



*Transportation Lawyers Association*

# The **52nd** Transportation Law Institute



**Friday, November 8, 2019**

Renaissance Minneapolis Hotel - The Depot  
Minneapolis, MN

A symposium that focuses on the most topical aspects of the law, practice, and procedure as they affect the transportation industry.

# The 52nd Transportation Law Institute

## The Transportation Lawyers Association 52nd Transportation Law Institute

is scheduled for Friday, November 8 at the Renaissance Minneapolis Hotel, The Depot in Minneapolis, Minnesota. This TLI program includes an original curriculum with an emphasis on industry perspective and innovation which addresses a variety of topics in the areas of employment, broker liability, commercial zones, and other areas which are rarely discussed but which are becoming more and more prevalent and important in the transportation industry. This TLI will keep you abreast of industry trends, recent case law and regulations, and technological developments, and will feature diverse speakers, who have great industry insight and will also include an ethics panel discussing the goals and difficulties of balancing the interests of different stakeholders when representing a client. To honor the great musical roots of Minneapolis, the session titles are selected from song names of the City's great musicians, such as Bob Dylan and Prince.

## Program Location

### Renaissance Minneapolis Hotel, The Depot

225 3<sup>rd</sup> Avenue South

Minneapolis, MN 55401

Reservations: 1-866-211-4611

Hotel Rate: \$149 per night plus applicable taxes and fees

Make your [reservations online](#) today!

Reservation Deadline: October 11, 2019

Conveniently located in downtown Minneapolis, the Renaissance Minneapolis Hotel, The Depot is ideal for business travelers, urban explorers and families seeking to discover Minneapolis / Saint Paul. The hotel is centrally located near both the downtown core, the Historic Mill District and Mississippi River with easy access to major freeways and Metro Transit Light Rail stations. It is just a short ride or walk to many Minneapolis attractions and commerce, including US Bank Stadium, Guthrie Theater, Hennepin Avenue theaters, Target Center, Target Field, Mill City Museum and the Stone Arch Bridge. Originally built as a train station over a century ago, guest rooms offer you the choice of modern or historic styling which provide Marriott luxury bedding, complimentary Wi-Fi and AVEDA bath amenities. Milwaukee Road restaurant features regional fare and locally sourced ingredients.

Please note the following information regarding hotel accommodations:

- Room rate: \$149 plus tax per night single/double.
- Reservation deadline is October 11.
- Reserve early as TLA's room block may be sold out prior to the October 11 reservation deadline.
- Make your own [reservation online](#) or call 1-866-211-4611 and reference TLA.
- Check-in time is 3:00 p.m., and check-out time is 12:00 p.m.
- Reservations received after October 11 will be subject to availability and the hotel's prevailing rates and may not be allocated to TLA's room block.



## Who Can Attend

TLI is open to attorneys with an interest in transportation law, practice or procedure.

## Registration

The registration fee for TLI includes attendance at the program sessions, the comprehensive program materials, the Thursday night reception, continental breakfast on Friday morning, lunch on Friday, refreshments at each program break, and the Friday evening wine reception.

## Pre-Registration

Register one of the following ways prior to October 11, 2019:

1. **REGISTER ONLINE** through the event registration link on the TLA website, located on the Transportation Law Institute page under the Events menu.
2. **MAIL** the registration form with your check made payable to: Transportation Lawyers Association (TLA), P.O. Box 723248, Atlanta, GA 31139

Papers, proceedings, and an attendee list for those who have pre-registered will be distributed via email approximately one week prior to TLI and at the event upon registration/check-in Friday morning.

## On-Site Registration

On-site registration is available for those who miss the pre-registration deadline of October 11 but would like to attend the program. On-site registration will be open the morning of Friday, November 8, outside the meeting room. Program materials are ordered based on the pre-registration attendee counts. Onsite registration will only be accepted with a valid method of payment presented at the time of registration.

We encourage pre-registration so that:

1. You are included on the pre-registration roster available to attendees approximately one week prior to the event.
2. You receive attendee-only emails related to TLI, including any information on a Dine Around and other ancillary activities.
3. Program materials can be prepared for you, including a name badge, CLE form, etc.

## Cancellations & Substitutions

A \$75 cancellation fee will be imposed upon cancellations received before October 11. Cancellations will not be accepted after October 11; however, substitutions will be allowed. Cancellations must be received in writing by email ([TLA-info@kellencompany.com](mailto:TLA-info@kellencompany.com)).

## Continuing Legal Education (CLE)

Accreditation will be requested for the 52<sup>nd</sup> Transportation Law Institute from every state from which participants indicate they will require CLE credit. As you are likely aware, each state has its own rules and regulations regarding program approval and attendance reporting, as well as its own definition of CLE. Certificates of attendance will be available on-site.

## Questions

Questions pertaining to the program agenda, registration, or continuing legal education accreditation should be directed to the TLA Executive Office at [TLA-info@kellencompany.com](mailto:TLA-info@kellencompany.com).



# The 52nd Transportation Law Institute

## Social Events

### Thursday, November 7

#### On Your Own

For those arriving early on Thursday there are several “on your own” worthwhile things to fill your spare time:

- Tour Paisley Park! Home of Prince’s creativity and inspiration. Paisley Park is about 20 miles southwest of Minneapolis. Ride share or a cab will get you there. Information on timed tours, in various lengths and costs, are described here: <https://officialpaisleypark.com/>.
- Spend away at Mall of America (MOA)! There are too many stores to count and an amusement park in the middle! MOA is about 12 miles southeast of Minneapolis, near the airport. It can be reached by cab, ride share, or by light rail system.

#### Welcome Reception – 5:00 p.m. – 7:00 p.m.

TLA President, Jeff Simmons, and GlobalTranz are graciously hosting an opening reception at The Depot Hotel. Beverages, appetizers, and good company will be provided.

After the opening reception, you have a free night. Minneapolis offers a plethora of craft cocktail bars, brew pubs, restaurants, comedy clubs, theatre, and many other activities, all within a 5–10 minute cab ride of The Depot Hotel. TLA will provide a list for you to consider with a map and approximate distances from the hotel.

### Friday, November 8

#### Wine And Cheese Reception – 5:00 – 6:00 p.m.

Close out a fantastic day of exceptional CLE sessions with a wine and cheese reception at The Depot Hotel. Gather with your colleagues and toast another successful TLI.

#### Dine Around – 6:00 p.m. and beyond!

At the conclusion of the TLI education and wine events, enjoy a selection of 8–10 restaurants to choose from for a collegial dinner with your fellow TLA members and guests. We have chosen a great selection of places which are unique in cuisine and experience. Again, nothing will be too far away from the hotel. On the tentative list so far is Bar LaGrassa (James Beard award winner Chef Issac Becker), featuring authentic Italian pastas and small plates, Spoon and Stable (another James Beard connection with Chef Gavin Kaysen), with “local culture and technically inspired by French cuisine.” Others include Bachelor Farmer and Tulibee, both local favorites in historic locations. Others to come!

#### Music Experience

After dinner, for those who want a “music” experience at the famed First Avenue, we’ll enjoy Lettuce, of Mt. Crushmore fame, of course, and the opener, Ghost Note. Both are heavy instrumental, jazz, funk, fusion, jam-type bands. The location is the best live music spot in town. Register early as there are limited tickets available! Tickets are limited and available on a first-come, first-serve basis. If there is enough interest, we’ll request a separate “velvet rope” section, maybe with our own bouncer.

For those who are not inclined to move with the music, we’ll provide a great list of other activities of interest on a late fall Saturday night. Nothing will be too far away!

### Saturday, November 9

#### Big Ten Football Game: University of Minnesota Golden Gophers vs. Penn State Nittany Lions

Grab your coat and a warm hat! Join us for a Big Ten football game between the University of Minnesota Golden Gophers and the Penn State Nittany Lions. **Game time should be about 2:30 p.m. but may change dependent on the Big Ten’s scheduling.** Game tickets are \$60. Ticket price does not include food and beverage. Tickets are limited and available on a first-come, first-serve basis.

## THE TIMES THEY ARE A-CHANGIN': Logistics and the Law in Today's Marketplace The 52<sup>nd</sup> Transportation Law Institute

### CLE Program Agenda

7:30 a.m. – 8:30 a.m.

#### Continental Breakfast

7:30 a.m. – 5:00 p.m.

#### Registration Open

8:30 a.m. – 8:45 a.m.

#### Welcoming Remarks

Jeffrey Simmons, *Chief Legal Officer, GlobalTranz, Scottsdale, AZ, TLA President*

Jonathan Abramson, *Kissinger & Fellman, P.C., Denver, CO, 2019 TLI Program Co-Chair*

Beata Shapiro, *Wilson, Elser, Moskowitz, Edelman & Dicker, LLP, Boston, MA, 2019 TLI Program Co-Chair*

Heather Devine, *Partner, Alexander Holburn Beaudin + Lang LLP, CTLA President*

8:45 a.m. – 10:00 a.m.

#### Sign O' the Times

Biometrics and other incursions of technology have unique implications for the transportation sector. Panelists will explore biometric and other mechanisms for screening and monitoring employees and issues and regulations related to use of such methods versus employee privacy and religious rights, as well as practical considerations for employers.

Moderator:

Madison Bulman, *Associate, Mathis Law Group, Fort Lauderdale, FL*

Speakers:

David Almeida, *Partner, Benesch Law, Chicago, IL*

Matt Levine, *General Counsel and Chief Privacy Officer, CLEAR, New York, NY*

Allison Meiners, *Director of Safety, Ruan Transportation, Des Moines, IA*

10:00 a.m. – 10:15 a.m.

#### Refreshment Break

10:15 a.m. – 11:30 a.m.

#### Little Red Corvette, Baby You're Much too Fast...

What's it worth? The panelists will provide a case study comparison of laws relevant to the valuation of casualty claims in four states, including joint and several liability, collateral sources, set-offs, apportionments, caps on punitive damages, claims for negligent selection or negligent hiring/retention being permitted despite separate from claim of vicarious liability, wrongful death and survivorship, etc.

Moderator:

June J. Essis, *Partner, Weber Gallagher Philadelphia, PA*

Speakers:

Rebecca L. Burroughs, *Associate, Ward Hocker Thornton, Louisville, KY*

Mehdi Arradizadeh, *Vice President of Safety & Risk Management, Anderson Trucking Service, Inc. Minneapolis, MN*

Matthew Valauri, *Wilson, Elser, Moskowitz, Edelman & Dicker LLP, Stamford, CT*

11:30 a.m. – 12:30 p.m.

#### Diamonds and Pearls

Panelists will discuss the risks and risk mitigation options, regulations, and operational challenges of transporting high-risk, high-value cargo such as fine art, fine jewelry, cannabis products, and currency.

Moderator:

Beata Shapiro, *Partner, Wilson, Elser, Moskowitz, Edelman & Dicker, LLP, Boston, MA*

Panelists:

Jesse Reichenberger, *ARC, Special Product Manager, Jewelers Mutual Insurance Group Neenah, WI*

Simon Hornby, *President, Crozier Fine Arts, New York, New York*

Tim Morland, *Kiva Confections, Director of Compliance and Government Affairs*

12:30 p.m. – 1:30 p.m.

#### Luncheon

# The 52nd Transportation Law Institute

## CLE Program Agenda (continued)

1:30 p.m. – 2:30 p.m.

### I'm So Confused

Panelists will cover significant statutory and regulatory exemptions to federal jurisdiction over motor carriage, including: (1) the FAAAAA exclusions; (2) municipal commercial zones; (3) motor transportation incidental to air, rail, and water carriage; (4) exempt commodities; and (5) the 100-air-mile radius terminal exemption.

Moderator:

Dustin M. Paul, *Partner, Vandeventer Black LLP, Norfolk, VA*

Speakers:

Eric A. Baker, *Partner, Frost Brown Todd, LLC, Indianapolis, IN*

Sara Candioto, *Legal Counsel, SIRVA, Inc., Ft. Wayne, IN*

C. Fredric Marcinak, *Partner, Moseley Marcinak Law Group LLP, Greenville, SC.*

2:30 p.m. – 2:45 p.m.

### Refreshment Break

2:45 p.m. – 4:00 p.m.

### Every Day Is a Winding Road

The panelists will discuss broker liability, including a survey of recent case law pertaining to broker liability for cargo and casualty claims, developments in contractual issues involving agreements with shippers and carriers, and insurance coverage options and issues.

Moderator:

Michael Kroul, *President, KTI, Inc., Minnetonka, MN*

Panelists:

Jeffrey R. Simmons, *Chief Legal Officer, Globaltranz, Scottsdale, AZ*

Justin Olsen, *Vice President, Legal & Risk, England Logistics, Inc., Salt Lake City, UT*

Chris Mcloughlin, *Risk Manager, North America Surface Transportation, C.H. Robinson Worldwide, Inc., Eden Prairie, MN*

4:00 p.m. – 5:00 p.m.

### Gotta Serve Somebody

The panelists will discuss the legal, ethical, and practical implications for attorneys involved in a claim or lawsuit where the client and other stake holders have competing perspectives and goals. What are an attorney's duties and responsibilities to the client, the insurer, the general counsel, and other stake holders in this situation? Practically, how does the attorney navigate and balance the interests and personalities in the room? In this presentation, hear from these stake holders and learn effective strategies in these types of situations based on the panelists' own experiences.

Moderator:

David A. Senter, Jr., *Attorney, Young Moore and Henderson, P.A., Raleigh, NC*

Panelists:

Edwin S. Norris, *Manager and Legal Counsel – Commercial Liability, Protective Insurance*

Cedar Abadie, *Associate General Counsel – Litigation, The Dart Network, Eagan, MN*

Joseph E. Blich, *Shareholder, Blich Westley Barrette, S.C., Windermere, FL*

*Breakfast, breaks, and lunch will be provided for registered attendees.*



# The 52nd Transportation Law Institute

## Registration Form

The Renaissance Minneapolis Hotel, The Depot | Minneapolis, MN | Nov. 8, 2019

To pay by credit card, please [register online](#). Checks should be made payable to TLA, and mailed with the completed form to P.O. Box 723248, Atlanta, GA 31139.

**Pre-Registration Deadline: Oct. 11, 2019**

### Registration Fees

- TLA Member \$295       RSVP: Thursday Reception hosted by GlobalTranz
- Non-member \$350       Friday Music Experience Tickets \$30; Number of Tickets \_\_\_\_\_
- \*Law Student \$75       Saturday College Football Game Tickets \$60; Number of Tickets \_\_\_\_\_  
(University of Minnesota Gophers vs. Penn State Nittany Lions)  
(Transportation and food on your own. Limited quantities.)

\*Law students must provide the name of a current TLA member in good standing as a reference.

Reference Name: \_\_\_\_\_

\_\_\_\_\_  
Name and Title (please print)

\_\_\_\_\_  
Company/Firm Name

\_\_\_\_\_  
Street Address or P.O. Box Number

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip/Mail Code

\_\_\_\_\_  
Country

\_\_\_\_\_  
Email Address

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
Emergency Contact: Name/Relationship

\_\_\_\_\_  
Telephone Number

Special Dietary Needs/Allergies:  Vegetarian  Vegan  Gluten Free  Other: \_\_\_\_\_

From what state(s) will you be requesting CLE for this program? \_\_\_\_\_

If registering guests for the Music Event on Friday or the football game on Saturday, please print their name(s) here:  
\_\_\_\_\_

\$ \_\_\_\_\_ **TOTAL ENCLOSED**

Check enclosed / Check Number \_\_\_\_\_ Made payable to TLA in U.S. Funds

Please complete this form and submit it with a check to:

TLA  
P.O. Box 723248  
Atlanta, GA 31139

To pay by credit card, [register online](#) through the TLA website.

### CANCELLATIONS & SUBSTITUTIONS

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**Don't forget to make your hotel reservations! Reserve online** or call 1-866-211-4611 and mention TLA to receive our \$149 rate. The deadline to make reservations is Oct. 11, 2019.