



OF COUNSEL
THOMAS S. BERKLEY

Phone / Fax: (757) 502-7344

Mobile: (757) 572-2657

tberkley@pendercoward.com

EDUCATION

William & Mary Law School, 1996

University of Virginia, 1991

ADMISSIONS

Supreme Court of Virginia, 1996

United States District Court for the Eastern District of Virginia, 1996

United States Fourth Circuit Court of Appeals, 1997

United States District Court for the Western District of Virginia, 2004

OVERVIEW

Tom Berkley focuses his practice on federal and state litigation, maritime and admiralty, transportation, and federal and state workers' compensation law.

For more than 20 years, Tom has represented a variety of maritime and waterfront focused businesses and individuals including public and private marine terminals, ship lines, stevedores, shippers, salvors, shipyards, intermodal and cargo interests, commercial fishing vessels and associations, tug and barge companies, construction and manufacturing companies, municipalities, recreational boaters, and several insurance companies and P&I Clubs.

In addition to his diverse maritime experience, Tom represents clients in employment, environmental, and riparian rights litigation.

Tom currently serves on the board of Colonna Shipyard, Inc., is the past president of the Hampton Roads Global Commerce Council, is the chair of the Virginia Maritime Association's maritime briefings committee, and is a member of the Offshore Wind Committee of the Virginia Maritime Association.

During his undergraduate years, Tom served as a deckhand on tugboats working up and down the Chesapeake Bay and the Atlantic Coast, lived and studied in London and operated a campus-wide vending machine business.

VIRGINIA BEACH

222 Central Park Ave. Suite 400
Virginia Beach, VA 23462

CHESAPEAKE

709 Greenbrier Parkway
Chesapeake, VA 23320

SUFFOLK

117 Market Street
Suffolk, VA 23434

After graduating from the University of Virginia, he completed the McIntire Business Institute program offered by his alma mater. During law school, Tom clerked for the Honorable Lydia C. Taylor of the Norfolk Circuit Court and interned for the United States Environmental Protection Agency in Washington, D.C.

REPRESENTATIVE CASES & TRANSACTIONS

- Successfully represented international ship lines in demurrage and detention litigation involving the Ocean Shipping Reform Act and the Uniform Intermodal Interchange Agreement.
- Successfully represented marine salvage company in vessel arrest litigation.
- Successfully represented private custom boat yard in multi-million dollar marine insurance and collision litigation in Caribbean.
- Successfully represented private marine railway in historic presidential yacht preservation litigation.
- Successfully represented private shipyard in multi-million dollar 905(b) wrongful death litigation.
- Successfully represented public marine terminal in several multi-million dollar personal injury liability actions involving the cross roads of state common law and federal and state worker's compensation jurisdictions.
- Successfully represented public marine terminal in multi-million dollar railway operation claim.
- Successfully represented public marine terminal in cargo litigation involving COGSA and Carmack Amendment.
- Successfully represented international marine construction company in multiple Jones Act, Longshore, and Virginia Workers' Compensation claims over a six-year bridge construction project.
- Successfully represented marine terminal drayage company in several multi-million dollar personal injury actions.
- Successfully represented commercial fishing association in several actions involving the Magnuson-Stevens Fishery Conservation and Management Act.
- Successfully represented commercial fisherman in retainage of exclusive fishing permit.
- Successfully represented marine engineering and transportation company in multiple marine towing and maritime contract negotiations involving public and private marine terminals and marine terminal operators along the East Coast and throughout the Caribbean.
- Successfully represented marine dredging company for maintenance and cure and Jones Act matters.

VIRGINIA BEACH

222 Central Park Ave. Suite 400
Virginia Beach, VA 23462

CHESAPEAKE

709 Greenbrier Parkway
Chesapeake, VA 23320

SUFFOLK

117 Market Street
Suffolk, VA 23434

- Successfully represented marine towing company in contract negotiation matters.
- Successfully defended developer in federal court wetlands litigation delaying flood prevention improvements to municipal and private subdivision project affecting hundreds of private homes.
- Successfully defended a property owner in a tenant's multi-million dollar lead paint exposure case.
- Successfully defended a national property manager in a tenant's multi-million dollar mold exposure claim.

MEMBERSHIPS

- Colonna Shipyard, Board of Directors
- Maritime Law Association of the United States
- South Eastern Admiralty Law Institute
- Virginia Maritime Association, Chair of Maritime Briefings Committee
- Hampton Roads Global Commerce Council, Board of Directors and Past President
- Norfolk Propeller Club, Board of Directors
- Tidewater Motor Truck Association
- Virginia Bar Association
- Norfolk-Portsmouth Bar Association

HONORS & AWARDS

- AV® Preeminent™ Rated, Martindale-Hubbell® Peer Review Ratings™
- Best Lawyers In America, Admiralty and Maritime, 2012-2025
- Coastal Virginia's Top Lawyers, Aviation, Admiralty, Maritime, & Transportation, 2016-2024
- Inside Business Top 40 Under 40, 2008
- Walter E. Hoffman Community Service Award, 2008
- Leadership Hampton Roads, 2004

VIRGINIA BEACH

222 Central Park Ave. Suite 400
Virginia Beach , VA 23462

CHESAPEAKE

709 Greenbrier Parkway
Chesapeake , VA 23320

SUFFOLK

117 Market Street
Suffolk , VA 23434

COMMUNITY INVOLVEMENT

- Elizabeth River Project, Board of Directors
- Hampton Roads Global Commerce Council, Board of Directors
- Indoor Youth Soccer Team, Coach
- The Virginia Zoo, Past Board Member
- Norfolk Strikers Youth Soccer Club, Former Team Manager
- VB City FC - Youth Club Soccer, Former Team Manager

VIRGINIA BEACH

222 Central Park Ave. Suite 400
Virginia Beach , VA 23462

CHESAPEAKE

709 Greenbrier Parkway
Chesapeake , VA 23320

SUFFOLK

117 Market Street
Suffolk , VA 23434