

7/27/2018

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Hello.

I wanted to say THANK YOU to the sponsors of the last's mixer, TRIPLE T and Port of Virginia. **I have added a new part to the newsletter, West Coast Dryage Updates. I will keep working to add more information to help give you a neutral view of the situations.** We will also be having a **"FREIGHT CHECK" October 4.** It will be a half day meeting focusing on Ocean, Air, Domestic and Customs. I have included more information for your reference in the newsletter.

I hope we can keep **GROWING, LEARNING and INSPIRING** each other!

For your reference, this will be on the website:

www.servinglogistics.com

Enjoy!

Thanks and best regards,

*Beth Rannebarger

A Global Glance:

NWSeaport Alliance:

<https://www.nwseaportalliance.com/#/maps/overview>

Port of LA:

<https://www.portoflosangeles.org/>

Port of LGB: <http://www.polb.com/>

Port of Panama Canal:

<http://www.pancanal.com>

Port of NY/NJ:

<http://www.panynj.gov/port/>

Port of Virginia: www.portofvirginia.com

Georgia Ports: <http://gaports.com/>

Port of Nansha:

www.portofnansha.com



Rickenbacker's upgraded animal transport facility benefits livestock industry logistics

Airport's USDA-approved Export Inspection Facility maximizes safety, convenience



COLUMBUS — Rickenbacker International Airport's recently renovated animal transport facility enhances the convenience and personal service offered to the logistics and agricultural industries.

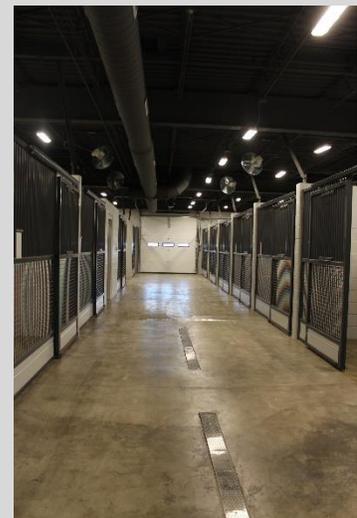
The extensive project included a wide range of upgrades to maximize operational efficiency and ensure animal safety. The facility recently earned U.S. Department of Agriculture status as both a certified Export Inspection Facility and a

Permanent Port of Embarkation for livestock. Fewer than 50 such facilities exist nationwide, with Rickenbacker being the only one in Ohio.

"Our self-sufficient, world-class facility benefits all those involved in the animal transport process," said Joseph R. Nardone, President & CEO of the Columbus Regional Airport Authority, which operates the airport. "Our customers can handle the resting and inspection processes in a safe, quiet area that is minutes away from waiting aircraft. Most importantly, the animals are under less stress because they spend less time in transport with fewer stops along the way."

Twelve new animal stalls provide space for livestock to rest before being inspected and exported. The on-site USDA office and restrooms also were completely renovated. The secured facility provides convenient access from public roads and direct access to the airfield. Baker Livestock and Horse Transport is the airport's certified animal ground handling agent with more than 25 years of experience.

The airport, which shippers and air carriers have used for the past three years to export livestock, initiated the project at the beginning of the year to serve growing demand. Horses most commonly pass through the facility, but it is certified for equines, ruminants and swine. Airport staff designed and supervised the six-month, \$423,000 project. Palmetto Construction Services of Columbus was the general contractor.



Be...

...Growing, Learning and Inspiring
Local and International information



About Rickenbacker International Airport

Located in Columbus, Ohio, Rickenbacker International Airport is one of the world's few cargo-dedicated airports. Rickenbacker is within a one-day drive to nearly half of the U.S. population and one-third of the Canadian population. With regularly scheduled import and export service via AirBridgeCargo Airlines, Cargolux, Cathay Pacific, China Airlines, Emirates SkyCargo and Etihad Cargo, Rickenbacker specializes in expedited services that move cargo between planes and trucks faster and more consistently than other gateway airports. FedEx and UPS also are on site to provide domestic cargo service, which is critical to growing e-commerce activity.

Freight Check Oct 4

My goal for Freight Check is for everyone to have a reality check on the trends in the supply chain. I love having the conference and want to keep the information and connections going. Here is a quick over view:

1. Location: Hilton at Easton
2. **Port of Long Beach** will open up with a port update
3. 4 topics, 1 Hour each

Air: Moderated by Justin Reynolds, [Ascena Retail](#)

Ocean: Moderated by Robert Fredman, [Big Lots](#)

Compliance: Moderated by [James W. Thatcher](#), [LCHB](#), [CCS](#) [totes](#) [ISOTONER](#)

Domestic: Confirming Moderator

4. **Port of NY/NJ** will close with a port update and happy hour.

I am currently finalizing speakers. If you have a particular area of interest or are interested in sponsoring please let me know. I want to make this a great experience for everyone!

Please let me know if you have a particular question or topic you would like spoken on. You can call or email me:

Beth Rannebarger: (614) 795-2384

Email: beth@servinglogistics.com

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Faster Than Now! The Final Word, on The Final Mile:

By Eric Zalud

We have found that more and more of our clients are involved in e-commerce fulfilment, distribution, and last mile services. We handle sophisticated issues in this sector every single day, including drafting and negotiating contracts for last mile delivery service providers, litigating those issues, counseling on development of operational structures with value added service providers, drafting warehouse fulfilment contracts that support those operations, and ensuring that those models for the last mile do not run afoul of regulatory authorities. Litigation unfortunately *does* ensue* as more and more logistics service providers enter the last mile market.

Trip and Fall

A recent manifestation of last mile delivery litigation was *Muzzarelli v. United Parcel Service, Inc.*, 2017 WL 2786456, 2017 U.S. Dist. LEXIS 99395 (C.D. Ill. June 27, 2017). In that case, Plaintiff Muzzarelli brought a personal injury claim arising from a fall that she had when she tripped over a package delivered to her home by UPS. She then filed a common law negligence lawsuit against UPS in state court. UPS removed the case to federal court and filed a motion for summary judgment, asserting Federal Preemption of plaintiff's claims, and also a defense that plaintiff could not recover because the "risk" was "open and obvious."

Muzzarelli, however, had not alleged damage to the goods that were shipped in interstate commerce. In fact, she did not allege that the package was damaged *at all*. Instead, she claimed that UPS was negligent in the *actual placement of the package on the porch*, which caused her to suffer personal injuries. Consequently, her claim was not preempted by the federal Carmack Amendment because it arose from a "separate and distinct ground from *the loss of, or the damage to, the goods* that were shipped."

UPS also argued that the package was an "open and obvious danger" and, that therefore, it should not be liable for any physical harm caused by the package's porch placement. However, the Court found that an open and obvious danger is a defense to premise liability, which is inapplicable because plaintiff's complaint asserted an ordinary negligence claim.

Lessons Learned

In our litigious society, with millions of packages being delivered to the doorsteps of consumers every day (and more on the way), cases such as this will continue to arise. A better course than

* The facts and circumstances of these cases are new and interesting due to the dramatic evolution in delivery models and consumer preferences!

defending these cases successfully *is to not have a claim brought at all*. To that effect, certain simple preventative measures can be taken when executing last mile delivery operations:

1. *Training and instruction* to last mile delivery drivers on package placement can be included in instructional training videos to those drivers. Obviously, care should be taken to ensure that employment status is maintained through any such training exercise.

2. *Cautions regarding video surveillance*. Drivers should also be made aware that many houses, residences, and apartment buildings now have video surveillance cameras throughout the property, that often capture delivery providers' actions on the proverbial customer doorstep. These videos can not only implicate the last mile service provider, but also impugn the driver who leaves the package at the doorstep in cavalier fashion.

3. *Contracting limitations and online service terms*. This is the era of rapid fire transactions. However, certain terms and conditions may be placed on last mile providers' websites, or in their contract with shippers, to help obviate or limit any such liability, by contract. **Watching the Horizon**

We are confident that service providers, consumers, and the courts will quickly adjust to new "point and click" realities. The challenge is, and has always been, adapting archaic laws and industry norms to new economic interests and systems. We will continue to keep you apprised of these developments to help avoid getting tripped up!

WEST Coast Drayage Update - July 2018

PNW Gateway Seattle/Tacoma

1. Gateway Productivity Improvements
 - RFID Tag – N & S Harbors Turn Time Monitoring Q4
2. Peel Off Piles = Improved Terminal Turn Times
 - Larger Volume Importers Piles of 20 & 50
3. Infrastructure Development & Port Improvements
 - New Post Panamax Cranes - HUSKY - Big Ship Ready

Ports of Los Angeles & Long Beach

1. New Pier Pass Program - Pier Pass 2.0 (set to start Q 4 2018)
 - Balanced Port Fee Day Shift & Night Shift
2. Appointment Systems Overall Reduce Turn Times
 - All terminals appointments except PCT & Pier A
3. Automated Terminals PIER E & TRAPAC (appointment terminals)
 - Turn times under 1 hour VERY GOOD

Tidbits.....

Corny Joke Corner

1. Why was the baby strawberry crying?
2. Why did the golfer wear two pairs of pants?
3. How does a squid go into battle?

Answers in Calendar

Leadership is solving problems. The day soldiers stop bringing you their problems is the day you have stopped leading them. They have either lost confidence that you can help or concluded you do not care. Either case is a failure of leadership.

Colin Powell

Read more at:

https://www.brainyquote.com/quotes/colin_powell_138124

CALENDAR

Answer to Joke 1: Its mom was in a jam....

September 3: [Labor Day](#)

October 1-7 : [National Golden Week-China](#)

Answer to Joke 2: In case he got a hole in 1.

October 4 : Freight Check meeting/mixer by Serving Logistics

Answer to Joke 3: Well armed

November 22: [Thanksgiving day](#)