

Association of Transportation Law Professionals

June 27-30, 2015



BOSTON

86TH ANNUAL MEETING



86th Annual Meeting—Sheraton Boston



Ideally located for our ATLP Annual Meeting participants and attendees, Sheraton Boston Hotel is in the heart of one of America's most historic cities. Four miles from Logan Airport and blocks from the financial district, Charles River, trendy Newbury Street and Fenway Park.

The Sheraton is located in the Back Bay area of Boston near One Copley Plaza and the Shops at Prudential. There is plenty of shopping and dining options for you during your stay.

Hotel Reservations

**ATLP group
\$239/night***

***Call*
800-325-3535**

***See Hotel, Cancellation and Transportation
information on page 11***

86th Annual Meeting—CLE Program

Preliminary Program—subject to change

Saturday, June 27, 2015

Arrival of Guests

- 12:00 pm—3:00 pm **Fenway Park Lunch & Tour***
3:30 pm—6:30 pm ATLP Board of Directors Meeting
7:00 pm – 9:00 pm ATLP Board of Directors Dinner

Sunday, June 28, 2015

Arrival of Guests

- 10:00 am – 5:00 pm Registration & Information
10:30 am – 12:30 pm **Group Activities off-site: Boston Tea Party or Freedom Trail***

- 1:00 pm – 1:05 pm **Welcome to the 86th Annual Meeting**
ATLP President Karyn A. Booth, Thompson Hine LLP, Washington, DC

1:05 pm- 2:05 pm **Supreme Court & Regulatory Issues.** *It has been an active year for transportation issues at the Supreme Court and major initiatives by federal regulators. A panel of experts will provide a review of transportation-related Supreme Court decisions and key pending federal regulatory initiatives.*

Moderator: Raymond A. Atkins, *Sidley Austin LLP, Washington, DC*

Presenters:

C. Frederick Beckner III, *Sidley Austin LLP, Washington, DC*
Kathryn D. Kirmayer, *General Counsel, Association of American Railroads, Washington, DC*
Bruce Carlton, *President & CEO, The National Industrial Transportation League, Arlington, VA*

2:05 pm – 3:30 pm **Modal Updates:** Contributing Editors of the *Association Highlights* newsletter, provide updates representing each of the modes in transportation: *Antitrust, Aviation, Commuter Rail, FERC, Labor, Maritime, Motor, and Railroads*

Moderator: David H. Coburn Esq., *Steptoe & Johnson LLP, Washington, DC*

Presenters:

John Maggio, *Condon & Forsyth LLP, New York, NY (Aviation)*
Robin Rotman, *Van Ness Feldman LLP, Washington, DC (HazMat)*
Robert Fried, *Atkinson Andelson Loya Ruud & Romo, Pleasanton, CA (Labor)*
Travis Kennedy, *Lane Powell PC, Seattle, WA (Maritime)*
Steven W. Block, *Foster Pepper PLLC, Seattle, WA (Motor)*
Charles A. Spitulnik, *Kaplan Kirsch & Rockwell LLP, Washington, DC (Commuter Rail)*
Kathryn Gainey, *Steptoe & Johnson LLP, Washington, DC (Railroads)*

3:30 pm – 3:45 pm **Break**
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3:45 pm—4:45 pm **FDA: Sanitary Transportation of Food:** *For the first time, the FDA will issue rules to ensure the safety of food transported by rail and motor carriers. The proposed rules seek to impose new obligations on virtually anyone who ships, receives, or carries food in rail car or motor vehicles. A panel of experts will discuss the impact, and unintended consequences, the rules will have on a variety of stakeholders.*

Moderator: Jeremy M Berman, *Union Pacific Railroad, Omaha, NE*

Presenters:

Jon Samson, *Executive Director—Agricultural & Food Transportation Conference, American Trucking Association, Arlington, VA*

David Prohofsky, *CSX Transportation, Jacksonville, FL*

5:00 pm—6:00 pm **Welcome Reception:** *Beer & wine with lite fare*
Sponsored by

Slover & Loftus LLP

Evening Activity Options:*

- ◆ *Off-Site Dining: we are happy to group you with other ATLP attendees for dinner at a local restaurant. Contact ATLP headquarters to get on the list!*
- ◆ *Sunset Sail on the Adirondack III: See the Activities page for details*

Monday, June 29, 2015

7:00 am – 9:00 am Continental Breakfast

Sponsored by:



7:30 am – 5:00 pm Registration & Information

7:50 am – 8:00 am **General Business Session I**

8:00 am – 9:45 am **Current and Future Issues Affecting the Transportation Work Force**

This panel will include presenters from regulatory agencies such as the FRA, FMCSA or FAA and in-house and outside counsel to discuss a broad range of labor and employment issues relative to the transportation industry. Topics will include hours of service, employee / independent contractor classification, compliance with the most recent federal safety regulations and programs designed to deal with an aging workforce / the employability of our nations' veterans.

Moderator: Richard F. Griffin, *General Counsel, National Labor Relations Board*

Presenters:

Robert Fried, *Atkinson Andelson Loya Ruud & Romo, Pleasanton, CA*

David A. Hoffman, *CSX Transportation, Inc. Jacksonville, FL*

Melissa Porter, *Federal Railroad Administration, Washington, DC*

* *Not included in your registration fee.*

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9:45 am – 10:00 am

Break

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10:00 am – 11:00 am **Class Action Lawsuits in Aviation**

This panel will address class actions in aviation cases and address how other modes of transportation may similarly face such lawsuits. The panel will present plaintiff and defendant perspectives on class actions with an overview on how such cases are litigated.

Moderator: John Maggio, Condon & Forsyth LLP, New York, NY

Presenters:

Anthony Battista, Condon & Forsyth LLP, New York, NY

Anthony Tarricone, Kreindler & Kreindeler, Boston, MA

11:00 am – 12:00 pm **Port Congestion: Causes, Effects and Legal Implications:** *A discussion of recent instances of port congestion, its causes and effects, and legal issues of interest to those advising stakeholders.*

Moderator: William P. Doyle, Commissioner, Federal Maritime Commission, Washington, DC

Presenters:

Jonathan Gold, Vice President, National Retail Federation

Donnell Choy, Deputy, Port Authority, Port of Oakland, Oakland, CA

Mark Newcomb, Counsel and Vice President—Claims, Insurance and Regulatory Matters, Zim America Integrated Shipping Services Co. LLC

12:00 pm – 2:00 pm **Awards Luncheon with Keynote Address by Deb Miller**

Acting Chairman, Surface Transportation Board, Washington, DC

Sponsored by:



2:00 pm – 3:00 pm **Rail Service Issues: Is the Nightmare of 2014 Over?**

2014 was marked by nationwide rail service deficiencies and capacity and equipment shortages which were rooted in economic events and railroad planning decisions dating back to late 2013. Service failures in 2014 eventually led to active participation by the Surface Transportation Board, and a year-long effort by railroads, shippers, and elected officials to try and solve the service and capacity issues and to minimize the harm to rail customers and the economy. The panel will discuss several aspects of the rail service topic, including (1) the increasing interplay between AMTRAK and freight railroads concerning their respective usage of track capacity, and the role of the STB; (2) the pros and cons of the STB's decision to address freight rail service deficiencies by requiring the Class I railroads to make more commercial data available to the STB and the public; and (3) whether and how periodic widespread rail service failures

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can be prevented in the future.

Moderator: Michael Higgins, *Deputy Director, Public Assistance & Compliance, Surface Transportation Board, Washington, DC*

Presenters:

Kevin Sheys, *Nossaman LLP, Washington, DC*

Reamy Ancarrow, *Reamy Ancarrow PLLC, Washington DC*

Timothy Strafford, *Associate General Counsel, Association of American Railroads, Washington, DC*

3:00 pm – 3:15 pm **Break**

Sponsored By:



3:15 pm – 4:15 pm **Passenger Rail: The Expanding View**

This panel will look at various developing legal, policy and transactional strategies current in the non-freight rail context. We will address the use of inward-facing cameras in locomotive cabs, the development of intercity passenger rail service under Sections 209 and 212 of the Passenger Rail Investment and Improvement Act of 2008, and the variety of interests and opportunities that arise when freight corridors are railbanked – it's not just about recreational trails.

Moderator: Charles A. Spitulnik, *Kaplan Kirsch & Rockwell LLP, Washington, DC*

Presenters:

Anna M. Barry, *Deputy Commissioner, Connecticut DOT, Newington, CT*

W. Eric Pilsk, *Kaplan Kirsch & Rockwell, LLP, Washington, DC*

Andrew W. Marcuse, *Senior Deputy Prosecuting Attorney, King County, Seattle, WA*

4:30 pm —6:30 pm **Wine & Cheese Tasting Reception**

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Evening Activity Options:*

- ◆ *Off-Site Dining: we are happy to group you with other ATLP attendees for dinner at a local restaurant. Contact ATLP headquarters to get on the list!*
- ◆ *Sunset Sail on the Adirondack III: See the Activities page for details*

** Not included in your registration fee.*

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Tuesday, June 30, 2015

7:00 am—9:00 am **Continental Breakfast**

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8:15 am—8:20 am **General Business Session II**

8:20 am – 9:20 am **From Truck Drivers to Middlemen, What’s New Regarding Motor Carrier Law?”** *This year saw significant developments in law and regulations governing the motor carrier industry. Those in the highway transportation business have kept on trucking through implementation of MAP-21; disputes between states and motor carriers over classification of owner-operators as employees, rather than independent contractors; changes in cargo liability principles; the ongoing debate over hours of service; intermodal issues in an increasingly comprehensive transportation infrastructure, including intermediary liability; and other points of interest. This panel of nationally prominent motor carrier law practitioners will get you up to speed on how the largest component of cargo movement has been cruising.*

Moderator: Steven W. Block, *Foster Pepper PLLC, Seattle, WA*

Presenters:

Wesley S. Chused, *Looney & Grossman, Boston, MA*

Mark Andrews, *Strasburger LLP, Washington, DC*

William D. Taylor, *Hanson Bridgett LLP, Sacramento, CA*

9:20 am – 10:20 am **Canadian Transport Law – A Perspective From Up North:** *This panel of distinguished Canadian lawyers will let us know the latest in Canadian railway, aviation and trucking law with a focus on issues of particular interest to practitioners in the States. Sounds interesting, eh? Cross-border traffic is as strong as ever, playing a crucial role in the world’s biggest trade relationship. Here’s a great opportunity for anyone with current or prospective connections with that trade to keep abreast of developing Canadian law.*

Moderator: Steven W. Block, *Foster Pepper PLLC, Seattle, WA*

Presenters:

Louis Amato-Gauci, *Aird & Berlis LLP, Toronto, ON, Canada*

Heather C. Devine, *Gowling LeFleur Henderson LLP, Hamilton, ON, Canada*

Ian S. McKay, *Law Offices of Ian MacKay, Ottawa, ON, Canada*

10:20 am – 10:35 pm Break

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10:35 am –11:35 am **Ethics Presentation**

Moderator/Presenter:

James F. Moseley, Esq., *Moseley, Prichard, Parrish, Knight & Jones, Jacksonville, FL*

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11:35 am – 12:50 pm **Former Commissioners “Off The Record”**: *Join a panel of former STB Commissioners as they provide their own unique perspectives on the transportation industry, where the STB is going, and what the future might hold.*

Moderator: Linda J. Morgan, Nossaman LLP, Washington, DC

Presenters:

W. Douglas Buttrey, *President & CEO, Florida Cargo Fresh, Inc. Miami, FL*

Charles D. Nottingham, *Charles D. Nottingham PLLC, Washington, DC*

Francis P. Mulvey, *President, ITER Associates, Bethesda, MD*

1:00 pm

Adjournment of the 86th Annual Meeting

Thank you all for your support of the ATLP

Boston Activities & Information

There is so much to do in Boston! We hope you'll plan your stay to include some of the following:

- * Fenway Park—home of the Boston Red Sox
- * Bull & Finch Pub—where “Cheers” was filmed
- * Harvard Law School
- * John F. Kennedy Library
- * Freedom Trail
- * Faneuil Hall
- * Boston Tea Party Ship & Museum
- * Old South Meeting House
- * Shops on Newbury Street
- * *& Plenty More!*

Check your email alerts for more information on some of these attractions!

SPONSORS

Keynote and Awards Luncheon



Sunday Welcome Reception



Tuesday Wine & Cheese Reception



Breakfast & Break Sponsors



General Sponsors



86th Annual Meeting—Sponsorship Opportunities

Presented below are the sponsorship opportunities for the 86th Annual Meeting:

- **Annual Meeting Program**
 1/2 Page (\$250) Full Page (\$400)
 4-color half page (5.5 x 8.5) and full-page (8.5 x 11) print advertisements.

- **General Sponsor** \$ 500.00
 Have your Organization/Firm name on the General Sponsors’ Sign to be displayed at registration and outside General Session doors as well as other event sites. Your logo will appear in the *Annual Meeting Program book*.

- **Panel Sponsorship (NEW)** \$ 750.00
 Consider sponsoring a certain panel topic of interest to your Organization. Prominently positioned at the front of the general session room, your logo will appear on an A/V screen for the duration of the panel discussion. Recognition will also appear in the *Annual Meeting Program book*.

- **Breakfast & Break Sponsorship: Sun-Tues *Fletcher Sippel LLP***
Monday *Lane Powell PC* \$1,000.00
 When you sponsor a Breakfast & Break your Organization/Firm will have exclusive prominent signage at the site of the breakfast and morning /afternoon break buffets along with a 1/2-page space for advertising in the *Annual Meeting Program book*.

- **Sunday Welcome Reception Sponsorship *Slover & Loftus LLP*** \$2,000.00
 Welcome the participants and attendees with a reception after the General Session ends and the evening activities begin. Exclusive signage is provided with your Organization/Firm logo along with a one-page space for advertising in the *Annual Meeting Program book*.

- **Monday 86th Awards Luncheon Sponsorship *Thompson Hine LLP*** \$2,500.00
 We’ve switched things up this year. The awards presentation will be at the luncheon in addition to the Keynote Address. Exclusive signage is provided with your Organization/Firm logo along with a one-page space for advertising in the *Annual Meeting Program book*.

- **Monday Wine & Cheese Reception *Freeborn & Peters LLP*** \$2,000.00
 Sponsor a wine & cheese reception after the General Session and before your off-site evening activities begin. Exclusive signage and a one-page ad space In the *Annual Meeting Program book*.

Thank you for your support of our 86th Annual Meeting!

86th Annual Meeting—REGISTRATION FORM

Please register the following for the 86th ATLP Annual Meeting. This information will be used for your Name Badge & Roll Call:

Name _____ Email Address _____
 Organization/Firm _____
 Address _____
 City State Zip _____ Phone _____

Registration of:	June 28-30	Daily	Total
ATLP Member	\$900	\$500	\$ _____
Government & Academic	\$800	\$300	\$ _____
Non-Member	\$1050	\$550	\$ _____

Your Spouse/Guest is welcome to join us for any of the A La Carte activities below and must be paid for when you register. If attending such ATLP activities, please provide your Spouse/Guest's name for their name badge & roll call:

Name: _____

A la Carte Options & Activities:

Tour Fenway Park & Hot Dog Lunch (Saturday) _____ :# attending @ \$ 50 per person \$ _____
 Boston Tea Party Ships & Museum & Old South Meeting House _____ :# attending @ \$ 35 per person \$ _____
 OR Freedom Trail Walking Tour (Sunday Morning)
 Sunday Welcome Reception* _____ :# attending @ \$ 60 per person \$ _____
 Schooner Sunset Sail (Sunday evening) _____ :# attending @ \$ 75 per person \$ _____
 Awards & Keynote Luncheon (Monday)* _____ :# attending @ \$ 75 per person \$ _____
 Wine & Cheese Reception (Monday evening)* _____ :# attending @ \$ 75 per person \$ _____

*If you are a registered attendee, these options are included in your registration fee.

I would like to request CLE credits for the following State Bar(s): _____

Sponsorship:

Please contact ATLP Headquarters if you have any questions or need to request an invoice for your sponsorship.

Annual Meeting Program 1/2 Page (\$250) _____ Full Page (\$400) _____ \$ _____
 Event General Sponsor (\$500) _____ \$ _____
 Panel Sponsor (\$750) Which Panel: _____ \$ _____

TOTAL REGISTRATION PAYMENT ENCLOSED: \$ _____

Payment Information:

Check (*preferred method*, please make payable to ATLP) # _____ Visa _____ MasterCard _____ Amex _____

Card Number: _____ Expiration Date _____ CCV#: _____

Name as it appears on the card: _____

Signature: _____

Hotel Reservations are made separately. Please see page 2 for reservation details

Cancellation Policy: Advance commitments by the Association will allow us only to make refunds available for cancellations received in writing prior to June 14, 2015 less a \$100 administrative fee. No refunds for cancellations after **June 14, 2015**. See full cancellation policy on the back cover.

THIS FORM SERVES AS YOUR INVOICE:

Please Mail or fax to ATLP Headquarters: P.O. Box 5407, Annapolis, MD 21403 Phone: 410.268.1311 Fax: 410.268.1322 Email: info@atlp.org
 Contributors or gifts to ATLP are not deductible as charitable contributions for federal income tax purposes; however, dues, publications, advertising, and registration fees are generally deductible as ordinary and necessary business expenses. Check with your accountant.

ATLP Federal Tax ID# 27-0990436

CANCELLATION POLICY

Registration and Cancellation Policy: Notification must be received by ATLP headquarters if you have registered for the meeting and subsequently find you will be unable to attend. If registration cancellation is necessary, we will refund registration fees in accordance with the following schedule:

Cancellation received by:

Two weeks prior to first day of meeting 100% minus \$100 processing fee

One week prior to first day of meeting 50% of registration fee

Less than one week prior to meeting No refund

“No Shows” will be charged the full registration fee.

HOTEL RESERVATION INFORMATION

Hotel Reservation Information: ATLP has made arrangements with Sheraton Boston Hotel for a special rate of **\$239+** per night.

The reservations number is: *800-325-3535*

Please identify that you are participating in the ATLP Annual Meeting to qualify for the group rate of \$239/night+. The deadline for this rate is **June 1, 2015**, after which we cannot guarantee this rate and space available will apply. Check-in time is 3:00pm and Check-out time is 12:00 pm.

(ATLP rate is available 3 days pre-post conference)

AIRPORT & TRANSPORTATION INFORMATION

Airport Transportation: Sheraton Boston provides convenient access to two Boston hotel airport shuttle options:

GoBoston Shuttle: 888.437.4379. Hours: 24/7. Cost: \$17pp—advanced reservations required

Back Bay Logan Express (located next door to hotel): Hours 6am—9pm. Cost: \$5pp (no cash)

You may also view [Sheraton Boston directions](#), which will guide you via car or public transportation.
<http://www.sheratonbostonhotel.com/sheraton-boston-directions>



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