

14TH ANNUAL

# ADMIRALTY AND MARITIME LAW CONFERENCE

Earn up to 7.00 Hours of Credit Including 1.00 Hour of Ethics

Specialization for: Civil Trial Law, Personal Injury



October 21, 2005  
Four Seasons Hotel  
Houston, Texas

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## FRIDAY MORNING, OCTOBER 21, 2005

**Presiding Officer: Julia M. Adams, Houston**

### 8:00 a.m. Registration Opens

Includes continental breakfast.

### 8:30 a.m. Welcoming Remarks

### 8:45 a.m. .75 hr

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

This annual update 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 other courts of appeals.

David W. Robertson, Austin  
Paper also by Michael F. Sturley, Austin

### Supreme Court Overview

### 9:30 a.m. .50 hr

#### Spector v. Norwegian Cruise Line—The ADA and Foreign Ships

We will explore the effect of the U.S. Supreme Court's decision in *Spector v. Norwegian Cruise Line* on the maritime industry.

Michael J. Muskat, Houston

### 10:00 a.m. Break

### 10:15 a.m. .75 hr

#### Norfolk Southern Ry. v. James N. Kirby Pty Ltd.

In a rare cargo case, the U.S. Supreme Court has not only announced two important new principles of cargo law but has also fundamentally changed a key rule of admiralty contract jurisdiction and reaffirmed a traditional principle of maritime law federalism that has been under fire in recent years.

Principal Speaker:  
Michael F. Sturley, Austin  
Comment:  
Katherine E. Wilson, Jacksonville, FL

### 11:00 a.m. 1.50 hr

#### Stewart v. Dutra Construction Co.

The Court's determination that 1 U.S.C. sec. 3 "codified the meaning that the term vessel had acquired in general maritime law" and "suppl(ies) the default definition of vessel throughout the U.S. Code, 'unless the context indicates otherwise,'" bears directly on the coverage of the Jones Act and the LH-WCA and has important jurisdictional and substantive implications throughout the maritime law.

Mr. Beckcom will discuss the U.S. Supreme Court's recent decision in the *Stewart v. Dutra* case and provide his interpretation of the case from the plaintiff's side.

Principal speaker:  
David W. Robertson, Austin  
Comments:  
Brian Beckcom, Houston  
James Patrick Cooney, Houston  
Thomas C. Fitzhugh III, Houston

### 12:30 p.m. Luncheon Presentation

Additional fee; please select on registration form.

#### International Maritime Contracts in the Energy Sector .50 hr

Captain William Schubert, former Maritime Administrator (2000-2005) will address U.S. Maritime Policy and what it was like for him to try to get things done during his tenure in Washington, D.C.

Captain William G. Schubert  
The Woodlands

### 1:30 p.m. .50 hr ethics

#### All You Need to Know to Keep Your Boat Afloat

Revisions to the Federal Rules of Civil Procedure are under discussion. Learn what is being proposed and how to best counsel your clients on what should be retained and what should be tossed overboard!

Lana K. Varney  
Austin

### 2:00 p.m. .50 hr

#### Perspectives from the Bench

Hon. Clement gives her view from the bench, such as 5th Circuit cases of interest, and the different perspectives of district v. circuit judges.

Hon. Edith Brown Clement  
New Orleans, LA

### 2:30 p.m. Break

### 2:45 p.m. 1.00 hr

#### Indemnity Agreements

Can you be indemnified for your own negligence? Who has authority to sign these agreements? What form of contract is valid—MSA vs. Work Order? What applies to them?

#### Forum Selection Clauses, Arbitration

##### Clauses:

Plaintiff:  
Winston E. Rice, Covington, LA  
Defense:  
Patrick Appel, San Ramon, CA

##### Indemnity:

Plaintiff:  
Winston E. Rice, Covington, LA  
Defense:  
Charles R. Lane, New Orleans, LA

##### Choice of Law:

Defense:  
Kenneth G. Engerrand, Houston

### 3:45 p.m. 1.00 hr including .50 hr ethics

#### Investigating a Maritime Accident: Practical and Ethical Aspects

Maritime fires and explosions pose serious threats to life and property. Investigations to determine the root cause require the application of the scientific method. Panelists will also address practical and legal issues an attorney must consider when investigating a maritime accident.

Expert – Dr. John Atherton, Marietta, GA  
Defense – William P. Glenn, Jr., Galveston  
Plaintiff – James A. George, Baton Rouge, LA

### 4:45 p.m. Adjourn

## ABOUT THE CONFERENCE

This is the leading annual Texas CLE event that focuses on legal developments in the specialized area of admiralty and maritime law. The Institute offers a unique opportunity for experienced practitioners to stay abreast of global and national developments in the law affecting shipping, offshore mineral exploration and production, and related activities. Those with less experience in these areas will find the event ideal to become exposed to the nuances of admiralty practice and to network with more experienced practitioners.

## HOW TO REGISTER

The University of Texas  
School of Law  
Attn: CLE - AM05  
P.O. Box 7759  
Austin, TX 78713-7759

WEB: [www.utcle.org](http://www.utcle.org)

FAX: 512-475-6876

PHONE: 512-475-6700

## 2005 ADMIRALTY AND MARITIME LAW INSTITUTE

AM05

Mail this registration form or fax a copy to: (512) 475-6876

### PLEASE PRINT CLEARLY

Bar Card# \_\_\_\_\_ ☐ TX ☐ Other State: \_\_\_\_\_ ☐ N/A

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City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

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Registrant's Email (required) \_\_\_\_\_

Assistant's Email (optional) \_\_\_\_\_

Invoices, confirmations and receipts are emailed to these addresses.

### REGISTRATION

*Includes Course Binder.*

☐ Early Registration Fee due by Wed., Oct. 12, 2005 ..... \$295.00

☐ Registration Fee after Wed., Oct. 12, 2005 ..... \$345.00

☐ Lunch Presentation with Captain William G. Schubert ..... \$25.00

### CONFERENCE PUBLICATIONS AND MEDIA

*Allow 2-4 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)*

### IN-HOUSE CLE: Bring the conference in-house and learn at your convenience.

*Allow 2-4 weeks from conference date for delivery.*

☐ In-House CLE for 2 - Includes Audio CD Set and 2 Course Binders ..... \$400.00

\_\_\_\_\_ Add participants (includes Course Binder) for \$100 each ..... \$ \_\_\_\_\_

TOTAL ENCLOSED ..... \$ \_\_\_\_\_

### METHOD OF PAYMENT

☐ Check (make checks payable to: **The University of Texas at Austin**)

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

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Exp. Date (mm/yy)

### Course Binder - 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.

### Audio CD Set

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.

### eBinder on CD

Get the entire conference binder on CD, in electronic PDF format. Only \$50 if added to a registration or purchase of Course binder or Audio CD Set. \$125 purchased alone.

### In-House CLE

Would your firm or company like to run an in-house version of this conference, with full participatory MCLE credit? Order In-House CLE: We'll accredit the course for you and provide an Audio CD Set, plus a Course Binder for each participant.

# HOUSTON

Oct 21, 2005

## CONFERENCE LOCATION



### Four Seasons Hotel

1300 Lamar  
Houston, TX 77010  
713-652-6266

\$185 (subject to availability) good  
through **September 28, 2005**

Parking: Valet \$12/day, \$25 overnight

## KEY DATES

### Registration and Cancellation

**Oct 12, 2005, 5 p.m.**

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

**Oct 14, 2005, 5 p.m.**

•last day for full refund

**Oct 17, 2005, 5 p.m.**

Monday before conference

•last day for partial refunds

\$50 processing fee applied

**Oct 21, 2005, 8:45 a.m.**

•conference begins

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