

# Port Administration and Legal Issues Seminar

April 9-11, 2013  
Boston, MA

(Business casual attire)

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## Tuesday, April 9

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8:30 – 9:00 a.m.

### Registration and Continental Breakfast

9:00 – 9:15 a.m.

### Welcome and Opening Remarks

*Kurt J. Nagle  
President & CEO  
American Association of Port Authorities  
Alexandria, VA*

*Tom Tanaka, Esquire  
Senior Port Counsel  
Port of Seattle  
Chairman, AAPA Law Review Committee*

9:15 – 10:30 a.m.

### Legal Issues in Port Development

*The speakers will discuss the advantages and disadvantages of various types of agreements—ground leases, development agreements and operating agreements.*

10:30 – 10:45 a.m.

### Break

- **Sponsored by  
Thompson Coburn LLP**



10:45 a.m. – Noon

### Clean Air Programs—Case Study of the Port of Los Angeles

*The Port of Los Angeles' air quality improvement programs involve each transportation sector (rail, vessel, truck) and include financial incentives, tariffs and agreements, and R&D grants to fund new technology. Discussion items will include various preemption issues with each sector.*

#### **Discussion Leader:**

*Heather M. McCloskey  
Deputy City Attorney  
Port of Los Angeles  
Secretary, AAPA Law Review Committee*

Noon – 1:30 p.m.

### Lunch

1:30 – 3:00 p.m.

### Risk Management Issues: Climate Change, Terrorism, and the Future of Federal vs. Commercial Insurance Solutions

*The session will address natural catastrophe issues with a focus on climate change, flood, and named storms; FEMA and the commercial insurance marketplace; the future of the Terrorism Risk Insurance Act (TRIA) and its relevancy.*

#### **Discussion Leader:**

*Carly List, CPCU, ARM  
Senior Vice President  
Hugh Wood Inc.  
Seattle, WA*

3:00 – 3:15 p.m.

### Break

3:15 – 4:45 p.m.

### Employment and Human Resources Issues

*The panelists will discuss current issues including port employee background checks, policies on the use of social media, and the impact of the Affordable Health Care Act.*

5:30 – 6:30 p.m.

### Welcome Reception

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**Wednesday, April 10**

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8:00 – 8:30 a.m.                    **Continental Breakfast**

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8:30 – 10:00 a.m.                **The Shipping Act and Federal Maritime Commission Regulation**  
*The panelists will discuss the regulation of marine terminal operators under the Shipping Act and the impact of several recent cases brought against ports.*

**Speaker:**  
John Longstreth  
Partner  
K&L Gates LLP  
Washington, DC

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10:30 – 10:45 a.m.                **Break**

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10:00 – 11:00 a.m.                **Legal Ethics—Who is the Client?**  
*The speaker will discuss the relationship of a port attorney to the Governing Board.*

**Speaker:**  
Tom Tanaka  
Senior Port Counsel  
Port of Seattle

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11:00 a.m. – Noon                 **A Primer on Labor Issues**  
*Labor issues have been a big concern for ports during the last year. The speaker will provide a primer on port and maritime labor issues and the latest information on potential issues/concerns.*

**Speaker:**  
Paul M. Heylman, Esq.  
Partner  
Saul Ewing LLP  
Washington, DC

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Noon – 1:30 p.m.                  **Lunch**

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1:30 – 3:00 p.m.                 **Issues in Real Estate**  
*Speakers will address a variety of real estate issues including MOUs and LOIs, maintenance clauses, damage and destruction, force majeure, tenant labor problems, lease security, evidence of adequate insurance, eminent domain and rent escalations and arbitrations.*

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3:00 – 3:15 p.m.                  **Break**

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• **Sponsored by**  
**Anderson Kill & Olick, P.C.**



**ANDERSON KILL  
& OLICK, P.C.**  
Settle for Everything.

3:15 – 4:45 p.m.                 **Risk Management Issues: Loss Mitigation Strategies for Port Authorities**  
*While insurance protection is important for any business, it is particularly important for port authorities due to the many and varied risks of their daily operations. This session will explain what port authorities should look for in their insurance programs and will provide practical tips about how to maximize recovery of insurance claims.*

**Speakers:**  
Rhonda D. Orin, Esq.  
Managing Partner  
Anderson Kill & Olick, P.C.  
Washington, DC

Darin J. McMullen  
Of Counsel  
Anderson Kill & Olick, P.C.  
Philadelphia, PA

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**Thursday, April 11**

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8:00 – 8:30 a.m.            **Continental Breakfast**

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8:30 – 10:00 a.m.        **Environment Issues Facing Ports**

*The panel will discuss current environmental issues that ports are addressing.*

**Speaker:**

Mr. William J. Jackson  
President  
Jackson Gilmour & Dobbs, PC  
Houston, TX

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10:00 – 10:15 a.m.        **Break**

- **Sponsored by Jackson, Gilmour & Dobbs, PC**

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10:15 – 10:45 a.m.        **Recent Legal Developments**

*This session will address recent legal developments of interest to ports and marine terminal operators, including the proposed Rotterdam Rules (cargo liability treaty).*

**Speaker:**

Warren Dean  
Partner  
Thompson Coburn LLP  
Washington, DC

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10:45 – Noon                **Grant Funding—Opportunities and Pitfalls**

*Grants for port security, environmental improvements, information technology, and law enforcement help the bottom line but create conditions and impose requirements that must be addressed..*

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Noon                         **Seminar Adjourns**

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