

OUR PRACTICE

Admiralty and Maritime

Baker Donelson's admiralty and maritime attorneys advise clients on legal issues and disputes associated with the transportation of cargo and passengers by sea, inland towage, oil exploration and production, salvage and wreck removal operations in the United States and internationally.

We are routinely instructed in connection with major maritime and offshore energy casualties, both in the United States and in foreign jurisdictions, and have been involved in some of the most significant maritime casualties and pollution incidents in recent history, including those arising from Deepwater Horizon/Macondo and Hurricane Katrina.

Dispute resolution and litigation. Our attorneys advise on arbitration, litigation and mediation of contract and other commercial disputes, including claims arising from vessel arrests, attachments and foreclosures, collisions, salvage, towage, wreck removal, environmental and pollution matters, marine insurance and reinsurance disputes, personal injury and death claims, ship finance, vessel construction and repairs, and stevedore and terminal operations. Our attorneys appear before state and federal courts throughout the United States regarding such matters.

Commercial transactions and vessel financing. We advise on transactional matters including bills of lading, charter parties, contracts of affreightment, sale, purchase and lease agreements, shipyard vessel construction and repair contracts, financing for vessel construction and shipping operations, as well as bankruptcy, insolvency and restructuring.

Regulatory compliance. Members of our team advise on regulatory matters affecting shipping and the offshore oil industry, including Jones Act cabotage issues. Our attorneys represent clients before governmental agencies such as the Federal Maritime Commission, Maritime Administration, Bureau of Ocean Energy Management, Bureau of Safety and Environmental Enforcement, National Transportation Safety Board, U.S. Coast Guard and U.S. Customs and Border Protection.

Cultural understanding. We bring deep understanding of the cultural, as well as legal, issues involved in cross-border transactions and international shipping operations. Our attorneys are fluent in more than 15 languages, including French, German, Italian, Japanese, Mandarin, Portuguese and Spanish.

Industry leaders. Attorneys on our team are active members of the Maritime Law Association of the United States, the Comité Maritime International, the National Marine Lenders Association, the Tulane Admiralty Law Institute, the Southeastern Admiralty Law Institute, the World Trade Center, the Association of Average Adjusters of the United States and other professional organizations.

We have also been invited to lecture on admiralty and maritime law at leading industry conferences in the United States and abroad, and members of our team have been honored with the Distinguished Maritime Lawyer Award by the New Orleans Bar Association and appointed the John W. Sims Distinguished Admiralty Practitioner in Residence by Tulane Law School.



Representative Matters

- Represented Japanese shipowners and underwriters in claims arising out of a collision in the Bay of Campeche, Mexico.

- Represented owners, hull and machinery underwriters and the P&I Club of a passenger ship in claims arising out of a major collision with a bulk carrier at the mouth of the Mississippi River.
- Represented vessel interests and their underwriters in claims arising out of sinkings, allisions and collisions in the Panama Canal.
- Represented a ship-breaking company in wrongful death and personal injury actions.
- Represented a national galvanizing company and a marine and transportation equipment manufacturer in collection disputes.
- Lead trial counsel in dismissal before trial of local marine company in mesothelioma action by former employee.
- Represented a marine consulting company in a criminal investigation relating to a multi-billion dollar environmental project.
- Represented a large shipping company in 16 separate transactions totaling \$40 million, involving the sale of U.S. Government Guaranteed Ship Financing Bonds.
- Represented a large shipping company in the sale of \$31,586,000 in U.S. Government Guaranteed Ship Financing Notes and Bonds.
- Represented a large shipping company in regard to an \$18,680,000 public offering.
- Represented a large shipping company in a \$40 million seven-year unsecured financing.
- Successfully defended four lawsuits, an ICC arbitration, and two appeals to the U.S. Fourth Circuit in securing confirmation of an international arbitral award on behalf of an international petroleum company, which resulted in the dismissal of more than \$100 million in claims, and ordered reimbursement to the client of over \$730,000 in attorneys' fees and arbitration costs.
- Represented marine paint distributor in nationwide class action and in several other cases for alleged microbiologically influenced corrosion (MIC) involving approximately 3,000 barges.
- Represented owners, hull and machinery underwriters and P&I Club of a passenger ship involved in a major collision with a bulk carrier at the mouth of the Mississippi River. Substantial hull, machinery and detention damages were sustained by the ships, numerous personal injuries and property damage claims were filed as a result of the collision, and a class action was asserted on behalf of the 1,200 passengers on board the cruise ship. The bulk carrier was found 90% at fault for the collision and the clients were awarded damages of approximately \$12 million.
- Represented European financial institution in a first preferred ship mortgage foreclosure action against two parcel tankers in Houston and New Orleans. Numerous competing liens arising under the laws of various foreign countries had to be defended. Client successfully recovered proceeds in excess of \$45 million from the public auction sale of both ships.
- Represented a ship owner and P&I Club in a personal injury case involving a longshoreman who sustained crushing injuries when a cargo of zinc ingots collapsed on him during discharge operations. Substantial award to injured longshoreman was reversed on appeal and judgment was rendered in favor of the ship owner.
- Represented the world's largest offshore drilling company in a claim brought by a major oil company arising out of a riser separation incident. Claims were in excess of \$80 million and were successfully settled with the participation of various London market underwriters.
- Represented a regional bank in connection with the default by an entity borrower and its guarantor of various loans secured by certain marine assets.