

Sunday – April 18, 2004

1:00 PM – 5:00 PM - Board of Director's Meeting
5:00 PM – 7:00 PM - Hospitality Hour

Monday – April 19, 2004

0730 AM - 0830 AM - Registration

8:30 AM – 9:00 AM - Welcome Address & Introductions
Hans Ruhlandt: RVP
Lorne Gould : President
David L. Grant : Vice President

9:00 AM – 5:00 PM - Technical Sessions

9:00 AM – 10:00 AM - Cargo-
Joseph Carone , Team Leader, Recovery Department Firemans Fund
McGee New York, NY
Subject : Transportation of refrigerated commodities.

Mr. Carone discusses the transportation of these specialized cargoes and is intended to give those not received any training a basic understanding of the subject. His presentation has been developed from a loss prevention training module, which was originally three hours long. Today he deals mainly with carriage in the intermodal container sector, as opposed to break-bulk. Both chilled and frozen products are covered, including the different characteristics and requirements of each.

Main topics are:

The early history of transportation of refrigerated commodities.

The most mistakes resulting in claims.

The characteristics of fresh chilled perishable products.

Frozen products and how they differ from chilled products.

The equipment employed in international trade.

Intermodal transportation.

And, finally, some steps that can be taken to minimize losses

Yachts and Small Craft –

Pat Kearns, Marine Experts

Subject: Customer Service; It's for the Surveyors too.

Various techniques to keep track of the customer's satisfaction and expectation. She will elaborate on professional and marketing aspect for an independent Surveyor.

Pat founded RMEG in 2002 on leaving ABBRA (American Boat Builders & Repairers Association where she had been executive director since 1999. Prior to that, she was assistant technical director with the American Boat And Yacht Council (ABYC) for 6 years. She has been a NAMS certified marine surveyor since 1990. As president of RMEG, Patricia Kearns brings 30 years of recreational marine industry experience to the company. Pat recognizes that no one person can be all things to all the people with vested interests in boating, boating safety and the marine industry. In consideration of that important acknowledgement, RMEG's mission is to deliver effective solutions that meet its client's for expert direction and opinions anchored in a mastery of the fundamental principles and a reputation for its president's personal integrity, depth of knowledge and trusted ethics.

Hull and Machinery –
Stephen Gumpel, Area Manager: Germanischer Lloyd Class Society
Subject: Containerships of the future. Supply of power and the advanced securing system.

Along with his Headquarters Statutory team, he succeeded last year in gaining U.S. Coast Guard Alternate Compliance authorization of Germanischer Lloyd to carry out inspections and certification of U.S. flag ships on behalf of the Coast Guard.

Steve is presently organizing the hull classification of the largest yet newbuilding project by the Austal USA shipyard and has just taken into the U.S. a newly delivered 86 meter High Speed Ferry into the ownership of C.A.T.S. of Rochester.

10:00 AM – 10:30 AM - Break

10:30 AM – 11:30 AM - Cargo –
James Craig, President, American Institute of Marine Underwriters (AIMU), New York City, NY
Subject: Current matters with Marine Underwriting, Loss Damage Adjusting.

Post September 11, the Insurance Industry has gone through an extensive overhaul. Many consolidations have occurred. Due to huge exposure, the insurers have raised premiums, dropped lines and taken a good look at claims. An overview of the Insurance industry with a major emphasis on loss and adjusting and the Surveyors role. The Surveyor plays a great role in the profit line of the Underwriters.

Yachts and Small Craft –
Robert Dunn, Bryson, Dunn Dispute Resolution LLC
Subject: How can mediation alter the future, in terms of costs and process, in dispute resolution and how does the Surveyor fit into the process. Some specific cases and issues will be discussed.

Hull and Machinery –
John Witte, Donjon Marine Company
Subject: Salvage of vessels.

Maritime Salvage Law is based on the principle that ship owners should encourage independent salvors to save an endangered vessel and that one must make the risk of attempting to save a sinking vessel worthwhile. More importantly, law makers wanted to make the reward large enough to discourage would-be salvors from helping themselves to valuable cargo and freight. In addition, law makers recognized the expense required to maintain specially equipped salvage vessels and equipment and to have a crew ready to act on a moment's notice. Remember now that many Maritime Salvage Law precedents, still cited today, occurred during the days when sailing vessels carried all of the freight and cargo. They traveled thousands of miles from home with no method of communication with the home office. They were not only at the mercy of the potentially tumultuous sea but at the mercy of the local legal system as well. Thus most countries treated Maritime (Admiralty) Law cases outside of the civil courts and developed amazingly consistent rulings that created, for all intents and purposes, an international Admiralty system.

Question and answers session moderated by Joseph Carone, Team Leader, Recovery Department, Fireman's Fund McGee, New York, NY

11:30 AM – 2:00 PM - Lunch
Lunch time speaker Skip Burdon: Looking into the future – Education, Training & Professional Development

Training workshops and programs, and learning tools and technologies are constantly changing. Successful training professionals stay on the cutting edge of innovation, exploring new ways to effect valuable learning and achieve great accomplishments. The topic will include discussion of some powerful training tools that dramatically increase the effectiveness of training.

2:00 PM – 3:00 PM - Cargo –
Gerhard G. Muller
Professor
U.S. Merchant Marine Academy
Kings Point, NY 11024

Intermodal freight transportation can be more complex than you think.

This process is much more complex than we can comprehend. There are more than a thousand points of activities in the process, failing one, could jeopardize the movement of the container to its destination.

Yachts and Small Craft -
Dick Akers, Ship Motion Associates
Subject: Physics of High Speed Boats, and Stability
Tests for High-Speed Boats

Every so often marine surveyors inspect boats damaged during high-speed accidents. Understanding the physics behind these boats can help the surveyor to do a better job. Many high-performance planing craft have stepped hulls and go faster than non-stepped hulls, but they are also less stable than non-stepped hulls, sometimes to the point of spinning out or even flipping over. Subtle changes in loading or trim can make extreme differences in performance and maneuvering characteristics. Live tests on high-performance boats often are performed on an ad hoc basis. Few tests are required and those tests may not identify problems with boat maneuvering or stability. Additional tests can help the designer and builder to predict undesirable dynamic behavior and to reduce accidents.

Hull and Machinery –
John Colletti, John P. Colletti & Associates
Subject: Math for the Marine Surveyor

Discussion and examples of the types of calculations routinely made by Marine Surveyors. Perhaps a brief discussion of some of the basic mathematical operations, i.e. areas and volumes of circles, triangles and odd shapes. Capacity of horizontal cylindrical tanks at h (depth). Deadweight determinations. Flooding rates through different size holes (cracks) at different depths. Impulse and momentum (a loaded barge traveling at v (feet per second) striking a piling, dock, pier or another vessel). Deck loads on deck barges, i.e. crane on deck. Strength of the deck. What is meant by section modulus, moment of inertia, bending moments and bending stress and compression stress. Beams and Columns.

- 3:00 PM – 3:30 PM - Break
- 3:30 PM – 4:30 PM - Cargo –
Captain James McNamara, President, National Cargo Bureau,
New York, NY
Subject: Transportation of Hazardous Materials

He has served as a member of the U.S. Delegation to The International Maritime Organization (IMO) in London as a member of the Subcommittee on Cargoes & Containers, 1988-1995; Chairman of the Subcommittee on Bulk Cargoes & Containers, 1994-1995; Chairman, Subcommittee on Dangerous Goods, Solid Cargoes & Containers 1996-2001 (DSC 1-4).

Most all cargoes that are carried aboard ships today are subject to some standard or regulation regarding their stowage, securing or documentation. In most cases these standards or regulations are promulgated by governments, the International Maritime Organization or a variety of other sources. This presentation will attempt to explain or at least introduce some of these.

Yachts and Small Craft –
David DeHorn, NMMA
Subject: What is the future for the “NMMA Certified” label due to the Partnership with ABYC? How that changes its meaning.

The National Marine Manufacturers Association has developed certification programs to help manufacturers comply with established standards and safety regulations, and to help to inform the public of such compliance when purchasing equipment. The NMMA program certifies that the design meets the standards outlined in the NMMA Certification Handbook. The manufacturer has the responsibility of assuring that production units are manufactured in compliance with the certified design.

Both the administrative and technical details of these programs (formerly BIA certifications) are incorporated in the handbook. The boat standards used are based on Standards and Recommended Practices for Small Craft published by the American Boat and Yacht Council (ABYC)

Hull and Machinery –
Dick Frenzel
Dixieland Marine Surveyors and Consultants
Importance of joint field surveys

Joint field Surveys are extremely important as Surveyors representing opposing interests can render a valuable services to their principals. Even though they represent different clients, a good joint Survey can be extremely conclusive and serves all parties most efficiently.

*Question and answers session moderated by Joseph Carone,
Team Leader, Recovery Department, Fireman’s Fund McGee,
New York, NY*

- 6:30 PM Boarding the Spirit of New York
7:30 PM – 10:30 PM - PRESIDENT’S RECEPTION

Aboard the Spirit of New York Cruise

The Spirit of New York is a unique place to have fun. Feel right at home as you cruise in climate-controlled comfort. You'll dine on a wonderful buffet while attentive servers cater to your every request. Enjoy a bountiful meal as you gaze at an endless stream of city sights. Listen to talented entertainers dazzle you with song. Then stroll our decks or dance away your cares as our DJ spins an upbeat medley of hits. Unlike a restaurant or banquet hall, the Spirit brings the Manhattan skyline to you in all its ever-changing glory. You won't find such an array of attractions anywhere else.

Tuesday, April 20, 2004

7:30 AM – 8:45 AM - Member's only breakfast and NAMS Annual Meeting

9:00 AM – 1000 AM - Cargo- Randy Roonan, Attorney-at-Law, Graham, Miller, Neadross
Subject: Surveyor's liability.

Errors and Omissions Liability protects your company from claims if your client holds you responsible for errors, or the failure of your work to perform as promised in your contract. Don't Be Fooled. Professional Liability (Errors and Omissions Insurance) coverage is not provided by a Commercial General Liability policy. Commercial General Liability does NOT provide coverage for errors, contract performance disputes or any other Professional Liability issues. He will also cover the admissibility of digital photography in the courts.

Yachts and small crafts-

Lenny Richelieu

Vice President, Sales/Marketing for American Marine Insurance Services

Subject: Survey Valuations-The importance of properly documented and stated values.

Claims adjusters don't spend a lot of time going over the figures on a small loss. By and large, they tend to want to take your word for things, pay you and close the file. On a big one, things change. The valuation provisions in your policy become all-important in determining how much of your loss is paid. Ideally, you would hope to get 100% of the cost new to replace your property, and this form of valuation, Replacement Cost, is generally available. There are other valuation terms also in use which allow for deduction from your claim for depreciation, allowing for the reduction in its value. ("Actual Cash Value") While a piece of 30-year old property may have enormous value to you, an adjuster could argue that depreciation has reduced its insurance valuation to less than half the cost of replacement.

1000 AM – 1015 AM - Coffee break

1015 Am – 1145 AM - Breakout Sessions
Workshops. Round table conference according to trade and subjects. Each table will have one moderator. Discuss any items of professional Nature and exchange views and opinions in a relaxed atmosphere.

11:45 AM – 1:00 PM - Lunch (on your own)

1:00 PM – 5:00 PM - Mock trial of cases with a real time judge presiding –

OPPOSING ATTORNEYS:

Monica Fekete Markovich, Esq., Brown, Sims P.C.
Lawrence J. Kahn, Esq., Freehill Hogan & Mahar

Adjusters and Surveyors (expert witnesses)

TBN

Moderator: Joseph Carone, Team Leader, Recovery Department,
Firemans Fund McGee, New York, NY

Topic: Mock trials based on Cargo Loss and Hull Collision disputes.

MOCK TRIAL (CARGO)

Our purpose is to present those not directly involved in the legal sector an indication of what takes place when a cargo claim goes into litigation. Of course, given the time constraints, it is impossible to cover all aspects. There is much that takes place before and during an actual Trial.

For this reason, we have chosen a relatively simple case (as if there were such a thing) involving a shipment of bananas which outturned in poor condition. A claim has been filed against the carrier by cargo owners. The vessel owners have declined liability arguing that they properly carried the product in question and the poor outturn was caused by factors beyond their control.

We will hear testimony from both sides. We will also go into the measure of damages. And finally a decision will be rendered by our judge.

Who will prevail in this case and why? Attend our mock Trial and find out.

MOCK TRIAL (HULL)

The Navigation Rules (Inland and International) have one purpose, to prevent two ships from occupying the same piece of ocean at the same time. They are a very complex set of rules and for the most part, interrelate to each other in such a way that one can easily take a particular rule out of context.

Our case involves a collision between two fishing boats not actually engaged in fishing at the time in question. The Navigation Rules that directly relate to our incident are briefly discussed. Which of the two vessels is at fault and why? Or perhaps, as is often the case, both vessels share some degree of fault.

The Honorable Judge will decide

5:00 PM - End of Conference.