

19TH ANNUAL

ADMIRALTY AND MARITIME LAW CONFERENCE



Earn up to 7.50 Hours of Credit including 1.50 Hours of Ethics Credit
Specialization Credit Approved for Civil Trial Law and Personal Injury Law

November 10, 2010
South Texas College of Law ▪ Houston, Texas

Also of Interest:
Maritime Law Association Fall Meeting, November 11–13, 2010

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WEDNESDAY MORNING, NOV. 10, 2010

Presiding Officer:

Harold K. ("Hal") Watson, Locke Lord
Bissell & Liddell LLP, Houston, TX

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 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 eleventh 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, The University of Texas
School of Law, Austin, TX
Michael F. Sturley, The University of Texas
School of Law, Austin, TX

10:00 a.m. .50 hr

The More Things Change ... A Chronicle of Judicial Selections

A review of federal judicial selection struggles, with an emphasis on the Fifth Circuit.

Hon. Leslie H. Southwick, U.S. Court of Appeals for
the Fifth Circuit, Jackson, MS

10:30 a.m. Break

10:45 a.m. 1.00 hr ethics

The Ethics of Dealing with Mass Disasters in Maritime Law

How to address internal relationships: What are the roles of in-house and outside counsel? Conflict issues, privilege issues and corporate disclosure. A battle plan list to refer to when issues arise, such as Deepwater Horizon, is included.

Moderator:

Alan R. Crain, Baker Hughes Incorporated,
Houston, TX

Panelists:

David Matthew Bates, Gardere Wynne Sewell LLP,
Houston, TX
Robert H. Nicholas Jr., Phelps Dunbar LLP,
Houston, TX

WEDNESDAY AFTERNOON

Presiding Officer:

Michael K. Bell, Bell, Ryniker &
Letourneau, P.C., Houston, TX

LUNCHEON PRESENTATION

11:45 a.m. Pick up Lunch

Included in conference registration fee.

12:00 p.m. .50 hr

The Gulf Oil Spill

Issues experienced among federal and state governments and private industry in connection with the Deepwater Horizon incident.

Thad W. Allen (Invited), Admiral U.S. Coast Guard (Ret.),
National Incident Commander,
Deepwater Horizon Response, Washington, DC

12:30 p.m. Break

12:45 p.m. .50 hr

OPA 90 Primer

This presentation describes and briefly analyzes the basic provisions of the Oil Pollution Act of 1990, including such issues as the role of "responsible parties," the allocation and limitation of liability, and the Act's relationship with state and general maritime law.

Andrew J. Garger, WQIS, New York, NY

1:15 p.m. .50 hr

OPA Complexities

Further discussion of the more complex aspects of OPA 90 including recent legislative developments.

Lawrence I. Kiern, Winston & Strawn LLP,
Washington, DC

1:45 p.m. 1.00 hr

Products Liability in the Offshore Oil Patch

A panel discussion about the liability of product manufacturers for products used in offshore exploration and production. The panel covers competing definitions of a "product" in the offshore sector, and addresses issues of choice of law, where does strict products liability apply, whether drilling and completion is an ultra-hazardous activity, and liability through supply chain with respect to modifications and maintenance.

Panelists:

E. Paul Cauley Jr., Sedgwick, Detert, Moran &
Arnold LLP, Dallas, TX
Anacarina Estaba, Gardere Wynne Sewell LLP,
Houston, TX
Capt. Mitchell S. Stoller, Rancho Santa Margarita, CA

2:45 p.m. Break

3:00 p.m. .50 hr

**An En Banc OCSLA Decision:
Be Careful What You Wish For**

In *Grand Isle Shipyard v. Seacor Marine*, the Fifth Circuit acknowledged the need for en banc clarification of tangled areas in the Circuit's OCSLA jurisprudence and addressed the recurrent problem of how to determine which OCS indemnity agreements are governed by federal maritime law and which by adjacent-state law. The Court divided 12-3-1. The presentation and accompanying paper discuss the problem area and consider whether the decision achieved any significant clarification.

David W. Robertson, The University of Texas
School of Law, Austin, TX

3:30 p.m. 1.00 hr

Motions to Dismiss in the Post-*Iqbal* Era

Does *Iqbal* spell the death of contemporary notice pleading? The panel discusses how to present and survive motions to dismiss after the Supreme Court's decision in *Ashcroft v. Iqbal*.

Hon. Nancy F. Atlas, U.S. District Court, Southern
District of Texas, Houston, TX
Kenneth G. Engerrand, Brown Sims, P.C., Houston, TX
Kirk E. Karamanian, O'Bryan Baun Cohen Kuebler
Karamanian, Birmingham, MI

4:30 p.m. .50 hr ethics

**Practical, Legal and Ethical Issues that Arise
During a Coast Guard Investigation**

You are called in the middle of the night about a casualty by a P&I club and told to talk to the crew, find out what happened and "deal" with the Coast Guard. Who is your client? How do you proceed now?

Patrick Bonner, Freehill, Hogan & Mahar, New York, NY

5:00 p.m. Adjourn

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Leading practitioners and academics provide the definitive set of materials.

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Add the electronic version of the conference materials to your course registration or purchase of the Course Binder or Audio MP3 Speeches on CD or Audio CD Set for only \$50. eBinders are distributed 3–5 weeks after the conference and include searchable versions of printed materials in PDF format.

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Listen to the Admiralty and Maritime Law Conference on the go. Informative, topical and entertaining presentations recorded from UT Law's other live CLE programs are also available.

In-House CLE

In-House CLE for two or more participants—as many as you want! Receive full MCLE credit. We'll accredit the course for you, and provide one Audio CD Set plus a Course Binder for each participant.

MARITIME LAW ASSOCIATION FALL MEETING

The Maritime Law Association Fall Meeting will be held November 11–13 in Houston, Texas.

For more information and to register for the MLA Fall Meeting, please visit:
www.mlaus.org

REGISTRATION FOR AM10

Mail this registration form to:

The University of Texas School of Law, Attn. CLE—AM10

P.O. Box 7759, Austin, TX 78713-7759 or fax a copy to: **512-475-6876**

or register online: **www.utcle.org**

Questions? Call us at 512-475-6700

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Invoices, confirmations and receipts are emailed to these addresses.

REGISTRATION:

Includes Course Binder and Wednesday Luncheon Presentation

☐ Early Registration Fee due by Monday, November 1, 2010\$350

☐ Registration Fee after Monday, November 1, 2010\$400

CONFERENCE PUBLICATIONS AND MEDIA

Allow 3–5 weeks from the conference date for delivery.

☐ Course Binder WITHOUT Conference Registration\$150
Note: Conference registration includes Course Binder.

☐ Audio MP3 Speeches on CD\$85

☐ Audio CD Set\$125

☐ eBinder on CD (PDF format)\$150/\$50
(\$150 purchased alone, \$50 with Registration or purchase of Course Binder or Audio MP3 Speeches on CD or Audio CD Set)

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Allow 3–5 weeks from the conference date for delivery.

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

HOUSTON

Wednesday
November 10, 2010

CONFERENCE LOCATION



South Texas College of Law
1303 San Jacinto Street
Houston, TX 77002
713-659-8040

Parking: Self-parking lots nearby

Nearby Accommodations:
Hilton Americas
1600 Lamar Street
Houston, TX 77010
800-236-2905

Call hotel for rate information

KEY DATES

November 1, 2010, 5 p.m.
last day for early registration
add \$50 for registrations
received after this time

November 3, 2010, 5 p.m.
last day for full refund

November 5, 2010, 5 p.m.
last day for partial refund
\$50 processing fee applied

November 10, 2010, 8:30 a.m.
Conference begins

CONFERENCE FACULTY

THAD W. ALLEN (INVITED)
Admiral U.S. Coast Guard (Ret.)
National Incident Commander,
Deepwater Horizon Response
Washington, DC

HON. NANCY F. ATLAS
U.S. District Court
Southern District of Texas
Houston, TX

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Houston, TX

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Freehill, Hogan & Mahar
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