



**42<sup>nd</sup> ANNUAL**  
**RIVER AND MARINE INDUSTRY SEMINAR**

**GNOBFA**

**“SERVING THE MARINE INDUSTRY  
FOR DECADES”**

*April 22-24, 2026*

*InterContinental New Orleans  
New Orleans, Louisiana*



7:15 – 8:30 REGISTRATION

8:30 – 9:00 OPENING REMARKS

**PRESIDENT OF GNOBFA**

**Karl C. Gonzales**  
Cooper-Marine  
LaPlace, LA

**SEMINAR CO-DIRECTORS**

**Alan J. Savoie**  
The Cooper Group of Companies  
Hahnville, LA

**Thomas G. Grantham**  
Ingram Barge Company  
Port Allen, LA

**SEMINAR MODERATOR**

**Marc C. Hebert, Esq.**  
Jones Walker LLP, Partner  
New Orleans, LA

**MODERATOR EMERITUS**

**Maurice C. Hebert, Jr., Esq.**  
Maurice C. Hebert, Jr., LLC  
River Ridge, LA

**KEYNOTE SPEAKER**

**RADM Will Watson**  
District Commander  
USCG 8<sup>th</sup> Coast Guard District  
New Orleans, Louisiana

9:00 – 10:30 **MARITIME LAW UPDATE**

What current case law do you need to be aware of from the East Coast, Gulf Coast and West Coast that impacts your:

- litigation strategy
- day to day operations
- insurance coverage
- maintenance and cure decisions

**Moderator:**

Marc C. Hebert, Esq.

**Panel Members:**

**Raymond Waid**  
Liskow and Lewis  
*Defense Attorney, Gulf Coast*

**Samuel Blatchley**

Eckland & Blando  
*Defense Attorney, Northeast*

**Donald K. McLean**

Bauer Moynihan & Johnson LLP  
*Defense Attorney, West Coast*

10:30 – 10:45 BREAK

10:45 – 12:15 **MAINTENANCE AND CURE 101, A GUIDE TO AN EMPLOYERS VERSUS SEAMAN'S RIGHTS AND OBLIGATIONS: HERE IT IS!**

- What investigation am I, as the Employer, entitled to undertake before paying any Maintenance and Cure?
- If an Adjuster is involved, does the Employer or Insurer allow an Adjuster to “Call the Shots” on whether or not to pay Maintenance and Cure?
- How does the Employer handle the decision of Maintenance and Cure versus LSHW Compensation or even state Workman’s Compensation?
- What if a wrong decision is made? How is it rectified since there would be two (2) or more different insurers involved?
- If Maintenance is owed, how does the Employer calculate the amount and items to pay? Can Maintenance ever be suspended by the Employer?
- Who makes the “big decision” to pay or not to pay any Maintenance and Cure if the requirement for payment is really questionable?
- When should the Employer pay an injured Seaman either “Reduced Wages”, a “Partial Salary” or “Advance on Settlement” whatever you wish to call it? If so, does the Employer –
  - need the insurers approval for reimbursement?
  - withhold taxes?
  - give separate checks for Maintenance?
  - receive a credit from the Claimant if there is a Settlement with or Judgment against the Employer?
- Who selects the doctors for an IME versus daily care of an injured seaman?
- Who has control if any, of IME’s? Cost of Medical expenses? What if cost is not reasonable, can it be disputed and if so how? Maximum Medical Improvement (MMI) – means what? Is it different from MMC?
- Let’s explain “Palliative” and “Curative” regarding payment of Maintenance and providing Cure? When and how does it end?

- And of course, there is “Punitive Damage” exposure! How does exposure to Punitive Damages arise, and how are they avoided?
- Where do insurers stand on the issue of “Punitive Damage” and what are the coverage issues?

**Moderator:**

Marc C Hebert, Esq.

**Panel Members:**

**Karen Shields**

Kean Miller

*Defense Attorney*

**Kristi A. Post, Esq.**

Blake Jones Law Firm LLC

*Plaintiff Attorney*

12:15 – 1:30 LUNCH

1:30 – 3:30 **THE DOCTOR’S PANEL: WHAT ARE THE “TRICKS OF THE TRADE” THAT ARE USED IN THE INDEPENDENT MEDICAL EXAMINATION (IME), THE PROBLEMS CREATED BY THE COMPANY DOCTOR, AND WHY USE A NEUROSURGEON?**

- How do doctors view pre and post offer physical questionnaires, and what do they recommend for protecting the employer? What is the importance of and the “credibility” created by the “Post Offer Employment Questionnaire”?
- When the doctor’s nurse offers a patient by way of an electronic machine pertaining to authorization to the doctor and says “Sign Here” (often several times – is never read or only scantily explained to the Patient what it is – is that considered accepted by the Patient simply by him or her checking the box?
- Why do I want an “Occmed” doctor for my company, and what type of physical should he or she conduct prior to the seaman reporting for work?
- Does insurance cover any of these costs? If so, which insurer provides the coverage?
- What is the difference between a neurologist and orthopedist, and why might I prefer using a “neuro” as opposed to an ortho for a neck or back injury? Who should make that decision, the employer or insurer? When might it be necessary that I use both or go from one to the other?
- What type of “test” does the neuro or ortho conduct to establish whether the seaman is

injured and the injury belongs in the neuro or ortho field?

- What does with a “degree of medical certainty” mean to you and how will you respond to a question posed to you on that phrase in a deposition or legal proceeding?
- Is there a difference in “fit for duty” and “return to work”, and what is meant by “maximum medical improvement/cure” and how does a doctor make that determination? What happens if the IME doctor makes that determination but the treating doctor does not? What happens next?
- How do doctors that conduct an IME versus acting as a treating physician establish credibility for making a determination of MMC? How are IME doctors opinions viewed in this regard – from one doctor to the other? And thus what does an IME doctor in order to establish credibility for a decision of MMC?
- What rates will the insurance company pay for an IME? How is that determined?
- In the end can the Employer be legally liable for the negligence of the company’s doctor or the Claimant’s doctor? Is there insurance coverage for this type of claim?

**Moderator:**

Marc C Hebert, Esq.

**Panel Members:**

**Brian Bourgeois, M.D.**

Occupational Medicine  
Jefferson, LA

**Najeeb Thomas, M.D.**

Neurosurgeon  
Southern Brain and Spine  
New Orleans, LA

**Lauren Rasmussen, PsyD, ABN**

Neuropsychologist  
Baton Rouge, LA

3:30 – 3:45 BREAK

3:45 – 5:00 **A PRACTICAL UPDATE ON CHANGES IN UNITED STATES COAST GUARD REGULATIONS AND POLICY THAT IMPACT LEGAL LIABILITY AND OPERATIONAL COMPLIANCE FOR VESSEL OWNERS**

- What recent changes in USCG policy impacts vessel compliance in operations, changes in

liability, and modifications of insurance coverage.

- What are the new Cybersecurity regulations and how the USCG will apply and enforce the regulations? What impact will they have on Vessel Security Plans (FSP), Facility Security Plans (FSP), and the Towing Safety Management System (TSMS)?
- What changes may vessel owners and operators expect from The Coast Guard Reauthorization Act of 2026 and what legal impact will those changes have on brown water operations.
- How these new policies and regulations will impact marine legal liability and insurance coverage?

**Moderator:**

Marc C Hebert

**Panel Member:**

**TBD**

USCG

Washington, DC

**5:00 – 6:30    NETWORKING RECEPTION**

## WEDNESDAY SPEAKERS

**KARL C. GONZALES** is President of the Greater New Orleans Barge Fleeting Association, Inc. and Vice President of Operations for Cooper-Marine, a division of the COOPER GROUP of companies. Prior, Mr. Gonzales served as clerk to the Honorable Douglas A. Allen and the Honorable James M. Lockhart, Jr., Judges of the First Parish Court for the Parish of Jefferson, Louisiana. In 1981, Mr. Gonzales was hired as Vice President and thereafter elected as President of RLB Boat Company, Inc. and Mid-Gulf Transportation Company, Inc. both of Harvey, Louisiana. From November 1985 until August 2017, Mr. Gonzales was Vice President –Operations and later became Executive Vice President of Gulf South Marine Transportation, Inc., a local marine towing company, and also held those same positions with Gulf South Marine Brokers, Inc., a local marine brokerage company. Mr. Gonzales currently serves (appointed) on several maritime related committees, including the United States Coast Guard-Lower Mississippi River Waterway Safety Advisory Committee (LMRWSAC), United States Coast Guard-Sector New Orleans- Area Maritime Security Executive Committee (AMSC), and as a member of the United States Coast Guard-Sector New Orleans Port Coordination Team (PCT). He is a former Vice President of The Mariner’s Club of the Port of New Orleans and is active in several other marine-related and charitable organizations.

**ALAN J. SAVOIE**, Seminar Co-Director and past president of the Greater New Orleans Barge Fleeting Association, is a consultant for the Cooper Group of Companies. He has served in many capacities in the marine industry since 1977. Mr. Savoie is formerly co-owner of Marine Centre, Inc., Kathryn Rae Towing, Inc. and LSK Towing, Inc., all local towing companies. Mr. Savoie has served in numerous GNOBFA capacities over the years.

**THOMAS G. GRANTHAM** is Vice President of the Greater New Orleans Barge Fleeting Association, Seminar Co-Director, and Continuing Education Coordinator. Prior to joining the marine industry in 1990, he served six years in the United States Navy Nuclear Power Program. Employed by Capital

Fleet in 1990, he served as vice president of Capital Fleet until the company was acquired by Ingram Barge in 2008. Mr. Grantham is now a manager of vessel engineering for Ingram vessels in the Gulf area. He is a licensed vessel operator and holds a tankerman endorsement issued by USCG. He is a member of East Baton Rouge Local Emergency Planning Committee, American Legion and Veterans of Foreign War organizations. Mr. Grantham has served on various GNOBFA committees and in different capacities since 1999.

**MAURICE C. HEBERT, JR., ESQ.**, Seminar Moderator Emeritus, formerly an attorney with Liskow & Lewis, APLC, retired in 2004, but maintains his license to practice law and engage in special projects, mediation, and arbitration. He graduated from LSU in 1959 with a degree in Electrical Engineering. He is a professional and registered Electrical and Environmental Engineer, (Retired) in the State of Louisiana. He graduated from Loyola University School of Law in 1966. He served as a law clerk to U.S. District Judge Richard Putnam. Mr. Hebert is admitted to numerous state and federal courts, including the U.S. Supreme Court. Mr. Hebert has served on numerous marine educational boards for both industry and educational institutions. He is a member of the GNOBFA Advisory Board and was a member of the Board of Directors of the Louisiana Association of Waterways Operators and Shipyards (L.A.W.S.). He has been a speaker at numerous maritime and law related seminars, is the Co-Founder of the River and Marine Industry Seminar and has served as moderator of all of the prior River and Marine Industry Seminars.

**MARC C. HEBERT, ESQ.**, Seminar Moderator, is a senior partner with Jones Walker and practices with the Maritime, Corporate, Litigation, and Government Relations groups. He is a member of the GNOBFA Seminar Committee, Greater New Orleans Port Safety Council Chairman 2011, 2016 to 2019 and currently serves as Chair Ex-Officio, serves on the Southern Yacht Club Junior Sailing Activities Committee, serves as Legal Counsel to the Mississippi Valley Trade & Transport Council (Board

## WEDNESDAY SPEAKERS

Member and Vice Chair 2006 to September 2016), and is certified/trained in Marine Incident Investigation and Root Cause Analysis (SafeMARINER, LLC). From 1995 to 2002, he worked for the U.S. House of Representatives Government Reform and Oversight Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs and was appointed in 2019 by U.S. Secretary of Commerce Wilbur Ross to serve on the Louisiana District Export Council. He also served as an Adjunct Professor at the Loyola University New Orleans College of Law from 2002-2005. Mr. Hebert graduated from Tulane University in 1991 with a B.A. in Economics, received his J.D. from Loyola University School of Law in New Orleans in 1994, and earned his LL.M. in Environmental Law from The National Law Center, George Washington University in Washington, D.C. in 1996. He is admitted to practice in Louisiana and Virginia, the District of Columbia, Federal Court in the Southern District of Texas, and before the U.S. Court of International Trade.

**REAR ADMIRAL WILL E. WATSON** serves as the Director of Governmental and Public Affairs for the U.S. Coast Guard, where he is responsible for external engagement with Congress, the media and other inter-governmental entities. In his previous assignment, he served as Executive Assistant to the Vice Commandant, providing support and counsel on all matters pertaining to the administration of the Coast Guard.

Admiral Watson's operational tours include serving as Commander, Sector New Orleans where he directed all Coast Guard missions in an area of responsibility that includes the Louisiana Gulf Coast and the Mississippi River System from Baton Rouge to the Gulf of Mexico - among the largest, and most complex coastal and port areas in the United States. Of note, during this tour of duty, he served as Incident Commander for Hurricane Ida Response and Recovery Operations following the catastrophic impacts of one of the most powerful hurricanes to ever make landfall on the U.S. mainland. Admiral Watson also served as Commanding Officer at Marine Safety Unit Lake Charles, Louisiana, from 2012 to 2015

and as Executive Officer at Marine Safety Unit Texas City, Texas from 2010 to 2012. From 2005 to 2007, he served as Executive Officer at Marine Safety Unit Cleveland, Ohio. During this tour of duty, in 2005, he deployed to Joint Field Office Baton Rouge in support of Hurricanes Katrina and Rita Response and Recovery Operations.

Admiral Watson's staff assignments include serving as Senior Military Assistant to the Secretary of Homeland Security from 2015 to 2017, and as Congressional Affairs Liaison from 2007 to 2010.

Admiral Watson holds a Master of Science in National Security Strategy from the National War College in Washington, D.C., a Master of Business Administration from Loyola University, New Orleans, Louisiana, as well as a Master of Arts in Education and a Bachelor of Science in Biology from Xavier University in New Orleans, Louisiana. Admiral Watson is a 2016-2017 Fellow of the Massachusetts Institute of Technology Seminar XXI on Foreign Politics, International Relations and the National Interest.

Admiral Watson's military awards include the Legion of Merit, the Meritorious Service Medal, the Coast Guard Commendation Medal, the Coast Guard Achievement Medal, the Military Outstanding Volunteer Service Medal, the Armed Forces Service Medal and various service and unit awards.

**SAMUEL P. BLATCHLEY** (Sam) is a partner at Eckland & Blando. Sam, a longstanding member of the New England maritime bar and Proctor in Admiralty, represents clients in litigation and transactional matters with a focus on admiralty and maritime, insurance, fisheries, and environmental law.

He represents vessel owners and operators, insurers, charterers, construction and dredging firms, bunker suppliers, freight forwarders, inland carriers, lenders, marina operators, marine surveyors, marine trades providers, fishing associations, stevedores, and terminal operators in maritime litigation, as well

## WEDNESDAY SPEAKERS

as in marine-related commercial and corporate transactions. He serves as outside general counsel to a marine insurer covering, Hull & Machinery and Protection & Indemnity risks.

Sam's practice covers an array of maritime disputes, including maritime collisions and casualties, charter party and marine services agreements, personal injury and death claims, Admiralty Rules B, C, and D actions, insurance coverage disputes, fisheries disputes and Administrative Procedure Act claims, Endangered Species Act claims, and Marine Mammal Protection Act claims.

Sam also handles maritime financing, purchase and charter, documentation, and registration matters in connection with both commercial vessels and private yachts. Prior to joining Eckland & Blando, Sam was a partner and Chair of the Admiralty and Maritime Group at a leading New England law firm and worked for an admiralty boutique firm.

Sam received his J.D. and Maritime Law Certificate from Tulane University Law School, where he was the Notes and Comments Editor of the Tulane Maritime Law Journal and received a CALI Award in marine insurance. Before law school, Sam graduated from the University of Wisconsin at Madison with a Bachelor of Arts in History, with honors, and Political Science, with distinction. While at the University of Wisconsin, Sam was inducted into Phi Beta Kappa.

Sam is admitted to practice in Massachusetts, Maine, New York, and Rhode Island. He is also admitted to the U.S. Court of Appeals for the First Circuit and D.C. Circuit, and the U.S. District Courts for the Districts of Connecticut, Rhode Island, District of Columbia, Eastern District of New York, Eastern District of Michigan, Western District of Michigan, Western District of Wisconsin, and Vermont. Sam was a member of the Ad-Hoc Subcommittee for the District of Rhode Island Local Rules Review Committee, which drafted the Local Admiralty Rules for the District of Rhode Island, effective as of January 15, 2013. Sam is designated as a Proctor in Admiralty by the Maritime Law Association of

the United States, served as the Chairman of the Association's Practice and Procedure Committee, and currently serves as a member of its Board of Directors. He has been designated as a Massachusetts Super Lawyers Rising Star, Transportation and Maritime Law from 2013-2022, a Massachusetts Super Lawyer, Transportation and Maritime Law for 2023, and as one of the 2024 Best Lawyers in America® for Admiralty and Maritime Law.

**BRIAN BOURGEOIS, M.D.** is a graduate of the LSU School of Medicine. He was trained at LSU's Department of Surgery and is board certified General Surgeon. He has practiced general surgery and occupational / industrial medicine on the Westbank of New Orleans and Jefferson since 1999. Dr. Bourgeois is a board member of the Jefferson Parish Medical Society and the Louisiana State Medical Society. He is a licensed medical review officer (MRO) and a Fellow of the American College of Surgeons. He is also one of very few doctors in the state certified in the management of dive-related injuries and diver physicals. He is member of the ADCI Committee that created the current code of medical standards for divers. Dr. Bourgeois also actively trains and educates offshore medics and dive medical technicians.

**DONALD K. MCLEAN** is an attorney at Bauer Moynihan & Johnson LLP in Seattle, Washington. During college, Don worked for a marine surveyor helping to produce condition and valuation and damage surveys for tugs, barges and fishing vessels. He subsequently attended Tulane Law School where he graduated cum laude and completed the Maritime Law Certificate program. Don joined the Bauer Moynihan & Johnson in 1994. He is admitted to practice in both Washington and Alaska and has tried cases in various venues in both locations. He has appeared before the Alaska Supreme Court, the Court of Appeals for the State of Washington and the Ninth Circuit Court of Appeals. Don has litigated cases involving charter parties, marine construction, bodily injury and insurance coverage. Don also provides general business advice to marine-based companies on such issues as vessel preference laws, charter parties, repair and construction agreements,

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use agreements, contract disputes and insurance coverage issues.

**KRISTI A. POST, ESQ.** is an attorney with Blake Jones Law Firm, L.L.C. in New Orleans, Louisiana. Her practice is primarily comprised of cases involving serious maritime injuries and fatalities, auto and commercial vehicular accidents, traumatic brain injuries, premises liability and Longshore and Harbor Workers Compensation Act cases in numerous state and federal courts as well as administrative agencies. Ms. Post has over 35 years of trial experience and has successfully litigated cases involving such diverse areas as the kidnapping of offshore workers by militant forces in Nigeria, casino gaming vessels, Hurricane Katrina insurance litigation, crane failures, aviation accidents, commercial diving accidents and one case involving a derrick barge capsizing and the dramatic rescue of its divers during a hurricane off the Yucutan Peninsula which became the subject of the novel *All the Men in the Sea*. She was also recently appointed as a member of the Claimants' Executive Committee in the SEACOR POWER liftboat case. Kristi is an Associate Professor of Trial Advocacy at Tulane Law School and is one of only 25 attorneys in the State of Louisiana board certified in civil trial law by the National Board of Trial Advocacy. She received her J.D. and LL.M. in Admiralty from Tulane Law School and is a member of the State Bar of Texas and the Louisiana State Bar Association.

**DR. LAUREN WOODRUFF RASMUSSEN, PSYD, ABN** is a board-certified clinical neuropsychologist who specializes in diagnosis and treatment planning of neurological diseases and disorders and health-related conditions.

Dr. Rasmussen has served as an expert in many cases involving traumatic brain injury, competency, posttraumatic stress disorder, and other psychological conditions as part of a claim involved in litigation. Dr. Rasmussen also specializes in workers' compensation claims and often provides second medical opinions on injuries/damages in question. She has a special interest in fitness for duty evaluations for individuals looking to return to work

or whose capacity to complete their workplace duties are being questioned.

From a clinical perspective, Dr. Rasmussen frequently evaluates patients who are concerned about their memory or who have been diagnosed with progressive neurocognitive conditions. She also assesses for Attention-Deficit/Hyperactivity Disorder (ADHD), learning disabilities in adults (and for accommodations needed on standardized testing or in the classroom), and psychiatric conditions.

Dr. Rasmussen often works with bariatric surgery candidates and patients who need presurgical clearance for major spinal surgeries and implantable devices such as spinal cord stimulators and intrathecal pain pumps.

Outside of the office environment, Dr. Rasmussen enjoys rigorous fitness endeavors, spending time with her family, and traveling. She is also involved in consultation work with several neurorehabilitation hospitals throughout the state of Louisiana and occasionally has the privilege to serve as an adjunct faculty member at LSU. She offers practicum training experiences for LSU graduate students specializing in neuropsychology.

**KAREN WATERS SHIELDS** is a partner at Kean Miller in New Orleans, LA. An experienced and skilled advocate in and out of state and federal court, Karen Waters Shields brings a deep bench of honed skills to litigating, arbitrating, defending, and prosecuting a wide variety of admiralty and oil and gas casualty, personal injury, and property damage claims, as well as contract and breach of contract claims. Admitted to practice before the U.S. Supreme Court, Karen has a proven history of successful outcomes in resolving high-stakes personal claims and disputes.

Karen advises on Jones Act claims, General Maritime Law claims, and claims involving onshore and offshore Gulf of Mexico oil and gas exploration. She has handled and resolved lawsuits involving crane accidents, diving incidents, drilling rigs, vessels, platform explosions, well blowouts, oil and gas reservoir damage, vessel collisions and allisions,

pipeline damage, vessel damage, platform damage, and barge damage.

In addition to her extensive and formidable litigation and dispute resolution practice, Karen drafts, reviews, and – if necessary – litigates various maritime and oil and gas commercial contracts. She has successfully negotiated, documented, and litigated a wide array of contracts and breach of contract claims, including charter agreements, master service agreements, contracts of affreightment, demurrage claims, and royalty and operating agreements. Moreover, Karen advises on and brings considerable skill to handling matters involving construction law, including construction defects, as well as matters involving product liability, consumer credit reporting, gaming industry claims, and general workplace personal injury.

The ultimate collaborator, Karen thrives on helping clients and colleagues find novel solutions to serious problems. On attack or defense, in and out of court, in tactical negotiation, at trial, or on appeal, Karen is all about devising the right strategy so that her clients realize the most favorable outcomes imaginable. Her authenticity is often a major component in establishing trust with everyone around her. And authenticity is one of her superpowers. Karen connects with clients on a personal level to understand what they are looking for and their tolerance for risk. She delivers straightforward advice, and her authenticity and straight-talk nature result in the highest levels of collaboration and effectiveness.

A smart and practical advocate who believes every client and matter is unique, Karen delivers customized legal solutions and strategies that address and overcome even the grayest area legal problems and complex disputes. She thrives in making novel arguments grounded in sound legal theory, which has resulted in a plethora of important, reported cases during her decades of practice. Karen proves, repeatedly, her natural ability to engage with people – whether the court, opposing counsel, witnesses, deponents, or others. She is particularly effective when de-escalating acrimony because that is often

essential to realizing her client's best outcome.

**DR. NAJEEB THOMAS, M.D.** is a distinguished native of Louisiana, hailing from the vibrant city of New Orleans. He is a prominent neurosurgeon known for his exceptional skills and groundbreaking work in complex and minimally invasive spinal procedures. He is currently the managing partner at Southern Brain & Spine, as well as the Chief Medical Officer at Crescent City Surgical Centre.

His journey into Neurosurgery began at Louisiana State University Health Sciences Center, where he completed his residency program in Neurosurgery. During his formative years, he had the privilege of training at the renowned Charity Hospital in New Orleans, an institution celebrated for its contributions to medical education and patient care.

Dr. Thomas completed his fellowship in complex and minimally invasive spinal techniques in Memphis, Tennessee, under the direction of Dr. Kevin T. Foley. This specialized training equipped him to handle intricate spinal cases with a minimally invasive approach, providing his patients with improved outcomes and quicker recoveries.

Throughout his career, Dr. Thomas has been a global ambassador for spinal procedures, sharing his knowledge and experience with fellow surgeons worldwide. He has been an honored speaker at numerous international conferences, presenting on the latest advancements and techniques in spinal surgery. His dedication to collaboration has fostered interactions with hundreds of surgeons across five continents.

As an innovator in the field, Dr. Thomas remains committed to staying at the forefront of medical progress. He is deeply involved in the continuous development of minimally invasive spine procedures, ensuring that his patients receive the most advanced and effective care available anywhere in the world.

Beyond his groundbreaking work in spinal surgery, Dr. Thomas also takes a keen interest in regenerative technologies for patients with spinal pathologies. His

## WEDNESDAY SPEAKERS

exploration of regenerative medicine holds promise for those seeking alternative and regenerative treatment options.

Notably, Dr. Thomas has served as both President and Secretary-Treasurer of the Louisiana Association of Neurological Surgeons, demonstrating his commitment to advancing the field and advocating for the highest standards of patient care.

**RAYMOND WAID, ESQ.** is a Shareholder at Liskow in New Orleans. He is a maritime lawyer and veteran-naval officer focused on helping companies in the marine and energy sector. Vessel owners, operators and others involved in the marine and energy sector rely on Ray's advice and aggressive advocacy. They turn to him because he has the unique

experience of operating a vessel at sea combined with a successful and diverse practice devoted to admiralty and maritime law, including both litigation and contracts.

Ray's experience is vital in the high-pressure environment immediately after marine casualties, when companies need a lawyer to quickly identify the legal issues, know what questions to ask, and what actions to take in order to put companies in the best position. This same experience makes him a highly effective advocate in marine and energy cases involving personal injury, property damage, and economic loss. As a full-time maritime lawyer, he has successfully handled the gambit of cases, including collision, allision, cargo, pollution, salvage, and injury cases.

8:30 – 10:30

**THE USE OF AI IN LITIGATION AND THE COURTROOM: WHAT ARE THE PROS, THE CONS AND THE DANGERS...?**

**Insight into Issues of Ethical and Professionalism when Using AI in Litigation and the Courtroom.**

- What is AI and how does it work?
- What are the different AI programs and services that are available for use in litigation?
- What training is necessary for use of AI, and who provides that training?
- What is the perception of the judge, the defense and the plaintiff’s lawyer in the use of AI?
- How do the insurers view their law firm’s use of AI to prepare briefs and pleadings, and who pays for it?
- What if AI “screws up” leading to misleading or incorrect information, case citations, etc., and the lawyers or client is sanctioned? Who pays for the screw up, the lawyers malpractice carrier, the client’s insurance?
- After a discussion of AI, how it works and the pros and cons, there will be a live demonstration of use of AI in the courtroom by the panelists.

**Moderator:**

**The Honorable Kurt D. Engelhardt, Judge**  
US Court of Appeals for the Fifth Circuit

**Panel Members:**

**TBD**

AI Consultant

**Jefferson R Tillery**

Jones Walker LLP  
*Defense Attorney*

**Blake R. David, Sr.**

Broussard David & Moroux  
Lafayette, LA  
*Plaintiff Attorney*

10:30 – 10:45 **BREAK**

10:45 – 12:00 **HOW DOES THE OIL POLLUTION ACT (OPA) 90 APPLY AND WHEN MAY I RECOVER ECONOMIC LOSSES OR DAMAGES FROM THE “FUND”?**

- What is the National Pollution Funds Center (The Fund) and how does it work?
- What is a COFR?

- Who is a Responsible Party (RP) under OPA 90?
- What is an OSRO and what does it do?
- What is the Oil Spill Liability Trust Fund (OSLTF) and when does it pay for uncompensated removal costs and damages? What types of claims may be filed with the NPFC and when should they be filed?
- How do I work with my insurer and what documentation is needed to submit a claim?
- How does the Fund respond if the discharge includes both hazardous substances and oil?

**Moderator:**

Marc C Hebert, Esq.

**Panel Speakers:**

**TBD**

Pollution claims manager

**Ben Benson**

BEST, Inc.  
Pollution Adjuster/Surveyor  
Slidell, Louisiana

12:00 – 1:30

**LUNCH**

1:30 – 3:15

**THE ART OF MEDIATION IN TODAY’S LITIGIOUS WORLD**

It is a necessity in today’s maritime litigation – whether personal injury, contracts, property damage, etc. - to be involved in mediation –

Your understanding of what it takes to succeed depends on the company’s immediate and prompt involvement with its attorney and insurer

The Panel Members will strongly recommend and suggest to you what it takes to use Mediation to your advantage, with comments on

- What Mediation really is and why mediate.
- How to prepare for Mediation considering the needs of the Mediator, you (the company,) your attorney, your insurer and the opposing party
- Selecting the right Mediator
- The reason the company’s involvement is an absolute necessity to succeed – why and how? From start to finish?
- Making sure, without a doubt, as an absolute necessity, you and your client are present physically in the Mediation Hearing – yes, be there!!
- Your presence at the hearing is the right way to succeed and use the Mediation to your company’s and insurer’s advantage

- Otherwise, you may be opening your checkbook and “bumping up” your loss record for increases in premium
- Is there a difference in “private” versus “Magistrate” Mediations? Yes, there is and the differences are \*\*\*! Might one be better than the other?
- Instead of Mediation, what about the use of arbitration? Is there a difference in the two and what is the difference? Is one better than the other, and if so why?

**Moderator/Mediator Representative**

Maurice C. Hebert, Jr., Esq.

**Panel Members:**

**Rhett King, Esq.**

Strauss & King, APLC

*Plaintiff Attorney*

**Harold Flanagan, Esq.**

Flanagan Partners

*Defense Attorney*

**Robert A. Milana, Esq.**

Travelers – Ocean Marine Claims

*Insurance Representative*

**The Honorable Andrew Edison**

U.S. District Court

Magistrate Judge

3:15 – 3:30

**BREAK**

3:30 – 5:00

**CONTRACTS AND AGREEMENTS (C&A)  
IN TODAY’S MARITIME WORLD!**

**Part I: A Catastrophe Has Occurred  
Between/Among Multiple Parties – Deals And  
Agreements Are Going Back And Forth “To  
Solve The Issues” – So, You Might Want To  
Be Guided By The Following:**

**What constitutes a binding “Contract” or  
“Agreement?”**

- How do you draft a written C&A and reduce it to writing and make it binding between the Parties? Particularly in the maritime world!
- How might one modify the document in the future, if necessary?
- What clauses assure me that my attorney fees and costs would be recovered should I prevail if there is litigation over the document?

- Can it make a difference if a C&A is or is not “notarized?” “Why and when” must a C&A or any company document, for that matter, have to be notarized?
- How do I make sure any litigation takes place in the Court, State and Venue of my choice?
- Do all C&As (even Maritime Charters or Vessel Sales and Construction) have to be in writing and notarized? Is an “oral” Contract or Agreement (such as a Vessel Charter) valid? – If so, how does one prove there is or was an oral meeting of the minds?

**Part II: The “Infamous Internet Emails And  
Cell Phone Texts” Used Every Day In The  
Marine Industry – And, In The Real World  
Of C&As And Litigation**

- Can they be Good, Bad or Ugly to either side?
- Are emails and cell phone text messages binding between or among Parties?
- Watch what you put in an “email” – because...
- As an example, can a “thumbs up” in a “text message” to the other side constitute acceptance of a binding C&A, Vessel Charter or whatever?
- Admissible in litigation?
- Can a captain, dispatcher, secretary or whomever, outside of Company high management, bind a company in an “email/text” Agreement?
- Can a company dispute an “email/text C&A?” How?
- Can a company dispute an “email/text Agreement” of a non-management employee? How?
- What is considered a “company record” and how might it be used for or against my company in litigation?
- The word “hearsay” in litigation is common. What does it mean – applicable in non-litigation disputes as well as lawsuits/trials?
- A witness may not be available in a trial, but, can an email or text message of the “missing witness” be used as evidence if it is considered a company business record and an exception to “hearsay” rule in a trial?
- A witness recorded a statement or executed a signed written statement – can it be used in litigation if the witness is not available or is deceased? What about a witness’s deposition?

- Can a company's lawyer bind, under the argument of C or A, the company he/she represents with an "email/text" to opposing counsel? How and why?
- Would all or any of these be considered an action on behalf of a company which would or could void the companies' insurance coverage?

**Moderator:**

Marc C. Hebert, Esq.

**Panel Members:**

**Jennifer Khouri**

Weeks Marine

*In House Counsel*

**Bari Blanks**

Fugro

Head of Legal, Americas

Houston, Texas

*In House Counsel*

**C.A. 'BEN' BENSON** is President/Owner of BEST, Inc. and Senior Marine Pollution Surveyor & Adjuster for EPG, LLC. His response experience spans 40+ years which includes service in the U.S. Coast Guard serving expeditions to the Arctic and Antarctic regions, Atlantic & Pacific Ocean Patrols, Inland Construction Tenders, COTP/MIO New Orleans and Captain of the Port Honolulu as the Senior Pollution Investigator for the Hawaiian Islands. Assigned to the USCG National Strike Force-Gulf Strike Team as Chief Damage Controlmen, Diver and C-130 Loadmaster. Mr. Benson's commercial experience includes senior level oil/hazardous material contractor management, Certified Response Manager for US EPA's Region IV Emergency Response Contracting System, Superfund Program. Senior VP of Response Services for O'Brien's Response Management a preeminent contract Incident Management Team serving Major Oil & Gas and Pipeline Industry. U.S. based Qualified Individual for Worldwide International Shipping Interests for tank and non-tank vessel clients trading in the United States. Deputy Incident Commander/Adviser BP-Deepwater Horizon-Houma, LA. Command Center. Senior Marine Pollution Surveyor/Consultant for various U.S. based Pollution Insurance Providers and Lloyds of London Pollution Underwriters. Deployed to Gulf War I for Saudi Armaco Services & Gulf War II for U.S. Army Corp of Engineers as a subject matter expert. Education Background: USCG/FEMA Advanced Training Curriculums; UT(Austin)- Offshore Oil Exploration & Operations; 'Red' Adair-Well Control Technology, Vanderbilt University-Pyrotechnic Technology; LSU- Asbestos Science, University of Hawaii Leeward Campus for Business Administration. USAF-C-130 Load Master and USN 'SeaBee' Advanced Survival Training.

**BARI BLANKS** currently serves as Head Of Legal-Americas for Fugro in Houston, Texas. As an Executive Corporate Counsel, she offers vast experience in providing strategic legal guidance to energy, chemicals, and manufacturing companies on a global level. Her expertise lies in managing and advising on complex domestic and international transactions including acquisitions, joint ventures, consortiums, and strategic alliances in the US, Middle

East, Asia, Africa, Europe and other jurisdictions.

She also serves as an executive strategic legal advisor for risk mitigation and commercial and legal guidance to C-suite leadership on domestic and international legal matters including capital markets, intellectual property and R&D protections, laws pertaining to the formation of foreign operating entities, compliance and M&A opportunity identification and analysis.

She has been recognized for innovative collaboration with internal business leaders and executive teams in distressed circumstances to help drive commercial objectives, provide legal guidance to mitigate risks, and execute on commercial strategy. She takes immense pride in having dedicated herself to converting legal teams from being regarded as functional support to being considered a critical strategic lever for company global objectives.

**BLAKE R. DAVID** was raised in Lafayette and is a founding partner of Broussard, David & Moroux. Mr. David focuses on personal injury and wrongful death litigation with an emphasis on offshore/maritime, trucking accident, aviation, products liability, industrial accident, and automobile claims. Mr. David is board certified in civil trial law by the National Board of Trial Advocacy in Civil Trial Advocacy and a member of the American Board of Trial Advocates (ABOTA). Mr. David has been included in Louisiana Super Lawyers list of TOP 10 lawyers in the state of Louisiana (this exclusive list of 10 named individuals is selected by peers out of over 22,000 lawyers in Louisiana, and Mr. David is the only TOP10 lawyer outside of New Orleans and the only TOP10 lawyer categorized as personal injury). For years, Mr. David has been listed by Louisiana Super Lawyers TOP50 and in the field of personal injury law.

Mr. David is an "AV" rated attorney by Martindale-Hubble (highest rating possible) and recognized by Million Dollar Advocates and Multi-Million Dollar Advocates Forums. Mr. David has been named to Top 1% of lawyers nationwide by National Association of Distinguished Counsel. He has also been recognized by The National Trial Lawyers as a Top 100 Trial

Lawyers, an exclusive designation for trial lawyers who exemplify superior qualifications, trial results, and leadership.

Mr. David was lead counsel in a jury trial involving a leg amputation where the jury awarded \$38,052,544.92. Mr. David was lead counsel in a jury trial involving a local man paralyzed by an 18-wheeler that ran a stop sign. The jury awarded \$30,438,225.00 (the largest award in Lafayette Parish court history, recognized nationwide as one of the Top 100 Verdicts of 2016 by The National Law Journal and VerdictSearch). Mr. David was lead counsel in jury trial involving a drunk company driver in St. Charles Parish that resulted in a \$29,100,000.00 award (recognized nationwide as one of the Top 100 Verdicts of 2011 by The National Law Journal and VerdictSearch). Mr. David was also lead counsel in an 18-wheeler wrongful death case in Lake Charles (Calcasieu Parish) that resulted in a \$10,800,000.00 jury verdict. Mr. David was lead counsel in a successful wrongful death jury trial that resulted in a \$21,400,000.00 award in Lafayette Parish (then the largest award in Lafayette Parish court history, and recognized nationwide as one of the Top 100 Verdicts of 2007 by The National Law Journal and VerdictSearch).

Mr. David's professional associations include the Louisiana Association for Justice (Past President, Executive Committee Member, Maritime Section Chair), Louisiana State Bar Association (past Board of Governors), Louisiana State Law Institute (Board Member, Code of Civil Procedure Committee), Lafayette Bar Association (Past President, Foundation Board Member), American Inn of Court of Acadiana (Past President), International Academy of Trial Lawyers, and International Society of Barristers. He also is a founding board member of the Lafayette-Acadiana Chapter of the Federal Bar Association (Past President), and American Association for Justice (past Council of Presidents, Board of Governors). Annually, Mr. David teaches Trial Advocacy to law students at the LSU Law Center. He also lectures on maritime law at the LSBA Admiralty Symposium and LAJ High Stakes on the High Seas.

In 2017 and again in 2023, Mr. David was appointed

to the Louisiana Board of Regents by Governor John Bel Edwards and confirmed by the Louisiana Senate (the secondary education board that coordinates the efforts of all 33 degree granting institutions in the State of Louisiana). He currently serves as Finance Chair, Executive Committee, and is a Past Chair. Mr. David currently serves on several community organizations as well, including Lafayette Economic Development Authority (Chair, Executive Committee – appointed by city-parish council to the LEDA Board of Commissioners), First Horizon Bank (Advisory Board), Community Foundation of Acadiana (Board Member), The Committee of 100 for Economic Development, Downtown Development Authority (past Board Member and past Chair of DDA and DLU), Opus Christi Magnum Catholic Charities (Former Co-Chair, Captain); St. Thomas More High School (Board Member), Our Lady of Fatima Catholic Church (Eucharistic Minister, Foundation Board, Finance Board), ABC Art Fund (Vice-Chair), The Acadiana Tigers (Board Member, Past President), and a founding board member of “the705”, a young professionals organization focused on leadership and service in the community.

In 2009, Mr. David was honored as the “Outstanding Young Lawyer of Louisiana” award by the Louisiana State Bar Association. This award is presented annually at the Louisiana State Bar Association's Annual Meeting in Florida to one attorney under 40 years of age who has made outstanding contributions to the legal profession and his or her community. In 2006, The Daily Advertiser recognized Mr. David as “20 Under 40”, an honor designating Mr. David as one of Acadiana's 20 most successful business persons under 40 years of age.

Prior to litigating, Mr. David graduated from LSU (BA, JD) and worked as a registered lobbyist with Haynie & Associates in Baton Rouge. He and his wife, Amber, reside in Lafayette with their three children.

**JUDGE ANDREW EDISON** is a United States Magistrate Judge for the Southern District of Texas -- Galveston Division. He earned his undergraduate degree from Dartmouth College and his law degree

from the University of Virginia School of Law. Prior to taking the bench in 2018, Judge Edison was a highly respected trial lawyer, appearing for the past 25 years in state courts, federal courts and arbitration panels across the country. He lectures frequently at various continuing legal education seminars and serves as an adjunct professor at the University of Houston Law Center, teaching Remedies and Trial Advocacy. Outside the law, Judge Edison is an avid sports fan and can often be found attending sports events all over the globe. Although he is not blessed with much athletic ability, Judge Edison has managed to run--and complete--five marathons, including the Boston Marathon.

**JUDGE KURT D. ENGELHARDT** was appointed by President Donald J. Trump to the United States Fifth Circuit Court of Appeals, based in New Orleans, on May 10, 2018. He was previously appointed by President George W. Bush to the United States District Court for the Eastern District of Louisiana on December 13, 2001, and became Chief Judge to that Court on October 1, 2015, serving until his appointment to the Fifth Circuit. He received a Bachelor of Arts in history in 1982 from Louisiana State University in Baton Rouge and received his law degree from LSU in 1985. Prior to his appointment to the federal bench, Judge Engelhardt was a partner with the Metairie, Louisiana law firm of Hailey, McNamara, Hall, Larmann & Papale, where his practice included all aspects of commercial transactions and commercial litigation, including real estate, bankruptcy, insurance defense and coverage issues, RICO, contract disputes, and construction litigation, along with some practice in the areas of personal injury litigation and white collar criminal defense work. In 1995, Judge Engelhardt was appointed by the Governor to serve a four-year term on the nine-member Louisiana Judiciary Commission; in 1998, he was elected by his fellow commission members to serve as Chairman. His work on the Judiciary Commission has been cited for its excellence by the Louisiana Supreme Court. In 2004, Judge Engelhardt was appointed by United States Supreme Court Chief Justice Rehnquist to serve on the Judicial Conference Committee on Federal-State Jurisdiction, where he served two

terms. He also served on the U.S. Fifth Circuit's Committee on Criminal Pattern Jury Instructions, charged with drafting and updating jury instructions for use throughout the Circuit. He is a member of several professional organizations including the Advisory Board of the New Orleans Chapter of The Federalist Society; The American Judicature Society; and previously the Board of Directors (and past president) of the New Orleans Chapter of the Federal Bar Association. On October 17, 2019, he was elected to membership in The American Law Institute. He is also a Board member and past president of the Cancer Association of Greater New Orleans.

**HAROLD FLANAGAN** is a partner at Flanagan Partners LLP. His practice includes both contracts and litigation in the areas of maritime law, oil and gas production, construction, and clean & renewable energy. He drafts and negotiates contracts for oil and gas producers, including drilling contracts, master service agreements, licensing agreements, and purchase orders. He and his team investigate casualties in the marine, oil and gas, construction, and industrial settings, and advise industrial clients on Health, Safety, and Environmental compliance. Mr. Flanagan is frequently associated by other law firms to assist in litigating the insurance aspects of large casualty claims. His team includes lawyers barred in Texas, Louisiana, Mississippi, Alabama, Colorado, and California. Mr. Flanagan graduated from Loyola University with a B.S. in Business Management in 1984, and from the Loyola School of Law in 1995, cum laude, where he was a member of the Loyola Law Review. In December 2023, he retired from Tulane Law School, where he taught the Insurance Law class for 23 years. Mr. Flanagan enlisted in the U.S. Marine Corps in 1985 and retired at the rank of colonel after 26 years of service, including overseas service in Operation Enduring Freedom.

**RHETT E. KING** was born and raised in New Orleans, graduating from Jesuit High School in 1988. He earned his undergraduate degree from Emory University in 1992 and his Juris Doctor from Louisiana State University (LSU) in 1995. A partner at Strauss & King since 1996, Rhett focuses his

practice on representing injured seamen and workers. An experienced trial lawyer, he has litigated cases in both state and federal courts and during the past 30 years he has participated in mediations across the country. He is an active member of the Federal Bar Association, the Louisiana Association for Justice, and the New Orleans Bar Association.

**JENNIFER DAVID KHOURI** is an Assistant General Counsel with Kiewit Corporation, a construction and engineering organization with operations spanning throughout North America. In her role, she coordinates and assists outside defense counsel handling complex litigation and helps manage legal strategies on a wide range of matters for the company and its affiliates, including property damage, personal injury, contract disputes, and insurance issues. She also works with the company's insurers, risk management program, and safety department on claims and regulatory matters arising on construction, transportation, and maritime projects. Before joining Kiewit, Khouri developed a strong background in litigation, having practiced as both a plaintiff's attorney and as a civil defense lawyer with an emphasis in maritime law. Given her background, she is uniquely positioned to understand strategies on both sides of a case. Khouri holds a Juris Doctor degree from Tulane University School of Law and a Bachelor of Arts in History from the University of Kansas. At Kiewit, Khouri aims to help facilitate the legal strategy of the company and/or its affiliates in a collaborative, creative, and aggressive manner, while supporting the company's long-standing commitment to integrity, safety, and excellence.

**ROBERT A. MILANA, ESQ.** has been with Travelers Major Case Unit since 2015. He has extensive experience handling all types of marine disputes including, P&I, hull, liability, recreational marine, cargo and charter party. He is an expert in personal injury Jones Act matters. He is an SMA Arbitrator, mediation expert and frequent speaker on mediation topics and is the Chairman of the SMA Mediation Committee. He worked for AIG from 2004 to 2014 as Director of Marine Liability; as an

attorney with Kirlin, Campbell & Keating (1985-1999, partner) and as an attorney with London Fischer, LLP (1999-2004, partner). He is a graduate of SUNY Maritime College at Fort Schuyler and sailed as Third Engineer with MSC.

**JEFFERSON R. TILLERY, ESQ.** is a partner in Jones Walker's Maritime Practice Group and co-leader of the maritime litigation, arbitration, and dispute resolution team. He is recognized as an accomplished trial lawyer and is a Fellow of the American College of Trial Lawyers.

Drawing on his more than 35 years of experience, Jeff works closely with clients to identify the issues at the heart of any dispute and to adopt practical strategies to resolve the issues quickly and effectively. When negotiated settlements are not an option, clients rely on Jeff's significant trial experience to present their cases before judges and juries in federal and state courts.

Known for handling complex maritime litigation, Jeff has extensive trial experience that includes representing clients in maritime personal injury and vessel collision and allision matters, commercial litigation, longshore matters, marine insurance coverage disputes, contract and charter party disputes, and property and economic damage cases involving construction and repair of fixed offshore platforms, marine terminals, docks, ships, towboats, barges, and offshore service vessels. Jeff regularly represents clients in complex marine multiparty casualty cases, including many under the Oil Pollution Act. He also represents industrial plants and refineries in matters involving explosions and other major incidents.

Jeff is a frequent speaker at seminars and on podcasts around the country. His presentations cover a wide range of maritime topics, including collisions, offshore casualties, the ramifications of recent court decisions on the industry, and the application of a host of federal and state laws and regulations, including the Jones Act and the Longshore and Harbor Workers' Compensation Act.

7:00 – 8:30 Breakfast Buffet

8:30 – 11:45 **THE SUNKEN BARGE SCENARIO**

*This scenario is simple and opens the door for hours and hours of discussion and advice regarding legal obligations of each party involved. This is a common scenario that can occur any time and day and at any fleet.*

*“Savoie Towing, LLC is the tower and operator of the Tank Barge 101, pursuant to a written Bareboat Charter Agreement it has with the owner of the barge, Grantham Barges, LLC. At 0200 Hours the tug M/V MO, owned by Savoie Towing LLC, places the Tank Barge 101, owned by Grantham Barges, LLC, in the Robin Fleet, LLC which is located on the Mississippi River above Burnside terminal. The crew of the M/V MO tied the TB 101 off with gear from the fleet and called Robin Fleet dispatch to advise of “drop off” and location of the TB 101 in the fleet. The tug then immediately departs the area. The fleet places the barge on its fleet “picture” and proceeds with business as usual. Neither the tug or barge owner notified the fleet of any problems with the TB 101. The TB 101 was not inspected by any fleet personnel when brought into the fleet, even though Robin Fleet had personnel on duty at the time. The fleet “Tariff” obligates any towing vessel or barge owner to notify the fleet of any leakage or problem with any barge prior to placement in the fleet. One of the fleet personnel was undertaking a routine inspection of the fleet at around 0500 Hours. He was inspecting the lines of another barge adjacent to the TB 101 when he heard a loud snap, he turned and saw the TB 101 list heavily to one side, break its ties and quickly appeared to begin to sink. There was an immediate sheen as oil discharged into the river. Unfortunately, for the fleet personnel who happened to be a member of the crew of the fleet tugboat, when he turned he also slipped and fell on the deck of the adjacent barge, throwing out his back. He immediately called in the incident to dispatch and called for personal assistance, also advising dispatch of the situation involving the discharge of the oil and the possible sinking of the barge. The tug operator, Savoie Towing, and barge owner, Grantham Barges, are notified by Robin Fleet’s manager, and a demand is made to “come take care of” the sinking barge and the spill. Out of precaution, the fleet contacts and activates its OSRO. The US Coast Guard also is immediately notified and closes river traffic as a result of oil being discharged into the river.”*

**Who will be “Running the Show” and Responsible for:**

- |  |  |
|--|--|
| <ul style="list-style-type: none"><li>• Preservation of evidence from the sinking;</li><li>• Pollution response and cleanup;</li><li>• Salvage of the barge;</li><li>• Determining the cause of the sinking and whether any negligent acts occurred;</li></ul> | <ul style="list-style-type: none"><li>• Insurance coverage issues;</li><li>• Loss of profits due to river closure;</li><li>• Environmental damage and subsequent claims;</li><li>• Identifying which experts are needed and engaging the experts;</li><li>• Etc., etc.</li></ul> |
|--|--|

**Moderator:**

Marc C. Hebert, Esq.

**Panel Members: What action should be taken by the following parties based on either Legal Requirements or Industry Custom and Practice:**

- The Defense Lawyer: Kent Morrison, Phelps Dunbar
- The Pollution Lawyer: John Nicoletti, Nicoletti Hornig Namazi Eckert & Sheehan
- The United States Coast Guard: COTP Greg Callaghan
- US Coast Guard: CAPT Jason Neubauer (Retd)
- The Marine Surveyor/OSRO: Rob Keister, Sabine Surveyors
- The Metallurgist: Bob Bartlett, Bartlett Engineering

**Panel Members Seated in the Audience:**

Terrence Gomez, MG Transport Services  
Lee Nelson, Upper River Services  
Lee LeBoeuf, L & L Marine Transportation

11:45 – 12:00 Closing Remarks

## FRIDAY SPEAKERS

**ROBERT D. BARTLETT, P.E.** is an experienced metallurgical and mechanical engineer with over 30 years of expertise in the marine, petrochemical, and power industries. He holds a Master's degree in Metallurgical Engineering from The Ohio State University and a Bachelor's degree in Mechanical Engineering from Tulane University. Robert is a registered Professional Metallurgical and Mechanical Engineer in both Louisiana and Florida.

As the principal engineer at Bartlett Engineering, Robert has specialized in failure analysis, emphasizing the evaluation of entire systems to understand failure mechanisms. His extensive background in metallurgical engineering and equipment design allows him to take a comprehensive approach to solving complex engineering problems. Prior to founding his firm, Robert co-owned a welding and machine shop, where he gained significant experience in the design and fabrication of ASME Code process equipment and boilers. His diverse experience makes him a trusted expert in the field of equipment design and failure analysis.

**CAPTAIN GREGORY A. CALLAGHAN** assumed the duties as Commander, Sector New Orleans in June 2024 where he served as Deputy Sector Commander since 2022. In this capacity, he oversees over 1,000 active duty, reserve, civilian, and auxiliary Coast Guard personnel who serve over 300 miles of the Lower Mississippi River, 230 miles of the Intracoastal Waterway, and almost 4,000 miles of coastline in an area of responsibility totaling over 100,000 square nautical miles.

His previous operational assignments include Commanding Officer of Marine Safety Unit Texas City from 2016-2018 and Executive Officer from 2014-2016. There, his responsibilities included carrying out the Coast Guard's Homeland Security, Marine Safety, and Marine Environmental Protection missions in the Ports of Galveston, Texas City and Freeport, in over 120-miles of the Gulf Intracoastal Waterway, a 4,000 square-mile region of the Outer Continental Shelf, and the entrance to the nation's largest petrochemical complex. His time there

included the preparation and response to Hurricane Harvey. From 2004-2008, Captain Callaghan was assigned to Sector Boston, MA, where he served as Chief of Port State Control, Assistant Chief of Waterways Management, Aids to Navigation Officer, and Senior Investigating Officer. From 2000-2004, he served at Marine Safety Office Miami, FL as Port State Control and Domestic Marine Inspector and Licensing Examiner at Regional Exam Center Miami.

Captain Callaghan's staff assignments include his most recent assignment as Chief of Prevention for the Eleventh Coast Guard District from 2019-2022 where he led staff, two Coast Guard Buoy Tenders, and more than 2,500 Auxiliarist in management of the prevention mission in an area of responsibility covering California, Nevada, Utah, and Arizona and responsible for \$500 Billion in international trade. From 2010-2014 he was assigned in the Office of Port and Facility Compliance at Coast Guard Headquarters where he served as the Coast Guard's program manager for the Transportation Worker Identification Credential enforcement and Chief of the Port and Facility Security Standards Branch leading research, development, and implementation of top priority maritime security regulations. Additionally, he was the Coast Guard representative to the U.S. and Canada Bi-National Maritime Security Working Group.

In 2020, Captain Callaghan was appointed by the Coast Guard Deputy Commandant for Operations as Chairman of the Marine Board of Investigation to investigate the causal factors in the loss of the commercial fishing vessel SCANDIES ROSE and five crew members which occurred on December 31, 2019.

Captain Callaghan served in the Coast Guard Reserves from 1996-2000 as part of the Maritime Academy Reserve Training Program and was assigned to Activities New York.

Captain Callaghan is a graduate of the State University of New York Maritime College where he received a

Bachelor of Science degree and an Unlimited Third Mates License in the Merchant Marine. He has Master's in Public Administration and Certification in Port and Maritime Administration from Old Dominion University, and a Master's in National Security and Resource Strategy from the National Defense University's Eisenhower School.

**ROBERT KEISTER, CDR, USCG (RET)** is Sabine Surveyor's vice president. He has more than 30 years of experience in the United States Coast Guard and the marine industry. While in the Coast Guard, he completed more than 400 marine inspections on barges, small vessels, supply vessels, and tankers, and he supervised and trained more than 60 Coast Guard marine inspectors. Keister retired as the commanding officer of Marine Safety Unit Houma, Louisiana, which is responsible for the largest fleet of inspected vessels in the United States. He is currently responsible for all Subchapter M and third-party Organization (TPO) activities, as well as general vessel surveys for Sabine Surveyors, managing all towing vessel surveys and audits, management audits, and pre-Coast Guard inspection consulting. Keister is an ISM, AWO/RCP, and Subchapter M lead auditor, and he is an active NAMSGlobal-CMS.

**THOMAS KENT MORRISON, ESQ.** is a partner with Phelps Dunbar, LLP having joined the firm in 1998 after obtaining his J.D. from Tulane University's School of Law. He holds an AV rating, is admitted to practice in all of the courts in Louisiana and regularly represents clients in jurisdictions throughout the Gulf South. Mr. Morrison previously served on the Board of Directors for the New Orleans Chapter of the Federal Bar Association and is a member of the FBA, the Maritime Law Association and the Southeastern Admiralty Law Institute. He practices in the areas of transportation, energy, maritime law, and general litigation handling cases involving commercial disputes, casualties, torts, cargo claims, collisions, personal injuries, property damage, and contractual defense and indemnity demands for maritime employers, vessel owners, longshore employers, energy companies, dock and terminal owners and their various underwriters. He also provides

representation with respect to coverage issues involving a broad range of energy, marine, general liability, excess and umbrella insurance policies. He further assists marine and energy companies with their corporate structure, regulatory issues and internal and external contractual relationships.

Kent currently serves as the firm's Regional Practice Coordinator for the marine and energy practice group.

**CAPT. JASON NEUBAUER (RETD)** has served as the deputy chief of the Office of Investigations and Analysis (CGINV) at Coast Guard Headquarters since June 2023. He is responsible for overseeing marine casualty investigations, suspension and revocation cases involving credentialed mariners, violation investigations, and data analysis for the Coast Guard's prevention operations.

Prior to his retirement as a captain in the Coast Guard, Mr. Neubauer served as the chief of CGINV from August 2014 to June 2018 and again from July 2019 until June 2023. During his tenure in CG-INV, Mr. Neubauer served as the chair of three Commandant-level Marine Boards of Investigation, including those into the sinking of the steamship El Faro, the fire on the small passenger vessel Conception, and the implosion of the submersible Titan.

Mr. Neubauer's previous assignments included serving as the commanding officer of Marine Safety Unit Chicago from July 2012 to July 2014, where he was responsible for prevention operations spanning 300 miles of Lake Michigan coastline and 180 miles of the Illinois River and its tributaries.

He also served as the prevention department chief and deputy commander at Coast Guard Sector Honolulu from July 2008 to June 2012, where he was responsible for overseeing Coast Guard operations throughout a 1.5 million square mile Captain of the Port zone that includes the entire Hawaiian Islands and American Samoa.

Mr. Neubauer also served as the supervisor of Marine

Safety Detachment St. Paul, Minnesota, from August 2000 until June 2003. In St. Paul, he worked closely with the Army Corps of Engineers and the tug and barge industries that transport vital commerce on the Western rivers.

Mr. Neubauer was commissioned as an ensign after graduating from the United States Coast Guard Academy in 1992 with a Bachelor of Science in marine engineering and naval architecture. After completing an initial marine inspection training tour in Seattle, he transferred to Marine Safety Office Morgan City, Louisiana from 1996 to 2000, where he inspected vessels supporting the offshore drilling industry and spent three years investigating a wide variety of marine casualties.

**JOHN A.V. NICOLETTI** is the managing partner of the firm with more than 46 years of domestic and international insurance coverage litigation experience. John represents the interests of major international and domestic underwriters in federal and state courts throughout the United States. He advises clients on a full range of insurance and reinsurance matters, with a focus on marine, inland marine, commercial property & casualty and energy insurance. John also counsels clients following pollution incidents on how to respond to the incident in compliance with federal and state law (e.g., Oil Pollution Act of 1990, Clean Water Act, CERCLA and state equivalents), on coordinating with governmental agencies responding to the incident, and on how to manage third-party claims arising out of the incident. In addition, John regularly represents a variety of interests in the shipping and transportation industries in federal and state courts, as well as in arbitration, throughout the United States in connection with lawsuits arising out of maritime casualties, pollution incidents, cargo damage, charter party disputes, maritime liens, salvage, personal injury and commercial disputes.

John has also authored or reviewed and supplemented many open cargo policy forms for multiple domestic underwriters and upon request reviewed and at underwriters' request prepared risk assessment

reports on cargo policy forms offered by the major brokers.

Further, John has been, and is, lead counsel for multiple insurers on COVID claims and litigations, riot/vandalism, weather-related and terrorism catastrophes, flood/wind/named storm/deductible/hurricane and sublimit controversies, home owners' policy litigation defense, corrosion analysis, fire losses, cyber risk, allocation, exhaustion and occurrence analysis, all-risk and builder's risk policies, policy and reinsurance wording and forms analysis, building and crane collapses, transportation accidents, boiler and machinery, utility and power generation loss, contamination, arson and fraud, defense of insurers against public transportation agency first-party lawsuits, reinsurance arbitration, federal multi-district disaster litigation, chemical plant loss, oil company claims, refinery loss and related energy loss, on shore and off shore energy loss, coal and gold mining loss, satellite loss, defense of officers and directors, whistle blower defense, defamation defense, products liability defense, commercial marine coverage disputes, warehouse liability, marine cargo, bills of lading disputes, construction accidents, construction project sequence analysis, defense of serious personal injury, litigation of commercial and real estate disputes, bankruptcy, employee-related issues, land use, financial guaranty, retrospective premium, advertising liability, and product recall.

John Nicoletti argues motions and appeals in various federal and state courts. He has litigated as U.S. counsel in international commercial, insurance and reinsurance disputes, applying U.K., Bermudian, French and Spanish law, represented U.S. clients in foreign insurance and commercial disputes, and assisted foreign clients seeking discovery in the U.S. regarding foreign litigations. John has represented foreign clients in commercial disputes.

John has litigated cases in federal and state courts throughout the United States, including New York, New Jersey, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Illinois,

## FRIDAY SPEAKERS

Iowa, Louisiana, Maine, Massachusetts, Michigan, Missouri, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, Washington, Hawaii, the U.S. Virgin Islands and West Virginia.

John has authored articles, made presentations as part of industry panels, and lectured on multi-layer approaches to ambiguity questions, weather related catastrophes, ensuing loss, punitive damages, business interruption, occurrence issues, cyber and CGL insurance trends, and claims leadership.

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The Seminar Registration Fee includes all amenities: the Wednesday evening cocktail reception, all sessions, a digital copy of the course materials, two luncheons, morning coffee and pastries, and a full buffet breakfast on Friday. Our goal is to offer a comprehensive, high-quality seminar experience.

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All registrants will receive the program materials via digital download at the seminar. To ensure that we provide the correct number of printed booklets, anyone wishing to obtain their **program materials in booklet form MUST indicate this in the column below.**

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*See you next year in New Orleans  
for the*

**43<sup>rd</sup> ANNUAL**

**G.N.O.B.F.A.**

**RIVER AND MARINE**

**INDUSTRY SEMINAR**

**G.N.O.B.F.A.**

P.O. Box 232

Hahnville, LA 70057

# INFORMATION

**Seminar: April 22, 23, & 24, 2026**  
**Reception: April 22, 2026, | 5:00 pm – 6:30 pm**  
**(for seminar attendees only)**

**InterContinental New Orleans**  
**444 St. Charles Avenue**  
**New Orleans, LA 70130**

**Admission to the seminar is limited. Please register early.**

### **Registration Fees**

CHECK through March 23, 2026: \$895.00 | thereafter: \$950.00  
CREDIT CARD through March 23, 2026: \$925.00 | thereafter: \$995.00  
*Credit card payments are only accepted online*

Current industry trends highlight the importance of environmental sustainability, a principle GNOBFA endorses to meet customer expectations. As such, GNOBFA will provide both a printed booklet and a digital download. Please specify your preferred option on the registration form so we can prepare the correct quantity. Our goal is to deliver a cost-effective seminar that maintains the high standards you anticipate.

**There will be no exceptions to these registration fees.** *We will accept credit card payments through PayPal or Square. See the website for details. [www.GNOBFA.com](http://www.GNOBFA.com).*

**Confirmation:** A seminar confirmation will be sent via email within one week of receiving payment. Please provide each registrant's email address. If you do not receive a confirmation email within that timeframe, contact [GNOBFA@gmail.com](mailto:GNOBFA@gmail.com) to confirm and secure your registration.

**The Seminar Registration Fee is a comprehensive package** that includes admission to the Wednesday evening cocktail reception for registrants only, all meetings, a digital copy of course materials, two luncheons, coffee and pastries each morning, and a full buffet breakfast on Friday morning. We aim to provide you with a complete and fulfilling seminar experience.

**Cancellations:** The payment refund minus the **\$300.00** cancellation fee. To waive this fee, you may transfer your payment to another company associate or apply it toward your or another associate's registration fee for attendance in 2027, but this option is limited to that year. Please note that no-shows are not eligible for transfer requests. **Cancellations MUST be in writing before the seminar. There will be no exceptions to the cancellation policy.**

**Accommodation:** The seminar fee does not include hotel accommodation. Rooms have been reserved for **\$236.00** for single or double occupancy. The deadline to reserve a hotel room is March 24, 2026, at 5 p.m. The reserved block of rooms is allocated on a first-come, first-served basis. To get the special rate, reservations for the InterContinental New Orleans can be made at <https://book.passkey.com/e/51153002> or by calling 1-800-235-4670. **If making hotel reservations by phone, refer to the code "GG5".** PLEASE REFERENCE THE GREATER NEW ORLEANS BARGE FLEETING ASSOCIATION RIVER AND MARINE SEMINAR.

**Continuing Education Credit:** This seminar might fulfill your state's legal or insurance continuing education requirements. GNOBFA complies with attendance verification standards for continuing education programs. Historically, the average approval is 16.00 hours. Complete credit details and contact information are available at [www.gnobfa.com](http://www.gnobfa.com)

**For further information, please get in touch with any of the following Seminar Committee Members:**

### **Seminar Co-Directors:**

Alan Savoie – Phone: (504) 415-4191 – E-Mail: [alan.savoie@thecoopergroup.com](mailto:alan.savoie@thecoopergroup.com)  
Tommy Grantham – Phone: (225) 338-5903 – E-Mail: [thomas.grantham@ingrambarge.com](mailto:thomas.grantham@ingrambarge.com)

### **Registration:**

Fred RenouDET – E-Mail: [GNOBFA@gmail.com](mailto:GNOBFA@gmail.com)  
Robin Rogers – Phone: (985) 248-0833 – E-Mail: [robin.rogers@cooperconsolidated.com](mailto:robin.rogers@cooperconsolidated.com)

**VISIT OUR WEBSITE AT [WWW.GNOBFA.COM](http://WWW.GNOBFA.COM) FOR SEMINAR UPDATES**

**Scan Code for  
Registration**





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