

2004 Admiralty and Maritime Law Conference
September 24, 2004 • Crowne Plaza Houston-Downtown • Houston, TX

Friday Morning, Sep. 24, 2004

Presiding Officer:

Eugene J. Silva Sr., Vinson & Elkins - Houston, TX

8:45 am 0.75 hr	<p>Recent Developments in Admiralty and Maritime Law at the National Level and in the Fifth and Eleventh Circuits</p> <p>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.</p> <p>David W. Robertson, Austin, TX</p>
9:30 am 0.50 hr	<p>Overcoming Your Litigator's Instincts: Ten Critical and Often-Overlooked Subtleties of Supreme Court Certiorari Practice</p> <p>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.</p> <p>Michael F. Sturley, University of Texas School Of Law - Austin, TX</p>
10:15 am 0.50 hr	<p>Proportionate Responsibility</p> <p>An update on the law of proportionate responsibility following the passage of HB4.</p> <p>Kent C. Sullivan, Civil Courthouse - Houston, TX</p>
10:45 am 0.00 hr 0.75 hr ethics	<p>Recent Revisions to the Texas Rules of Disciplinary Procedure</p> <p>A discussion of recent revisions to the Texas attorney disciplinary system, comparing the old and new procedures.</p> <p>Dawn M. Evans, State Bar Of Michigan - Lansing, MI</p>
11:30 am 0.75 hr	<p>Suggestions for Handling a Jones Act Case in Federal Court</p> <p>Simeon T. Lake III, U S Courthouse - Houston, TX</p>

Friday Afternoon, Sep. 24, 2004

Presiding Officer:

David W. Robertson, Austin, TX

12:15 pm 0.50 hr	A View from the Bench Hon. Lynn N. Hughes, US District Court--Southern District of Texas - Houston, TX
1:15 pm 0.75 hr	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? John M Duck, New Orleans, LA Peter A. McLauchlan, Adams & Reese LLP - Houston, TX
2:00 pm 0.25 hr	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 Toedt Williams, Martha Williams, P.C. - Houston, TX
2:15 pm 0.25 hr	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 G. Hawkes, Attorney At Law - Miami, FL
2:30 pm 0.25 hr	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, Hill Rivkins & Hayden LLP - Houston, TX
3:00 pm 0.00 hr 0.25 hr ethics	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. Moderator: Matthew H. Ammerman, Fitzhugh Elliott & Ammerman - Houston, TX John D'Alusio, Bradenton, FL Michael J. Maloney, Maloney, Martin & Mitchell, LLP - Houston, TX Steven L. Roberts, Fulbright & Jaworski - Houston, TX Stephen M. Vaughan, Tucker Vaughan Gardner & Barnes - Houston, TX
4:00 pm 0.50 hr ethics	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, Fulbright & Jaworski L.L.P. - Houston, TX

4:30 pm
0.75 hr

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, Gardere Wynne Sewell - Houston, TX