

Donald E. Messick

## **Professional Resume**

Independent Maritime Consulting Ltd.  
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February 2005 – Present                      Independent Maritime Consulting Ltd.

Independent Maritime Consulting Ltd. acts as US General Correspondent for The Swedish Club on P&I and H&M matters, and several other leading Scandinavian H&M underwriters. The company is extensively used by P&I clubs, H&M underwriters and their US commercial and legal correspondent offices to provide technical/surveying assistance, commercial claims handling services and other related services such as arranging for towage, salvage, repairs to vessels, failure analysis, condition surveys, on-board investigations, litigation support, acting as expert witnesses, etc.

Responsible for handling and managing all aspects of P&I and H&M activities.

November 1977- February 2005              Shipowners Claims Bureau Inc. – Vice President

Shipowners Claims Bureau acts as managers for the American Steamship Owners Mutual Protection and Indemnity Association (the American Club), as well as, general and commercial correspondents for other International Group P&I Clubs. Such representation included The Swedish Club, the Skuld, London Steamship Mutual and China P&I. Britannia Steamship also retained us on a case-by-case basis. My primary responsibilities with SCB involved the investigation, evaluation, and either settlement or defense of ocean and inland P&I claims and other maritime disputes. Secondary responsibilities centered on the evaluation, approval and processing of all claim related debit notes as well as general file maintenance in respect to reserves and questions/conditions of coverage.

The scope of cases regularly handled included but were not necessarily limited to: towage accidents, dock damages, contract disputes, collisions, allisions, groundings, oil pollution incidents, hazardous material releases, natural resource damage assessments, contaminations, cargo damage and loss (general, bulk, container and liquid), Federal and State fines, MARPOL violations and personal injury claims.

The effective handling of cases was achieved through the retention, direction and control of surveyors, experts and attorneys (when necessary). Close co-ordination and reporting was maintained with the various P&I clubs, vessel owners, and/or brokers as appropriate. The process was augmented by personal attendance on site when necessary.

Since the mid 1980's I have developed particular expertise in the area of casualty response and management where a grasp of the future ramifications of immediately required decisions is imperative. This understanding is achieved during the response phase of a casualty by immediate and continued attendance on site, when the circumstances of the incident warrant, until the incident is stabilized and the casualty management phase begins.

Prior to OPA 90 a close working relationship with various Oil Spill Response Organizations was fostered and resulted in significant savings when an incident did occur.

I have acted as moderator/panelist at various US based pollution seminars, and helped organize an NRDA seminar with the US Department of Interior. I am currently a member of the Oregon based Joint Assessment Team (JAT). I have attended more than 20 oil pollution seminars and drills both foreign and domestic and have worked closely with ITOPF and the IOPC Fund on several incident responses throughout Europe, Asia, the US and Canada. I have personally attended on site and/or directed the response and management phases of more that two dozen pollution incidents in the US alone.

The cases responded to were often of a multi-jurisdictional nature and not limited to an oil/chemical release. A brief but representative sample of the casualties handled follows:

SEASPEED ARABIA- Pollution -NY, 1980  
NORD PACIFIC- Pollution- Corpus Christi, 1987  
RIO ORINOCO-Pollution -Anticosti Island, 1990  
PRIME TRADER-Pollution-Jacksonville FLA, 1993  
ALLIE B-Grounded- Biscayne National Park, 1998  
YOUNG CHEMI-Total Loss-Pusan, 1999  
ARCO TEXAS-Pollution-Ferndale WA-1999  
PENN 460-Pollution Narragansett Bay, 2000  
MILLENIUM EXPRESS-Pollution NOLA, 2000  
BINTANG BIRU-CTL-Port Masan, 2000  
ASAHI HOPE-Stranded off Shakhtersk, 2000  
VICKY-Allision with Tricolor, January 2003

Drawing upon and focusing, the expertise and experience of the team that was built during the response phase of the casualty, to specific tasks, achieved effective casualty management. This approach led to the development and implementation of natural resource restoration strategies utilized both pre and post OPA 90.

In conjunction with representatives from all the US-based club correspondents, informally known as the "New York Group", I drafted a proposal, which was later adopted by the Society of Marine Arbitrators as the Society's Non-binding Arbitration Procedure (SNAP). The procedure provides an avenue that may assist in streamlining the dispute resolution process with respect to certain types of claims.

During the mid eighties, I was employed by the College of Insurance, a fully accredited degree granting institution, as an adjunct professor teaching Ocean Marine Shipping to candidates for undergraduate degrees and certificates. The course included such topics as the design, construction and classification of ocean and inland vessel, the terms of

sale for goods carried under a B/L, charter party forms and types, General Average and salvage and such other topics necessary to proceed on to higher-level courses.

April 1977 to October 1977 Wheelhouse Trainee

I attended in the wheelhouse and then on deck, on a six hour on, six hour off basis. My duties included cargo operations, boat handling and “making up” to various types of barges, as well as attending on board the ocean going vessels with the Docking Master when transport work was required.

I gained practical experience aboard the following vessels:

..Polling Bros. #9	..Frances Turecamo
..Bart Turecamo	..Amy Moran
..Barney Turecamo	..Judy Moran

January 1975 to March 1977 Seamen’s Church Institute of New York - Instructor

I taught all courses required to pass the United States Coast Guard license exams by those industry personnel seeking Inland, Coastwise and Ocean Licenses. Other responsibilities and accomplishments included the total revision of the New York District Pilotage course. I designed, wrote and taught the firefighting course which was evaluated and approved by the United States Coast Guard in accordance with their requirements for license endorsement. I produced 161 inland and ocean licenses in a period of 26 months, resulting in a first time pass rate of 94%.

March 1973 to December 1974 Masters Mates & Pilots - New York - 3<sup>rd</sup> Officer

MM&P, (local 333) was the deck officer’s union through which seagoing employment was obtained.

Experience on board the following vessels:

..S.S. African Dawn	..T.S. Empire State IV*
..S.S. Mormac Trade	..T.S. Barrett*
.. S.S. Anchorage	*Public Nautical School Ships per Title 46 CFR

Education S.U.N.Y. Maritime College 1973

B.S. Marine Transportation Economics  
U.S. Merchant Marine License 3<sup>rd</sup> Officer, unlimited

Professional Affiliations:

Non-Lawyer Member – Maritime Law Association of the United States  
Member of the Committee on Arbitration-MLA  
Hazmat Certified in accordance with 29 CFR 1910.120  
Inactive Reserve Commission US Navy