











**Tuesday, June 27, 2023**

7:00 AM - 8:30 AM

**Breakfast – *Omni King Edward Hotel***

8:30 AM - 9:10 AM

**Modal Updates II**

Contributing editors of the Association Highlights newsletter provide updates on the latest legal and regulatory developments in each of the modes in transportation, and in their respective areas of practice.

*Mod.:* **Justin J. Marks**, Senior Attorney

Clark Hill (Washington, D.C.)

HazMat

**Robin Rotman**, Counsel

Van Ness Feldman

(Washington, D.C.)

Aviation

**Evan Kwarta**, Partner

Condon Forsyth (New York, NY)

9:10 AM - 9:55 AM

**Surface Transportation Board:**

*An Update from the Board*

**Michelle A. Schultz**, Member,

Surface Transportation Board

*Mod.:* **Raymond A. Atkins**, Partner

Sidley Austin (Washington, D.C.)

9:55 AM - 10:10 AM

**Break**

10:10 AM - 10:40 AM

**Unauthorized Balloons over the U.S. and Canada:**

*What's the Story?*



**What does international law say about the issue of sovereignty in the upper limits of airspace? Is the 1944 Chicago Convention on International Civil Aviation a suitable framework for addressing the incursion of a high-altitude balloon operating some 60,000 feet above the ground? Where does its jurisdiction end and Space Law take over?**

**Roy Goldberg**, Partner

Stinson (Washington, D.C.)

*Mod.:* **Sarah Sweet**, Senior Associate

Borden Ladner Gervais (Toronto, ON)

10:40 AM - 11:10 AM

**eVTOLs: The Shifting Landscape**

The panel will discuss the shifting landscape for certification of eVTOL (electric vertical takeoff and landing) aircraft, why certification requirements and processes have changed recently, and how new requirements will affect those processes. The panel will discuss these changes and future effects not only within the United States, but also in the EU, Canada, and other countries. The panel also will discuss the cross-border driving forces for these changes through perspectives from



different industry-sector players from different areas of the globe. Included in the panel’s discussion will be an explanation of what eVTOL aircraft are, their current importance, and their future.



**Katherine Ayre**, Partner  
Borden Ladner Gervais (Toronto, ON)  
*Mod.:* **Evan Kwarta**, Partner  
Condon Forsyth (New York, NY)

11:10 AM - 11:55 AM

**U.S. & Canada Cross Border Litigation:**  
*Major Issues and Cargo Claims*

The United States and Canada share the world’s longest border and an extremely robust trade relationship. Billions of dollars in cargo crosses the border in each direction in any given week. Given the volume of shipments and cargo moved between the countries, cargo loss and damage claims are inevitable. It is critical for U.S. and Canadian carriers, shippers, practitioners, and other interested parties that are involved in such shipments to be aware of the legal issues that arise when cargo is lost or damaged during transportation between the U.S. and Canada. As detailed in this proposed panel, there are complex analyses that may arise regarding the forum and applicable law for such disputes.



**Dirk Beckwith**, Partner  
Foster Swift (Southfield, MI)



**Darryl A. Cruz**, Partner  
McCarthy Tétrault (Toronto, ON)  
*Mod.:* **Andrew J. Steif**, Shareholder  
Gunster (Jacksonville, FL)



11:55 AM - 12:30 PM

**New Rail Technology**

A survey of emerging technologies like autonomous track inspections, and corresponding rulemakings.



**Travis Owsley**, Senior Gen. Attorney  
BNSF Railway

12:30 PM - 6:00 PM

**Optional lunch & offsite activity**