MARK YOUR CALENDARS!

FOUR SPECTACULAR EVENTS

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FOUR SPECTACULAR EVENTS

LISTINGS TO CLOSINGS & THE LAW SEMINAR
FT. LAUDERDALE, FL / THURSDAY, JULY 16
Sponsored by Fowler White Burnett, PA. & ASAP Marine Documentation & Registration (see p.23)

FAMILY SUMMER BEACH BBQ - SATURDAY, JULY 18 (see p.17)

LISTINGS TO CLOSINGS & THE LAW SEMINAR
SARASOTA, FL / THURSDAY, JULY 30
Sponsored by Fowler White Burnett, PA., Total Dollar Insurance & Intercoastal Financial Group (see p.24)

EDUCATIONAL CHARTER SEMINAR
FT. LAUDERDALE, FL / THURSDAY, AUGUST 13 (see p.25)

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By chartering vessels, owners rent either the whole of vessels without crew and the charterer provides the crews and operates the vessels themselves ("bareboat" or "demise" charters), or rent all or parts of the carrying capacity of vessels, under time and voyage charters.

Legally, a Charter is simply the lease or rental of a vessel or the use of the vessel. A Charterer is a person who charters a vessel. A Charter party is the maritime term for a written charter agreement. The Charter hire is the agreed sum or rate the charterer is obligated to pay to the owner for use of the vessel. Generally concerning pleasure boating industry, there are two types of charters: (1) demise ("bareboat") charters and (2) time and voyage charters.

A demise/bareboat charter means a legally binding document where during the charter period the party who leases or charters the vessel, known as the demise or bareboat charterer, assumes legal responsibility for all of the incidents of ownership, including insuring, manning, supplying, repairing, fueling, maintaining and operating the vessel. Under a demise charter, the charterer charters the vessel without the crew and takes over full control of all of the vessel and its operation and navigation, operates the vessel as the owner (frequently subject to some restrictions imposed on the terms of the agreed charter party on trading terms, compliance with insurance warranties, crewing standards, and the cargoes which may be carried). With respect to liability for any injury or damages to any third party, a demise charterer is regarded as the "owner pro hac vice". The length of a demise charter may be defined in terms of a specific time (days, months or years) or by a designed voyage or number of voyages. To constitute demise, the owner must so far as relinquish possession, command and navigation: of the vessel as to be "tantamount to, although just short of, an outright transfer of ownership". The F.Y.B.A Charter Agreement is an example of a demise charter.

A time charter occurs when the services of a vessel are engaged for a fixed period of time for the carriage of goods on as many voyages as can fit into the charter period. The charterer merely rents space on the vessel and the vessel owner retains control over management and navigation of the vessel, but the charterer designates the ports of call. The time charterer assumes no liability for negligence of the crew or unseaworthiness of the vessel. The A.Y.C.A. and M.Y.B.A Charter Agreement is an example of a time charter.

A voyage charter occurs when the varying capacity of a vessel is engaged to carry a full cargo on a single voyage or a defined number of voyages between specific ports. The shipowner retains control over management and navigation and remains legally responsible for the vessel.
When deciding on which charter agreement to use, it is important to understand the facts surrounding the transaction, the characteristics of the vessel and the legal concepts of these charter agreements. As your client’s agent, make sure they are aware of the risks and liabilities that they are assuming with each agreement.


* The information offered in this column is summary in nature and should not be considered a legal opinion.

**Danielle J. Butler is a Partner in the Maritime Practice Group at Fowler White Burnett P.A. Ms. Butler handles both litigation and transactional matters within the yachting community.

GOVERNOR CRIST SIGNS BILL EXTENDING 10-90 TO 180 DAYS

On May 22, Governor Crist signed into law House Bill 7031, which allows non-residents who purchase a boat in Florida, or bring a boat into Florida for repair or alteration, to remain in the state 180 days before becoming liable for the sales and use tax. Currently, the tax applies after 90 days. Allowing boat owners and their guests to remain in Florida waters will stimulate Florida’s marine industry, as well as stimulate businesses that support the marine industry.

House Bill 7031 amends Florida laws relating to businesses and economic development as follows: Modernizes Florida’s outdated business classification coding system, making it consistent with federally-recognized standard codes and allowing for more efficient collection of industrial and economic data. Strengthens economic development programs within the Governor’s Office of Tourism, Trade and Economic Development (OTTED) to further encourage economic growth and job creation. Expands the definition of rural community to include counties with a population of 125,000 or less that neighbors a county with a population of 75,000 or less. This measure will allow Highlands County to be reclassified as a rural county, and Flagler and Putnam counties to remain classified as rural counties. Florida’s existing 32 rural counties are eligible for economic development programs that help increase their ability to attract projects that create jobs and facilitate investment. Expands the Florida Opportunity Fund, sponsored by Enterprise Florida Inc., to allow for direct investments, including loans to individual Florida business and infrastructure projects. This investment will increase the potential to create new businesses and jobs that are based on high-growth technologies and services.

The new law, in effect July 1, provides for two stickers, the first one 10–90 for $20.00 is exactly the same. The second 91-180 days, must be purchased either at time of purchase or up to 60 days after the sale & costs $425.00.

NEW FLORIDA LAW EASES ANCHORAGE RESTRICTIONS

NMMA.org

The Boaters cruising Florida waters may find it easier to anchor for extended periods of time in a number of cities where local ordinances limited anchorage to as little as 48 hours. Governor Charlie Crist signed H.B. 1423, a general legislative package for the Fish and Wildlife Conservation Commission. The new law also prohibits local governments from regulating anchorage outside of established mooring fields unless the boat is a live-aboard vessel.
Thanks to Marina Jack in Sarasota for providing complimentary dockage to boats participating in the West Coast Brokers Open House on June 2nd. Over 45 industry professionals took advantage of the nice weather to browse the 30 boats on display ranging in size from 34’ to 74’. Firms that had boats on display included Sarasota Yacht & Ship, Luke Brown Yachts, United Yacht Sales, Galati Yacht Sales, Whiteaker Yacht Sales, The Yacht Group at Longboat Key Moorings and Kniffin Marine. Several members even made the trip over from Ft. Lauderdale! Attendees enjoyed cold drinks and tasty hors d’oeuvres catered by Marina Jack.

Thanks to Gary Smith of Sarasota Yacht & Ship for his efforts in getting the even off the ground. The next West Coast Open House will be immediately following the Listing to Closing & the Law Seminar on July 30th. See page 6 for more information.

COMMENTS FROM THE SHOW:

“The location and service from Marina Jack’s in Sarasota was great for the first West Coast Broker’s Open House. The wait staff was very attentive even walking around and making sure everyone’s drink was topped off. The hors d’oeuvres were awesome and plentiful. And how could you beat free dockage provided by Marina Jack’s... Thanks!”

-Debbie Whiteaker
Whiteaker Yacht Sales

“I was very pleased at the turnout for the first west coast show in some time. It was a pleasure to meet and greet colleagues in a relaxed atmosphere and I look forward to future shows with even larger turnouts. Many thanks to Marina Jack’s and their staff for excellent service and warm hospitality.”

-Jason Mashke
Sarasota Yacht & Ship

“The Brokers Open House at Marina Jack was a big success and a great first step. I look forward to others in the near future.”

-Tom Pride
Marlow Marine
The fourth Brokers Open House of the year took place on June 18th at Bahia Mar. Over 130 industry professionals weathered the summer heat to attend the event and enjoy networking with each other. 27 boats participated in the open house, which provided something for everyone with vessels ranging in size from 48' all the way up to 177'! Registration and cocktails was conducted on host boats EVELYN, a 102’ Maiora courtesy of John Weller of Allied Marine. The July Open house will be immediately following the Listing to Closing and the Law Seminar on July 16th at Bahia Mar. See page 7 for more information.

Thanks to Jim Foley, Bob Allen and Julio Santana of Trident Funding for sponsoring the event catered by Mayra’s Personal Touch Catering.
IMMEDIATELY FOLLOWING LISTING TO CLOSING SEMINAR!!

JULY 30, 2009 MARINA JACKS

Call Dockmaster for Rates 941.955.9488

You must check in and pay for dockage upon arrival.

Please call FYBA and fax a copy of this form to reserve a spot.

P 954.522.9270
F 954.764.0697

You must check in and pay for dockage upon arrival.

Call Dockmaster for Rates 941.955.9488

Yes, I plan to attend without putting a boat in the open house.

The MIASF together with the Broward County Office of Economic Development has secured a portion of $1.1 million training partnership grant funded by Workforce Florida and Enterprise Florida. South Florida marine industry businesses will have access for training for international business opportunities thanks to these efforts. The grant specifically targets small and medium-sized businesses to help them master the exporting process to enhance their sales potential and create jobs. The International Game Fish Association Fishing Hall of Fame and museum is the venue selected by MIASF to host the South Florida program.

The first in the series was “Rationale and Benefits of Exporting” held on June 17th. For future dates and information, call Deborah Wilkinson at (954) 357-6155.
IMMEDIATELY FOLLOWING LISTING TO CLOSING SEMINAR!!

JULY 16, 2009
BAHIA MAR

Sponsored By:
TRIDENT FUNDING

Call Dockmaster for Rates
954.627.6309

You must check in and pay for dockage upon arrival.

Please call FYBA and fax a copy of this form to reserve a spot.

P 954.522.9270
F 954.764.0697

BAHIA MAR OFFERS SPECIAL RATES FOR FYBA MEMBERS

Bahia Mar is offering special dockage rates for FYBA members participating in the 3rd Thursday Broker Open House events and the 2nd Wednesday Charter Brokers Open House events. The rates listed below are effective June 1st through September 30th.

<table>
<thead>
<tr>
<th>Length</th>
<th>Rate</th>
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</thead>
<tbody>
<tr>
<td>40’ - 69’</td>
<td>$0.60/FT./DAY</td>
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<tr>
<td>70’ - 89’</td>
<td>$1.50/FT./DAY</td>
</tr>
<tr>
<td>90’+</td>
<td>$2.50/FT./DAY</td>
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</tbody>
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THANK YOU TO LMC & MARINA JACK

FYBA would like to thank Lauderdale Marine Center and Marina Jack for providing complimentary dockage at the May and June Broker’s Open House events. In these tough times, every little bit counts and their generosity is much appreciated by the FYBA and the members.

I, ________________________________, do hereby authorize the marina to charge the following credit card for dockage, tax and incidental charges.

Circle one: AMEX MC VISA

CARD# EXP. DATE

CARD HOLDER NAME AUTHORIZED SIGNATURE:
NEW MEMBERS

Voted on at May Board Meeting:

PROFESSIONAL ACTIVE

Andre F. Hardy* - Huish Marine Group, Inc.
1350 S.E. 17th St., Ft. Lauderdale, FL 33316
Phone: 954-527-4211; Fax: 954-527-4255

Michael Smalley* - Aquasition Yacht Group
1900 Sunset Harbour Dr., #3, Miami Beach 33139
Phone: 954-665-7138; Fax: 305-673-4525

Ewart W. Thompson* - Ocean Tech Marine, Inc.
215 S.W. 3rd St., #210, Dania Beach, FL 33304
Phone: 954-990-0300; Fax: 954-990-0292

PROFESSIONAL ASSOCIATE

Corey Koopmans - Soluna Yachts
255 Commercial Blvd., #204, Lauderdale-by-the-Sea, FL 33308
Phone: 954-351-0155; Fax: 954-351-0157

AFFILIATE ACTIVE

Chris Dowling* - Northern Lights
1415 S.W. 6th Court, Pompano Beach, FL 33069
Phone: 954-946-7601; Fax: 954-946-7409

AFFILIATE ACTIVE

Charley Kypreos* - CK Advertising & Design
1100 Lee Wagener Blvd., #303, Ft. Lauderdale, FL 33315
Phone: 954-359-6758; Fax: 954-359-6759

Richard Martinez* - BluMonk International, Inc.
304 Sevilla Ave., Coral Gables, FL 33134
Phone: 305-443-3358; Fax: 305-443-8188

Brian D. Staton* - Ship Equip, Inc.
16825 48th Ave. West, Lynnwood, WA 98037
Phone: 425-754-7554

AFFILIATE ASSOCIATE

Christopher Pelikan - CK Advertising & Design
1100 Lee Wagener Blvd., #303, Ft. Lauderdale, FL 33315
Phone: 954-359-6758; Fax: 954-359-6759

CHARTER ACTIVE

D. J. Kiernan* - Feadship America, Inc.
801 Seabreeze Blvd., Ft. Lauderdale, FL 33316
Phone: 954-761-1830, Fax: 954-761-3412

Yacht at Rest, Mind at Ease

Dockwise Yacht Transport USA
Telephone +1 954 525 8707, E-mail: dytusa@dockwise-ymt.com
WWW.YACHT-TRANSPORT.COM • 1-866-SHIP-DYT

NOW SAILING TO NEW DESTINATIONS!
Announced via email June 10. To be Voted on at June Board Meeting

PROFESSIONAL ACTIVE

David W. Kempf* - The Yacht Group at Longboat Key Moorings
2630 Harbourside Drive, Longboat Key, FL 34228
Phone: 941-383-8383, Fax: 941-383-8312
Carmine Galati & Gary Smith

John Arthur Peterson* - United Yacht Sales of the Carolinas
P.O. Box 806, New Bern, NC 28562
Phone: 910-546-5760, Fax: 252-635-6446
Peter Schmidt & Joel Lipton

PROFESSIONAL ASSOCIATE

Jose L. Arana, Jr. - Fraser Yachts Worldwide
1800 S.E. 10th Ave., #400, Ft. Lauderdale, FL 33316
Phone: 954-712-7162, Fax: 954-763-1053
Carlo Agliardi & Whit Kirltand

Kelly Bickford - Massey Yacht Sales
1110 3rd St. South, St. Petersburg, FL 33701
Phone: 727-824-7262, Fax: 727-821-0602
Ed Massey & Phil Crane

Michael W. Burke - HMY Yacht Sales, Inc.
2401 PGA Blvd., #182, Palm Beach Gardens, FL 33410
Phone: 561-775-6000, Fax: 561-775-6006
Steve Maynihan & Peter Schmidt

Pat Bustle - United Yacht Sales
2431 17th St. W., Palmetto, FL 34221
Phone: 941-737-5358, Fax: 954-763-3971
Peter Schmidt & Joel Lipton

Ned B. Bruck - Denison Yacht Sales, Inc.
1830 S.E. 4th Ave., Ft. Lauderdale, FL 33316
Phone: 954-763-3971, Fax: 954-763-3940
Bob Demison & Andrew Cilla

Andy Gillis - Ross Yacht Sales, LLC
Phone: 239-461-9191, Fax: 727-210-1805
500 Main St., Dunedin, FL 34698
Rick Grajiren & Jeff Stanley

Michael Hartman - Merritt Yacht Brokers, Inc.
2890 State Rd. 84, #105, Ft. Lauderdale, FL 33312
Phone: 954-761-1300, Fax: 954-463-8617
Richard Merritt & Bruce Schattenburg

PROFESSIONAL ASSOCIATE

Keith J. Lawrence - Bradford Marine Yacht Sales
3051 State Rd. 84, Ft. Lauderdale, FL 33312
Phone: 954-377-3900, Fax: 954-377-3901
Paul Engle & Joe Moretti

Mathew M. Moen - Florida Yacht Charters & Sales
1177 Avenue C, Riviera Beach, FL 33404
Phone: 561-844-1100, Fax: 561-844-1196
Bob Everhard & Mark Lipkus

Keith J. Lawrence - Bradford Marine Yacht Sales
3051 State Rd. 84, Ft. Lauderdale, FL 33312
Phone: 954-377-3900, Fax: 954-377-3901
Paul Engle & Joe Moretti

PROFESSIONAL ACTIVE

Andrea Gomez - Sunseeker Int’l Yacht Brokerage
2550 S. Bayshore Dr., #4, Coconut Grove, FL 33133
Phone: 305-856-4050, Fax: 305-856-4030
Mike Engstrand & Mike Hansen

Pat Bustle - United Yacht Sales
2431 17th St. W., Palmetto, FL 34221
Phone: 941-737-5358, Fax: 954-763-3971
Peter Schmidt & Joel Lipton

Frank Sciortino* - Altima Yachts, Inc.
3001 West State Road 84, Ft. Lauderdale, FL 33312
Phone: 954-547-1011, Fax: 514-493-0877
Mike Scalisi & Brian Victor

AFFILIATE ACTIVE

Krista Kersey - Yacht Path Marine Group
2401 PGA Boulevard, #155, Palm Beach Gardens, FL 33410
Phone: 561-784-6700, Fax: 561-784-6777
Crom Littlejohn & Herb Magney

AFFILIATE ASSOCIATE

Jimmy Floyd - Bradford Marine Yacht Sales
3051 State Rd. 84, Ft. Lauderdale, FL 33312
Phone: 954-791-1328, Fax: 954-791-1328
Paul Engle & Doug Smith

SUPPORT

Joe Ahdadas - Ocean Alexander of Florida, LLC
2300 E. Las Olas Blvd., #2 E., Ft. Lauderdale, FL 33301
Phone: 954-779-1905, Fax: 954-779-1909
Whit Kirltand & Roy Sea

Andrea Gomez - Sunseeker Int’l Yacht Brokerage
2550 S. Bayshore Dr., #4, Coconut Grove, FL 33133
Phone: 305-856-4050, Fax: 305-856-4030
Mike Engstrand & Mike Hansen
Northrop and Johnson is thrilled to announce the following notable sales in April 2009. On April 10, Northrop and Johnson reported the sale of LARA, the 125' Delta Expedition, by Kevin Merrigan. A few days later, MISS PENNY, the 80' Offshore, was sold by Gregg Child. Later in the month, broker Wes Sanford completed the sale of BABE, the 92' Monte Fino. Finally, at the close of the month, Ann Avery completed the sale of MUSTANG, 83' Camper Nicholson, and Bruce Leffers of the Newport office completed the sale of AURORA, 138' Kanter. Contact Stefanie Smith at 954-522-3344 or ssmit@njyachts.com

Northrop and Johnson Sales Division is thrilled to announce KAUHALE KAI III, the 75 foot Sunseeker has been centrally listed with Rick Weisenberger. KAUHALE KAI III is designed for comfort; entertainment and stable high speed cruising. KAUHALE KAI III is the ultimate yacht for sunning and swimming. Her submerging hydraulic swim platform is one of the most popular and luxurious features of the Sunseeker 75. KAUHALE KAI III features an exquisite gloss cherry wood interior and many upgrades. Contact Central Agent Rick Weisenberger at 619-226-3344 or rweisenberger@njyachts.com

Northrop and Johnson is thrilled to announce ANDIAMO, the 82 foot Monte Fino has been centrally listed with Rick Weisenberger. ANDIAMO has one of the most spacious and comfortable layouts compared to other motor yachts under 100 feet. ANDIAMO is a wonderful yacht for entertaining and relaxing. In extra fine condition, she has very low hours. Original owner and Captain maintained since new. Contact Central Agent Rick Weisenberger at 619-226-3344 or rweisenberger@njyachts.com

Northrop and Johnson is thrilled to announce the following notable sales in May 2009. Early in the month, Mike Geraghty from the Newport office completed the sale of 85' PACIFICA, now named SEA CLEF. Brian Commette, also of the Newport office completed the sale of 85' PACIFICA, now named SEA CLEF. Contact Central Agent Rick Weisenberger at 619-226-3344 or rweisenberger@njyachts.com

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Ocean Alexander wishes to congratulate Arthur Grin in our Stuart location on the successful sales of two 64 OA Pilothouses and the sale of a new 48 OA Aft Cabin. OA would also like to congratulate Yolanda Phinney, also in our Stuart location, on the successful sales of two 64 OA Pilothouses and a 60 Viking. Louis Dvorak in our Ft. Lauderdale office has acquired a new central listing, a 68' Alaskan Raised Pilothouse 2007 “Sea Rose”, currently located in the Med for the summer season. Cindy Ross in our Stuart office has acquired a new central listing on a 68 Ocean Alexander Pilothouse 2008 “Pipe Dream”, currently located at Old Port Cove. Owner is building a new 88 Ocean Alexander. Contact Ocean Alexander at 772-405-9100 or 954-779-1905.

Bartram & Brakenhoff is pleased to announce that David Lacz sold IBEX, 104’ 1987 Broward M/Y, and GALE WINDS, 88’ 1999 Broward M/Y. David Lacz has also listed two New Centrals, which include, MINNOW, 90’ 1979 Derecktor Expedition M/Y and GOLDEN TOUCH, 100’ 1988 Broward M/Y. NORTHERN LIGHTS, the 132’ 2000 Westship, David Lacz’s current Central listing, has had a recent price reduction to $9,975,000. Alex Clarke has been appointed Central Agent for IRONY, 60’ 2000 Florida Bay Coaster. Joe Bartram, is the new Central Agent for ENTICER, 85’ 1935 Mathis Yacht Building Co. Pila Pexton, Bartram & Brakenhoff’s Charter Manager is delighted to have NORTHERN LIGHTS, 132’ Westship, TITAN XIV, 115’ Valdettaro and INNISFAIL, 92’ Trumpy at the 2009 Newport Spring Charter Show. www.hartbrak.com.

Robert J. Cury & Associates is pleased to announce the recent sales of the 114’ Hatteras MY, ANNE O, centrally listed and sold by Bob Cury, the 106’ Lazzara, IMPULSE, listed by David Wiest and sold by Marine Max along with a 68’ Sunseeker, MEET THE PRESS. In addition, Bob Cury just listed the 100’ 1999 Broward MY, SEA BIRD, which is located in Ft. Lauderdale and one of the nicest Broward’s on the market!

CNI was delighted to witness the launch of the 62m (203’) Viareggio Superyachts launched ROMA. Designed by Espen Oeino, ROMA accommodates 12 guests in six staterooms, including a main deck master suite with panoramic 270 degree views. Listed for sale by CNI’s Bill Sanderson (Palm Beach), ROMA is also available for charter in the Mediterranean through CNI this coming summer season.

CNI in Ft Lauderdale reported a couple of sales – a client of Walter Sea took delivery of the 77’ Hatteras Convertible 2010, BODACIOUS; while Georges Bourgoignie flew to Finland for a client taking delivery of a new 82’ Nautor Swan, INUKSHUK, now for charter through CNI. Georges also represented both buyer and seller for his Fleming 75 VAMOOSE. Fernando Nicholson in Miami sold the Mangusta 105’ FANCY ONE.

HMY Yacht Sales has just become the exclusive dealer of Tiara Yachts for the East Coast of Florida, and 12 HMY brokers have just returned from Holland, Michigan after successfully completing the Tiara University Training Program.
CNI in the U.S. also welcomes a selection of new central agencies to join their fleet. Bob O’Brien has a duo of new listings with the 22.56m (74’) DISCOVERY built at the New England based shipyard Lyman Morse in 2001; and the 21m (69’) RHAPSODY, built in 1970 by Derecktor. Bill Sanderson lists the 21m (70’) Abeking & Rasmussen sailing yacht PHANTOM. Built in 1986, and refit in 2007, she represents the ultimate in pedigree sailing yachts. She sleeps four guests in two cabins and is lying in the US. Fernando Nicholson lists 109’ SHANTI, A Turkish Gullet, she combines an elegant and classic interior with all the latest modern technology.

Huish Marine Group is pleased to announce the following new centrals: R & R, 75’ Broward; ECHO, 45’ Bristol; HUEY, 34’ Cobalt and NO NAME, 28’ Mako. Please contact our office for additional information at 954-527-4211.

Listed for sale with OCEAN Independence is CINTRA, the oldest Vintage international 12 meter class yacht in the world. A finely crafted wooden construction she was originally designed and built for racing by William Fife III in 1909 for a well-known Scottish yachtsman of the time called Andrew Coats. Now 100 years on from her launch Cintra celebrates her centenary in Monaco with a lively classic racing events campaign schedule throughout the coming season and plenty of opportunities for visitors, by appointment, with broker Marco Vandoni. Asking Price 1,500,000 EUR. For further press information please contact: Marco Vandoni at 377 9770 1888 or marco@ocyachts.com

Burger Boat Company is pleased to announce that INGOT, a 2008 Burger/Vripack designed 153’ (46.6m) Custom Tri-Deck Motor Yacht, was honored with a Judges’ Commendation at the 2009 World Superyachts Award in London’s historic Guildhall. This Commendation specifically recognizes INGOT’s exceptional design and high quality construction.

Northrop and Johnson Luxury Collection is happy to announce the addition of sales broker, Rick Weisenberger to the San Diego office. With over 35 years in the yachting industry, Rick is a familiar face on the docks and is well-respected for his knowledge, work ethic and attention to detail in every project and transaction.

Whiteaker Yacht Sales is proud to announce that Bill Cullen has joined their capable team of brokers. Bill has been a USCG captain for 37 years, sailed over 50,000 miles while racing and cruising for over four decades, and owned 16 various brands of sailboats. Bill was formerly with Tampa Bay Yacht Sales.

Sarasota Yacht & Ship is proud to announce Alex Rowe has joined their team of sales professionals. He brings with him a wealth of knowledge of the Sea Ray and Meridian lines. However, he possesses passion and knowledge for many other types of vessels including long range cruising yachts, and performance boats. Alex was formerly with MarineMax in Sarasota. SYSS welcomes him to our team!
As those of us who provide services related to yacht sales are aware, a first time yacht purchaser is likely to need assistance in selling his yacht down the road and/or buying another yacht somewhere down the line. As with cars, most yacht owners do not hold on to the same yacht forever. In this highly competitive industry, the question thus becomes, “What services can I provide my client, whether buyer or seller, beyond that of closing the deal?”

As litigators who also conduct a transactional practice related to yacht purchases and sales, my colleagues and I at Moore & Company have a vantage point which allows us to evaluate a transaction from the outset with an eye towards identifying potential pitfalls and liability risks that might accrue or mature during or after the closing process. This article focuses primarily on advising clients regarding the need for adequate insurance coverage to ensure their yacht purchase or sale is not accompanied by unnecessary risk of loss or liability.

Although neither attorneys nor yacht brokers are insurance brokers, the reality is that our clients often seek our advice regarding insurance coverage related to yacht transactions, and we would be remiss as professionals if we were unable to provide them with at least some preliminary guidance as to the types of issues they should consider when determining how to best protect their asset. In fact, the best professional practice would be to point out these issues, whether or not the client specifically seeks advice regarding insurance coverage, and then refer the client to an insurance broker specializing in marine risks.

Preliminarily, however, clients should be made aware of the following issues regarding yacht insurance coverage. The obvious type of coverage needed is hull insurance, which is usually provided in conjunction with protection and indemnity coverage which protects the vessel and owner from liability to third parties based upon various grounds. In order to protect against loss of the vessel, buyers need to be sure their coverage is in place to commence immediately upon the closing, so that there is no gap in coverage, as the seller’s insurance will no longer be effective once the yacht has changed hands. This is sometimes tricky, as it is common practice for the buyer to procure insurance to commence at a date and time certain, usually the date and time the closing is scheduled to conclude. Conversely, sellers usually cancel their insurance with the cancellation to go into effect at the same time. If the seller has canceled his coverage but the closing ends up not going through, the seller is left with an uninsured risk in
BEYOND THE DEAL:

CLIENTS REGARDING GAPS IN INSURANCE COVERAGE

the event the vessel is damaged before the seller can obtain more insurance. Similarly, if the buyer has procured insurance to go into effect upon closing, but there is later a determination that the closing was not complete and it is determined that title did not in fact effectively transfer to the buyer, and the vessel sustains a loss, either the buyer or the seller could be left holding the bag, depending on the particular circumstances of the transaction.

The fact that the owner will need protection and indemnity (“P&I”) insurance is also usually fairly obvious at the outset of a yacht transaction. However, the particular type of protection and indemnity insurance required is not as easily identified. Standard P&I policies provide coverage for damage the yacht causes to other yachts or other property, as well as for personal injuries sustained by passengers and other third parties which can be attributed to operation of the yacht. However, if the new owner intends to employ a captain and/or crew, additional coverage will be necessary. The law requires vessel owners who employ captains and/or crew to pay maintenance and cure in the event of an injury sustained by the captain or crew members during the course of their employment. Maintenance is a daily rate of pay similar in concept to disability pay which is paid to injured workers to maintain them off the vessel while they are recovering from their injuries. Cure essentially defines the employer’s obligation to pay for medical care necessary until the injured employee reaches maximum medical improvement (MMI). Often, the vessel owner employs a third party, such as a yacht management company, to provide captain and crew, and these companies provide the requisite insurance. However, an owner should still be aware that the injured worker could bring suit against and arrest the vessel itself, in order to secure his or her right to compensation, even in cases where the owner is not technically the employer. If the yacht owner’s insurance policy does not provide coverage for maintenance and cure in this instance, the yacht owner will need to make sure the management company’s insurance will provide coverage for litigation expenses associated with defending the vessel against the arrest action as well as provide coverage for any liability assessed to the owner. These concepts apply equally while the yacht is making its transition between owners. Thus, in cases where the buyer temporarily employs the captain and crew previously employed on the vessel by the seller while the buyer looks for permanent captain and crew, he will need to ensure he has the appropriate insurance coverage in place.

Another fairly common gap in insurance coverage arises when the yacht is placed in a repair yard to undergo repairs or to be refitted immediately after the yacht’s purchase. This is a frequent occurrence, as the pre-purchase survey often identifies necessary repairs, which then become points of negotiation regarding the yacht’s price. In many cases, the repairs are conducted post-purchase, although the buyer’s broker has become aware of the plans for repair or refit prior to the closing. In these instances, the buyer needs to be sure that he is protected from liability for personal injuries or property damage sustained while the yacht is in the repair yard. The Longshore and Harbor Worker’s Compensation Act (“LHWCA”) requires employers of repairmen to carry LHWCA insurance coverage, which will provide an injured repairman with disability pay and medical care occasioned by an injury he sustained while working on or around the vessel until he has reached MMI. However, this does not protect the owner and the vessel from being sued by the injured repairman. Under the LHWCA, if the repairman is injured as a result of the owner or his representatives’ negligence (for instance, perhaps the vessel’s captain told the repair worker to go into an area of the vessel he knew to be unsafe and the worker was injured as a result), both the vessel and the owner can be sued, and the vessel can be arrested. If the owner’s insurance policy does not provide coverage for injured repairmen for the period during which the vessel is to undergo repair or refit, the owner himself will be left open to liability for both the damages at issue as well as the legal fees incurred in defending the suit and obtaining the vessel’s release from arrest.

There are other types of risks from which an owner might want to protect himself as well. Title insurance comes to mind, for instance. The foregoing is not intended to be an exhaustive list of the types of insurance coverage buyers and sellers might need to obtain in order to best protect themselves from risk of loss. However, it is intended to get yacht brokers and other professionals providing services in the context of yacht transactions thinking about the types of issues which may arise related to effective risk management, so as to enable them to provide a more comprehensive service to their clients.

*The information offered in this column is summary in nature and should not be considered a legal opinion.

Amber Ferry is an attorney at Moore & Company, P.A. (www.moore-and-co.net), a law firm specializing in maritime and aviation law with offices in Miami (Coral Gables) and Fort Lauderdale, Florida. Contact amber.ferry@moore-and-co.net / (786) 221-0600.
Where else but in the Yachting Capital of World can someone gather over 50 yachts for a brokers open house and provide the venue to view all 50 yachts in one location while networking and enjoying drink and hors d’oeuvres? At Lauderdale Marine Center in Ft. Lauderdale.

The May 28th Brokers Open House proved this point and was a huge success! Over 200 people attended the open house, making it the most attended open house in FYBA history! Attendees gathered under a large tent and enjoyed delicious food and drinks. Lauderdale Marine Center topped it off by shuttling people in golf carts from the east basin to the west basin to view all of the yachts on display! Yachts ranged in size from the 41’ KARUNA to the 142’ ESPRESSO III.

Thanks to LMC and John Terrill for providing beverages and complimentary dockage and for all his hard work in accommodating as many yachts as possible! The show wouldn’t have been a success without him and his team at LMC. The August open house will again be hosted at LMC.

Thanks to Jim Foley, Julio Santana and Bob Allen of Trident Funding and to Lauderdale Marine Center for sponsoring the event catered by Mayra’s Personal Touch Catering.
COMMENTS FROM THE SHOW:

“I thought the venue was excellent and the display of boats was so impressive that it rivaled some boat shows.”

-Frank Ramos
Intercoastal Financial Group

“The May 28th FYBA Open House was one of the best. Kudos to all involved. The use of a tent instead of a “host boat” given the weather situation was a great move. A special thanks to LMC for the complimentary dockage. While I did not have a boat in this time, I often get stuck with the bill from the client when I do and it does get expensive at Bahia Mar and the Pier. It was a great incentive on their part and much appreciated by the brokerage community. The parking was plentiful and the golf carts certainly a PLUS. Most of all, they seemed to be happy to have us there. I think I can speak for all when I say we felt welcomed and not an intrusion.”

-Tim Johnson,
Ardell Yacht & Ship Brokers

“Truly impressive display of yachts. Surprised to learn how many nice boats were ready to take a hit and move on. Gave me some good ammunition for my database contact. Staff at LMC were REALLY pulling out the stops to be helpful with transportation and make everyone feel welcome. Well done. I think it lifted everyone’s spirits, I know it did mine.”

-Mike Joyce
Hargrave Yachts

“All of us at DT&F would like to thank everyone at FYBA for the great Broker’s Open House. Lauderdale Marine Center was the best venue to date and the free parking was an added bonus. Access to all the yachts was extremely easy and the yard was such a better setting than the usual marina. Plus the large number of boats displayed was first class. We truly enjoyed the evening and appreciate the constant support of the entire team at FYBA. Thank you for all of your hard work!”

-Karla Russell
Dwight Tracy & Friends
CNI’s Charter Marketing Department in Fort Lauderdale is pleased to announce new Central Agency appointments including the 142’ INCENTIVE, a 2004 Palmer Johnson. INCENTIVE is a stunning tri-deck motor yacht accommodating ten guests in five lavish staterooms. INCENTIVE is available for charter in New England this summer season. The 109’ SHANTI also joins the charter fleet. SHANTI accommodates eight guests in two master staterooms and two twin staterooms. SHANTI is based out of Turkey this coming summer season.

CNI Offers Alternatives Cruising Destinations with U.S. Fleet: The 112’ Nautor Swan sailing yacht MYSTERY – for charter through CMD - will depart New Zealand shortly bound for Tahiti, where she will be based from July and available for charters. From Tahiti, she will head for Costa Rica, Panama and the Caribbean in time for the Winter season. MYSTERY accommodates up to 8 guests. The 112’ RESILIENCE is heading up to New England along with the 153’ CHANTAL MA VIE, the 150’ CARPE DIEM, the 142’ INCENTIVE, the 118’ SAVANNAH, and the 115’ MITSEAII for the summer season. The 132’ MONTE CARLO, the 111’ CHERISH, and the 91’ VIAGGIO will all be available in the Bahamas; whilst the 112’ SYMPHONY II and the 96’ SYMPHONY NOW are staying in the Caribbean for the summer season. SYMPHONY II is offering a first ever “two weeks for the price of one week” special for the months of July and August in the Caribbean. Book any seven consecutive days at the published rate of $49,500 and get the second week free! Costs associated with the “free” week onboard will be the standard expenses. SYMPHONY II accommodates eight guests. Contact Carolina or your broker at 954.462.1462.

YACHTZOO announces the appointments of four new central agency charter yachts to the fleet. PASSION, the conscientiously refit and immaculately maintained 52.75m Swedeship yacht accommodates 12 guests in six suite staterooms. Cruising the Western and Eastern Mediterranean this summer and cruising throughout the Caribbean this upcoming winter season at USD 290,000 and USD 235,000 per week plus expenses. Contact Jessica Althoff at Jessica@yacht-zoo.com or 954.767.1035 for additional information. The 53m S/Y DRUMBEAT is one of the largest sailing yachts ever built. She has undergone both interior and exterior refits in the last two years. She is available in Tahiti in August 2009. DRUMBEAT sleeps eleven guests in five cabins. Her weekly rate is 170,000 Euros. Contact Vanessa Morlot: +377.9770.6446 or vanessa@yacht-zoo.com. The brand new Benetti Classic 120’ series, CLAUDIA OF MC, has joined the YACHTZOO fleet. This beautiful yacht accommodates ten guests in five cabins and is definitely the perfect yacht for your summer cruise in the West and East Mediterranean. Her weekly rate is 110,000 Euros. Contact Vanessa Morlot: +377.9770.6446 or vanessa@yacht-zoo.com. The 34m Baglietto MY SPACE has also just joined the YACHTZOO fleet. After an extensive refit at the beginning of the year, MY SPACE will be available for charter from 1st August onwards. MY SPACE sleeps ten guests. Her weekly rates are 65,000 euros for the low season and 75,000 euros for the high season. Contact Vanessa Morlot: +377.9770.6446 or vanessa@yacht-zoo.com

Crew Unlimited and C U Yacht Charters - Opened in Antibes, France, May 4th 2009: With offices on both sides of the Atlantic, Crew Unlimited can now interview and prescreen, in person, the many qualified crew who seek employment on board yachts. Likewise, C U Yacht Charters now can offer first hand advice to clients hoping to book charters in the Mediterranean.

Three of the finest motor yachts in The Sacks Group Yachting Professionals’ Charter Fleet impressed brokers with their Chefs’ exquisite food stylings, their crews’ superior service and their Captains’ hospitality at the 21st annual MYBA Charter Show in Genoa, Italy, May 4-8. The 140’ MONALIZA, the 115’ HARMONY and the 120’ IMPULSIVE all earned high marks at the event. HARMONY hosts 10 guests in four staterooms, at a base charter rate of US $70,000/week plus expenses. IMPULSIVE accommodates eight guests in four staterooms, starting at a charter rate of US $85,000/week plus expenses. MONALIZA accommodates 10 guests in five staterooms for a charter fee starting at 100,000 euros per week plus expenses.

New to the Northrop & Johnson Charter Fleet: DEVOTION is a newly launched 143’ expedition-style from Stabbert Maritime that boasts 6 staterooms and is now available in Alaska! She is available at 135,000 per week, plus expenses. www.charterbrochure.com/devotion or www.yachtdevotion.com

For more details, contact Lara-Jo Houghting lhoughting@njyachts.com
SATURDAY, JULY 18
12PM TO 5PM
LAUDERDALE BEACH CLUB
2 Palm Avenue / Laud-By-the-Sea
(A1A just north of Oakland Park)
Title Sponsor
The Law Offices of Jeffrey W. Cox
Sponsored by
Seacoast Marine Finance
Crew4Crew

Join in on a day of sun and fun for the whole family at the FYBA Summer Beach BBQ!

Activities include a volleyball tournament, beach treasure hunt for the kids, and a snow cone machine.

Hamburgers, hotdogs, water, sodas and other beverages will be provided. RSVP now!

Free to FYBA members & family!

Yes, I plan on attending!

Name ________________________________
Company ________________________________

# of children ages M F
# of adults

Please fax completed forms to the FYBA at 954.764.0697 or email to membership@fyba.org

For more info send email to membership@fyba.org or call Randi at 954-522-9270

JULY 8, 2009
BAHIA MAR
Call Dockmaster for Rates 954.627.6309

You must check in and pay for dockage upon arrival.

Please call FYBA and fax a copy of this form to reserve a spot.

P 954.522.9270
F 954.764.0697

COMPANY CONTACT PHONE

BOAT NAME TYPE YEAR

LENGTH BEAM DRAFT RATE ITINERARY

I, ____________________________, do hereby authorize the marina to charge the following credit card for dockage, tax and incidental charges.

Circle one: AMEX MC VISA

CARD# ____________________________ EXP. DATE ____________________________

CARD HOLDER NAME AUTHORIZED SIGNATURE:
Andy Down, previously with Lazzara, is now with United Yacht Sales. 1100 Lee Wagener Blvd #105, Ft. Lauderdale, FL 33315. Phone: 954.610.2523. andy@unitedyacht.com.

Dennis Pellicci has opened his own brokerage firm, D&D Pellicci Enterprises, Inc. 3450 Twinberry Court, Bonita Springs, Fl 34134. Phone & Fax: 239.948.8436. dhpellicci@comcast.net

Nancy Button Latinette, previously with Rikki Davis/Churchill Yacht Partners, has opened her own company, NB Yacht Charters. 3922 Roosevelt St., Hollywood, FL 33021. Phone: 954.249.9914. Seangl002@aol.com.


Jenny Chiles, previously with Fraser Yachts, is now with Northrop & Johnson. 17 Rose Drive, Ft. Lauderdale, FL 33316. Phone: 954.522.3344, Fax: 954.522.9500. chiles@nijyachts.com.

Bob Zarchen, previously with The Marine Group in Dania Beach, is now with Sparkman & Stephens, 1845 Cordova Rd., #205, Ft. Lauderdale, FL 33316. Phone: 954.524.4616, Fax: 954.524.4621. bobz@mindspring.com

Buddy Payne formerly with Associated Marine Institutes, is now with Sparkman & Stephens. 1845 Cordova Rd., #205, Ft. Lauderdale, FL 33316. Phone: 954.524.4616, Fax: 954.524.4621. bpayne@sparkmanstephens.com

Fischer Marine is extremely proud to welcome Peter Reycroft, previously with Allied Marine, to manage its Yacht Brokerage division. Peter brings with him 23 years of experience selling quality new and pre-owned yachts. He started his career in 1986 at Ireland Yacht Sales specializing in Tiara, Pursuit, Shamrock and Regal. Email peter@wegotboats.com.

Greg Pierce, previously with Allied Marine, has joined MacGregor Yachts, Inc.

Black Pearl Yacht Sales has moved to 909 10th St. S., # 103, Naples, Fl 34102. Phone: 239.352.5552; Fax: 888-726-8690.

The Marine Group is relocating its Dania office. A new location announcement shall be forthcoming. All of the brokers and staff can be reached at the regular phone numbers 954-463-4300 and email address or contact the Palm Beach Office at 561-627-9500 or info@marinegroup.com.

After 20 years of distinguished service in the Clearwater Florida yacht brokerage office of MarineMax, Tom George has decided to open his own firm in charming downtown Dunedin, Florida. The new Tom George Yacht Group will include the same customized, personal service you have come to expect from this seasoned professional including: brokerage services, new construction management, service and refit as well as crew and charter management. Tom’s background includes certification as a Certified Professional Yacht Broker (CPYB), and he serves on the FYBA Board of Directors. Joining Tom in this new endeavor is his nephew, Jimmy Rogers. Tom George Yacht Group:748 Broadway, #201. Dunedin, FL 34698. Phone: 727.734.8707; Fax: 727.734.8723.

TOM GEORGE YACHT GROUP OPENS IN DUNEDIN

ROSS YACHT SALES ANNOUNCES LAUNCH

Ross Yacht Sales (RYS) announced its official launch on May 28. The new RYS brings together a group of well-known and well-respected yacht brokers, many tied to the original Ross Yacht Sales – including its founder Courtney Ross. Based in the former Gilman Yachts facility in Dunedin, Florida, with satellite offices in Ft. Myers and Naples, RYS will reliably serve the worldwide yachting community with a focus on the sale of power and sailing vessel’s ranging from 30- to 160-feet, as well as offering consultation services for new builds. For more information on RYS sales and service, a list of current inventory and broker locations, please contact Rick Grajirena at 727-403-9910 or visit www.RossYachtSales.com.
In Memoriam
Rob Jordan
June 9, 2009

Long-time FYBA member Rob Jordan of Jordan Yacht & Ship passed away June 9 after battling lymphoma. Rob started Jordan Yacht & Ship in 1992 and his wife, Kathy, and his sons remain at the business. His ashes will be spread at sea and the family will have a memorial in Michigan where he grew up. He will be missed by family, friends and industry peers.
Yacht Broker: Yacht Broker position open! Great location on Fort Lauderdale Beach! Must be licensed and experienced! Please send your resume to info@schooneryachts.com Strictly confidential!

Yacht Broker: Bradford Marine Yacht Sales is seeking an experienced yacht sales broker for our Yacht Showroom in Ft. Lauderdale. Candidates must be energetic and professional with at least 5 years experience, a proven track record in yacht sales, and a seasoned knowledge of the yachting industry. Please contact Gene Douglas at gene@bradfordmarineyachtsales.com. All inquiries are kept strictly confidential.

Yacht Salesperson/Broker: Dwight Tracy & Friends is currently seeking additional, experienced sales people to join their growing team. All inquiries will be kept confidential. Contact Michael Tyrrell at the office 954-767-0007, on his cell 954-325-3461, or via e-mail Michael@DTFyachts.com to discuss this great opportunity.

Yacht Brokers: Huish Marine Group is seeking licensed yacht brokers/salespersons for its Fort Lauderdale office located in the South Harbor Plaza at 1350 S.E. 17th Street. All inquiries kept confidential. Contact Andre Hardy at 954-527-4211 or ahardy@huishmarine.com

Salesmen: Marlow Marine Sales, Inc. is looking for energetic and highly motivated yacht sales professionals to join our sales team. Company supplies leads and sales materials. Contact danullian@marlowmarine.com

Salesmen: MarineMax has seen a recent spike in Hatteras business, delivering 6 new Hatteras Yachts to their clientele. If you’re interested in joining the MarineMax-Hatteras Sales team, contact Steve Gale at 772-287-4495 for sales position opportunities available in Florida, Texas, New York, and New Jersey.

Sales Associates: Ocean Alexander is looking for experienced sales associates, to be based out of our Stuart or Ft Lauderdale locations. Constant array of inventory ranging in size from 54’ to 88’ scheduled to arrive throughout the year, and 115’, 125’ & 145’ in the design stage. Sales Associates are able to work virtually or in an office setting with scheduled duty days. Excellent commission structure. Contact Cindy Ross (772) 405-9103 for a confidential interview.
House of Representatives Passes National Boating Day Resolution: U.S. House of Representatives passed House Resolution 410 which designates July 1, 2009 as National Boating Day in recognition of the important role recreational boating and the boating industry play in the lives and health of the nation’s 59 million boaters and the U.S. economy.

Work on Miami’s Only Megayacht Marina to Begin this Summer: Miami will soon see the beginnings of a 50-slip marina on Watson Island, which will become the city’s first and only facility to accommodate megayachts up to 450 feet long. Flagstone Property Group in Miami Beach, Fla., hopes to begin construction this summer on Island Gardens, an 11 acre, $640 million mixed use development project that includes the marina, two hotels, and retail facilities.

World’s Largest Yachts 2008: Power & Motoryacht’s annual list saw no movement in the top 5 largest yachts for 2008: AL SALAMAH, 456’; RISING SUN, 452’; OCTOPUS, 414’; SAVARONA, 408’; & ALEXANDER, 400’.

World’s Largest Yacht Set to the Water: The 557-foot Eclipse, which is being built by Roman Abramovich, is getting its finishing touches, and may not be officially launched and delivered until next year at the earliest, according to the Wall Street Journal’s Wealth Report. Eclipse tops the world’s previous record holder, a 525-footer owned by Sheikh Mohammed bin Rashid Al Maktoum of Dubai.

Florida’s Boating Deaths Dropped Sharply in 2008: Florida boating deaths dropped by 30% to 54 fatalities in 2008. Florida’s 2008 death rate of 5.3 per 100,000 registered boats is also the lowest in at least 15 years. Florida also continued to lead the nation with slightly more than 1 million registered vessels last year.

Snagged in Tax Dodge: Apparently, those famously secretive Swiss banks can’t keep secrets the way they used to. The head of a major yacht brokerage was accused of participating in an offshore tax-evasion scheme.

Big Bucks: West Palm Beach will receive $500,000 and contribute another $1.4 million to provide transient tie-up facilities for up to 37 vessels along the Atlantic Intracoastal Waterway in the downtown area.
Danielle Butler - Fowler White Burnett, P.A.

Danielle Butler's practice focuses on transactional and litigation matters related to yachting and pleasure boating including, but not limited to, purchase/sale, construction, financing, flagging and chartering. She handles a variety of maritime-related contracts, including yacht contracts, and negotiates and drafts agreements. 

Danielle represents clients in litigation, mediation and arbitration proceedings involving a range of maritime-related claims, such as breach of contract, brokerage commissions, insurance coverage, and vessel arrests, repossessions and foreclosures. She has significant experience handling disputes related to yachts and pleasure boating.

Michael Moore - Moore & Company

Michael T. Moore has practiced maritime and aviation law for more than thirty years. In 2008 he was again selected as a Florida Super Lawyer by Law and Politics magazine, selected by his peers for inclusion in The Best Lawyers In America, and selected again as one of the Top Lawyers In South Florida by the South Florida Legal Guide and again in 2008 as one of 846 Elite Florida Lawyers by Florida Trend Magazine. Mr. Moore is featured in Who’s Who In American Law and is a Fellow of the American Bar Association. He is also “AV” rated by the Martindale-Hubbell Legal Network, the highest rating awarded to practicing attorneys. He is also Chairman of the Board of the International Seakeepers Society.

Lisa Borkowski - ASAP Marine Documentation & Registration, Inc.

Lisa Borkowski is President of ASAP Marine Documentation & Registration, Inc., a leading full service marine documentation agency based in South Florida since 1994. Under Lisa and husband, Lee’s, ownership ASAP has become one of the Premier Maritime Documentation Agencies in the US with a strong international following and strong industry ties. From “concept through “closing” and beyond, our clients know that Lisa and the crew at ASAP are fun to work with and are always available. This comes from our dedication to friends and clients, concentrating on the details, and working with a sense of urgency. Lisa has teamed up with leading maritime industry professionals from around the world to make sure you are provided the most up-to-date answers for your domestic or offshore transaction. ASAP Marine Documentation is a proud sponsor of the FYBA. We are also active members of American Vessel Documentation Association and National Marine Bankers Association.

Caitlin Murphy - Cheryl Andrews Marketing Communications

Caitlin Murphy is a frequent author and lecturer on the legal issues concerning pleasure boats and yachts. She is a regular contributor to the FYBA Newsletter, Boat USA and Yachting International. She received her J.D. from New York Law School in 2000. She is licensed to practice law in Florida, New York, District of Columbia and the US Supreme Court.

Lisa Verbit - Bank of America

Ms. Verbit is a Senior Vice President and National Executive with Bank of America in its Stuart office. She specializes in working on yacht related events benefiting the clubs.

Stacy Perry - Alley, Maass, Rogers & Lindsay, P.A.

Stacy L. Perry is the Senior Maritime Paralegal at Alley, Maass, Rogers & Lindsay, P.A. She oversees and manages domestic and international transactions and closings, principally involving large brokerage boats and new builds. Stacy has been an integral part of Alley Maass’ Maritime Department for over 11 years.

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Thursday, July 16, 2009
8:30 am - 4:30pm

Brokers Open House to Follow
Sponsored by Trident Funding

Bahia Mar Resort &
Yachting Center
801 Seabreeze Blvd.
Ft. Lauderdale, FL 33316

FYBA Members $60
Non members $150*
Payment due prior to seminar

*If membership application is submitted prior to the seminar you may attend at the member rate.

All day seminar includes continental breakfast, lunch, and cocktail reception

make checks payable to:
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P.O. Box 460550
Ft. Lauderdale, FL 33346
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Visa & Mastercard
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CPYB’s attending will earn 8 credits towards recertification

Sponsored by:

Fowler White Burnett, P.A.
ASAP Documentation and Registration

Topic & Speaker Line Up:

Thinking Outside the Marketing Box
Caitlin Murphy, Cheryl Andrews Marketing Communications

It’s My Sale - determining procuring cause & commission entitlement
Michael Pennekamp, Fowler White Burnett, P.A.

State of the Economy - Nationally and within Yachting
Lisa Verbit, US Trust, Bank of America
Peggy Bodenreider, National Marine Banker’s Association

Who Does What?
Carol Waxler, Alley Maass, Rogers & Lindsay, P.A.
Stacy Perry, Alley, Maass, Rogers & Lindsay, P.A.
Crom Littlejohn, Merle Wood & Associates

Should I buy the Company?
Michael Moore, Moore & Company

Dear Doc Agent
Lisa Borkowski, ASAP Documentation & Registration, Inc.

Yacht Arrests
Danielle J. Butler, Fowler White Burnett, P.A.

Changes to Yacht & Ship Broker’s Act
Vicky Bedford, Department of Business and Professional Regulations

Name(s)

Company

Email

Address/City/State/Zip

Phone

Fax

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please complete the following information:

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(3 digits on the back of the card)

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(as it appears on card)
Thursday, July 30, 2009
8:30 am - 4:30pm
Brokers Open House to Follow*

Sponsored by
Intercoastal Financial Group

Location: Hyatt Sarasota
1000 Boulevard of the Arts
Sarasota, FL 34236

FYBA Members $60
Non members $150**
Payment due prior to seminar

**If membership application is submitted prior to the seminar you may attend at the member rate.

All day seminar includes continental breakfast, lunch, and cocktail reception

make checks payable to:
Florida Yacht Brokers Assn.
P.O. Box 460550
Ft. Lauderdale, FL 33346
phone: 954.522.9270
fax: 954.764.0697

Visa & Mastercard & AmEx Accepted

CPYB’s attending will earn 8 credits towards recertification

*Boat show will be held at Marina Jacks in Sarasota
To Register a Vessel for the Boat Show, Call FYBA at 954-522-9270

Sponsored by:
Fowler White Burnett, P.A.
Total Dollar Insurance

Topic & Speakers Line Up:

State of the Yachting Economy
Julio Santana, Trident Funding
Melanie Jolles, Scott Financial Services

Loopholes and Exclusions in the yacht insurance policy
Christel Mohr, Willis Marine
Laura Sherrod, Atlas Insurance

Managing Closing Timelines
Lisa Borkowski, ASAP Documentation

Yacht Arrests
Danielle J. Butler, Fowler White Burnett

Changes to Yacht & Ship Broker's Act
Vicky Bedford, Department of Business and Professional Regulations

It's My Sale - determining procuring cause & commission entitlement
Michael Pennekamp, Fowler White Burnett

Adhering to US Customs regulations
Steele Reeder, Howard S. Reeder, Inc.

Name(s)

Company
Email

Address/City/State/Zip

Phone Fax

If you would like to bill the amount due to your credit card, __ Visa __ MC __ AmEx
please complete the following information:

Credit Card Number Expiration Date

Billing Address/City/Zip Code CVV Code
(3 digits on the back of the card)

Signature Name
(as it appears on card)
Thursday, August 13, 2009
9:45 am - 4:00pm
followed by cocktail reception

Hugh’s Culinary
4351 NE 12th Terrace
Oakland Park, FL 33334

Moderated by Rupert Connor,
Luxury Yacht Group

FYBA Members $75
Non members $125*

Seminar includes
continental breakfast, lunch
and cocktail reception

Payment due prior
to seminar

*Scheduled application is
submitted prior to the seminar
you may attend at the
member rate.

make checks payable to:
Florida Yacht Brokers Assn.
P.O. Box 460044
Ft. Lauderdale, FL 33346
phone: 954-522-9270
fax: 954-764-0697

Visa, MC, AMEX Accepted

Sponsored by:
Port Louis Marina by
Camper & Nicholsons marinas

speakers: TBA

topic line up:

Prospecting New Clients: In these economic times, think outside the box and generate revenue.

Port Louis Marina, Grenada: The spice of the Caribbean!

Luxury Marketing: You are only as good as your last charter!

Docu Sign: Move into the age of the internet and streamline contracts.

Back to the Basics: Focus on Customer Service to make your business successful

Name(s)

Company

Email

Address/City/State/Zip

Phone

Fax

If you would like to bill the amount due to your credit card, ___ Visa ___ MC ___ AMEX
please complete the following information:

Credit Card Number

Expiration Date

Billing Address/City/Zip Code

CVV Code

(3 digits on the back of the card)

Signature

(as it appears on card)
**Professional Membership**

For Professional Yacht Brokers and Salesmen who are bonded and licensed by the State of Florida under the Yacht and Ship Brokers Act.

**ACTIVE**  The owner, principal, stockholder partner or officer of the firm. Current “Employing Brokers” license in Florida. (Complete Sections A-C of application)

Annual dues: $200
Active Professional Sponsorship requirements:
Two (2) “Active” Professional members

**ASSOCIATE**  Other sales personnel associated with the firm. Current “Broker” or “Salesman” license in Florida. (temporary license not eligible) (Complete Sections A-B of application)

Annual dues: $75
Associate Professional Sponsorship requirements:
Two (2) “Active” Professional members

**SUPPORT**  Unlicensed employees of Professional member’s firm (Complete Section A of application)

Annual dues: $25
Support Sponsorship requirements:
Two (2) “Active” or “Assoc.” Professional members.

**Chartier Professional Membership**

For individuals and/or businesses directly related to the charter yacht industry.

**ACTIVE CHARTER PROFESSIONAL**  The owner, principal, partner or manager of the firm directly related to the charter yacht industry.

Annual dues: $200  (Complete Section A of application)
Sponsorship requirements: Two (2) “Active” Professional members

**ASSOCIATE CHARTER PROFESSIONAL**  Other employees of the firm directly related to the charter yacht industry.

Annual dues: $75  (Complete Section A of application)
Sponsorship requirements: Two (2) “Active” or “Assoc.” Professional, Charter Professional or Affiliate members.

**Affiliate Membership**

For individuals and/or businesses directly related to the yacht brokerage industry.

**ACTIVE AFFILIATE**  The owner, principal, partner or manager of the firm directly related to the yacht brokerage industry.

Annual dues: $300  Complete Section A of application)
Sponsorship requirements: Two (2) “Active” or “Assoc.” Professional or Affiliate members.

**ASSOCIATE AFFILIATE**  Other employees of the firm directly related to the yacht brokerage industry.

Annual dues: $75  (Complete Section A of application)
Sponsorship requirements: Two (2) “Active” or “Assoc.” Professional or Affiliate members.

**FYBA with YPI Owns the Yacht & Brokerage Show (held mid February in Miami)**

**OBJECTIVES**

To unite those engaged in the yacht brokerage business for the purpose of promoting cooperation and professionalism among its members.

To promote & maintain a high standard of conduct in the transacting of the yacht brokerage business in accordance with the FYBA Code of Ethics.

**MEMBERSHIP REQUIREMENTS**

Professional Members must be Licensed and bonded by the State of Florida under the Yacht and Ship Brokers Act.

Charter Professional Membership Class is for individuals and companies directly related to the charter yacht industry.

Affiliate Membership Class is for individuals and companies directly related to the yacht brokerage industry.

**CURRENT MEMBERSHIP - 1000 plus Members**

While the majority of its membership is comprised of Florida based brokers, there is also representation from prominent firms located throughout the world.

**MEMBER SERVICES & BENEFITS**

- Arbitration service for members
- Legislative action committee
- Educational seminars
- Social events and charitable functions
- Monthly newsletter
- Standardized business contract & forms
- Published membership roster
- National advertising
- Trade only Boat Shows
  - Bahia Mar (7 per year)
  - Member of the Intl’Yacht Council Ltd.
  - FYBA Website
  - YS&L Seminar
  - Listing to Closing - Ft. Lauderdale & West Coast FL
  - Charter “Open House”
  - Certified Professional Yacht Brokers Program
**Membership Application**

**PROFESSIONAL**
- Professional Active: $200
- Professional Associate: $75
- Support: $25

**CHARTER**
- Charter Professional Active: $200
- Charter Associate: $75

**AFFILIATE**
- Affiliate Active: $300
- Affiliate Associate: $75

### Applicant
<table>
<thead>
<tr>
<th>First Name</th>
<th>M.I.</th>
<th>Last Name</th>
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<table>
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<tr>
<th>Company Name</th>
<th>Position</th>
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</table>

<table>
<thead>
<tr>
<th>Company Address</th>
<th>Fl. License No. &amp; Expiration Date</th>
<th>Broker</th>
<th>Salesperson</th>
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<table>
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<tr>
<th>City</th>
<th>State</th>
<th>Zip</th>
<th>Web Site</th>
<th>E-mail</th>
<th>Phone</th>
<th>Fax</th>
<th>Type of Business</th>
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<thead>
<tr>
<th>Home Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
<th>Home Phone</th>
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### Sponsors
<table>
<thead>
<tr>
<th>Name</th>
<th>Firm</th>
<th>Phone</th>
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<tr>
<td>Sponsor Signature</td>
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<th>Name</th>
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<td>Sponsor Signature</td>
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### Business References
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<tr>
<th>Firm</th>
<th>Contact Name</th>
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<tr>
<th>Firm</th>
<th>Contact Name</th>
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### Personal Data

<table>
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<tr>
<th>Have you been engaged continuously in the business since?</th>
<th>Yes</th>
<th>No</th>
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</table>

If not, during what years were you in business?

<table>
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<tr>
<th>Highest level of education</th>
<th>First entered yacht brokerage business (date/firm)</th>
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<tr>
<th>List any firms previously associated with</th>
<th>In what other business have you been engaged?</th>
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<thead>
<tr>
<th>Active Professional Members Only</th>
<th>Federal ID#</th>
<th>Fl. Sales Tax#</th>
<th>City Occupational License</th>
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</table>

<table>
<thead>
<tr>
<th>Institution in which you maintain your escrow/trust account</th>
<th>List branch/franchise offices, addresses, &amp; manager’s names</th>
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</table>

<table>
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<tr>
<th>If a Corp./Partn., list officers, partners, &amp; stockholders</th>
<th>State names of any salespersons associated with you</th>
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<tr>
<th>Name</th>
<th>Position</th>
<th>Name</th>
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<tr>
<td>Name</td>
<td>Position</td>
<td>Name</td>
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<tr>
<th>Do you currently represent any new boat manufacturer?</th>
<th>Yes</th>
<th>No</th>
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</table>

If yes, list manufacturers:

<table>
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<tr>
<th>How did you hear about the FYBA?</th>
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I agree that, if approved for membership to the Florida Yacht Brokers Association, Inc., to abide by the By-Laws and Code of Ethics of the Association, a copy which I have read.

Applicant’s Signature  
Date

Check for $__________ enclosed payable to FYBA

P.O. Box 460044, Ft. Lauderdale, FL 33346  
Phone: 954-522-9270 Fax: 954-764-0697  
e-mail: fyba@fyba.org • www.fyba.org
JULY
8  2nd Wednesday
Charter Open House
16  Listing to Closing Seminar
   Ft. Lauderdale, FL
16  3rd Thursday
Brokers Open House
18  Summer Beach BBQ
   Ft. Lauderdale
30  Listing to Closing *(West Coast)*
   Sarasota, FL
30  West Coast
Brokers Open House

AUGUST
13  Charter Seminar
   Ft. Lauderdale, FL
20  3rd Thursday
Brokers Open House at LMC

SEPTEMBER
1  1st Tuesday West Coast
Brokers Open House
7  Labor Day
9  2nd Wednesday
Charter Open House