from, but anyway, it is in there in the computer.

We as usual, unfortunately, and I am sure I am not speaking to the group that owes the money, but we have delinquents, again about the same number 395 members, 281 of which owe this year's dues, 114 who owe two years' dues, and as you will recall, we passed a ruling a year ago that if your dues are more than two years in arrears that you will be excommunicated on December 31st of that second year.

So if there is anybody here who happens to have not paid their dues, please do so. It is easy enough to do on the website.

We also instituted last year a \$50 surcharge, which went into effect July 15th, and that did bring a number of people out of the woodwork to pay their dues and pay the \$50 surcharge.

So we are moving along. Other than that, I would say we are in a good financial position as we move towards 2019 and our various meetings, certainly next spring, in New York City, the first Friday night in May will be our dinner at Cipriani again, and then certainly in the fall of '19, Scottsdale. So get your horses ready and saddle up.

That is my report, Mr. President. I move its adoption.

Second?

MR. NOLAN: Second.

ALL: Aye.

MR. NOLAN: Thank you.

By the way, I neglected to mention that my good friend Captain Shannon Gilreath is sitting behind Admiral Steve Andersen, and I wanted to recognize his presence and awfully good work yesterday at the seminar.

So...

(Applause.)

MR. NOLAN: Now, I would like to hear from the membership secretary.

MR. MOSELEY: Thank you, Mr. President. I am happy to report that interest in the association continues to run high. Since our meeting in New York last May, we have increased by a net of 25 members.

In particular, the board has approved for new membership an academic member, Jill Taft, of the Massachusetts Maritime Academy.

In addition, the board received and approved the recommendation of two adjunct members, Captain Thomas F. Fox and Kalliopi Michalopoulou, and one judicial member, the Honorable Martin Christopher Jones, of McDonough, Georgia.

In addition to those, we have received since May 2018, and the board has approved, 20 associate members, including Robert N. Allen, Jr., Edwin B. Barnes, Theresa M. Bennett, Michael Bradford, Blair Brogan, Michael Brook, Danielle J. Butler, Jocelyn V. Cinquino, Jacques DeGruy, Alena A. Eckhardt, Peter M. Field, Ryan T. Gibson, Charles E. Hartman, III, Helkei S. Hemminger, George H. Lugin, Kristin E. Poling, Stephen E. Smith, Jr., Igor Stadnik, Philip M. Thompson and Paul A. Witte and one law student, Erika A. Wheat. Mr. President, this brings our total membership of the association to 2,663.

Mr. President, I also regret to report that since our May meeting in New York, we have become aware of the deaths of the following members: Robert Arredondo of Houston, Texas; Walter Carroll, Jr., of New Orleans, Louisiana; George R Daly of Montauk, New York; John J Devine, Jr., of Cranbury, New Jersey; Paul S Edelman of New York, New York; John (Jack) Gallagher of Alexandria, Virginia; the Honorable Robert J. Hallisey of Framingham, Massachusetts; Joseph A. Kilbourn of Mount Kisco, New York; Alexander Lankford, III, of Mobile, Alabama; and Daniel P. Mitchell of Tampa, Florida.

I would appreciate if you can join me for a moment of silence in recognition and honor for these departing members.

Thank you.

Mr. President, this concludes my report, and I move that it be accepted.

MS. OTERO: Second.

ALL: Aye.

MR. NOLAN: I do have to make one comment, and I promised Mr. Moseley this the last time I will tell the story. But we now at board meetings of the association that don't occur in connection with the general meetings, so the summer board meeting and winter meeting, we have as outreach programs which the membership committee puts together which include of an hour of CLE, followed by a reception for potential new members.

And Mr. Moseley has developed a very unique way of recruiting members. He serves sees that the hors d'oeuvres are served in large and unchewable chunks, and then he applies the Heimlich maneuver to the staggered potential new member, and he did that remarkably at the Portland meeting this year. And I asked afterwards whether, in fact, the salvaged individual eventually joined the association, and he was not sure about that.

So from now on, we are going to have a policy where he carries the application and a pen with him, hands it to the person, just before they turn completely blue, and if they sign, boom.

That is really a remarkable thing. That story is true. He did save this fellow's life, and I would like to give him one hand for all of us.

(Applause.)

MR. NOLAN: Now, I would like to hear from the website and technology secretary, who has yet to say anything as far as I know. She has a lot to say.

MS. KRIEGER: Good morning, everybody. I will make it short. I think you are all using the website more, and we encourage you to do so. We put most of the registration materials and all the updates and all the materials that you would need on the website. I hope you all are becoming a little more accustomed to going there as a resource.

Most of the things we have been working on right now are behind the scenes. We have two big pushes right now. One is the document library, which you all heard about. It takes a long time to develop a proper structure because we want that library to be a living library instead of a static, historical document repository.

The next thing you will see, happens in January of 2019, and that is when we are going to start making public all of the CLEs that we have been working to record. Brian Eisenhower, the chair of the CLE committee, has been a huge part of this getting pre approval for all of the CLE programs that we have been putting on at these meetings.

As Frank announced in May, the goal is to put on -- how many, Frank?

MR. NOLAN: 18 hours of CLE a year onto the webinar program, at no additional cost.

MS. KRIEGER: So it would be free. We've already uploaded the recorded presentations. We're just waiting to receive approval from the New York Bar Association and we will start publishing those to membership in January of 2019. We believe the free online CLE will be a valued-added proposition for the membership. And that concludes my report.

MR. NOLAN: Thank you. I would like to mention that when we have had sort of a jury research in the outer districts about what was the value that you would like to get out of the MLA, over and over again we hear, "Well, CLE, I can't get good quality, relevant CLE where I am," in someplace in California or someplace in New England or someplace in the south, or anywhere in the empire.

So it occurred to us that with a webinar program we could make this available to all of our 2,600 and something members at any time just as long as they are connected on the Internet. So this is a project that really had a lot of emphasis and energy behind it. And I hope that you enjoy it and take advantage of it. It should start appearing in January as Lynn said.

And by all means, give us your feedback. We will be aiming for 12 hours harvested from our programs, and another six hours of special production studio quality, high production value CLE on the most cutting edge areas we can find.

So right now we are trying to structure this program so it is sustainable and it lasts beyond the cycle of two of those efforts.

By all means when you start seeing it, let us know what comments you have. I hope you find it useful.

Thank you, Lynn.

I move the adoption of her report.

MS. OTERO: Second.

ALL: Aye.

MR. NOLAN: We will move into committee reports, but I do have the final list of the sponsors I would like to read off and recognize them by name:

National Maritime Services, which is Bob Toney's organization; Fowler White Burnett; Maritime Arbitrators' Association of the United States; Vedder Price; Michael C. Black; Clyde and Co.; De Leo and Kuylentierna; Robert S. Glenn, Jr., Dispute Resolution; Horr, Novak & Skipp; Jimenez, Graffam & Lausell; Moore and Company; Moseley, Prichard, Parrish, Knight & Jones; SEA; and Miami Law, School of Law at the University of Miami.

So I hope you appreciate the efforts of all of the sponsors that help make this event possible.

(Applause.)

MR. NOLAN: As the secretary requested, if you could come up in the order that I call the committee, and give the report. If you are giving a report for more than one committee because of a combined program, please announce which committee that is.

And hand your card to the court reporter. So that we can decipher and fathom who, in fact, reported it.

The first to come is Arbitration and ADR to be followed by Carriage of Goods and Marine Insurance.

MR. TSIMIS: Good morning. Mr. President, ladies and gentlemen. Yesterday, we had a chance to meet at Miami Law School to hold the arbitration, the ADR Committee meeting, and the committee chair, Peter Skoufalos, and the vice chair, Chris Nolan, unfortunately, they had professional commitments this week, and they could not attend the meeting here in Miami, in person, so they asked me to deliver this wonderful report.

We were able to organize a meeting, nevertheless besides the fact that most people were up in New York, to coincide with this Miami meeting, and down here in Miami we participated by phone. Besides the bifurcated venue, we still had excellent attendance with an even number of participants on both ends, 15 in New York City and 15 in Miami.

The meeting had three speakers, the first of which was David Martowski, who gave a very interesting presentation on the mechanism of granting pre award security from an arbitrator's perspective, and it was very timely reported because of the recent amendment of Rule 30 to the SMA rules which authorizes such relief.

The second presentation was provided by Louis Epstein, senior vice president and general counsel of Trammo. And his presentation was on commodities trading and the SMA rules, and his discussion also had a special emphasis on force majeure issues in that context.

The third presentation was provided by Christopher Nolan of Holland & Knight. And he focused on the use of experts in SMA arbitrations.

In addition, the committee remains very active in publishing its newsletter, covering arbitration awards and court decisions of interest. We expect to follow our spring newsletter with a comprehensive fall newsletter, covering cases reported throughout all the federal circuits as well as significant arbitration awards.

And that concludes the report, Mr. President.

MR. NOLAN: Thank you.

We will be following that by Cruise Lines and Passenger Ships.

MR. KEHAGIARAS: Mr. President, fellow members, good morning my name is Andy Kehagiaras. I am the chair of the Marine Insurance Committee. Dennis Cammarano, the chair of the Carriage Goods Committee, and I held a very successful meeting at the law school on Wednesday afternoon. We featured two special guests, the always exuberant, dare I say spunky, Professor Sturley reporting on the Rotterdam Rules update, followed by the AIMU's president, Mr. John Miklus, giving us an update on his organization, comings and goings. We have a very close relationship with the AIMU.

Our first speaker was the vice chair of Carriage of Goods, Mr. Mark Newcomb, who presented to the joint committees on block chain, from proof of concept into implementation.

Following Mr. Newcomb was a very interesting report from the European, the EU perspective on cargo claims, the impact on U.S. claimants, and finally how that might manifest itself in the wake of Brexit.

We have 42 members in attendance. We had 16 on the telephone. Both committees had newsletters that were going to post on recent updates and case law.

It was a pleasure to be here to meet many of you, and I look forward to working with everyone.

Thank you very much.

MR. NOLAN: Cruise Lines and Passenger Ships will be followed by Cybersecurity.

MS. WYLIE: Good morning, Mr. President. Good morning, members. I am here on behalf of Carlos Nunez, the chair committee for the Cruise Lines and Passenger Ships Committee.

We met with the marine torts committee on October 17th between 1:00 and 3:00 p.m.

We hosted a crew claims seminar with the following distinguished speakers, led to a spirited debate in front of a very full room.

The speakers represented both the defense and plaintiffs side of the admiralty bar. They included Jerry Hamilton, David Horr, Brett Rivkind, Bob Peltz and retired Judge Ronald Dresnick.

Following the crew claims seminar, Carlos, chair of Cruise Lines Committee, made a short presentation with case law and an update on Admiralty Rule B.

That concludes my report.

MR. NOLAN: Thank you.

Cybersecurity followed by Fisheries.

MR. CLEARY: Good morning, Mr. President. This is the report of the Committee on Cybersecurity. I'm the Vice Chair, John Cleary, standing in for our Chairman Joe Walsh, who was called away on a client emergency. We had 15 to 20 attendees in a 90-minute meeting yesterday presided over by myself and Charlie McCarthy, Secretary to the Committee. We had representation from the Coast Guard and practitioners from Germany, Chile, Mexico, and Venezuela.

Three basic chunks of our meeting. The first was a survey of threats and trends in cybersecurity for both maritime and nonmaritime that went through the Maersk breach, which I am sure you are all very familiar with, and which is actually a combination of maritime and nonmaritime. There were some that were directly in the maritime sphere and some like Maersk straddle multiple spheres and multiple victims at the same time.

We went through the recent run of attacks on ports, San Diego, Barcelona and Long Beach. And we went through the *World Fuel* case where \$18 million in fuel disappeared in another cyber heist a couple of years ago, and it was litigated as an insurance matter in New York.

That was followed by a video presentation by Charlie McCarthy of YouTube Videos of GPS spoofing, to watch a ship in an experiment by the University of Texas, to take a ship off course by jamming and spoofing their GPS signal in the Mediterranean. That has gotten an enormous amount of attention in the cyber realm recently in terms of risk management and technology.

We concluded with a tabletop exercise designed for a C-Suite of a company, to walk through a ransomware event, step by step of going back and forth with an attacker and making decisions along the way, as a company, of whether to pay and not and how to diagnose the attack.

So, Mr. President, we will post all these materials on the website. We don't post the back end of the tabletop because it's meant to be participatory. It ruins it if everybody reads it to the end. So you'll get the first couple of slides of that. We certainly encourage people to log in or join the committee and access these materials.

This concludes my report.

MR. NOLAN: Can everybody hear? Because we are having a hard time hearing it up here.

(Thereupon, a discussion was held off the record.)

MR. NOLAN: This is now Fisheries, which is combined with Practice and Procedure today

MR. SMITH: Yes, it is.

MR. NOLAN: and then followed by International Organizations.

MR. SMITH: Good morning, everybody. My name is Dave Smith. I'm the chair of the Fisheries Committee, Practice and Procedure. We got together yesterday with Fisheries to talk about primarily fishing permits and how they intersect with our practice.

It was a lively debate between -- about whether a permit, the value of a permit should be included in the limitation fund.

That was led by Kirby Aarsheim and Kasee Sparks Heisterhagen. Then we went from there to say, can you attach permits or address permits that are in confirmation permit history.

And from there, we had a discussion about the administrative appeal process for permit violations, which also led into speeding, and the moral of that conversation is basically, if your client is getting a fine, get involved early so you have a better chance of negotiating the fine down.

Finally, we led -- had a discussion about problems getting U.S. marshals to act promptly on warrants that have been issued.

And the body discussed the use of TROs to be issued to the pilots, for example, to stop them from assisting a vessel to leave.

And, Mr. President, that concludes my report.

MR. NOLAN: Thank you.

International Organizations, Conventions and Standards to be followed by Marine Ecology and Maritime Criminal Law.

MR. FOLEY: Good morning, everyone. Good morning, Mr. President, officers, members and guests.

We held the meeting of the International Organizations, Conventions and Standards Committee Wednesday, October 17th from 1:30 to 3 o'clock p.m. at the University of Miami.

The first report we received was from Jeff Moller of Philadelphia. He gave us an update of the CMI. On November 8th and 9th there will be a general assembly scheduled for the CMI at the IMO in London.

It is expected that our very own member, Chris Davis, is going to be elected as the next President of the CMI for a term of three years.

Congratulations to Chris for this recognition.

(Applause.)

MR. FOLEY: I think this is a recommendation of all Chris's dedication and hard work at the CMI and on behalf of our organization. So we are all very proud of Chris for that achievement.

There will be CMI working groups at this meeting, and this meeting is open. For anyone that wants to attend, you can inform the CMI that you would like to attend and show up in London and participate in the general assembly and working groups. Working groups include the polar shipping, ship financing, ship nomenclature, and there is a marine insurance workshop scheduled for Friday on cybercrime and autonomous vessels.

And similar to the cybercrime committee report, this workshop involves a vessel that is about to have a collision situation, and the master is about to change course to avoid the collision, and the screen pops up and says, "Your vessel has been hacked. You can't control the vessel anymore."

And they are going to take that scenario and look at insurance and cybercrime and liability issues that might arise from that situation.

There also will be a young CMI seminar headed by our member Blythe Daly from New York. So we encourage you, if you can get to the CMI meeting, to do so.

While we are on the CMI, we had a report from the Young Lawyers Committee. We have a liaison of young lawyers that have been working on a project with the CMI to identify all the international cases, U.S. cases which touch upon international conventions and to prepare summaries of those cases. The CMI has asked the other national maritime law associations to do the same in their own countries, and they are compiling a database of these cases.

So far, we have nine young lawyer committee members, and they have identified 100 cases and have completed 25 summaries so far. We expect to have that -- a further report at the next May meeting, and that is being handled by Chris Hannan of New Orleans and Imran Shaukat of Baltimore.

Following that, we had -- we were very lucky to have a presentation by Bob Clyne, general counsel of the American Bureau of Shipping and well known to everyone here as our past president and longtime member of the MLA.

Bob gave a very thought provoking presentation on autonomous vessels from a class perspective.

He explained how the digitization of ship based data has really taken over, and that data is being transferred through use by shoreside for shoreside purposes.

He explained the concept of smart ships and the focus on consistency, reliability, and redundancy as the developments of making ships from right now being semiautomated to a fully automated operation.

Following that presentation, there was a discussion on the privity or knowledge defense, and of whether it should be amended or replaced with some type of due diligence standard in view of the fact that autonomous vessels are digitizing all the information, transforming it to shoreside use and operation, there really is no more room

for a privity or knowledge based defense, and it really should be looked at whether we should replace or amend that.

We then had an update from the Coast Guard. We had Captain Shannon Gilreath and Admiral Steve Andersen in attendance, and we had, by the way, 15 people attending.

Captain Gilreath gave us an update on the two IMO committees that are focusing on autonomous vessels, the Marine Safety Committee is the farthest along. They are engaged in a scoping exercise to identify all conventions that need to be amended to accommodate the use of autonomous vessels and the Legal Committee is also taking up issues and inviting comments from the industry as to conventions that need to be amended.

He also gave us an update on the Marine Environmental Protection Committee. They are taking up two issues, greenhouse gas emissions. The U.S. has reserved its position on that, which is basically opposing the implementation of greenhouse gas emission efforts by the IMO, and the low sulfur fuel limitation coming in January 1, 2020. The U.S. favors an amendment to extend the sulfur limitation, and those issues will be taken up at the committee meetings.

Finally, we had an update from Shannon Gilreath on the electronic record books also something to be taken up by the IMO. The U.S. wants to preserve the fidelity of written logbooks and the accountability of written logbooks. The IMO is moving towards guidelines for electronic -- for use of electronic record books, but the U.S. is also reserving its position on that, and likely, the result would be you have to have two logbooks, an electronic record book and the written record book.

And with that, I conclude my report.

MR. NOLAN: Thank you.

(Applause.)

MR. NOLAN: Marine Ecology followed by Marine Financing.

MR. HOUSEAL: Good morning. I'm Sean Houseal, chair of the Marine Ecology and Maritime Criminal Law Committee. We held a joint meeting yesterday with the committee on the Regulation of Vessel Operations, which included a rather lengthy presentation regarding natural resource damage assessments, a topic that our committee hadn't addressed in any great detail over the last couple of years.

The NRDA presentation primarily focused on Deepwater Horizon observations by Dr. Ralph Markarian, who is the Director of National Practices, Sr. Principal, and Sr. Vice President with CARDNO, and who was one of the NRDA leaders on behalf of BP in the wake of the Deepwater Horizon blowout and subsequent natural resource damage assessment activities, and his colleague, Dr. Jeffrey Wakefield, who is a senior consultant and principal with CARDNO, specializing in Environmental Economics.

Their presentation focused predominantly on their observations as to trends in NRDA since Exxon Valdez, and how things have changed through Deepwater Horizon and what they foresee occurring in the future.

It was an informative discussion, and we appreciate their efforts in that regard.

Capt. Shannon Gilreath updated our committee members, as he typically does, on timely issues, and as Vincent just relayed, Capt. Gilreath focused his remarks on the potential use of electronic record books and the timing of potential amendments to MARPOL annexes to allow for the use of electronic record books. As always, his remarks from the Coast Guard's perspective were informative, and we thank him for his presentation.

Mr. President, that concludes my report.

MR. NOLAN: Thank you. Marine Financing, which I understand will be jointly with Maritime Bankruptcy and Insolvency and Offshore Industries.

MR. RIVIERE: Correct, Mr. President.

MR. NOLAN: Okay. Followed then by Salvage, I understand, have to say, Stevedores, Marine Terminals.

MR. RIVIERE: Thank you, Mr. President.

Mr. President, officers, directors, distinguished guests, and fellow members, my name is Bill Riviere. I am the chair of the Offshore Industries Committee, and this report will be issued jointly on behalf of the Marine Finance and Maritime Bankruptcy committees as well.

These committees met yesterday morning, October 18th, at the University of Miami Law School, and approximately 25 members of these committees were present, as well as other industry representatives.

A large majority of the meeting's agenda was devoted to furthering exploring the intersection of the Offshore Industries Committee with these other committees, and it was perhaps the first time that Offshore Industries had met with either of these other committees.

We were quite pleased to have with us, Mr. Sam Giberga, Executive Vice President, General Counsel, and Chief Compliance Officer of Hornbeck Offshore Services, a New York Stock Exchange listed marine service company located in Covington, Louisiana.

Sam spoke on the topic with a presentation entitled "The Jones Act on the OCS, Facts and Myths."

He explored the history and the wavering enforcement of the cabotage provisions of the Jones Act by CPB on the OCS in connection with the marine industry as it serves the offshore oil and gas sector.

Sam also concluded his presentation along with a PowerPoint on another topic entitled "Citizenship Compliance for Public Companies." He explored issues of policing the maximum percentage of foreign ownership in U.S. flagged vessels.

Larry Rutkowski of New York City, who is chair of the Maritime Bankruptcy Committee, furthered this discussion by recounting and explaining lessons learned from the Toisa Limited bankruptcy with respect to Chapter 11 debt-to-equity conversion and pitfalls that can be associated with reinvestment. He also offered possible techniques to resolve any potential foreign investment ownership percentage violation restrictions.

Next, former MLA president, Hal Watson, gave a case update regarding the *Doiron* case out of the U.S. Fifth Circuit and the following progeny from *Doiron*. Hal spoke about his current U.S. Supreme Court *certiorari* petition on this case, which deals with the new maritime contract jurisdiction test within the Fifth Circuit, which is of great importance to those in the oil and gas sector as well because it greatly affects, in many instances, the enforceability of indemnity provisions found in maritime versus nonmaritime contracts, and how he is anxiously awaiting a decision on whether that might be accepted by the Supreme Court.

Thereafter, the Maritime Bankruptcy Committee chair, Larry Rutkowski, delivered a presentation entitled "Two Years in the Making -- Lessons Learned from the Toisa Limited Bankruptcy."

In the Toisa Limited bankruptcy presentation, Chairman Rutkowski explored the hurdles and difficulties imposed at times by clients and opponents, and opportunities for breakthroughs to be found in successfully addressing maritime bankruptcy situations.

And, finally, Vice-Chair Hank Arnold of the Marine Finance Committee presented an update on a case which was recently dismissed this week by the Fifth Circuit. The case is entitled *State Bank & Trust v. C & G Liftboats*, and that case explores the intersection of state versus federal ship finance techniques. The Fifth Circuit dismissed that matter on jurisdictional grounds, and it will be back in the district court. We will have an update on that matter in the future.

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

MR. NOLAN: Thank you, Bill.

I attended most of that three group meeting yesterday morning, and I felt the discussion was excellent and stimulating, and I came away thinking that there are at least a couple of regulatory legislative projects that our committees could engage in to try to rationalize and clarify what is going on in the bankruptcy and citizenship area.

So I would recommend that to the Marine Financing and Maritime Bankruptcy and Offshore Industries Committees. It was a fascinating discussion, really one of the better ones I have seen in a long time. Thank you for that.

So Rec Boating.

Mark, that doesn't have a W in it, does it?

MR. MARK BUHLER: Hopefully not.

MR. NOLAN: That's going to be followed by Stevedores.

MR. MARK BUHLER: Good morning, Mr. President, officers, guests, and members. We had a meeting yesterday morning at the University of Miami Law School library, had about 50 people in attendance in person, unknown number by phone. We have a very packed agenda. We had eight speakers.

The first one was Seth Holbrook of Holbrook & Murphy talking about federal preemption issues in the context of recreational boating and product liability claims.

We then had a presentation by a gentleman by the name of Bryan Emond, of SEA, Ltd., which is a forensic engineering firm, on technology and forensic investigations combining high tech methods to get the full picture, and he showed us a bunch of the tools and toys that they have for developing evidence and analysis of evidence for maritime claims.

We then had a presentation by Danielle Butler of Luxury Law Group in Fort Lauderdale on the implications of the new marine foreign trade zone in Broward County, Florida, and how that can benefit the yacht industry.

Then we had a presentation by Bob Allen of Robert Allen Law in Miami on comparison of the new International Yacht Brokers Association form of Purchase and Sale agreement to the Mediterranean Yacht Brokers Association form. We heard a little bit more discussion of that yesterday afternoon in the CLE program.

Then we had Mr. Jeff Bray of the Coast Guard Office of Maritime and International Law. He spoke to us regarding the new super yacht legislation, which mandates the development of a large yacht code and -- boy, when that A/C went off, it suddenly got a little quieter in here. I can almost hear myself -- and the exemption from inspection as a seagoing motor vessel.

I would also just mention that Mr. Bray offered to make himself available for conversations about that and what kind of input we might be able to give them that would help in their development of this code, and we actually had an impromptu meeting for almost an hour right after our committee meeting with several of our attendees sharing their thoughts on that.

That was followed up, Mr. Bray's presentation was followed up, by a presentation by Michael Moore, which was entitled "The New Law Allows Yachts Over 300 Gross Tons to Register Under U.S. flag but..."

And it dealt with some of the limitations and weaknesses of the legislation and some ideas that we might have. One of the main weaknesses is that it only applies to recreational vessels, not to any vessels carrying passengers for hire. And the large yacht codes of various other countries, such as Cayman Islands, the Marshall Islands, the United Kingdom are all specifically focused on allowing the carriage of up to 12 passengers for hire. So right now it is a -- it is trying to put a square peg in a round hole.

Anyhow, that was followed by a presentation from Chris Fox, the Head of Products for Boatsetter, one of the online charter marketing companies, and he discussed basically the online charter marketing businesses that have developed in the last five years or so and how some of these companies are doing chartering right and some are doing it not so right.

And then that followed up with a very brief discussion by me on some of the penalties that one can face if one engages in illegal chartering, which can be anything from up to ten years imprisonment if somebody happens to die as a result of things that go on in an illegal charter to various criminal and civil penalties that amount to thousands and thousands of dollars.

Each of these presentations will be uploaded to the committee's web page, and that concludes my report.

Thank you.

MR. NOLAN: Thank you, Mark.

Stevedores, Marine Terminals, and Vessel Services to be followed by Uniformity.

MR. GILES: Mr. President, officers, directors, members, and guests, I am Alex Giles, the chairperson for the Stevedores, Marine Terminals, and Vessel Services Committee.

And before I give my presentation, as I was preparing for this, I was sort of thinking of that old Saturday Night Live skit that many of you probably older members would remember from the late '70s Garrett Morris and Chevy Chase and the hearing impaired. And I think for my purposes I probably need one for the speaking impaired, and I'd have someone standing right next to me and basically yelling everything I say since I am losing my voice.

So I apologize.

I'd like to thank the Miami arrangements committee, and the University of Miami for all the arrangements they provided for our committee.

We met Wednesday at 1:00 p.m. in the Iron Arrow Room in the Shalala Center to a standing room only crowd.

Our first presenter was a gentleman by the name of Eric Olafson, who is the director of global trade and business development for the Port of Miami.

Mr. Olafson spoke extensively about the attributes, the benefits, and even the challenges that are facing the Port of Miami in terms of cargo, terminal operations, and infrastructure upgrades, much as a result of the recent expansion of the Panama Canal.

Our next presenter was Jim McCready of Bowman and Brooke. Mr. McCready provided a thorough presentation on handling longshore liens and the intricacies of Section 933(g) waiver issues of the Longshore Act.

Next we heard from Vice Chair Deborah Waters who updated the committee on the status of the ILA USMX labor negotiations and the master contract, as well as updates on the various local negotiations, including the fact that her own local port, Hampton Roads, and Philadelphia are the two local ports that are lagging behind in their respective local negotiations, but she assures us it will get done.

Finally, JoAnne Zawitoski of Semmes, Bowen & Semmes reported on an FMC proposed new interpreted rule regarding the Shipping Act, where the FMC is proposing that it will only permit filings directly with the FMC where the allegations of Shipping Act violations are of a pervasive and recurring nature, but not one time violations.

Those one-time violation complaints would instead be filed with the appropriate U.S. District Court. There was an ensuing discussion about the potential for jurisdictional issues, motions to dismiss, what have you, and so we will report back when we hear whether the proposed rule is adopted or not.

And that concludes my report.

MR. NOLAN: Thank you, Alex.

We have now Uniformity followed by Young Lawyers.

And, Michael, as you know we have -- the board approved two amicus briefs this year for certiori applications on uniformity issues. So if you can address those. If you haven't planned to already, please do so.

MR. NOLAN: Thank you, Alex.

We have now Uniformity followed by Young Lawyers.

And, Michael, as you know we have -- the board approved two amicus briefs this year for certiori applications on uniformity issues. So if you can address those. If you haven't planned to already, please do so.

MR. STURLEY: Thank you very much. Good morning. I am Michael Sturley, chair of the Uniformity Committee. As the president has just suggested, amicus briefs have been much on my mind lately.

The Uniformity Committee met in the last slot on Wednesday afternoon at the University of Miami Law School. We had a panel presentation on amicus briefs at the Supreme Court of the United States.

Our panelists -- with particular focus, by the way, on the amicus briefs of the MLA -- included immediate past president Hal Watson from Houston, Charlie De Leo from Miami, and myself.

This panel included people who have successfully sought the association's amicus support; people who have unsuccessfully sought the association's support; someone with over a dozen years of experience reviewing those applications and participating in the decision whether the association would provide support; and people who have written and are currently writing amicus briefs on behalf of the association. In addition, my regular practice focuses on Supreme Court work, including amicus briefs.

Now, as the president has just suggested, I am currently working on one amicus brief for the association in support of the petition for certiorari in the *Athos I* case. And Molly Henry has just completed an amicus brief on behalf of the association in support of the petition for certiorari in the *Batterton* case.

That concludes my report. Thank you.

MR. NOLAN: Thank you, Michael.

Young lawyers.

MR. SHAUKAT: Thank you, Mr. President.

Mr. President, officers, directors, members, and distinguished guests, I am Imran Shaukat, the vice chair of the Young Lawyers Committee. Members of the Young Lawyers Committee convened Wednesday afternoon for their fall 2018 committee meeting. We had 26 young lawyers and students in attendance.

We were fortunate to have President Frank Nolan and First Vice President Dave Farrell in attendance as well as several young at heart former YLC members.

We had committee reports from our various liaisons followed by an open dialogue with our members about how the committee can better fit their needs and what presentations and future projects the membership would be interested in seeing.

Finally, we discussed the work in progress that our young lawyer members have taken on this year to support other MLA committees as well as the association in general.

We recognize that this work provides our membership with an invaluable stepping stone to more involvement and exposure to the MLA.

Thus, we are grateful for the ongoing support and interest from our MLA leadership and we remind all committee chairs that are members are ready and willing to assist in the MLA's substantive work.

Please contact the YLC chairs if there are any projects that we can assist with in the future.

Lastly, we had an impromptu subcommittee meeting at a local watering hole after Wednesday evening's cocktail party to continue our very important research into the merits of Miami's night life.

I am pleased to report that our research is progressing very well.

And, Mr. President, that concludes my report.

MR. NOLAN: Thank you. I am very sorry that I am no longer able to help you do that kind of work. Now, I need a glass of warm milk and I need a note from my boss.

Bob Clyne, do you have anything to report on the ad hoc committee on United States Coast Guard relations?

MR. CLYNE: No.

MR. NOLAN: As far as I can tell from this extensive list of special committees, and the snoring sound I am hearing when he comes up there, the only one that I would

like to hear from is a brief report from Alex Giles again on our Fall Meeting a year from now.

MR. GILES: All right. Part two here.

So next year this time, I expect to see all of you in Scottsdale for our 2019 resort meeting. We are going to be holding the 2019 resort meeting at the Hyatt Regency Scottsdale at Gainey Ranch. For some of you who have been in the membership for a lengthy period of time, you may recall that we last held it at Gainey Ranch in 1991, and I understand it was a very successful program, and I expect it is going to be even more successful next year.

Dates, October 28th to November 2nd, 2019. I would like to recognize our committee members, just so you know who to bug, over the next year. Joe Walsh is our vice chair, Hospitality and Sponsorship. Lynn Krieger is registration, and I'm sure likely many other responsibilities. Chris Carey will be running our CLE program, which will be very breathtaking, I hope. I expect.

Ivan Rodriguez will be heading up Committees and Arrangements. William Fennell will be doing our evening events with the assistance of Chris Carey.

Mike Bell will be running our golf outing. Norman Stockman is going to be doing fishing and possibly hunting. Is that what I heard?

MR. STOCKMAN: We may shoot things.

MR. GILES: Okay. Like today, we will be doing sailing, which always gets a snicker when we say we're going to Scottsdale and we're going to do a sailing event, but we are going to do a sailing event. Ben Segarra will be Tennis and Fun Run and I guess advice on how you should dress for certain events.

And, of course, Charlie Schmidt, our consultant.

And, you know, in light of the unfortunate events in 2017 and the fires that occurred in Napa, Scottsdale is going to be the first official resort meeting since 2015, the Bermuda meeting, so I strongly encourage your attendance and your support in Scottsdale in 2019, and I will pledge to you guys that you won't regret it.

So that concludes my report about Scottsdale. Would you like me to briefly address Napa as well?

MR. NOLAN: Thank you.

MR. GILES: Would you like me to briefly address Napa as well?

MR. NOLAN: You can briefly address Napa.

MR. GILES: All right. So as many of you guys are aware, we recently made the decision to go back to Napa in 2021. I am proud and honored and happy to report that after some interesting negotiations, we finally have a contract in place that takes us back to the Silverado, and it keeps a lot of the events that ... and I say a lot, I mean all of the

events that we had planned for 2017 in place for 2021, which hopefully will include that Artesa wine night on Thursday that we were planning. That is the hope.

The dates are November 2nd through the 6th, 2021. And I should note that I am co-chairing the Napa meeting along with Lynn Krieger, if she doesn't already have enough to do.

But Lynn and I look forward to picking that up in a year or so time, after we get past Scottsdale, and putting together what we think will be a successful and what would have been a very successful 2017 Napa meeting. We look forward to replicating that in 2021.

Thank you.

MR. NOLAN: Thank you, Alex.

Chris Davis, do you have anything you would like to report on what is going on with the CMI at the current time?

MR. DAVIS: Mr. President, just to thank Vincent for his kind words this morning.

Assuming all goes well in three weeks, I will be the first president from the U.S. MLA and from the Americas. It will be an honor and a humbling honor at that. I intend to accept that honor in the name of Nick Healy, Frank Wiswall and Michael Marks Cohen. I think all three equally deserve the honor.

Last but not least, I believe I saw this question in 1992 when I was appointed secretary of the old CMI committee. I think Bunky Healy was the president, so between Bunky Healy and Frank Nolan, that's 13 MLA presidents. So thank you to all 13 and the respective boards and officers. Thank you much again.

(Applause.)

MR. NOLAN: Is Phil Buhler still in the house? Phil, why don't you come over and tell us where we are going to put feedbag on this evening.

MR. PHIL BUHLER: And other miscellaneous announcements. Okay, first and foremost, the shuttles that you all have enjoyed, they are to be running again this afternoon, starting at 1 o'clock to take you over to the university and at 5 o'clock to bring you back.

And they have now been informed, yes, we are coming from here to there at 1 o'clock and from there to here at 5 to 6 o'clock. So that is being arranged. One of the things after I congratulated, Annette, I asked her that because they are University of Miami shuttles. Please go back and get this straightened out for the last day. So the shuttles will be available.

Since we are breaking at some time for lunch here, you will probably have a short time -- and I'd recommend if you want to get lunch, there are three restaurants in the hotel. I circulated the names and the information. The hotel has put on extra staff to try

to get you through the restaurants on time, so you can make the afternoon CLE at the University of Miami.

The alternative is the food court at the University of Miami, if you are over there. There is a Cuban coffee shop. But I recommend here.

Tonight, the cocktails will begin at 7:00 p.m. and on the first floor, here, when you come in the courtyard, there will be plenty of signs. The hotel will set it up. We are in a side room for cocktails, and the dinner at 8 o'clock is in this room, and there will be plenty of signage and setup for that.

If I may, Mr. President, just a couple of brief other announcements about going out of here. Sign in/sign out sheets are up front, and I also neglected to recognize two persons who helped us with all of this. Brian Eisenhower, who is here. He handles the CLEs all the time. That's a tremendous job, a lot of work, and I want to thank Brian, and I neglected because he always does this for us. So he is not on one committee. He is on all of them.

And Charlie Schmidt who is not with us, was an advisor for this since the start and will be afterwards as we go through the post meeting documentation.

MR. NOLAN: Thank you.

MR. PHIL BUHLER: Thank you.

MR. NOLAN: You know, Brian Eisenhower is a very special person in this organization. He has come up with a new verb. I would always say when I needed something done, if you want something done, you have to have a certain kind of person to do it. Brian is one of those people. And so we would have meetings on various aspects of MLA business, and I would say, "I need volunteers. Okay, Brian, you are a volunteer." And so now the verb that I heard the other day at the Board meeting, Brian said that Frank Nolan had "volun told" him to do it.

So I think, you know, you can take for granted people who really do a lot of amazing things for you, and I wouldn't want to be guilty of that.

He is really, I think, an enormous assistance to Lynn and to me, in trying to get the webinar program off the ground. He is not afraid of deadlines. He meets or exceeds them, and he is a fabulous volunteer, using the word loosely, and please, don't use him because I need him.

So, anyway, Brian, we want to especially thank you for that.

I also want to mention one thing that we talked about at the board meeting the other day, we are moving into the 125th anniversary of the founding of the MLA in the year 2024.

Now, that is five and a half years or so from now that celebration will take place. Anything to do with how that milestone is observed in five years has nothing to do with me or probably very many of the current officers or the board members.

But there is going to be some activity to build up for this commemoration including longer term efforts that would culminate in 2024, tracking the history and the development of the law, the involvement of the Maritime Law Association in those developments, the social history of the Association, all kinds of other aspects of the last 125 years.

And, of course, that kind of effort has to be undertaken now if there is any hope that something will be ready in a concrete form by 2024.

So I am going to appoint a committee to do that. It is going to have subparts to it. If there is anyone in the organization, anyone in the room now that has a particular interest in it or would like to participate, please make yourself known to me or to Grady Hurley, and we will take it into consideration.

AUDIENCE MEMBER: Brian Eisenhower.

(Laughter.)

MR. NOLAN: That goes without saying.

So is there any new business?

Is there anyone who is dying to tell us about -- oh, Phil is getting up again.

Phil.

Curiosity is getting the better of me.

MR. PHIL BUHLER: There is a little miscommunication. I am sorry Mr. President. The CLE at the university today is starting at 1:00, not 1:30. We are going to arrange the shuttles a little bit earlier. There was a concern if we ran past noon here there was no way people were going to get over there by 1:00. And that's why it was 1:30.

Seeing the meeting is about to break up early, it will start at 1 o'clock. The shuttles should be starting at noon or a little bit after. They are on a continuous loop. Thank you.

MR. NOLAN: Do we have any lingering past presidents about here who can make a motion?

Somebody help him out of his seat.

MR. MARWEDEL: Mr. President, members and guests, it is my privilege and your joy that I move we adjourn.

ALL: Second.

MR. NOLAN: All in favor.

ALL: Aye.

MR. NOLAN: Thank you.

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(Thereupon, the meeting was adjourned at 10:27 a.m.)

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

New York Bar Association, New York, NY

May 3, 2018
9:00 a.m.

The May 3, 2018 meeting was called to order by President Harold K. Watson at 9:00 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
William Robert Connor, III, Treasurer
Grady S. Hurley, Membership Secretary
Lynn Krieger, Website & Technology Secretary

The following Directors were present:

Robert G. Clyne, Immediate Past President

Mark Coberly	Deborah C. Waters
Norman Stockman	R. Michael Underhill
Andrew C. Wilson	Jason R. Harris
Joseph G. Grasso	Pamela L. Schultz
Jonathan S. Spencer	Phillip A. Buhler
LeRoy Lambert	Vincent Foley

At President Watson's invitation, Past Presidents Howard McCormack, Ray Hayden, Liz Burrell, Warren Marwedel and Bob Parrish also attended the meeting.

SECRETARY'S REPORT

On motion duly made and seconded, the Board unanimously approved the minutes of the February 27, 2018 meeting of the Board of Directors held at Chaffe McCall LLP, New Orleans, Louisiana.

The Board discussed whether to discontinue preparing printed copies of the MLA Proceedings. President Watson suggested the issue be tabled until the August Board Meeting, at which time the Board will review the number of members who have requested the printed copies and decide on next steps.

TREASURER'S REPORT

Mr. Connor presented his Quarterly Report for the three months ending March 31, 2018, and he reported that the Association remains in sound financial shape. Mr. Connor reported that as of mid-April, the Association had collected 2018 dues totaling \$253,333.00. He noted that financially the Association is close to where it was last year at this time. The biggest expense in the past year has been the cost associated with the website repair.

Mr. Connor reported that 104 of the Life Members of the Association had chosen to pay annual dues. Of the members invoiced, 273 have not responded. Mr. Connor recommended that we assume these 273 Life Members do not wish to pay dues and remove them from the invoice list.

Mr. Connor presented a Resolution changing the approved signatures on the Association's bank account effective May 4, 2018 to Mr. Nolan, Mr. Farrell, and Mr. Connor. On motion duly made and seconded, the Board unanimously approved the Resolution. Mr. Connor reported that the bank had requested the birthdates of all of the Directors, but that he had refused to provide them.

Mr. Connor reported that Cipriani had presented a proposed three-year contract for the MLA Spring Dinner, which the Board approved.

Finally, Mr. Connor addressed the topic of MLA haberdashery. He was assisted by Mr. Farrell and Mr. Hurley who modelled the new MLA ties for the Board members. The ties will be on sale during the General Meeting on May 4.

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

MEMBERSHIP SECRETARY'S REPORT

Mr. Hurley reported that the following 8 Associate members applied for Proctor Membership and were recommended for admission as Proctors by the Committee on Proctor Admissions:

Jason B. Barlow
Norfolk, VA

Kevin Christensen
New Orleans, LA

Todd Crawford
Gulfport, MS

Michael Freije
Alexandria, VA

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Aaron Greenbaum
New Orleans, LA

Scott Gunst
Ann Arbor, MI

Kasee Heisterhagen
Mobile, AL

Patrick Ward
Mobile, AL

Mr. Hurley reported that the following 13 applicants applied for Associate Lawyer Membership and were recommended for approval:

Dean Aronin
New York, NY

John Casey
New London, CT

Blake Christopher
Norfolk, VA

Adam Cook
Ft. Lauderdale, FL

James Dunlap
Jersey City, NJ

Danielle Gauer
Coral Gables, FL

Michael Held
New Orleans, LA

Douglas Hottle
Washington, DC

Julie Kantor
Salem, MA

Sarah McCoy
Norfolk, VA

Patrick Nolan
New York, NY

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Jieting Tang
Rochester, NY

Charles Weddle
Panama City, FL

Mr. Hurley reported that one Academic Membership application was received for consideration:

Yong Kim
Busan, South Korea

Upon motion duly made and seconded, Mr. Kim's application was approved.

Mr. Hurley reported that one Law Student Membership application was received for consideration and dues paid:

Brandon Volk
New Orleans, LA

Mr. Hurley reported that the Adjunct Membership Committee received 3 membership proposals for consideration and recommended the following for membership:

Tina Cardone
Lighthouse Point, FL

Clement Lehembre
New York, NY

Lindsay Malen-Habib
Ft. Lauderdale, FL

Mr. Hurley reported that one former Associate Member had applied for reinstatement to Associate status and was recommended for approval:

Jeffrey R. Bridger
New Orleans, LA

With regret Mr. Hurley reported the deaths of 5 members:

Prof. Francesco Berlingieri
Genova, Italy
Honorary Member Elected 1977

James G. Burke, Jr.
New Orleans, LA
Proctor Member Elected 1960

J. Richard Gallagher
Dallas, TX
Proctor Member Elected 1980

Gus Schill
Kerrville, TX
Proctor Member Elected 1961

Leo J. Vander Lans
Long Beach, CA
Proctor Member Elected 1961

Mr. Hurley reported that as of May 4, 2018, following approval of the above new members, the MLA’s total membership will be 2,644, which is broken down as follows:

VOTING MEMBERS

PROCTORS	1,217
ASSOCIATES	1,097
ADJUNCT	155
ACADEMIC	<u>22</u>
SUBTOTAL.....	2,491

NON-VOTING MEMBERS

EX-OFFICIO	13
HONORARY	3
JUDICIAL	117
LAW STUDENTS	20
SUBTOTAL.....	<u>153</u>

GRAND TOTAL..... 2,644

President Watson recommended that the Coast Guard Liaison Officer be added to the persons designated as Ex Officio Members of the MLA. Pursuant to By-Law 201, the Board approved this recommendation.

The Board also discussed the need to clarify the meaning of “accredited” institution for purposes of Academic Membership.

In response to questions regarding the online application process, Mr. Hurley reported that Ms. Krieger had made some changes to streamline the application process.

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

SECOND VICE-PRESIDENT'S REPORT

Second Vice President Dave Farrell reported on the status of the New York Committee meetings to date and stated that the schedule and arrangements in New York for the concurrent meetings with BIMCO has so far worked well.

Mr. Farrell also reported regarding the status of the effort to gather the Frank Wiswall interviews relating to CMI and MLA history.

DISCUSSION ITEMS

Website

President Watson welcomed Lynn Krieger as the new Website and Technology Secretary. Ms. Krieger reported regarding the status of the website work and the plans for further improvement. She noted that the website is now part of the Association's infrastructure, and should be considered the authoritative version of all of the MLA's data.

Ms. Krieger reported that the new website consultants have focused a lot of attention on fixing the Committee pages and that user interface with these pages has been greatly improved. They are now addressing the document library. MLA members have commented that the search function needs to be improved. The Website and Technology Committee is developing a proposal for the categorization of documents that is aimed at improving search results. Mr. Parrish asked if it will be possible to search MLA documents by subject matter (e.g. Limitation of Liability Act). The Committee will be addressing this issue.

The Website and Technology Committee is also planning to assist with the development of a webinar program that will be available to members on the website. The CLE Committee and the Committee on Membership are working on certification for MLA on-line programs. Mr. Nolan noted that he is hoping the MLA can offer 12 to 15 webinars per year.

President Watson raised a question regarding the availability on the website of all of the information that used to appear at the front of the hard copy of the Directory. As illustration, he noted the sections that contained the history of the MLA, and the lists of past officers and directors. Ms. Krieger will work on this issue.

Use of MLA Logo by Members and Protection of Trademark

President Watson then called on Jason Harris to report regarding his investigation regarding the use of the MLA Logo by its members and options for protection of the MLA trademark.

As requested at the last Board meeting, Mr. Harris obtained a usage search from two different vendors. These searches revealed that the majority of the use of the MLA logo is by its members. They identified one user purporting to be a member who was not in fact a member of the MLA. Mr. Nolan will send a letter to this individual requesting that he discontinue use of the logo. The vendors also identified some other organizations using the MLA logo on their websites.

Mr. Harris then led a discussion regarding whether the Association should regulate the use of the MLA logo by its members, and whether and what kind of action it should take to monitor and protect the use of the MLA logo against use by non-members.

President Watson asked Mr. Harris, Mr. Grasso and Ms. Krieger to report back at the August meeting with recommendations regarding what the MLA should do to protect its logo against unauthorized use.

BIMCO Meeting

President Watson then called upon Past President Burrell to report on the BIMCO meeting and the response she is receiving from the BIMCO representatives. Ms. Burrell reported that the BIMCO attendees have shown great interest in the MLA meetings and were enjoying the joint events that are taking place.

Special Committee on Membership

President Watson called upon Pamela Schultz, Chair of the Special Committee on Membership, to report regarding the activities of the Committee. Ms. Schultz distributed a report regarding a survey of new members relating to the MLA application process. These new members provided good feedback and indicated that they did not feel the process was too burdensome. Ms. Schultz recommended doing four more cycles of the survey, at which point we will have responses from about 100 people.

In terms of recruitment, the Committee is planning on a big push before the Miami meeting in the fall. Ms. Schultz also anticipates trying to recruit additional members in connection with the summer Board meeting in Portland, Maine.

President Watson asked Ms. Schultz and her Committee to make recommendations regarding what sorts of recruiting activities should take place in connection with the Miami meeting.

Fall 2018 Meeting in Miami

Planning Committee Chair Phil Buhler reported on their committee meeting yesterday and the status of arrangements for the 2018 Fall Meeting of the Association in Miami. The Officers will meet Tuesday evening, October 16, and the Board of Directors will meet on Wednesday morning, October 17. Committee meetings will take place Wednesday afternoon and Thursday morning at the University of Miami Law School. The CLE will be held Thursday and Friday afternoons. The opening reception will be Wednesday evening at the Biltmore Hotel, and Thursday evening there will be a reception at the University of Miami Law School. The General Meeting will take place on Friday morning. The MLA formal dinner will be Friday evening at the Country Club. Tennis, fishing (Coconut Grove), sailing, and golf are among the activities contemplated for Saturday. There will be a "survivor's dinner" on Saturday night.

Fall 2019 Resort Meeting

First Vice President Nolan briefly noted that planning continues for the fall 2019 resort meeting in Scottsdale, Arizona. The meeting is scheduled for October 28 through November 2, 2019 at the Hyatt Regency at Gainey Ranch. Alex Giles is chairing the Planning Committee.

2018 Summer Board Meeting

First Vice President Nolan reported regarding the status of plans for the 2018 summer Board meeting that will take place in Portland, Maine during the first weekend in August. There will be a reception for the local maritime bar and they are currently planning a CLE to take place on the former Staten Island ferry. The Board will meet at the offices of Preti Faherty in downtown Portland on Saturday morning.

2019 Summer Board Meeting

First Vice President Nolan reported on the status of plans for the 2019 summer Board meeting in Hudson, New York. He reported that he has discussed the meeting with the CMLA leadership, and that they may be interested in having a joint meeting. He has begun looking for sponsors.

2019 Winter Board Meeting

First Vice President Nolan briefly mentioned that plans have begun for the 2019 winter Board meeting, and that he is currently considering holding it in Savannah, Georgia.

Fall 2021 Resort Meeting

Second Vice President Farrell reported that the 2021 Fall Resort Meeting will be held in Napa, California at the Silverado Resort, the site of the planned 2017 Fall Meeting that had to be cancelled due to wildfires in the area.

MLA Relationship with Other Maritime Organizations

The Board discussed the relationship between the MLA and the ABA. The MLA currently holds a seat in the ABA House of Delegates, but there is otherwise very little interaction. It was suggested that we have a further discussion at the next Board Meeting regarding actions we should take with regard to this relationship.

Tulane Admiralty Law Institute

Mr. Hurley reported that the next Tulane Admiralty Law Institute would take place in 2020 at a new facility that is being built on the Tulane campus.

President's Activities

President Watson reported that he attended the IMO Legal Committee last week in London. Two key issues under discussion there were fraudulent use of registries, and autonomous surface vessels.

MLA Spring Dinner at Cipriani

The Dinner Committee Chair, Chris DiCicco, reported regarding the status of preparations for the annual spring dinner at Cipriani on Wall Street. He advised that we are expecting 740 attendees. Last year the final count was 749.

Nominating Committee

Finally, President Watson called on Immediate Past President Clyne, Chair of the Nominating Committee, to report regarding nominations for the Board and Officer positions. Nominations for Board of Director positions are: Kirby Aarsheim, Kevin O'Donovan, Jeff Moller, and Conte Cicala. Nominations for Officers are Frank Nolan (President), Dave Farrell (First Vice President), Barbara Holland (Second Vice President), Grady Hurley (Secretary), Bob Connor (Treasurer), James Moseley, Jr. (Membership Secretary), and Lynn Krieger (Website and Technology Secretary).

Mr. Clyne reported that the Nominating Committee recommended that it be formed earlier in the year, and that the tenure of its members be reviewed.

President Watson thanked the outgoing members of the Board of Directors. It was duly noted that Mr. Clyne has served on the MLA Board since 2002.

ADJOURNMENT

There being no other business, President Watson adjourned the meeting at 11:45 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**

Preti Flaherty
One City Center
Portland, Maine

August 4, 2018
9:00 am.

The August 4, 2018 meeting was called to order by President Francis X. Nolan, III, at 9:00 a.m. The following Officers were present:

Francis X. Nolan, III, President
David J. Farrell, Jr., First Vice President
Barbara L. Holland, Second Vice President
Grady S. Hurley, Secretary
William Robert Connor, III, Treasurer
James F. Moseley, Jr., Membership Secretary
Lynn L. Krieger, Website & Technology Secretary

The following Directors were present:

Harold K. Watson, Immediate Past President

Kirby Aarsheim	Jeffrey Moller
Phillip A. Buhler	Kevin G. O'Donovan (excused)
Conte Cicala	Pamela L. Schultz
Mark T. Coberly	Norman Stockman
Vincent Foley	Deborah Waters
Jason Harris (by phone)	Andrew C. Wilson

At President Nolan's invitation, Past Presidents Bob Clyne, Ray Hayden, Chester Hooper, Jim Moseley, Sr. and Tom Rue also attended the meeting along with Michael Kaplan and Tom Muzyka. Mr. Nolan thanked the Flaherty firm and commended Jim Moseley, Jr. for his first aid efforts at the Friday CLE.

SECRETARY'S REPORT -- A Quorum was established.

ON MOTION DULY MADE AND SECONDED by Mr. Moller, the Board unanimously approved the minutes of the May 3, 2018 meeting of the Board of Directors held at the New York Bar Association, New York, New York.

Ms. Holland proposed discontinuing the formal printing of the *MLA Proceedings* and *MLA Report*, which appear in electronic form on the MLA website. Instead the electronic versions of these documents will be printed out from the computer and mailed to those Members

who have requested hard copies. The proposal was seconded by Mr. Farrell. A discussion followed with comments from Ms. Schultz, Mr. Hooper, Mr. Watson, Ms. Waters, Mr. Moller, Mr. Rue and Mr. Connor. The cost of printing and binding the traditional booklets approximates \$10,000. Approximately 60 members have requested printed copies of these MLA documents. The motion to discontinue the formal printing and binding into booklets of the *MLA Proceedings* and *MLA Report*, and to instead print out copies of the electronic versions for those Members who have requested hard copies was approved by the Board.

The *MLA Proceedings* contains the Fall or Spring GMA transcript and the two prior Board minutes. Chet Hooper and David Nourse edit the *MLA Report*, which contains Committee newsletters, *in memoria*, and articles. Both are “published” twice a year.

TREASURER’S REPORT

Mr. Connor presented his Quarterly Report, and he reported that the Association remains in good financial shape. Mr. Connor reported that from the beginning of 2018 to date, the Association had collected membership dues of approximately \$310,000. A late fee of \$50 has been assessed for unpaid past dues. Of the 506 Life Members, 107 have paid dues. The canceled Napa meeting cost the MLA about \$20,000. Web expenses approximated \$70,000.

ON MOTION DULY MADE AND SECONDED by Ms. Waters, the Board unanimously approved Mr. Connor’s Quarterly Report.

MEMBERSHIP SECRETARY’S REPORT

Mr. Moseley then presented the Membership Secretary’s report:

As of August 22, 2018, the membership total was 2,633 plus one subscription.

Mr. Moseley reported that the Adjunct Nominations Committee had recommended the admission of 1 new Adjunct Member as follows:

Fox, Captain Thomas F.

Mr. Moseley reported that the following 9 applicants had applied for Associate Lawyer Membership and were recommended for approval:

Bradford, Michael
 Brook, Michael
 Cinquino, Jocelyn Vincent
 DeGruy, Jacques
 Eckhardt, Alena A.
 Hartman, III, Charles Edward
 Lugin, George Howard
 Smith, Jr., Stephen E.
 Thompson, Philip Michael

In addition, 1 Associate member was approved for reinstatement upon payment of a reinstatement fee and 2018 dues:

Butler, Danielle J.

Mr. Moseley reported that 1 Judicial Membership application had been received and was recommended for approval:

Jones, Honorable Martin Christopher

UPON MOTION DULY MADE AND SECONDED by Mr. Foley, the Board of Directors unanimously approved the new members recommended by Mr. Moseley.

With regret, Mr. Moseley reported the deaths of the following 9 members:

Arrendondo, Robert D.
 Carroll, Jr., Walter
 Daly, George R.
 Edelman, Paul S.
 Gallagher, John (Jack) J.
 Hallisey, Hon. Robert J.
 Kilbourn, Joseph A.
 Lankford, III, Alexander F.
 Mitchell, Daniel P.

UPON MOTION DULY MADE AND SECONDED by Mr. Foley, the Board of Directors unanimously approved Mr. Moseley’s Membership Report.

Mr. Moseley reported that as of August 23, 2018, following approval of the above new members, the MLA’s total membership was 2,646, which is broken down as follows:

VOTING MEMBERS

PROCTORS	1,209
ASSOCIATES	1,102
ADJUNCT	156
ACADEMIC	22
Subtotal.	<u>2,489</u>

NON-VOTING MEMBERS

EX-OFFICIO	14
HONORARY	3
JUDICIAL	<u>117</u>

Subtotal.	<u>134</u>
LAW STUDENTS	<u>22</u>
VOTING/NON-VOTING SUBTOTAL.....	<u>2,645</u>
SUBSCRIPTION	<u>1</u>
GRAND TOTAL.....	<u>2,646</u>

Mr. Connor reported that of this number, 506 active members are considered as Life Members.

SECOND VICE-PRESIDENT’S REPORT

Second Vice President Barbara L. Holland reported that arrangements are being made for the committee meetings in Coral Gables, which will be held in proximity to the University of Miami CLE programs on campus. Mr. Buhler and his Planning Committee are finalizing meeting room assignments. CLE credits were discussed and are being handled by Brian Eisenhower.

Mr. Farrell and Ms. Holland also reported on the Frank Wiswall interview as part of codifying the MLA history for its 125th anniversary.

Ms. Holland’s report was moved to be accepted by Mr. Connor and was accepted.

DISCUSSION ITEMS:

A. Technology in Coral Gables – L. Krieger

President Nolan reported on the value of the web page and use of technology to share information as a benefit to our Association members. The production and streaming of CLE and lectures was discussed. Ms. Krieger reported on the repairs and enhancements to our MLA web page. Ms. Krieger demonstrated a CLE recording from the BIMCO meeting in New York, New York held in May 2018. A discussion was held on how CLE credits could be applied for where a webinar was presented. The cost for joint MLA/CLE production was discussed.

A lengthy and involved discussion was held with comments provided by Ms. Wilson, Ms. Schultz, Ms. Waters, Mr. Connor, Mr. Wilson and President Nolan regarding MLA CLE. Suggestions were made to involve the YLS in researching the issue of CLE credits. Mr. Connor discussed the costs and asked if membership dues should be increased to reflect this added value.

B. How to get hits to Website – L. Krieger

Ms. Krieger explained how the placement of the MLA on the internet is affected by various postings and clicks. Using the MLA on LinkedIn was discussed.

C. Social Media Engagement – L. Krieger

A discussion was held on the value and use of social media for the MLA.

A discussion was held concerning whether additional administrative staff was needed to assist with the web-based technology. Ms. Krieger's committee will offer some guidelines in October for the use of LinkedIn.

D. Update on Use of MLA logo by members – J. Harris

Mr. Harris discussed options for registering the MLA trademark in the U.S. as well as other countries. The U.S. registration cost is about \$500. Mr. Watson seconded a motion to register the MLA service mark in the U.S. A discussion followed on the appropriate use of the MLA logo and whether any changes to the By Laws were required. An *ad hoc* Board committee consisting of Ms. Krieger, Ms. Waters, Mr. Harris and Mr. Grasso *in absentia* will meet and propose any policy or By Laws changes.

E. Report on activities of Special Committee on Membership – P. Schultz

Ms. Schultz was thanked by President Nolan for her work in membership recruiting for the Portland meeting. She reported on her Committee's work and will codify and provide a template used for regional membership recruitment. A discussion was held on how to facilitate online membership applications. The MLA Miami meeting was discussed, and the rules for foreign lawyer participation and membership were reviewed. Lastly, Ms. Schultz reminded the Board of the GDRP rules for internet communications.

F. Amicus Curiae Request – *Batterton v. Dutra Group* – Punitive Damages

Following a discussion involving Past President Moseley, Mr. Hooper and Mr. Watson, the Board voted to file an *Amicus* brief on uniformity in *Batterton* to be drafted by Molly Henry.

Mr. Nolan reported that just prior to the Board meeting, a formal request was received regarding the *Athos* case concerning the issue of "safe berth." The Board has not yet had an opportunity to review the request.

G. Reformulating Special Committee on the Future of MLA – F. Nolan

Mr. Nolan reported on the following goals of the Future of the MLA Committee:

- i. Securing an institution
- ii. Stability
- iii. Continuity

Presently, the Committee is being re-evaluated and the process for analysis streamlined. In essence, our Board will assess strengths, weaknesses, opportunities and threats.

H Fall 2018 Florida Meeting – P. Buhler

Mr. Buhler reported on arrangements, events and sponsorships for the Coral Gables meeting and adding sailing as an event. Board Members and Committee Chairs were encouraged to register sooner than later.

I. Fall 2019 Resort Meeting – President Nolan

President Nolan reported on the arrangements for the 2019 General Meeting in Scottsdale, Arizona. Mr. Farrell also mentioned future Association meetings in Boston and Napa.

J. Relationships with other maritime organizations –President Nolan

President Nolan discussed various associations with maritime interests and how membership participates and interacts with them as part of the Future of the MLA discussion. A discussion was had on how the MLA can enhance its relationships and also the value of the MLA membership. Mr. Wilson offered to introduce President Nolan to the President of the ABA. Many MLA Board members actively participate in SEALI and the ABA TIPS Committee on Admiralty and Maritime Law. The ABA is hosting a maritime seminar in New Orleans in March 2019.

PRESIDENT’S ACTIVITIES

A. CMI Nominations

President Nolan reported on the MLA’s recommendation for Chris Davis of New Orleans, Louisiana, to become President of the CMI. Mr. Farrell will attend the November 2018 CMI meeting in London with Mr. Watson and President Nolan.

B. London Average Adjuster

President Nolan has been requested to speak at the Average Adjusters annual dinner.

C. SEALI – Amelia Island

President Nolan spoke at the SEALI CLE and met with its leadership.

NEW BUSINESS

Past President Hooper reported on some slight progress and meetings involving the Rotterdam Rule. He also reported on *The MLA Report* and his recommendations.

ADJOURNMENT

There being no other business, President Nolan adjourned the meeting at noon.

20130

Respectfully submitted,

/s/ Grady S. Hurley

Secretary