

17TH ANNUAL

ADMIRALTY AND MARITIME LAW CONFERENCE

Earn up to 7.75 Hours of Credit Including 1.00 Hour of Ethics Credit
Specialization Credit Expected for Civil Trial Law and Personal Injury



October 24, 2008
Four Seasons Hotel
Houston, Texas

ADMIRALTY AND MARITIME LAW CONFERENCE

October 24, 2008 • Four Seasons Hotel • Houston, Texas

Earn up to 7.75 Hours of Credit Including 1.00 Hour of Ethics Credit

FRIDAY MORNING, OCT. 24, 2008

Presiding Officer:**Steven L. Roberts, Sutherland LLP,
Houston, TX****7:45 a.m. Registration Opens**

Includes continental breakfast.

8:45 a.m. 1.50 hrs**Recent Developments in Admiralty and Maritime Law at the National Level and in the Fifth and Eleventh Circuits**

This paper is the ninth of an annual series that tries to flag everything of genuine importance nationally and everything of significant interest from the Fifth and Eleventh Circuits.

David W. Robertson, Austin, TX
Michael F. Sturley, Austin, TX

10:15 a.m. Break**10:30 a.m. .50 hr****Perspective from the Bench**

Judge Elrod will discuss her work on both the state district court and on the United States Court of Appeals for the Fifth Circuit and will provide practice tips for state and federal practitioners.

Hon. Jennifer Walker Elrod, Houston, TX

11:00 a.m. 1.00 hr**So Your Platform Disappeared in the Hurricane**

Current insurance issues arising from hurricane damage to offshore oil & gas facilities, including property damage and business interruption, wreck and debris removal, control of wells and making wells safe.

Moderator: John R. Pearson, Houston, TX
J. Clifton Hall III, Houston, TX
Claude L. Stuart III, Houston, TX
Samantha Trahan, Houston, TX
Harold K. Watson, Houston, TX

FRIDAY AFTERNOON

Presiding Officer:**Stephen M. Vaughan, Tucker, Vaughan,
Gardner & Barnes, PC, Houston, TX**

LUNCHEON PRESENTATION

12:00 p.m. Pick up Box Lunch
Included in conference registration fee.**12:15 p.m. .50 hr****History of Offshore Drilling and Why We drill in Deep Water**

Overview of an industry that has ordered over \$100 billion of new assets in the last two years.

W. Dennis Heagney, Houston, TX

12:45 p.m. Break**1:00 p.m. 1.00 hr****International Choice of Law**

The panel will discuss proof of foreign law and choice of law in absence of contract, with an in-house perspective on what a client looks for when choosing a jurisdiction, whether for contract or following an incident, as well as any concerns with the "usual suspects"—reflecting some of the changes in local legislation.

Julia M. Adams, Houston, TX
Anne Liversedge, Amsterdam, Netherlands
Eugene J. Silva II, Houston, TX

2:00 p.m. .75 hr**Forum Selection and Arbitration Clauses in Seamen's Injury Claims**

Forum selection and arbitration clauses in employment contracts and post-injury agreements involving foreign and domestic seamen and injuries; validity under the general maritime law, Jones Act, Federal Arbitration Act, and Convention on the Recognition and Enforcement of Foreign Arbitral Awards; and procedural and unconscionability issues for enforceability.

Michael P. Doyle, Houston, TX
Monica Fekete Markovich, Houston, TX

2:45 p.m. Break**3:00 p.m. .50 hr****New Developments and Issues as High Technology Impacts the Offshore Sector**

This session will discuss the current Jones Act application to offshore rigs and shuttle tankers as well as new technology and its consequences on anchoring issues.

Anacarina Estaba, Houston, TX

3:30 p.m. .50 hr**Avoiding Medicare Land Mines in Maritime Personal Injury Settlements**

The Medicare Secondary Payer Statute poses land mines to completing a maritime personal injury settlement. This is an update to discuss strategies to handle Medicare lien claims and satisfy the Medicare set-aside requirements to finalize your settlement.

Matthew H. Ammerman, Houston, TX

4:00 p.m. .50 hr**The State of Texas' Expanding Role in Maritime Matters**

The State of Texas is increasing its involvement in maritime matters. From 2003-2007 Ed Burbach served as Texas' Deputy Attorney General for Litigation and, thus, had responsibility for all civil litigation involving the State of Texas, its agencies, and leadership. He will discuss how the State affects the maritime industry and legal community through its increasing involvement in environmental, homeland security, Public Information Act, energy, litigation, and other areas.

Edward D. Burbach, Austin, TX

4:30 p.m. .50 hr ethics**Other People's Money**

The ethical challenges of *Excess Underwriters v. Frank's Casing Crew*, 246 SW3d 42 (Tex. 2008)—How insurance coverage issues affect counsel's duties regarding settlement of underlying substantive disputes.

W. Robins Brice, Houston, TX

5:00 p.m. .50 hr ethics**Criminal Law Sets Sail on U.S. Waters**

It used to be that maritime lawyers only had to figure out whether a worker aboard a ship was a seaman or not. Now the maritime lawyer must also decide whether the seaman is a criminal or not? A discussion of the murky legal waters seamen now find themselves in when they negotiate administrative agency processes that may lead to their criminal prosecution for pollution, navigation or recordkeeping violations. When does the mariner's cooperation with an administrative process jeopardize their Fifth Amendment right to remain silent during a criminal investigation? How murky are the waters that surround the demarcation line between an administrative investigation and a criminal investigation? What are some of the ethical considerations a maritime lawyer must navigate when representing the ship owner, the seaman or the vessel manager when they are sailing in to the treacherous waters of criminal prosecution?

Reginald E. McKamie, Houston, TX

5:30 p.m. Adjourn

HOW TO REGISTER

The University of Texas
School of Law
Attn: CLE – AM08
P.O. Box 7759
Austin, TX 78713-7759

WEB: www.utcle.org

FAX: 512-475-6876

PHONE: 512-475-6700

Course Binder

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 and Maritime 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; \$150 if 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.

REGISTRATION FOR AM08

Mail this registration form to:

The University of Texas School of Law, Attn. AM08
P.O. Box 7759, Austin, TX 78713-7759 **or fax a copy to: (512) 475-6876**
Online registration available at www.utcle.org

PLEASE PRINT CLEARLY

Bar Card# _____ ☐ TX ☐ Other State: _____ ☐ N/A

Name [Mr. / Ms.] _____

Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Registrant's Email (required) _____

Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

REGISTRATION

Includes Course Binder and Friday Box Lunch

☐ Early Registration Fee due by Wed., October 15, 2008 \$325.00

☐ Registration Fee after Wed., October 15, 2008 \$375.00

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-4 weeks from conference date for delivery.

☐ Course Binder WITHOUT Conference Registration \$150.00

☐ Audio CD Set \$125.00

☐ eBinder on CD (PDF format) \$150.00/\$50.00
(\$150 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 \$500.00

_____ Add participants (includes Course Binders) for \$150 each \$ _____

UTCLE eLibrary: Papers, PPTs, and Podcasts in 40 practice areas

☐ One-year subscription for UTCLE eLibrary \$295.00

Discounts available for multiple subscriptions; call 512-475-6700 for more information.

TOTAL ENCLOSED \$ _____

METHOD OF PAYMENT

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

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

Card # - - -

X _____
Authorized Signature

/
Exp. Date (mm/yy)

HOUSTON

October 24, 2008

CONFERENCE LOCATION



Four Seasons Hotel
1300 Lamar St
Houston, TX 77010
713-650-1300

SPECIAL ROOM RATE \$230
good through October 2, 2008
(subject to availability)

Parking: Valet Only, Daily \$13;
Overnight \$27
(subject to change)

KEY DATES

Registration & Cancellation

October 15, 2008–5 p.m.
last day for early registration
add \$50 for registrations
received after this time

October 17, 2008–5 p.m.
last day for full refund

October 20, 2008–5 p.m.
last day for partial refunds
\$50 processing fee applied

October 24, 2008–8:45 a.m.
conference begins

M
C
L
E

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 7.75 hours, of which 1.00 credit hour will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944).

CONFERENCE FACULTY

JULIA M. ADAMS
Sedgwick Detert Moran & Arnold LLP
Houston, TX

MATTHEW H. AMMERMAN
Fitzhugh, Elliott & Ammerman, P.C.
Houston, TX

W. ROBINS BRICE
Brice Mediation
Houston, TX

EDWARD D. BURBACH
Gardere Wynne Sewell LLP
Austin, TX

MICHAEL P. DOYLE
Doyle Raizner LLP
Houston, TX

HON. JENNIFER WALKER ELROD
U.S. Court of Appeals, Fifth Circuit
Houston, TX

ANACAROLINA ESTABA
Gardere Wynne Sewell LLP
Houston, TX

J. CLIFTON HALL III
Westmoreland Hall PC
Houston, TX

W. DENNIS HEAGNEY
Viking Offshore
Houston, TX

ANNE LIVERSEEDGE
Teekay Corporation
Amsterdam, Netherlands

MONICA FEKETE MARKOVICH
Brown Sims PC
Houston, TX

REGINALD E. MCKAMIE
Attorney at Law
Houston, TX

JOHN R. PEARSON
Gardere Wynne Sewell LLP
Houston, TX

DAVID W. ROBERTSON
University of Texas School of Law
Austin, TX

EUGENE J. SILVA II
Vinson & Elkins L.L.P.
Houston, TX

CLAUDE L. STUART III
Phelps Dunbar LLP
Houston, TX

MICHAEL F. STURLEY
University of Texas School of Law
Austin, TX

SAMANTHA TRAHAN
Gardere Wynne Sewell LLP
Houston, TX

HAROLD K. WATSON
Locke Lord Bissell & Liddell LLP
Houston, TX

PLANNING COMMITTEE

DAVID W. ROBERTSON—CO-CHAIR
Austin, TX

MICHAEL F. STURLEY—CO-CHAIR
Austin, TX

JULIA M. ADAMS
Houston, TX

MICHAEL K. BELL
Houston, TX

W. ROBINS BRICE
Houston, TX

KENNETH G. ENGERRAND
Houston, TX

THOMAS C. FITZHUGH III
Houston, TX

W. GARNEY GRIGGS
Houston, TX

MICHAEL B. HUGHES
Galveston, TX

BRADLEY A. JACKSON
Houston, TX

HOLLIS LEVY
Austin, TX

F. W. MAHLEY
Houston, TX

MARCUS G. MATTHEWS
Houston, TX

PETER A. MCLAUCHLAN
Houston, TX

ROBERT H. NICHOLAS JR.
Houston, TX

JOHN R. PEARSON
Houston, TX

STEVEN L. ROBERTS
Houston, TX

EUGENE J. SILVA SR.
Houston, TX

EUGENE J. SILVA II
Houston, TX

CLAUDE L. STUART III
Houston, TX

STEPHEN M. VAUGHAN
Houston, TX

W. M. VON ZHAREN
Houston, TX

UTCLE

THE UNIVERSITY OF TEXAS AT AUSTIN
THE UNIVERSITY OF TEXAS SCHOOL OF LAW
P.O. Box 7759 • Austin, TX 78713-7759

This program is not printed or mailed at state expense.

17TH ANNUAL
ADMIRALTY AND MARITIME LAW CONFERENCE
October 24, 2008 • Four Seasons Hotel • Houston, Texas

NON-PROFIT-ORG
U.S. Postage Paid
The University of
Texas
School of Law

E-mail us at
utcle@law.utexas.edu
or call us at
512-475-6700
for more information