

Maritime

Maritime is among the most vital and complex of all transportation sectors, given its centuries-long history and global reach. To properly serve sophisticated maritime clients, Cozen O'Connor has built one of the most renowned maritime practices of any law firm in the United States.

Our attorneys represent a diverse range of global clients serving the maritime industry, including major vessel operating common carriers; ocean shipping company groups and alliances; vessel owners; maritime-related investors and financial institutions; ports, terminals and port/terminal operators; carrier-terminal management groups; P&I Clubs; chassis pools; and ocean transportation intermediaries.

Regulatory. Maritime activity is heavily regulated by numerous federal and international agencies. We counsel on regulations enforced by the U.S. Federal Maritime Commission (FMC), including tariffs and service contracts; discussion agreements; vessel sharing agreements; and niche or specialty agreements. We assist with flagging or reflagging of vessels; towing, salvage and fisheries law compliance; maritime promotional programs; and U.S. sanction and embargo laws under the Maritime Administration (MARAD), Coast Guard, Customs and Border Protection and Office of Foreign Assets Control (OFAC).

Corporate & Finance. Our finance practice covers traditional asset-backed ship finance, leasing transactions and other custom-tailored financings, as well as capital raised in the public and private markets, all valued in the billions of dollars. We provide ongoing counsel on charter parties, citizenship requirements, restructuring, workouts and maritime lien enforcement. Our attorneys serve as special counsel in mergers and acquisitions involving foreign and domestic maritime-related assets. We also advise on ship construction and repair contracts as well as vessel sale and purchase matters.

Litigation. Cozen O'Connor handles complex commercial disputes arising from agreements unique to the maritime industry as well as marine casualty, personal injury, wrongful death, loss of cargo and pollution claims. We respond to government investigations, resolve administrative and criminal enforcement actions and defend criminal and civil litigation. Moreover, we handle coverage disputes with regard to cargo, hull and marine general liability insurance on behalf of marine insurers.

Antitrust. Our attorneys are exceptionally knowledgeable about how U.S. and international antitrust and competition laws apply to the maritime industry. We advise on all matters of antitrust compliance, review M&A and joint venture transactions, and defend clients in private antitrust class actions and U.S. and multi-jurisdictional government antitrust and enforcement proceedings.

Cozen O'Connor's maritime practice is made up of acknowledged leaders of the maritime bar, including several former presidents of the Maritime Administrative Bar Association. Our attorneys have testified before Congress on dozens of critical legislative reforms and served on U.S. delegations to negotiate and implement bilateral and international transportation and security agreements. The firm's nationwide transportation shipping regulatory and ship finance practices have been listed by Chambers USA as Band 1 and Band 3, respectively. Individual members of the maritime team have also been recognized as industry leaders by independent legal publications, including Chambers USA. The team includes contributing authors to numerous publications, including Schoenbuam's *Admiralty & Maritime Law* and Wolters and Kluwer's *Maritime Law Handbook*.

Experience

Secured a complete victory for defendant insurers in a 12-year dispute centering on a marine protection and indemnity policy. The insured vessel sank in 2007, and the client denied coverage on



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Related Practice Areas

- Maritime Antitrust & Competition
- Maritime Corporate & Finance
- Maritime Litigation
- Maritime Regulatory
- Transportation & Trade

various grounds, including for unseaworthiness. The client also denied the insured's request for indemnification to cover various claims brought against it by cargo interests. The client sought a declaration of non-liability from a London arbitrator at that time. In 2017, after concluding various satellite cases, the insured again brought a claim against the client, which we argued should be struck out due to inordinate and inexcusable delay. The arbitration panel accepted this argument, dismissing the claim and awarding costs to our client. This victory was affirmed on appeal to the Queen's Bench.

Acted as special U.S. maritime counsel to a bank in connection with a new Senior Secured Term and Revolving Credit Facilities Agreement for \$1 billion, including preparing mortgages on the U.S. flag vessels owned by U.S. vessel trusts where the borrow was the beneficial owner; negotiating tripartite agreements among agent and trustee, U.S. vessel trust owners, and U.S.-bases bareboat charterers; and obtaining other U.S. security.
