



**BULLIVANT  
HOUSER**



## **MARILYN RAIA**

Shareholder

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Marilyn is a sought-after authority on admiralty and transportation law with more than four decades of experience serving transportation, maritime, and insurance company clients. She also litigates commercial matters and serves as defense counsel in land-based casualty/personal injury litigation.

Marilyn began her career at the pre-eminent maritime law firm Derby Cook Quinby & Tweedt and joined Bullivant when it merged with Derby Cook in 2000. She has a long history of counseling and representing cargo and vessel owners, freight forwarders, non-vessel operating common carriers, warehousemen, and transportation brokers. They trust her perspective to draft and review their contracts, including transportation agreements, service and distribution agreements, financial agreements, and bills of lading.

When problems arise, clients turn to her for recommendations on how to resolve them quickly. They rely on her prompt, sound, practical advice to navigate them through every step of a situation. She's skilled at getting to the heart of an issue and figuring out what needs to be done in her client's best interest.

### **MARITIME AND TRANSPORTATION ISSUES**

- Ocean and inland cargo loss, damage, and delay
- Collision and allision
- Tug and tow
- Seaman's, longshore and passenger personal injury
- Maritime liens
- Chartering
- Marina operator's liability
- Salvage and general average
- Transportation-related agreements

### **MARINE INSURANCE MATTERS**

Insurers seek her advice on coverage issues arising under marine, inland marine, and property policies and retain her to represent their interests in coverage litigation.

- Cargo, hull, protection, and indemnity (P&I)
- Marina operator's liability
- Marine general liability
- Charterer's legal liability

- Inland marine
- Property insurance matters and
- Coverage litigation, including extra-contractual claims

**LAND-BASED LITIGATION**

In addition to her transportation and insurance practice, Marilyn defends clients and insureds in a wide variety of land-based civil matters. In addition, she handles transportation-related collection matters and represents clients in pursuing recovery for property loss/damage including fire cases.

Marilyn handles federal and state court bench and jury trials, arbitrations, and mediations. She has extensive experience in motion practice and has handled appeals including briefing and oral argument in both the California Court of Appeal and U.S. Ninth Circuit Court of Appeals. She has been appointed as an arbitrator and early neutral evaluator in admiralty and insurance cases by the United States District Court for the Northern District of California. Marilyn has appeared on Bay Area radio and television as a maritime law expert and has provided an expert opinion in cargo and marine insurance matters.

**PRACTICE AREAS**

Admiralty & Maritime  
Commercial Litigation  
Personal & Catastrophic Injury Litigation  
Transportation

**EDUCATION**

- University of California, Hastings College of the Law – J.D., 1976
- University of California, Riverside – B.A., Linguistics, *summa cum laude*, 1973, Phi Beta Kappa

**BAR ADMISSIONS**

- California, 1976

**COURT ADMISSIONS**

- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California

**PROFESSIONAL AND CIVIC INVOLVEMENT**

- Association of Marine Underwriters of San Francisco (Member)
- University of San Francisco School of Law (Adjunct Professor, Carriage of Goods/Carriage of Passengers by Sea, 2004)

**AWARDS AND HONORS**

- AV® Preeminent™, Peer Review Rated by Martindale-Hubbell
- Selected for inclusion in Northern California Super Lawyers (2008-2022 – Transportation/Maritime)
- Selected for inclusion in The Best Lawyers in America® (2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007 – Admiralty & Maritime Law)

**PUBLICATIONS AND PRESENTATIONS**

- Author, “The Dangerous Dance Floor,” Pacific Maritime Magazine (July 2021)
- Author, “To Be Paid In Full – Promptly,” Pacific Maritime Magazine (May 2021)
- Author, “Cruelty at Sea,” Pacific Maritime Magazine (July 2020)

**PUBLICATIONS AND  
PRESENTATIONS**  
(CONTINUED)

- Author, "Depositions De-Mystified," Pacific Maritime Magazine (June 2020)
- Author, "Ocean Carriers Are Not Always Liable," Pacific Maritime Magazine (May 2020)
- Author, "Who Is and Who Is Not an Expert Witness?," Pacific Maritime Magazine (March 2020)
- Author, "Don't Be Late," Pacific Maritime Magazine (January 2020)
- Author, "The Jones Act Applies to Cargo?," Pacific Maritime Magazine (December 2019)
- Author, "If the Shoe Fits...," Pacific Maritime Magazine (September 2019)
- Author, "One Way to Lose a Maritime Lien," Pacific Maritime Magazine (July 2019)
- Author, "Pay What Is Due: Update," Pacific Maritime Magazine (June 2019)
- Author, "Always Know Where You Are," Pacific Maritime Magazine (March 2019)
- Author, "Gangways and Alcohol - Not A Good Mix," Pacific Maritime Magazine (May 2019)
- Author, "Maritime Law: Pay What is Due, or Else," Pacific Maritime Magazine (April 2019)
- Author, "Common Sense Left Ashore," Pacific Maritime Magazine (January 2019)
- Author, "Need Help With That?," Pacific Maritime Magazine (November 2018)
- Author, "Libel and Slander at Sea," Pacific Maritime Magazine (October 2018)
- Author, "Of Ladders and Longshoremen," Pacific Maritime Magazine (July 2018)
- Author, "When Vessels Break From Their Moorings," Pacific Maritime Magazine (June 2018)
- Author, "When Crewmembers Duke It Out," Pacific Maritime Magazine (March 2018)
- Co-presenter, "Maritime Cases Roundup - The Last Two Years in Review," Board of Marine Underwriters of San Francisco Biennial Seminar (2018)
- Author, "Don't Do That," Pacific Maritime Magazine (December 2017)
- Author, "A Mutual Fault Collision - Who Pays What?," Pacific Maritime Magazine (September 2017)
- Author, "Rough Seas," Pacific Maritime Magazine (July 2017)
- Author, "In the Beginning," Pacific Maritime Magazine (Jun 2017)
- Author, "Golden Oldies," Pacific Maritime Magazine (March 2017)
- Author, "Captain's Orders," Pacific Maritime Magazine (January 2017)
- Speaker, "Warranties in Marine Insurance Policies Explained," American Bar Association (ABA) Western Regional Conference (2017)
- Author, "Pay Attention!," Pacific Maritime Magazine (November 2016)
- Author, "A Broken Promise," Pacific Maritime Magazine (September 2016)
- Author, "Silence is Not Golden," Pacific Maritime Magazine (July 2016)
- Author, "The Court Is Always Open - Sometimes," Pacific Maritime Magazine (May 2016)
- Author, "Damages Not to be Overlooked," Pacific Maritime Magazine (March 2016)
- Author, "El Faro: Can the Vessel Owner Limit its Liability?," Pacific Maritime Magazine (January 2016)
- Speaker, "Warranties in Marine Insurance Policies," Board of Marine Underwriters of San Francisco Mini Seminar (2015)
- Speaker, "Do You Know What Your Lawyer Is Doing?" San Francisco Marine

**PUBLICATIONS AND  
PRESENTATIONS**  
(CONTINUED)

- Claims Association (2013)
- Co-Keynote Speaker, "How to Prepare Insurance Personnel for a Deposition," Celebration of National Association of Insurance Women Week Luncheon (2012)
- Co-Speaker, "Marine Employers Liability/Exposures & Insurance," Board of Marine Underwriters of San Francisco Marine Seminar (2012)
- Speaker, "Careers in Marine Insurance & Admiralty Law," California State University Maritime Academy (2010)
- Speaker, "Motor and Marine Cargo Theft," Claims Conference of Northern California (2010)
- Speaker, "Cargo Owners Legal Liability: General Cargo Casualties," San Francisco Board of Marine Underwriters Biennial Marine Seminar (2008)
- Speaker, "Recreational Boating," Claims Conference of Northern California (2007)
- Speaker, "Trucking Law," Property & Liability Resource Bureau (PLRB) West Coast Conference (2006)
- Speaker, "Tips on Communicating with Your Insured," San Francisco Marine Claims Association (2005)
- Speaker, "Motor Truck Cargo Claims," Claims Conference of Northern California (2004)
- Author, "Foreign Forum Selection Clause in Ocean Carrier's through Bill of Lading Not Enforced When Loss Occurs on Land," The International Journal of Shipping Law (1999)
- Speaker, Association of Marine Surveyors, Inc. Western Regions Marine Conference (1998)
- Author, "Common Ownership of Fleet Required for Seaman Status," The International Journal of Shipping Law (1997)
- Author, "NVOCC Has Lien on Cargo for Unpaid Freight," The International Journal of Shipping Law (1997)
- Author, "Freeze the Fruit, Lose the Suit," The International Journal of Shipping Law (1996)
- Speaker, San Francisco Transportation Law Institute (1995)
- Instructor, "The Legal Environment of Insurance," Insurance Educational Association (1994)