



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	David Phillip
Last name	Jones, Q.C.
Middle initial	
Honorifics	
Professional title	
Firm name	de Villars Jones
Address line 1	300 Noble Building
Address line 2	8540 – 109 Street NW
City	Edmonton
Province	Alberta
Postal code	T6G 1E6
Secondary address (please indicate street, city, province and postal code)	
Telephone (office)	780-433-9000
Telephone (mobile)	
Telephone (other)	
Fax	780-433-9780
E-mail	dpjones@sagecounsel.com
Web site URL	http://www.sagecounsel.com/
LinkedIn URL	
Facebook	
Other social media links	
Region of residence	Western Canada and North



<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
B.A. (Hons.)	McGill University	1970
B.A. (Hons.)(Jurisprudence)	Oxford University	1972
Bachelor of Civil Law	Oxford University	1973
M.A.	Oxford University	1976

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

Courses	Institution attended	Year
<p>My B.A. (Hons.) from McGill was in Economics and Political Science. As part of that degree, I took numerous courses in micro economics, economic theory, regulation of industry, and competition.</p>		



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

Courses	Institution attended	Year
Law Society of Alberta course in accounting.		

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

Courses	Institution attended	Year
I taught Government Control of Business for several years at the Faculty of Law at McGill University, which had a significant component related to the transportation industry, and was co-taught with a professor from the department of Economics.		

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
Queen's Counsel	Government of Alberta	1988
Chartered Arbitrator	Arbitrators' Institute of Canada (as it then was known as)	1989

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
Taught: Evidence in Arbitration	Alberta Arbitration and Mediation Society	Several years in the 1990s.

Commercial Litigation Experience

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

25

Please list range of years over which these cases occurred.

1974 to present



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

Firm name	Duration
Department of Justice—Canada, Ottawa	1973-74
Atkinson McMahon, Calgary	1974
McGill University Faculty of Law	1973-78
University of Alberta Faculty of Law	1978-1990
de Villars Jones	1988 to present

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)
Patent	Oral and documentary	Biologists	\$50 million	1 week
Banking and secured transactions	Documentary	None	\$180 million	1 week
Banking and secured transactions	Documentary	None	\$450 million	1 week

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	500+		30+
Over what period of years	28		25
Number of commercial cases	40		10
Over what period of years	28		25
Level of court	I do not understand this question		I do not understand this question
Please specify tribunal	I do not understand this question		I do not understand this question

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)
Arbitrator	Charges for Supply of Electric Power when mine shut down	Oral and documents	None	\$100 million+	1 week
Arbitrator	Electric rates	Oral and documents	Yes	\$200 million+	4 days
Arbitrator	Rates for terminal service	Documents	Yes	\$25 million	1 week

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>	Very familiar
<i>Railway Third Party Liability Insurance Coverage Regulations – SOR/96-337</i>	Very familiar
<i>Railway Traffic Liability Regulations – SOR/91-488</i>	Very familiar
<i>Carriers and Transportation and Grain Handling Undertakings Information Regulations – SOR/96-334</i>	Very familiar
<i>Railway Interswitching Regulations – SOR/88-41</i>	Very familiar

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

I have done a number of arbitrations involving rail transportation.

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

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

I have had a little bit of exposure to these over the years from some of my work.

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>	Fair

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

I have had a bit of exposure to these over the years from some of my work.



Familiarity with Transportation and Transportation Law

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

My knowledge of this area of the law comes mainly from my arbitration experience, some counsel experience over the years, and from teaching various related courses at the law faculties at McGill and the University of Alberta.

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:

Not applicable.

Conflict

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

Not applicable.

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

Not applicable.

Fees

Please provide daily and hourly rates	Response
Daily	5,000
Hourly	750

Availability

How many months in advance are you booked for?

12, but I purposely keep openings in my calendar for unexpected assignments.

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 #	N/A
Issuer	Law Society of Alberta (includes work as an arbitrator)

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