



## Transportation and Logistics

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Vorys understands the risks inherent in the transportation and logistics industry and we frequently work with for those involved to help them identify, manage and avoid those risks effectively. We routinely advise our clients on matters such as:

- Intermediary, shipper, carrier (all modes), warehouse and other transportation contracts
- Freight loss and liability
- Federal Motor Carrier Safety Administration (FMCSA), Food Safety Modernization Act (FSMA), and similar regulations
- Import and export of goods, customs, tariffs and clearance of merchandise
- Privacy and data security
- Negligent hiring, vicarious liability and advertising practices
- Warehousemen liability and related issues
- Non-competition and non-solicitation agreements, development, enforcement and defense
- Independent contractor, bona fide agents and misclassification
- Employment policies and practices
- Insurance coverage and subrogation
- Environmental regulations
- Intellectual property, including development of software licensing agreements
- Real estate, including economic development incentive agreements
- Corporate structure and governance issues

Additionally, our multidisciplinary group of transactional, regulatory and litigation attorneys regularly assist clients with drafting, negotiating and revising their contracts, identifying and mitigating or avoiding risk, negotiating and resolving disputes.

## Who We Represent

Our lawyers represent 3PLs, freight forwarders, retail companies, manufacturers, truck, rail, overnight package, air cargo and passenger carriers, warehousemen and insurers who face a wide spectrum of legal issues.

## Litigation and Dispute Resolution

When it comes to litigation, our practice in the transportation and logistics industry is broad, ranging from recovery of damages for cargo loss, breach of contract, misappropriation of trade secrets and fraud; to enforcement and defense of non-compete and non-solicitation agreements; to defense of personal injury, breach of contract, negligence and employment claims. We tailor our services to fit the individual needs of our transportation and logistics clients.

Our experience includes counseling and representing clients in a variety of matters, such as:

- Defense of labor and employment disputes
- State and federal wage and hour issues
- Defense of personal injury claims
- Federal, state and local regulatory compliance
- Highway and transit funding compliance
- Environmental compliance and facilities expansion
- Tax issues
- Defense of governmental agency enforcement actions
- Protection of intellectual property and enforcement of intellectual property rights
- Defense against Jones Act claims

## Experience

We have vast experience and an acute understanding of the transportation and logistics industry. Our experience in this industry includes:

- Drafting, negotiating and revising shipper-broker, shipper-carrier, broker-carrier, freight forwarding, warehouse and other transportation-related agreements for large, medium and small intermediaries, freight forwarders, major retail and manufacturing clients locally, regionally and nationally.
- Representing brokers and shippers regarding a wide-variety of cargo claims involving a wide variety of goods.
- Counseling brokers regarding cybersecurity and mitigation of risk operationally and contractually.
- Counseling clients on Ohio intrastate regulatory compliance with respect to for hire and private motor carriers with the PUCO and obtaining for hire certificates from the Federal Motor Carrier Safety Administration.

- Representing brokers and major carriers in personal injury matters, insurance coverage matters, commercial litigation, employment, workers' compensation and trade secret matters.
- Advising companies with shipping operations regarding restructuring their organization to place all trucking/shipping operations into a separate subsidiary for limitation of liability purposes.

### News

[News, 12.22.2022](#)

Ziance Interviewed for a *Columbus Business First* Story Titled, "Ohio's transformational mixed-use tax credit: Lessons learned from the second round of awards"

[News, 8.18.2022](#)

115 Vorys Attorneys Named to the 29th Edition of The Best Lawyers in America® List; 33 Vorys Attorneys Named to Best Lawyers: Ones to Watch in America List

[6.29.2022](#)

59 Vorys Attorneys Included in 2022 *Columbus CEO's Best Lawyers*

[News, 1.12.2022](#)

Special Episode of the Vorys IP Podcast Focuses on Key IP Cases from 2021 & What to Look Out for in 2022

[News, 1.4.2022](#)

More Than 40 Vorys Attorneys Included on Ohio Super Lawyers and Rising Stars Lists

[News, 1.3.2022](#)

Vorys Elevates 13 to Partner

[News, 1.2.2019](#)

Vorys Elevates Five to Partner

[News, 11.2008](#)

Cary quoted in Employment Law360 article "Obama Victory Heralds Revamp of Employment Law"

[News, Business First, 9.19.2008](#)

Cary quoted in *Business First* article "Sick-time debate chills in Ohio as battle shifts to Washington"

[News, Business First, 9.3.2008](#)

Ehler quoted in *Business First* article "Pro-grocer decision on CAT case headed for appeal"

### Publications

[1.13.2023](#)

FTC Proposes Rule to Ban Non-Compete Agreements

[Client alert, 10.21.2020](#)

*Client Alert:* FMCSA Extends Public Comment Deadline Regarding Brokers' Disclosure of Rates to Carriers

Client alert, 4.9.2020

FMCSA Extends and Expands COVID-19 Emergency Declaration

Client alert, 4.8.2020

3PLS, CARRIERS, AND SHIPPER'S JOIN TOGETHER CARES Act Forgivable Paycheck Protection Program Loans, EIDL Grants and More

Client alert, 3.30.2020

Ohio Governor Mike DeWine Signs COVID-19 Related Legislation

Client alert, 3.27.2020

3PL Employment Issues to Consider in the Wake of COVID-19

Client alert, 3.27.2020

FMCSA Publishes Updated Drug and Alcohol Testing Guidance

Client alert, 3.25.2020

FMCSA's National Emergency Declaration: Issues to Consider

Client alert, 3.24.2020

3PLs and Motor Carriers Recognized as Essential Businesses, Adapt to Changing Regulations

Client alert, 3.23.2020

Overview of Ohio Department of Health "Director's Stay at Home Order"

Client alert, 3.22.2020

Ohio Department of Health Director Issues "Stay at Home Order"

Client alert, 3.21.2020

DHS Issues Advisory "Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response"

Client alert, 11.20.2018

*Client Alert:* Ohio Law Cements a Link for Blockchain Technology

Authored article, *3PL Perspectives*, 10.2018

The Rules of The Road: Avoiding Ambiguity in Documenting Your Load

Authored article, June 2018

Avoiding Traps in Termination and Common Separation Pitfalls

Client alert, 11.4.2016

*Client Alert:* Federal Banking Regulators and NHTSA Release Cybersecurity Guidance

Client alert, 4.7.2011

*Client Alert:* Public-Private Partnerships In Transportation Projects

## Client alert, 3.17.2011

*Client Alert:* Public Utilities Commission of Ohio Restores Truck Safety Exemptions Affecting Private Motor Carriers

## Client alert, 2.25.2011

*Client Alert:* Public Utilities Commission of Ohio Changes Truck Safety Regulations Affecting Private Motor Carriers

## Client alert, 10.20.2010

*Client Alert:* Final Rule Requiring Aircraft Re-Registration Becomes Effective

## Authored article, *Mealey's Personal Injury Report*, 11.10.2008

"How 'Green' Is Your Chemistry: California's Green Chemistry Legislation And Its Impact"

## Authored article, 9.10.2008

"The EFCA's Destruction of Workplace Democracy"

## Speaking Engagements

6.26.2019

COAACC Classroom

5.21.2019

Transportation Seminar: Marsh & McLennan Agency

4.12.2019

TIA 2019 Capital Ideas Conference & Exhibition

4.11.2019

TIA 2019 Capital Ideas Conference & Exhibition

1.17.2019

BP Legal CLE Training Camp

10.3.2018

Ohio Transportation Engineering Conference

9.13.2018

3PL Briefing and Reception

8.15.2018

Negotiating Customer Contracts: Assessing Your Risk Tolerance

11.2.2017

2017 Akron Labor and Employment Seminar

8.27.2014

White House Roundtable

2.5.2010

Preparing for the 2010 Proxy and Annual Report Season

Presented by Vorys, Sater, Seymour and Pease LLP