

**22<sup>nd</sup> Annual Admiralty and Maritime Law Conference**  
**October 18, 2013 • South Texas College of Law • Houston, TX**

**Friday Morning, Oct. 18, 2013**

**Presiding Officer:**

**David R. Walker**, Royston, Rayzor, Vickery & Williams LLP - Houston, TX

7:45 am	<b>Registration Opens</b>  Includes continental breakfast.
8:20 am	<b>Welcoming Remarks</b>
8:30 am 1.50 hrs	<b>Recent Developments in Admiralty and Maritime Law at the National Level and in the Fifth and Eleventh Circuits</b>  This paper is the thirteenth 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 am	<b>Break</b>
10:15 am 1.50 hrs	<b>Judicial Panel</b>  Discussion by the judges on current issues of maritime law.  Moderator: Kenneth G. Engerrand, Brown Sims, P.C. - Houston, TX Panelists: Hon. Gray H. Miller, U.S. District Court, Southern District of Texas - Houston, TX Hon. Gregg Jeffrey Costa, U.S. District Court, Southern District of Texas - Houston, TX Hon. Frances H. Stacy, U.S. District Court, Southern District of Texas - Houston, TX
11:45 am	<b>Pick Up Lunch</b>  Included in registration.

**Friday Afternoon, Oct. 18, 2013**

**Presiding Officer:**

**Claude Leroy Stuart III**, Phelps Dunbar LLP - Houston, TX

**Luncheon Presentation**

12:00 pm 0.75 hr	<p><b>Every Description of Watercraft</b></p> <p>A photographic review and discussion of the legal concept of a vessel vs. a non-vessel as applied to the watercraft currently used by the offshore oil and gas industry.</p> <p>Robert H. Nicholas Jr., Phelps Dunbar LLP - Houston, TX</p>
12:45 pm	<p><b>Break</b></p>
1:00 pm 0.50 hr	<p><b>Vessel Status under <i>Lozman v. City of Riviera Beach</i>: The "Reasonable Observer" Test</b></p> <p>The meaning of "vessel" is significant throughout maritime law. The Supreme Court apparently settled the issue in <i>Stewart v. Dutra Co.</i> (2005), but <i>Lozman</i> (2013) now provides a new formulation.</p> <p>Michael F. Sturley, The University of Texas School of Law - Austin, TX</p>
1:30 pm 0.50 hr	<p><b>Fifth Circuit Vessel Status Cases Including <i>Barker v. Hercules Offshore, Inc.</i></b></p> <p>The Supreme Court's decisions in <i>Stewart</i> (2005) and <i>Lozman</i> (2013) presage new wrinkles in the Fifth Circuit's vessel-status jurisprudence. Meanwhile, courts in the Fifth continue to crank out decisions addressing the vessel status of new types of offshore oil patch apparatus. The Fifth Circuit's March 2013 decision in <i>Baker</i> is a potentially important related development. Hear a critical analysis of these cases.</p> <p>David W. Robertson, The University of Texas School of Law - Austin, TX</p>
2:00 pm 0.50 hr	<p><b>Adjoining Navigable Waters: Circuit Conflicts on LHWCA <i>Situs</i></b></p> <p>Overruling <i>Winchester</i>, the Fifth Circuit, agreeing with the Fourth, now says "adjoining" is just that: physically contiguous to navigable water. This session explores the implications of this dramatic shift with the "adjoining area" definitions in other circuits and explains the sharp distinctions that now exist.</p> <p>Thomas C. Fitzhugh III, Attorney at Law - Houston, TX</p>
2:30 pm 0.75 hr 0.25 hr ethics	<p><b>Insurance Coverage in the Oil Patch</b></p> <p>This session covers the latest developments in the <i>In Re Deepwater Horizon Ranger Insurance Ltd. v. Transocean Offshore Deepwater Drilling Inc.</i> case, including the pending petition for rehearing <i>en banc</i>, related case law, the effect on risk allocation and additional insured provisions in offshore contracts and insurance policies, and the practical and ethical implications of the Fifth Circuit's ruling for insureds, additional insureds, and insurers.</p> <p>John M. Elsley, Royston, Rayzor, Vickery &amp; Williams LLP - Houston, TX Julia M. (Adams) Palmer, Looper Reed &amp; McGraw, P.C. - Houston, TX</p>
3:15 pm	<p><b>Break</b></p>
3:30 pm 0.50 hr	<p><b>The New Removal Regime</b></p> <p>Is removal to federal court easier now? Discussion of revisions to Title 28's removal statutes from defense and plaintiffs' perspectives and tips on seeking remand.</p> <p>Matthew H. Ammerman, Law Office of Matthew H. Ammerman, P.C. - Houston, TX John C. Schwambach Jr., Stevenson &amp; Murray - Houston, TX</p>

4:00 pm 1.00 hr ethics	<p><b>What to Do If Your Client Is Misbehaving, Part III</b></p> <p>Real-world questions regarding ethics, the law, and what your client has asked you to do —or hide— are discussed using a question-and-answer format. Submit your questions, comments and/or experiences in advance to <a href="mailto:service@utcle.org">service@utcle.org</a> or bring them to the conference. This ethics session is designed to be interactive. Audience participation is encouraged!</p> <p>William J. Chriss, Law Office of William J. Chriss, P.C., Of Counsel to Gravely &amp; Pearson, L.L.P. - Austin, TX  Bradley A. Jackson, Jones Walker L.L.P. - Houston, TX  Julia M. (Adams) Palmer, Looper Reed &amp; McGraw, P.C. - Houston, TX</p>
5:00 pm 0.50 hr ethics	<p><b>Ethical Issues in BP Oil Spill Plaintiffs' Steering Committee (PSC) Settlement</b></p> <p>An overview of the approach, implementation, and administration of the settlement, plus coverage of the Seafood Compensation Program and issues regarding trial.</p> <p>Stephen J. Herman, Herman Herman &amp; Katz, LLC - New Orleans, LA</p>
5:30 pm	<b>Adjourn</b>