

27TH ANNUAL
**ADMIRALTY AND MARITIME LAW
CONFERENCE**



September 21, 2018

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FRIDAY MORNING, SEP. 21, 2018

Presiding Officer:
W. Robins Brice, Brice Mediation,
Houston, TX

7:45 a.m. Registration Opens
Includes continental breakfast.

8:25 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

The eighteenth annual installment of the seminal paper surveys developments, identifies issues of genuine national importance, and discusses items 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
Matthew H. Ammerman, Law Office of Matthew H. Ammerman, P.C., Houston, TX

10:00 a.m. Break

10:15 a.m. .75 hr

Judicial Perspective: Doiron and Maritime Contracts

The author of the unanimous *en banc* decision of the Fifth Circuit in *In re Larry Doiron, Inc.* discusses the difficulty with the previous test for determining whether a contract is a maritime contract, the confusion and conflict in the application of the test to contracts involving drilling and production of oil and gas on navigable waters, and the development of a simpler and more straightforward method to determine whether oilfield contracts are maritime.

Hon. W. Eugene Davis, U.S. Court of Appeals, Fifth Circuit, New Orleans, LA
Kenneth G. Engerrand, Brown Sims, P.C., Houston, TX

**M
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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 8.00 hours, of which 1.50 credit hours 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), and an Oklahoma Bar Association MCLE presumptively-approved provider (#179).

11:00 a.m. .50 hr ethics

Ethical Issues When Insurers Won't Fund the Defense

There's a gap between *Hamel's* "fully adversarial trial" requirement and *Lyda Swinerton Builders'* permission for insureds to "settle or litigate, at [the insured's] option." How insureds and their counsel fill that gap when insurers refuse to defend raises issues from legal creativity to outright chicanery.

Samantha Trahan, Trahan Kornegay Payne LLP,
Houston, TX

11:30 a.m. .75 hr

FMC Primer: The Shipping Act and Regulatory Matters

The Federal Maritime Commission (FMC) is the federal agency tasked with regulating international ocean transportation in the U.S. foreign commerce. Review the basic jurisdiction of the FMC and potential issues involving marine terminal operators and ocean common carriers, and survey potential legislative and policy changes affecting the shipping community.

Rachel Anne de Cordova, Phelps Dunbar LLP,
Houston, TX
Eric Lee, Holland & Knight, Washington, DC

12:15 p.m. Pick Up Lunch

Included in registration.

FRIDAY AFTERNOON

Presiding Officer:
Harold K. Watson, Chaffee McCall LLP,
Houston, TX

LUNCHEON PRESENTATION

12:35 p.m. .50 hr

U.S. EXIM Bank: An Essential Program Supporting U.S. Export Trade and Capital Projects

William G. Schubert, International Trade & Transportation, Inc., Pinehurst, TX

1:05 p.m. Break

1:20 p.m. 1.00 hr

Criminal Prosecution of Pollution Cases

Hear from the experts how pollution is being investigated, and explore the implications of recent cases.

Anthony M. DeStefano, LCDR, U.S. Coast Guard,
Office of Maritime and International Law,
Washington, DC
Joseph Poux, U.S. Department of Justice,
Environmental Crimes Section, Washington, DC
Rohan A. Virginkar, Foley & Lardner LLP,
Washington, DC

2:20 p.m. .50 hr

Sanctions on Imports and Exports and Their Impact on the Shipping Industry

International trade grows more complex by the day, creating new risks for those seeking to import and export goods. Explore the current state of sanctions on imports and exports, and examine the implications this rapidly changing environment is having on the shipping industry.

Jonathan Epstein, Holland & Knight, Washington, DC

2:50 p.m. .75 hr

Drafting Effective Arbitration Clauses

Drafting effective arbitration clauses is more complicated than it may appear, and the selection of what rules and procedures will apply can make or break your case. Explore the available options, and learn how to make the most of this pivotal set of provisions.

Katharine Fleischer Newman, ConocoPhillips,
Houston, TX
Douglas J. Shoemaker, Blank Rome LLP, Houston, TX

3:35 p.m. Break

3:45 p.m. .75 hr

Maintenance and Cure: Experimental and Speculative Medical Procedures

Examine the law regarding maintenance and cure, including when maintenance and cure may be owed for experimental medical procedures and long-term care.

Jeffrey R. Bale, The Bale Law Firm, PLLC,
Sugar Land, TX
Cory D. Itkin, Arnold & Itkin LLP, Houston, TX

4:30 p.m.

1.00 hr ethics

What To Do If Your Client Is Misbehaving, Part VIII

Real-world questions and answers regarding ethics, the law, and what your client has asked you to do—or hide. Stump our experts with your hardest questions!

Please submit your questions in advance to ConferenceQA@utcle.org or on-site at the conference registration desk.

William J. Chriss, The Snapka Law Firm, Corpus Christi, TX
Bradley A. Jackson, Retired Admiralty and Maritime Lawyer, Houston, TX

5:30 p.m. Adjourn

REGISTRATION BENEFITS

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HOUSTON
 September 21, 2018

CONFERENCE LOCATION



South Texas College of Law Houston
 1303 San Jacinto Street
 Houston, Texas
 713.659.8040

Parking:
 Various parking garages and
 surface lots in the area

KEY DATES

September 12, 2018

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

September 14, 2018

Last day for full refund cancellation

September 17, 2018

Last day for partial refund cancellation
 \$50 processing fee applied

September 21, 2018, 8:25 a.m.

Conference begins

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