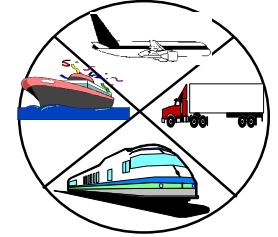


Rollin' On[®] . . .



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TRANSPORTATION TIMEOUT

Work got in the way of getting *Rollin' On* out this month. I have not missed a month since I started publishing *Rollin' On* in January 1995, and it has been somewhat disconcerting that I might for the first time miss a month of bringing you some form of news regarding transportation. As I mention later in this newsletter, I have been very busy this month, and there is more to come next month. So for this issue I am offering a breather from the regular dose of transportation stuff.

I will report that the undercharge scene seems to have cooled off over the past few weeks. According to earlier representations from the undercharge urchins, the respite is only temporary and they claim they will come with a flurry of activity. It will be interesting to see what happens to bankruptcy cases such as Risberg's and Willig, since these cases would have to be brought in Oregon or California, which are in the 9th Circuit Court of Appeals (basically the western states), where there is favorable law available to shippers. It's a good bet that we'll be ready when these guys crawl out from under their rocks.

I would like to take this opportunity to mention that while transportation law is the focus of my practice, the nature of my practice gets me involved in other matters as well. For example, clients call me regarding their other legal problems, such as

The Obligatory Disclaimer

This newsletter is distributed to shippers, carriers and third party intermediaries. It is for informational purposes, does not provide legal advice and does not create an attorney-client relationship.

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employment-related questions and business disputes. Sometimes the inquiries are transportation-related, e.g. owner-operator/leased vehicles or worker's compensation, while

Rollin' On:
Trademark Registered

The U.S. Government, through the Patent and Trademark Office, has finally approved my trademark application for *Rollin' On* that I applied for approximately one year ago. As I reported last month, *Rollin' On* also recently was granted its own domain name.

other matters are far astray from the transportation area. While I certainly do not proclaim to be an employment or insurance law expert, there are a lot of problems in these and other areas that need to be sorted through on a more practical basis.

**Someone who thinks logically is
a nice contrast to the real world.**

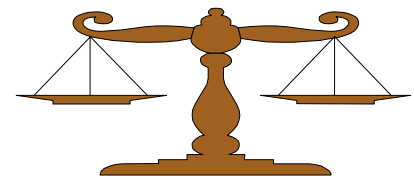
Finally, on a more tragic note, transportation issues are with us every day of our lives. Witness the recent crash of the jet off of the East Coast. Additional safety measures are being taken at this time to strengthen our assurance in our transportation systems. We will all - shippers, carriers, passengers, third parties - pay a price for these extra precautions. Let's hope that it is enough.

**Cases that are prepared
to be tried get settled.
Cases that are prepared
to be settled get tried.**

That is just the way it frequently works. You cannot expect a case to settle down the homestretch if you are not prepared to do battle. Conversely, if you have all of your ducks in a row, you will be in a much better bargaining position.

A client and I were recently involved in that type of situation. I made a settlement offer on a case that was set to go to trial a week later, starting on a Monday. The offer was rejected and I had the misfortune of becoming an absent family member for several days and an entire weekend, preparing for trial. Monday a.m. rolled around, my client and I were ready and we received an offer that was better than our prior offer. We would not have received that offer if we were not ready to proceed. Although I was disappointed that we could not have settled earlier and enjoyed the weekend, the process comes with the job and it all worked out. I am now refamiliarizing myself with my family.

That's all for now. To shippers, carriers, agents and other third parties, keep the cargo rollin'!!



Short Bio

Admitted to the bars of the states of Oregon, Alaska, Florida and Massachusetts. Practicing law for over 15 years and emphasizing transportation law, business law and related litigation.