

**23<sup>rd</sup> Annual Admiralty and Maritime Law Conference**  
**October 17, 2014 • South Texas College of Law • Houston, TX**

**Friday Morning, Oct. 17, 2014**

**Presiding Officer:**

**Julia M. (Adams) Palmer**, Gray Reed & McGraw, P.C. - Houston, TX

7:30 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 fourteenth 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 1.00 hr	<b>Maritime <i>En Banc</i> Cases in the Fifth Circuit</b>  An overview covering 31 years of <i>en banc</i> decisions from the Fifth Circuit on maritime law.  Hon. W. Eugene Davis, U.S. Court of Appeals, Fifth Circuit - Lafayette, LA Moderator: Kenneth G. Engerrand, Brown Sims, P.C. - Houston, TX
11:15 am 0.75 hr ethics	<b>Ethical Dilemmas Created by Reservation of Rights, Coverage Issues and Conflict of Interest</b>  Explore insurance coverage issues, reservations of rights and their related conflicts of interests, and the right to separate counsel. Identify content and timeliness of an effective reservation. Waiver and estoppel issues and discoverability of reservations are also addressed.  Jefferson R. Tillery, Jones Walker LLP - New Orleans, LA Harold K. Watson, Chaffe McCall LLP - Houston, TX
12:00 pm	<b>Pick Up Lunch</b>  Included in registration.

**Friday Afternoon, Oct. 17, 2014**

**Presiding Officer:**

**Michael K. Bell**, Blank Rome LLP - Houston, TX

## LUNCHEON PRESENTATION

12:20 pm 0.75 hr	<p><b>Use of VTS and AIS Data in Collision Litigation</b></p> <p>A discussion of the evolving role of Vessel Traffic Services (VTS) and the Automatic Identification System (AIS) in maritime traffic management, the use of available VTS and AIS electronic data in collision litigation, and how this data can affect the court's decision.</p> <p>William A. Durham, Eastham Watson Dale &amp; Forney LLP - Houston, TX Thomas P. Marian, Buffalo Marine Service, Inc. - Houston, TX Jason Tieman, PortVision / Oceaneering - Houston, TX</p>
1:05 pm	<p><b>Break</b></p>
1:15 pm 1.00 hr	<p><b>The Law of Punitive Damages under the General Maritime Law Doctrine of Unseaworthiness: The Defense Perspective</b></p> <p>The speakers debate the meaning, wisdom and likely future development of the Supreme Court's and Fifth Circuit's decisions on the availability of punitive damages to seamen and their families. Hear the history, development and treatment of punitive damages under the general maritime law as relates to claims for unseaworthiness prior to the passage of the Jones Act through the current time.</p> <p>Jeffrey R. Bale, The Bale Law Firm, PLLC - Sugar Land, TX David W. Robertson, The University of Texas School of Law - Austin, TX</p>
2:15 pm 0.50 hr	<p><b>Regulatory Challenges and Enforcement: Ballast Water, Air Emissions and Marine Casualties</b></p> <p>This presentation focuses on key regulatory challenges confronting the maritime industry such as ballast water and the contradictory approaches to regulation taken by the Coast Guard and EPA. Uncover the challenges associated with compliance with the MARPOL Annex VI low sulfur fuel requirements and how companies are dealing with these challenges. Learn the revisions to the marine casualty reporting requirements/guidance and ramifications of not reporting.</p> <p>Jeanne M. Grasso, Blank Rome LLP - Washington, DC</p>
2:45 pm 0.50 hr	<p><b>Removal into Admiralty</b></p> <p>Prior to 2012, it was generally understood that a defendant could not remove a maritime case "into admiralty." Some courts have interpreted the 2011 amendments to the removal statute to change that rule. This presentation explores the controversy.</p> <p>Michael F. Sturley, The University of Texas School of Law - Austin, TX</p>
3:15 pm	<p><b>Break</b></p>
3:30 pm 1.00 hr	<p><b>Current Issues in Maintenance and Cure</b></p> <p>An evaluation of maintenance and cure claims from plaintiff, employer and industry perspectives, including the prosecution, defense and administration of claims, as well as recoupment, counterclaims and the nuts and bolts of a <i>Caulfield</i> tender.</p> <p>Thomas P. Marian, Buffalo Marine Service, Inc. - Houston, TX Dennis M. McElwee, Schechter, McElwee, Shaffer &amp; Harris, LLP - Houston, TX Ronald L. White, Lewis Brisbois Bisgaard &amp; Smith LLP - Houston, TX</p>

4:30 pm  
1.00 hr ethics

**What to Do if Your Client Is Misbehaving, Part IV**

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 [service@utcle.org](mailto:service@utcle.org) or bring them to the conference.** This ethics session is designed to be interactive. Audience participation is encouraged!

William J. Chriss, Law Office of William J. Chriss, P.C., Of Counsel to Gravely & Pearson, L.L.P. - Austin, TX  
Bradley A. Jackson, Jones Walker LLP - Houston, TX

5:30 pm

**Adjourn**