



## REQUEST FOR BIOGRAPHICAL INFORMATION

### Opportunity for arbitrators to be selected for the Canadian Transportation Agency rosters

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## Contact Information

Please note that completion of this form is lengthy. You may be required to save and return to complete. If you have any questions or need help please contact Martina Faith at [Martina.Faith@otc-cta.gc.ca](mailto:Martina.Faith@otc-cta.gc.ca)

Date of this version	October 11, 2018
First name	Andrew
Last name	Diamond
Middle initial	Michael
Honorifics	
Professional title	Mediator, Arbitrator, and Adjudicator
Firm name	ADR Chambers Inc.
Address line 1	180 Duncan Mill Road
Address line 2	4 <sup>th</sup> Floor
City	Toronto
Province	Ontario
Postal code	M3B 1Z6
Secondary address (please indicate street, city, province and postal code)	
Telephone (office)	(416) 362-8555
Telephone (mobile)	
Telephone (other)	
Fax	(416) 362-8825
E-mail	<a href="mailto:amdiamond@adr.ca">amdiamond@adr.ca</a>
Web site URL	<a href="https://adrchambers.com/">https://adrchambers.com/</a>
LinkedIn URL	<a href="https://www.linkedin.com/in/andrew-diamond-34058026/">https://www.linkedin.com/in/andrew-diamond-34058026/</a>
Facebook	
Other social media links	
Region of residence	Ontario



<p>Willingness to travel within and to other provinces? Please specify provinces.</p>	<input checked="" type="checkbox"/> All provinces <input type="checkbox"/> British Columbia <input type="checkbox"/> Alberta <input type="checkbox"/> Saskatchewan <input type="checkbox"/> Manitoba <input type="checkbox"/> Ontario <input type="checkbox"/> Quebec <input type="checkbox"/> New Brunswick <input type="checkbox"/> Nova Scotia <input type="checkbox"/> Newfoundland and Labrador <input type="checkbox"/> Prince Edward Island <input type="checkbox"/> Yukon <input type="checkbox"/> Northwest Territories <input type="checkbox"/> Nunavut
<p>Languages spoken</p>	<input checked="" type="checkbox"/> English <input type="checkbox"/> French

### Education

Please list degree(s), institution(s) attended and year degree(s) conferred below.

Degree	Institution attended	Year degree conferred
M.B.A. with Distinction	Schulich School of Business	2003
LL.B.	Osgood Hall Law School	1989
Bachelor of Arts	McGill University	1985

Please list courses or degrees in **Economics**, if any.

Courses	Institution attended	Year
2002 The Economic Environment of Business	Schulich School of Business	2002
Economic Analysis and Application 1	McGill University	1982
Economic Analysis and Application 2	McGill University	1983



Please list courses or degrees in **Finance and Accounting**, if any.

<b>Courses</b>	<b>Institution attended</b>	<b>Year</b>
MBA Finance and Accounting	Schulich School of Business	2003
Financial Accounting for Managers	Schulich School of Business	2002
Management Accounting	Schulich School of Business	2002
Contemporary Issues in Accounting	Schulich School of Business	2002
Quantitative Methods	Schulich School of Business	2002
Managerial Finance	Schulich School of Business	2002
Financial Management	Schulich School of Business	2003

Please list courses relating to **logistics, transportation or transportation law**, if any.

<b>Courses</b>	<b>Institution attended</b>	<b>Year</b>
Internship with the Aviation and Admiralty Division of the United States Department of Justice	American University of Washington DC.	1985

### **Arbitration Designation**

Please list below the designation(s), certification(s) or accreditation(s) in arbitration received from any recognized institution(s) and the year(s) conferred.

<b>Designation</b>	<b>Organization</b>	<b>Year conferred</b>
Certificate in Mediation	Harvard Law School	2009
Member	Canadian Arbitration Association	2012

### **Arbitration Training**

Please list below the **arbitration training** or course(s), if any, along with the institution providing the training and the year that you received this training.



Course	Institutions	Year
Effective Decision Writing for Administrative Adjudicators	The Society of Ontario Adjudicators and Regulators	2006
Annual In-house training	Ontario Human Rights Tribunal of Ontario	2008-2018
In-house Training	License Appeal Tribunal of Ontario	2005-2015
In-house Training	Superior Court of Justice	2006-2012
In house training	Financial Services Commission of Ontario	2012-2017

### Commercial Litigation Experience

Please specify approximate number of commercial cases in which you have acted as counsel.

100 cases

Please list range of years over which these cases occurred.

1991-2000

Please list law firms with which you were associated, according to years.

Firm name	Duration
Blake Cassels & Graydon	1991-1996
Osler Hoskin & Harcourt LLP	1996-2000

Did you typically represent plaintiff, respondent or both? Please provide your answer as a percentage.	Response
Plaintiff	50%
Respondent	50%

Please list by subject area, the three most complex commercial cases with which you have been involved as counsel in arbitrations or litigation, the kind of evidence presented, what experts were involved, quantum in issue and duration of case.



Area of commercial litigation (e.g. patent infringement)	Kind of evidence presented	What type of experts were involved	Quantum (value of claim)	Duration (time in court)
Breach of Trust	Foreign Law	Experts of Foreign law	600,000,000.00	1 month
Oppression	Various	Damages	Millions of Dollars	1 week
Conspiracy- price fixing	Various	Subject matter experts	Millions of Dollars	2 weeks

### Experience as an Arbitrator, Adjudicator or Judge

Please specify approximate number of cases in which you have acted as an arbitrator, judge or tribunal adjudicator. Please note that there are cells, in the table below, in which you are asked to provide the court level and tribunal.

	Arbitrator	Judge	Tribunal Adjudicator
Number of cases	50	5000 + cases	50
Over what period of years	2007-2018	2006-2012	2005-2018
Number of commercial cases	All	All	20
Over what period of years	2007-2018	2006-2012	2005-2018
Level of court		Ontario Superior Court of Justice	
Please specify tribunal			License Appeal Tribunal of Ontario  Human Rights Tribunal of Ontario  Financial Services Commission of Ontario



Please list by subject area the three most complex commercial cases in which you acted as arbitrator, judge or adjudicator, the kind of evidence presented, experts involved, quantum in issue and duration of hearing.

<b>Please specify your role</b>	<b>Area of commercial litigation</b>	<b>Evidence presented</b>	<b>Experts included</b>	<b>Quantum (value of claim)</b>	<b>Duration (time in court)</b>
Arbitrator-Claims Officer	Insolvency - Lease	Damages, Present Value Calculations, and Foreign Law	Damages and Foreign Law	49 Million USD	3 weeks
Arbitrator-Claims Officer	Insolvency	Economic, commercial and Actuarial	Actuarial Experts, US Law Experts	100 Million	2 weeks
Registrar in Bankruptcy	Secured lending, Insolvency	Valuation	Valuators	250,000	1 day

### Work Samples

Please provide a written award (redacted) or decision that you have written. Files should be attached to this submission. Only .pdf or .doc files are accepted.

### Transportation Specific Legislation

FOR RAIL SPECIALIZATION – LEGISLATION, REGULATIONS, AND PROCEDURES

<b>Please rate your current familiarity with the following using "Very familiar", "Fair" or "Not familiar".</b>	<b>Response</b>
<i>Railway Costing Regulations – SOR/80-310</i>	Not familiar
<i>Railway Third Party Liability Insurance Coverage Regulations – SOR/96-337</i>	Not familiar
<i>Railway Traffic Liability Regulations – SOR/91-488</i>	Not familiar
<i>Carriers and Transportation and Grain Handling Undertakings Information Regulations – SOR/96-334</i>	Not familiar
<i>Railway Interswitching Regulations – SOR/88-41</i>	Not familiar

Please provide details explaining how you became familiar with this material.



**FOR MARINE SPECIALIZATION – LEGISLATION, REGULATIONS, AND PROCEDURES**

Please rate your current familiarity with the following using "Very familiar", "Fair" or "Not familiar":	Response
<i>Canada Marine Act</i> – S.C. 1998, c. 10	Fair
<i>Coasting Trade Act</i> – S.C. 1992, c. 31	Not familiar
<i>Pilotage Act</i> – R.S.C. 1985, c. P-14	Fair
<i>Shipping Conferences Exemption Act, 1987</i> – R.S.C., 1985, c. 17 (3rd Supp.)	Not familiar

Please provide details explaining how you became familiar with this material.

General interest in the area of Maritime Law, including extensive offshore yachting experience.

**FOR AIR SPECIALIZATION – LEGISLATION, REGULATIONS, AND PROCEDURES**

Please rate your current familiarity with the following using "Very familiar", "Fair" or "Not familiar":	Response
<i>Air Transportation Regulations</i> – SOR/88-58	Fair

Please provide details explaining how you became familiar with this material.

General interest in Aviation Law.

**Familiarity with Transportation and Transportation Law**

Please describe your background involvement in the transportation industry or transportation law, if any.

n/a

**Disclosure**

If you have ever worked for, been associated with, or have a current or past interest in a transportation carrier or shipper in rail, marine or air, please provide details below:

Once acted as counsel for Canadian Pacific Airlines.

**Conflict**

If you OR YOUR FIRM currently represent, or have in the past represented, a carrier please advise.

n/a





If you OR YOUR FIRM currently represent, or have ever represented, a company in a matter relating to shipment of goods, please advise.

n/a

**Fees**

Please provide daily and hourly rates	Response
Daily	\$5,000.00
Hourly	\$650.00

**Availability**

How many months in advance are you booked for?

1 to 2 months depending on how many days are required

**Signed Agreement**

PLEASE NOTE THAT YOUR APPLICATION IS NOT COMPLETE WITHOUT PROOF OF INSURANCE AND THE SIGNED AGREEMENT THAT YOU WILL FIND BELOW.

The information I have provided describes accurately my qualifications and experience.

I understand that:

- Roster members will be selected based on the criteria set out in this request for biographical information.
- The biographical information provided by me in this request for biographical information will appear online ON the Agency's Web site.
- Rosters and roster members may be reviewed every two years.
- Being accepted as a roster member does not guarantee that I will receive work under the *Canada Transportation Act*.
- The Canada Transportation Agency is in no way responsible for any fees, expenses or outstanding payments, all of which shall be billed by the arbitrator to the parties to any proceeding under the *Canada Transportation Act*.

If my request is accepted, I will comply with all the conditions of the program, including but not limited to the following:

- Compliance with the Canadian Transportation Agency's Code of Values and Ethics.
- Maintenance of insurance at the required level.



<b>Please provide proof of insurance</b>	<b>Response</b>
Policy number #	#10419605
Issuer	Travelers Insurance Company of Canada

<b>Signed on</b>	
<b>in the province of</b>	
<b>Signature (Please sign the form digitally by typing your first and last name.)</b>	* Signed on original copy

### Application Checklist

Please do not include a resume. If you have any questions or need help, please contact Martina Faith at [Martina.Faith@otc-cta.gc.ca](mailto:Martina.Faith@otc-cta.gc.ca).

If you wish to be considered for the roster, please ensure that you completed the following:

### Checklist

- Filled out the Application Form
- Provided your work sample
- Provided your digital signature above
- Faxed us (819-953-6613) or attached as a PDF, the proof of insurance