

<u>Transportation Cases</u>	<u>Legal Issue</u>	<u>Issue Date</u>
A.I.G. Uruguay, S.A. v. AAA Cooper	Burden of proof	Nov., 2003
A.I.G. Uruguay, S.A. v. Landair Transport et al	Limitations in airfreight waybill	Spring, 2005
A.I.G. Uruguay, S.A. v. Landair Transport et al	Limitation of Liability	Spring, 2006
Abro v. FedEx	C.O.D.	Feb., 2004
Accu-Spec Electronic Svcs. v. Central Transport Intl.	Carrier claim on Freight Forwarder shipment	Winter, 2006
Accu-Spec Electronic Svcs. v. Central Transport Intl., et al	Damages; prejudgment interest	Summer, 2006
AIG Aviation, Inc. v. On Time Express, Inc.	Preemption	Winter 2006
Allicia McWhorter v. ATS Logistic Services, Inc.	Removal/remand	Summer, 2006
Alpina Insurance v. Transamerican Trucking	COGSA filing limitations	Autumn, 2004
Atlantic Mutual Ins. v. Napa Transportation, Inc.	Pre-judgment interest	Summer, 2006
Atlantic Mutual Ins. v. Yasutomi Whse.	Released rates	Autumn, 2004
Berlanga v. Terrier Transportation	Carmack	Feb., 2004
Bowersmith v. United Parcel Service, Inc.	Attorney sanctions	Summer, 2006
Bowman v. Paul Arpin Van Lines, Inc.	Transportation; preemption	Summer, 2006
Campbell v. Allied Van Lines	Attorneys' fees award to HH goods shipper	Autumn, 2005
Campbell v. Allied Van Lines	Damages	Spring, 2006
Castine Energy Construction v. T.T. Dunphy, Inc.	Carrier's freedom of negligence	Winter, 2005
Celadon Trucking v. Titan Textile	Carmack	June, 2004
Circle Redmont v. Mercer Transport	C.O.D.	Feb., 2002
Clarke Logistics v. Burlington Northern & Sante Fe RR	Rail quote time barred	Winter, 2005
Continental Insurance v. SAIA Motor Freight	Limitation of Liability	Spring, 2005
CPCI v. Technical Transportation	Lost profits not speculative	Winter, 2006
D.M. Diamond Corp. v. Denbar Armored	Preemption	Nov., 2003
Delta Research v. EMS, Inc.	Carrier, Forwarder or Broker?	Autumn, 2005
Delta Research v. EMS, Inc., S.K. Rigging, et al	Preemption	Spring, 2006
Dials v. Watts Brothers Moving & Storage	Claim time barred	June, 2004
East Florida Hauling, Inc. v. Lexington Insurance Co.	Right' versus 'Duty' to defend cargo insurance policy	Winter. 2005
Edwards Bros. v. Overdrive Logistics	Breach of Broker Contract	Feb., 2004
EFS National Bank v. Averitt Express	Limitation of Liability	Feb., 2002
EIJ, Inc. d/b/a Beverly Hills Watch Co. v. UPS	On-line tariff bars shipper's recovery	Winter, 2005
Emerson Electric Supply v. Estes Express	Released rates	Autumn, 2004
Federal Insurance v. Air Express Int'l.	Limitation of Liability	Feb., 2002
M. Fortunoff of Westbury v. Peerless Insurance Co.	BMC-32 - Contract and/or Common carriage	Winter, 2006
Great American Ins. Agency v. UPS	Carmack	June, 2004
Hath v. Allegheny Color	Liability limitation on "U-Pack"	Spring, 2005
Hath v. Allegheny Color	Limitation of Liability	Spring, 2006
Hewlett-Packard v. Brother's Trucking Enterprises	Broker liability	Autumn, 2005
Hewlett-Packard v. Brother's Trucking Enterprises	Freight forwarder/Broker liability	Spring, 2006
Hoskins v. Bekins Van Lines	Carmack	Nov., 2003
Ingram Micro v. Airoute Cargo Express	Limitation of Liability	Feb., 2002
J.C. Research v. Global Overland Delivery	Released rates	Nov., 2003
Jason York v. Day Transfer	Broker/carrier liability	Autumn, 2005
Jones Motor v. Anderson	Subrogate against vandals	Autumn, 2004
Kaur v. All Nippon Airways Co., Ltd.	Warsaw preemption	Summer, 2006
Kellwood Co. v. Overnite Transportation	Carmack	Feb., 2002
Kesel v. UPS	Released rates	Nov., 2003
King Jewelry v. Federal Express	Declared value	Feb., 2004
Kirby v. Krishan Lal Mal and GTI Gursimran Transport	Service on agent; untimely removable	Winter, 2006
KPX, L.L.C. v. Transgroup Worldwide Logistics, Inc.	Attorneys' fees awarded	Summer, 2006
Kvaerner E & C (Metals) v. Yellow Freight Systems	Sufficiency of claim	Nov., 2003
Kvaerner E & C (Metals) v. Yellow Freight Systems	Sufficiency of claim	Feb., 2004
Leprino Foods Co. v. Gress Poultry, Inc.	Warehouse Liability	Winter, 2006
Lexington Insurance Co. v. Daybreak Express, Inc.	Settlement agreement remanded	Winter, 2006
M. Fortunoff of Westbury v. Peerless Insurance Co.	BMC-32 - Cargo insurance endorsement	Summer, 2006
M. Fortunoff of Westbury v. Peerless Insurance Co.	BMC-32 - Requirement & coverage only to common carriage	Winter, 2006
Mach Mold Inc. v. Clover Associates, Inc. et al	Carrier liability	Spring, 2006
Massimo Martino v. Transgroup Express	Released rates	Nov., 2003

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Mastercraft Interiors v. ABF Freight Systems	Oral rate agreement upheld	Spring, 2005
McLaughlin Transportation v. Barbara Rubenstein	Filing requirements - strict interpretation	Autumn, 2005
Medtronic v. U.S. Xpress	Limitation of Liability	Feb., 2004
Mercer Transport v. Greentree Transp.	Logo liability	Nov., 2003
Miracle of Life v. North American Van Lines et al (Miracle I)	Preemption	Spring, 2006
Miracle of Life v. North American Van Lines et al (Miracle II)	Preemption	Spring, 2006
Molloy v. Allied Van Lines	Sufficiency of claim	Nov., 2003
National Hispanic Circus v. Rex Trucking	Special damages permitted	Autumn, 2005
National Hispanic Circus v. Rex Trucking and Mason Dixon Lines et al	Damages	Spring, 2006
Nichols v. Mayflower Transit	Limitation of Liability	Nov., 2003
Nippon Yusen Kaisha v. Burlington & Northern Santa Fe Railway	Preemption	Spring, 2006
Norfolk Southern Railway Co. v. Consolidated Freightways Corp.	Interline trust doctrine	Summer, 2006
Oak Harbor Freight Lines, Inc. v. Sears Roebuck & Co.	Freight charge recovery from shipper and broker	Summer, 2006
Oregon Metallurgical v. Burlington Northern RR	Special damages permitted	Autumn, 2004
PCI Transportation v. Fort Worth & Western RR	Rail contract, removal, preemption	Autumn, 2005
Penske Logistics v. KLLM	Contractual limitation-released rate	Nov., 2003
Rational Software v. Sterling Corp.	Intrastate released rate upheld	June, 2004
Rational Software v. Sterling Corp.	Intrastate released rate upheld	Spring, 2005
Roadmaster (USA) Corp. v. Calmodal Freight Systems, Inc.	Broker liability	Winter, 2006
Royal Air v. AAA Cooper Transportation	Released rate on unsigned B/L	Autumn, 2005
Royal Air v. AAA Cooper Transportation	Limitation of Liability	Spring, 2006
S & H Hardware v. Yellow Transportation	Claim time barred	Autumn, 2004
Sassy Doll Creations v. Watkins Motor Line	Limitation of Liability	Nov., 2003
Schoemann Produce Co. v. Burlington Northern & Santa Fe Railway	Preemption	Summer, 2006
Schramm v. Foster	Broker liability	Winter, 2005
Schwartz v. National Van Lines et al	Damages	Spring, 2006
Schweitzer v. Landstar Ranger	Limitation of Liability	Feb., 2002
Security Ins. of Hartford v. Old Dominion Freight	Prima facie case	Winter, 2005
Siemens Power Transmissions v. Norfolk Southern RR	Filing requirements - liberal interpretation	Autumn, 2005
Siemens Power Transmissions v. Norfolk Southern RR	Claim filing	Spring, 2006
Sompo Japan Insurance v. Geanto's Trucking CO.	Subrogation / insolvent insurer	Spring, 2006
Specialty Products Int'l. Ltd. v. Con-Way Trans. Services	Evidence; improper packaging defense	Summer, 2006
Spray-Tek Inc. v. Robbins Motor Transportation, Inc.	Prima facie case; limited and special damages	Summer, 2006
St. Paul Fire & Marine Insurance Co. v. Schneider National	Limitation of Liability	Summer, 2006
The Goodyear Tire & Rubber Co. v. Great Southwest Co.	Damages and prejudgment interest	Summer, 2006
The Lifelike Co. v. UPS	Overcharge claim preempted	Spring, 2005
Thomas & Betts Corp. v. Hosea Project Movers	Preemption denied - U.S. / Mexico shipment	Winter, 2006
Thyssen v. Norfolk Southern	Claim time barred	Feb., 2004
Transport Factoring Associates v. Textron Financial Corp.	18 month limit to recover unpaid freight charges	Summer, 2006
Travelers Indemnity v. Schneider Specialized Carriers	Carmack may apply to contract carriage	Spring, 2005
Travelers Indemnity v. The Vessel Sam Houston	Carmack may apply to contract carriage	Feb., 2002
U.S. Aviation Underwriters v. Yellow Freight Systems	Insured's insurance	Feb., 2004
U.S. Aviation Underwriters v. Yellow Freight Systems	Insured's insurance	June, 2004
Wenig, Ginsberg, Saltiel & Greene v. Precision Movers	Intrastate <i>prima facie</i> case	Winter, 2006
Wolfensberger v. In And Out Moving & Storage, Inc.	Removal jurisdiction/remand	Winter, 2006
Worldwide Moving & Storage, Inc. v. District of Columbia	State enforcement action versus household goods motor carrier; preemption	Summer, 2006
Yakubu v. Atlas Van Lines	Binding vs. Non-binding: estimates	Spring, 2005
Zolo Technologies v. Roadway Express, Inc.	Damage inspection; spoliation of evidence	Summer, 2006