



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	L. Yves
Last name	Fortier
Middle initial	
Honorifics	P.C., C.C., O.Q.QC
Professional title	Honourable (The Hon)
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Province	Québec
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E-mail	Yves.fortier@yfortier.ca
Web site URL	Yfortier.ca
LinkedIn URL	
Facebook	
Other social media links	
Region of residence	Quebec



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 checked="" type="checkbox"/> French

Education

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

Degree	Institution attended	Year degree conferred
B.A.	Universtié de Montréal	1955
B.C.L	McGill University	1958
B.Litt (OXON)	Oxford University	1960

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

Courses	Institution attended	Year
Anti-trust, Merger	Oxford University	1959

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

Courses	Institution attended	Year
Trustee of IASB	International Accounting Standards Board	2000-2009



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

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

Commercial Litigation Experience

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

+ 60

Please list range of years over which these cases occurred.

1961-2012 (except 1988-1992)

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

Firm name	Duration
Ogilvy Renault (now Norton Rose)	1961-2012 (except 1988-1992)
Cabinet Yves Fortier	2013-today



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

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)
Mining claim dispute	Boundary DCF	Geologists, Legal	\$1 Billion	4 weeks
Investor / State arb.	Political Quantum	Legal, Economists	\$22M	10 days
Copyright dispute	Media, music	Legal, Analysts	Greater than \$100M	4 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	+250	2	
Over what period of years	25	25	
Number of commercial cases	100	None	
Over what period of years	25	25	
Level of court	N/A		
Please specify tribunal	ICC, LCIA, ICSID	International Court of Justice	



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 3 person Tribunal	Tax	Factual and experts	Philippine law Economists	\$2B	2 weeks
Chair of 3 person Tribunal	Shareholder Dispute	Factual Intent	Quantum	Unspecified	4 days
Click or tap here to enter text.	Value of estate	Valuation of businesses	Food/Media Agronomist	+\$100M	5 days

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>	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.

See above



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	Not familiar
<i>Coasting Trade Act</i> – S.C. 1992, c. 31	Not familiar
<i>Pilotage Act</i> – R.S.C. 1985, c. P-14	Not familiar
<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.

See above

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	Not familiar

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

See above

Familiarity with Transportation and Transportation Law

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

I have sat as arbitrator in a few cases with Transportation elements involving the CN and logistics companies in the UK.

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:

None

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
Hourly	\$600

Availability

How many months in advance are you booked for?

2-6 months

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 #	
Issuer	

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