PENDER & COWARD
ATTORNEYS AND COUNSELLORS AT LAW

PRACTICE AREA

MARITIME AND ADMIRALTY

Our maritime and admiralty attorneys offer exceptional experience and excellent value for a broad range of maritime, intermodal, shipping and transportation-related matters, including business transactions, litigation, mediation, and arbitration. Our clients include marine terminals, shipyards, an intermodal chassis operator, an intermodal storage company, state transportation agencies and a multitude of waterfront-related businesses. Our attorneys have represented P&I Clubs, stevedores, marine security operators, marine construction companies, an airport, a marine elevator manufacturer, tug and barge operators, municipalities, commercial fishing fleet operators and associations, and recreational boaters. Among other legal issues, our maritime and admiralty attorneys handle transactions and cases involving:

- Bills of Lading
- Cargo
- Charter Agreements
- Collisions, Allisions and other Navigation Issues
- Commercial Fishing Permits, Regulations, and Quota Litigation
- Drayage Contracts
- Environmental Issues and Compliance - Criminal and Civil
- Longshore and Harbor Workers' Compensation
- Marine Financing
- Marine Tariffs
- Personal Injury
- Riparian Rights

VIRGINIA BEACH
222 Central Park Ave. Suite 400
Virginia Beach, VA 23462

CHESAPEAKE
709 Greenbrier Parkway
Chesapeake, VA 23320

SUFFOLK
117 Market Street
Suffolk, VA 23434

- Salvage
- Subrogation
- United States Coast Guard Investigations and Licensing
- Vessel Arrests and Documentation
- Wetland Regulations

Some of our attorneys have diverse maritime backgrounds before entering private practice including working in the Admiralty Division of the at the U.S. Navy JAG Headquarters providing maritime and admiralty legal advice to the U.S. Navy's fleet of 550 ships and submarines operating worldwide, holding a license as a Master (50 tons power and sail), and crewing with a local tug company steaming the Atlantic Coast and the Chesapeake Bay.

We participate in national, regional, and local maritime associations including the Maritime Law Association of the United States, the Southeastern Admiralty Law Institute, the Virginia Maritime Association, the Hampton Roads Global Commerce Council, the North Carolina Fisheries Association, and the Norfolk Propeller Club. Our connections and legal experience help provide nimble and thorough resolutions to the varied legal needs of our extraordinary maritime and transportation community in Hampton Roads and worldwide.

REPRESENTATIVE CASES AND TRANSACTIONS

- Represented a public marine terminal on a $12 million wrongful death cargo operation claim.
- Represented a private shipyard on a $25 million Jones Act and wrongful death vessel repair claim.
- Represented family business owners of a 7-acre parcel valued at $6 million on the Elizabeth River in Norfolk, where a neighbor clogged the waterway with a floating junkyard of 26 ships. Forced the neighbor to remove the junkyard by prosecuting a federal court action eliminating interference with client's riparian property rights. 307 Campostella, LLC v. Timothy S. Mullane, civil action no. 2:15-cv-224 (E.D. Va. 2016).
- Represented a public marine terminal on a $10 million railway operation liability claim.

  Represented governmental entity that owns the Coleman Bridge in Yorktown, Virginia, after a large tug allided

with the bridge in the middle of the night. When settlement negotiations failed, filed a maritime and admiralty action in federal court that produced a $1.2 million recovery for bridge owner. VDOT v. TUG ROBERT BURTON, 2012 AMC 2230 (E.D. Va. 2012).

- Represented a marine construction company on multiple Jones Act, USL&H, and Virginia worker compensation claims over a six-year bridge and road building project.
- Represented commercial fishing association in quota litigation against the National Marine Fisheries Service.
- Represented commercial fishing fleet owner in successful retention of scallop fishing permit.
- Represented governmental entity that owns the Chincoteague Bridge against a $10 million claim brought by shell-fishermen who alleged that construction of the bridge destroyed their shellfish beds. The vessel operator building the bridge filed a federal court action under the federal Limitation of Liability Act. The case was resolved on favorable terms following 18 months' litigation in the U.S. District Court and U.S. Court of Appeals for the Fourth Circuit. American Bridge v. James Young, civil action no. 2:08-cv-316 (E.D. Va. 2008), appeal filed, no. 09-1458 (4th Cir. 2009).
- Represented a truck chassis and drayage operation company on a $10 million personal injury action.
- Represented a coal loader elevator manufacturer working at a private marine terminal on a $20 million personal injury action.
- Persuaded the USCG to reverse the denial it had issued for a client's renewal of a Merchant Mariner Credential
- Persuaded U.S. Army Corps of Engineers to rescind the permit granted (under the Rivers and Harbors Act) authorizing a maritime firm to install a 600' mooring system in the middle of a waterbody. The proposed mooring system interfered with vessel operations at our client's waterfront property and would have driven our client's enterprise out of business. Then, we persuaded the Virginia Marine Resources Commission to oppose the project, which caused the maritime builder of the mooring system to withdraw its application and abandon the project. (2015)
- Assisted domestic commercial lender in perfecting financing lien at port of embarkation for heavy equipment that U.S. borrower purchased in Finland.

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Practicing Attorneys

Thomas S. Berkley
Of Counsel
(757) 502-7344
tberkley@pendercoward.com

Bryan S. Peeples
Shareholder
(757) 490-6283
bpeeples@pendercoward.com