

13th Annual

ADMIRALTY AND MARITIME LAW CONFERENCE

Earn up to 7.50 Hours of Credit Including 1.50 Hours of Ethics Credit

Specialization credit expected for: Civil Trial Law, Personal Injury Law



September 24, 2004

Crowne Plaza Hotel
Houston, Texas

ADMIRALTY AND MARITIME LAW CONFERENCE

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FRIDAY MORNING, SEPTEMBER 24, 2004

Presiding Officer:
Eugene J. Silva, Sr. (invited)
Houston

8:00 a.m. Registration Opens

Includes continental breakfast.

8:30 a.m. Welcoming Remarks

8:45 a.m. (0.75 hour)

Recent Developments in Admiralty and Maritime Law at the National Level and in the Fifth and Eleventh Circuits

This annual update paper covers the admiralty work of Congress, the Supreme Court, and the Courts of Appeals for the Fifth and Eleventh Circuits. It also includes selective coverage of the other courts of appeals.

David W. Robertson, Austin
Paper co-authored by Michael F. Sturley

9:30 a.m. (0.50 hour)

Overcoming Your Litigator's Instincts: Ten Critical and Often-Overlooked Subtleties of Supreme Court Certiorari Practice

Petitioning for certiorari and responding to a petition are unlike the normal tasks that most lawyers generally perform, and thus the best strategies are not intuitively obvious. This presentation will highlight some of the subtleties of cert practice that even seasoned appellate litigators may find surprising.

Michael F. Sturley, Austin
Paper co-authored by David C. Frederick

10:00 a.m. Break

10:15 a.m. (0.50 hour)

Proportionate Responsibility

An update on the law of proportionate responsibility following the passage of HB4.

Hon. Kent C. Sullivan, Houston

10:45 a.m. (0.75 hour ethics/PR credit)

Recent Revisions to the Texas Rules of Disciplinary Procedure

A discussion of recent revisions to the Texas attorney disciplinary system, comparing the old and new procedures.

Dawn Miller, Austin

11:30 a.m. (0.75 hour)

Suggestions for Handling a Jones Act Case in Federal Court

Hon. Sim Lake, Houston

12:15 p.m. Optional Luncheon Presentation (0.50 hour)

A View from the Bench

Hon. Edith Brown Clement (invited)
U. S. Court of Appeals for the Fifth Circuit
New Orleans, LA

FRIDAY AFTERNOON

Presiding Officer:
David W. Robertson
Austin

1:15 p.m. (0.75 hour)

Admiralty and Bankruptcy: More Questions Than Answers

Pitfalls and opportunities for the admiralty practitioner who navigates into bankruptcy waters. Can the Bankruptcy Act, and Article III adjudication of admiralty claims cruise smoothly together?

Peter A. McLauchlan, Houston
John M. Duck, New Orleans

- MARITIME SECURITY ISSUES -

2:00 p.m. (0.25 hour)

I. Maritime Security Issues: Port

New laws, regulations and bureaucracies have sprung up since 9-11-2001, transforming seaports' approach to security and vastly increasing costs for ports and their customers.

Martha T. Williams, Houston

2:15 p.m. (0.25 hour)

II. Maritime Security Issues: Vessel

This topic will discuss the looming litigation that is sure to arise as a result of the ISPS Code and Maritime Transportation Security Act of 2002.

Kenneth Gale Hawkes, Miami, FL

2:30 p.m. (0.25 hour)

III. Maritime Security Issues: The Effect on Cargo and Chartering

The ramifications of the new security laws and regulations on cargo owners and charterers.

George F. Chandler, III, Houston

2:45 p.m. Break

(1.00 hour, including 0.25 hour ethics/PR credit from 3:45 p.m. - 4:00 p.m.)

Closing the Deal: Avoiding Minefields in Jones Act and LHWCA Settlements

A panel of plaintiff and defense attorneys explore handling external obstacles to maritime personal injury settlements including public and private liens, minors, ethics issues, guardianship issues, and, the new bugaboo-liability under the Medicare Secondary Payer Act. Special attention will be paid to obtaining approval of Medicare set-asides in LHWCA claims.

Matthew H. Ammerman, Houston, Moderator
John D'Alusio, Bradenton, FL
Michael J. Maloney, Houston
Steven L. Roberts, Houston
Stephen M. Vaughan, Houston

4:00 p.m. (0.50 hour ethics/PR credit)

What All General Counsels Need to Know About the SEC and Lawyering—Dealing with Outside Counsel Under Sarbanes-Oxley

A discussion of the basics of the Sarbanes-Oxley lawyer rules with special emphasis on the impact of those rules on general counsels of public companies — the new ethics.

Charles H. Still, Houston

4:30 p.m. (0.75 hour)

A Decade of Daubert: Challenging and Defending Expert Testimony in an Increasingly Discretionary System

A review of the development of evidentiary principles regarding expert testimony over the past decade since the Supreme Court's landmark decision in Daubert v. Merrell-Dow Pharmaceuticals. The presentation will provide legal arguments and practical advice regarding making and defending against challenges to expert witnesses and their opinions before the trial and appellate courts.

Richard O. Faulk, Houston

5:15 p.m. Adjourn

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HOW TO REGISTER

The University of Texas
School of Law
Attn: CLE - AM04
P.O. Box 7759
Austin, TX 78713-7759

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PHONE: 512-475-6700

2004 ADMIRALTY AND MARITIME LAW INSTITUTE

AM04

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REGISTRATION

Includes Course Binder.

- Early Registration Fee due by Wed., Sept. 15, 2004 \$235.00
- Registration Fee after Wed., Sept. 15, 2004 \$285.00
- Optional Friday Luncheon with Speaker \$20.00

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-3 weeks from conference date for delivery.

- Course Binder \$125.00
Note: Conference registration includes course binder.
- Audio CD Set \$125.00
- eBinder on CD (PDF format) \$125.00/\$50.00
(\$125 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)

GROUP CLE: Bring the conference in-house and learn at your convenience.

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- VISA or Mastercard (sorry, no AMEX or Discover)

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Course Binders - The Definitive Resource for Admiralty and Maritime Lawyers

The Admiralty and Maritime Law Conference generates the year's definitive set of resource materials for maritime lawyers. Don't miss an encyclopedic guide to recent case law developments and current issues, along with practical strategies — over 400 pages of user-friendly materials.

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The Admiralty Law Conference presentations are available on CD. Whether you can't make the conference, or just want to replay a particular presentation — you've got options.

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Houston

Sept. 24, 2004

CONFERENCE LOCATION



Crowne Plaza Hotel
1700 Smith Street
Houston, TX 77002
(800)2CROWNE

\$119 single or double special group rate good through **September 1, 2004**

Parking: Overnight \$19; Daily \$10

KEY DATES:

Cancellations & last-minute registrations

September 15, 2004, 5 p.m.

• **last day for early registration**
add \$50 for registrations received after this time

September 17, 2004, 5 p.m.

• **last day for full refund**

September 20, 2004, 5 p.m.

(Monday before conference)
• **last day for partial refunds**
(\$50 processing fee applied)

September 24, 2004, 8:45 a.m.

• **conference begins**

CONFERENCE FACULTY

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Fitzhugh, Ellott & Ammerman, P.C.
Houston

GEORGE F. CHANDLER, III
Hill Rivkins & Hayden LLP
Houston

HON. EDITH BROWN CLEMENT (Invited)
U. S. Court of Appeals for the Fifth Circuit
New Orleans, LA

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Gould & Lamb, LLC
Bradenton, FL

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Adams and Reese LLP
New Orleans, LA

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Gardere Wynne Sewell LLP
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Miami, FL

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Southern District of Texas
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Austin

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Houston

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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 7.50 hours, of which 1.50 credit hours will apply to legal ethics/professional responsibility credit.

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