

TULANE MARITIME LAW JOURNAL

VOLUME 17

FALL 1992

NUMBER 1

CONTENTS

ARTICLES

COGSA AND CHOICE OF FOREIGN
LAW CLAUSES IN BILLS
OF LADING *Alan Nakazawa* 1
B. Alexander Moghaddam

COGSA SECTION 4(5)'S "FAIR
OPPORTUNITY" REQUIREMENT:
U.S. CIRCUIT COURT CONFLICT
AND LACK OF INTERNATIONAL
UNIFORMITY; *WILL THE
UNITED STATES SUPREME COURT
EVER PROVIDE GUIDANCE?* *Daniel A. Tadros* 17

"ASK ME NO QUESTIONS AND
I'LL TELL YOU NO LIES": THE
DOCTRINE OF *UBERRIMAE FIDEI*
IN MARINE INSURANCE
TRANSACTIONS..... *John P. Kavanagh, Jr.* 37

PRIORITY FREIGHT: THE LAW OF
MARITIME LIENS, FREIGHTS, AND
GENERAL CREDITORS *Anthony Michael Sabino* 51

COMMENT

AN HISTORICAL TREK THROUGH
THE JUDICIAL INTERPRETATIONS OF
§ 187 OF THE LIMITATION OF VESSEL
OWNER'S LIABILITY ACT:
THE EVOLUTION OF THE LITERAL
VERSUS THE STATUTORY
PURPOSE APPROACH..... *Katie Smith Matison* 73

NOTES

- THE FIFTH CIRCUIT PASSES THE
BUCK: WHETHER MARITIME LAW
OR OCSLA APPLIES TO CONTRACTS
INVOLVING DRILLING PLATFORM
ON THE OUTER CONTINENTAL
SHELF?: *SMITH V. PENROD
DRILLING CORP.* *David Gray Douglas* 89
- DOES *SIERACKI* STILL RULE THE
SEAS? *COATS V. PENROD DRILLING
CORP.* *Michelle M. O’Daniels* 101
- “SEAMAN” STATUS AND THE JONES
ACT: *BACH V. TRIDENT STEAMSHIP CO.*..... *Julie R. Wohlgemuth* 115
- BREAKING DOWN THE BOUNDARIES
OF SEAMAN STATUS: *SOUTHWEST
MARINE, INC. V. GIZONI* *Lisa S. Zamaludin* 127