



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	John
Last name	Rowley
Middle initial	W.F.
Honorifics	QC
Professional title	Queen's Counsel
Firm name	Independent Arbitration, Arbitration Place
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Address line 2	Suite 900
City	Toronto
Province	Ontario
Postal code	M5H 2R2
Secondary address (please indicate street, city, province and postal code)	
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E-mail	wrowley@20essexst.com
Web site URL	www.20essexst.com
LinkedIn URL	
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
LLB (Gold medal)	University of Ottawa	1968

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
Former Chairman	LCIA	Approx 1995
ICC (Canadian/UK Panels	ICC	Approx 1995
Panel Member	SIAC	Approx 200
Panel Member	HKIAC	Approx 2002
Various Other Panel Memberships, see CV		

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
Chartered Arbitrator	Chartered Institute of Arbitrators (UK)	Approx 2010

Commercial Litigation Experience

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

100

Please list range of years over which these cases occurred.

1968-2008



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

Firm name	Duration
McMillan LLP	1968-2008
20 Essex Street	2002-Present
Arbitration Place	2017-Present

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)
Airline merger	Economics, airlines	Economics, airlines	Billions	2 years
Provincial Mining License	Commercial agreement	Economic	Billions	Settled before hearing
RBC/BMO merger	Economic effects	Economics, financial	Billions	1 year

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	200+		
Over what period of years	1998-present		
Number of commercial cases	150		



Over what period of years	1998-present		
Level of court	3 member international arbitration tribunals		
Please specify tribunal	Ad hoc, ICC, LCIA, NAFTA, ICSID, SIAC, HHIAC, GCC and others		

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)
Chairman	Gas field Concersim, Iraq	-Economic -Fact -Gas field	-Economics -Gas	US \$ billion	3 years
Chairman	LNG supply	Gas field	-Gas -Economic	US 100M	2 years
Chairman	Memory chip	IP commercial	-Technical -Economic	US \$28 billion	Settles prior to hearing

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

Please rate your current familiarity with the following using "Very familiar", "Fair" or "Not familiar".	Response
<i>Railway Costing Regulations – SOR/80-310</i>	
<i>Railway Third Party Liability Insurance Coverage Regulations – SOR/96-337</i>	
<i>Railway Traffic Liability Regulations – SOR/91-488</i>	



<i>Carriers and Transportation and Grain Handling Undertakings Information Regulations – SOR/96-334</i>	Yes
<i>Railway Interswitching Regulations – SOR/88-41</i>	

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

Member of tribunal dealing with a dispute between Canadian and US railway companies regarding US carrier using Canadian tracks, etc.

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>	
<i>Coasting Trade Act – S.C. 1992, c. 31</i>	
<i>Pilotage Act – R.S.C. 1985, c. P-14</i>	
<i>Shipping Conferences Exemption Act, 1987 – R.S.C., 1985, c. 17 (3rd Supp.)</i>	Yes

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>	Yes

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

- Counsel to AC in dispute with AMR re: Gemini acquisition
- Counsel to AC in merger negotiation with PWA

Familiarity with Transportation and Transportation Law

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



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.

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	Up to US \$8,000
Hourly	Up to US \$1,000

Availability

How many months in advance are you booked for?

I have booking up to 2 years ahead but there is always space in my calendar for new matters

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 #	DR1701950
Issuer	Lloyd's Underwriters

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