



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

Date of this version	October 11, 2018
First name	J. Brian
Last name	Casey
Middle initial	
Honorifics	
Professional title	
Firm name	Bay Street Chambers
Address line 1	333 Bay Street
Address line 2	Suite 900
City	Toronto
Province	Ontario
Postal code	M5H 2R2
Secondary address (please indicate street, city, province and postal code)	
Telephone (office)	416 861 8253
Telephone (mobile)	416 230 2379
Telephone (other)	-
Fax	-
E-mail	jbcasey@baystreetchambers.com
Web site URL	www.baystreetchambers.com ; www.caseyarbitration.com
LinkedIn URL	-
Facebook	-
Other social media links	-
Region of residence	Ontario



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Willingness to travel within and to other provinces? Please specify provinces.	<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
Languages spoken	<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
Bachelor of Engineering	Carleton University	1971
Bachelor of Law	University of Ottawa	1974
LL.M.	Osgoode Hall, York University	1992

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

Courses	Institution attended	Year

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

Courses	Institution attended	Year



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

Courses	Institution attended	Year

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.

Designation	Organization	Year conferred
Fellow	Chartered Institute of Arbitrators	1996

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
I teach arbitration at the U. of T., the ICDR and the Toronto Commercial Arbitration Society		

Commercial Litigation Experience

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

400-600

Please list range of years over which these cases occurred.

1974-2018

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

Firm name	Duration
Gardiner Roberts	20 years



Baker McKenzie	20 years
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Did you typically represent plaintiff, respondent or both? Please provide your answer as a percentage.	Response
Plaintiff	40
Respondent	60

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)
Satellite Insurance	Technical aspects of satellite power systems and orbit	Electrical engineers, scientists	100 million	2 weeks
Drug Patent dispute	Technical aspects of drug composition	Chemists	20 million	1 week
Construction	Technical aspects of machine installation and suitability in a paper mill	Mechanical Engineers	50 million	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	50-70		
Over what period of years	15-20		
Number of commercial cases	50-70		



Over what period of years	15-20		
Level of court			
Please specify tribunal	Ad hoc, LCIA, ICC,ICDR, ICSID		

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.

Please specify your role	Area of commercial litigation	Evidence presented	Experts included	Quantum (value of claim)	Duration (time in court)
Chair of Tribunal	Power delivery contract	Cause of generator failure	Electrical engineers	50 million	2 weeks
Chair of Tribunal	Energy contract	Crude hydrocarbon delivery dispute	Engineers	25 million	1 week
Chair of Tribunal	Shareholder dispute regarding a refinery	Damages for breach of contract	Accountants and damages experts	100 million	2 weeks

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.

Two are attached. One lengthy one I wrote as Chair and one simple one as a sole arbitrator

Transportation Specific Legislation

FOR RAIL SPECIALIZATION – LEGISLATION, REGULATIONS, AND PROCEDURES

Please rate your current familiarity with the following using "Very familiar", "Fair" or "Not familiar".	Response
<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>	



<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 – S.C. 1998, c. 10</i>	Not familiar
<i>Coasting Trade Act – S.C. 1992, c. 31</i>	Not familiar
<i>Pilotage Act – R.S.C. 1985, c. P-14</i>	Not familiar
<i>Shipping Conferences Exemption Act, 1987 – R.S.C., 1985, c. 17 (3rd Supp.)</i>	Not familiar

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

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 – SOR/88-58</i>	Not familiar

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

Familiarity with Transportation and Transportation Law

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

I have been involved in arbitrations regarding the carriage of goods/damage to cargo disputes in both trucking and marine cases. I have chaired a tribunal regarding docking rights. I have been involved as counsel in numerous disputes involving letters of credit for international sale of goods and transport.

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:



No.

Conflict

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

No.

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

No.

Fees

Please provide daily and hourly rates	Response
Daily	\$5000.00
Hourly	\$750.00

Availability

How many months in advance are you booked for?

I have short and medium term availability and I have hearings scheduled through October 2019

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.

Please provide proof of insurance	Response
Policy number #	MCL1966PL-8 / MCL1966GL-8
Issuer	Lloyds

Signed on	
in the province of	
Signature (Please sign the form digitally by typing your first and last name.)	* 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.

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