



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	McIntyre
Middle initial	J
Honorifics	
Professional title	
Firm name	MW Law Offices
Address line 1	1000 – 543 Granville St.
Address line 2	
City	Vancouver
Province	British Columbia
Postal code	V6C 1X8
Secondary address (please indicate street, city, province and postal code)	
Telephone (office)	604.605.4302
Telephone (mobile)	604.561.5431
Telephone (other)	
Fax	604.605.4301
E-mail	jjmcintyre.arbitrator@gmail.com ; jjmcintyre@telus.net
Web site URL	www.mwlawoffices.ca
LinkedIn URL	
Facebook	
Other social media links	
Region of residence	Western Canada and North



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.Sc. (High Honours Chemistry)	University of Saskatchewan	1977
LLB	University of Saskatchewan	1980

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	Chartered Institute of Arbitrators (CIArb)	2012
Arbitrator – Domestic, International and Application/ Appeal panels	British Columbia International Commercial Arbitration Centre (BCICAC)	2012
Arbitrator	International Commercial Court – Canada (ICC – Canada)	2012
Arbitrator	Vancouver Maritime Arbitrators Association (VMAA)	2002
Arbitrator	Sports Dispute Resolution Centre of Canada (SDRCC)	2017

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
ADR Symposium	ADR Institute of British Columbia	2018
ICMA XX (Copenhagen)	International Congress of Maritime Arbitrators	2017
SDRCC Mediator and Arbitrator Conference	SDRCC	2017
China Arbitration Summit	China International Economic and Trade Arbitration Commission	2016
ICC Canada's 2015 International Arbitration Conference	ICC - Canada	2015



Symposium	British Columbia Arbitration and Mediation Institute	2015
ICMA XIX (Hong Kong)	International Congress of Maritime Arbitrators	2015
ICC Canada's International Arbitration Conference	ICC - Canada	2012
ICMA XVIII (Vancouver)	International Congress of Maritime Arbitrators	2012
Accelerated Route to Fellowship	Chartered Institute of Arbitrators	2011

Commercial Litigation Experience

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

75 - 100

Please list range of years over which these cases occurred.

1984 - present

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

Firm name	Duration
MW Law Offices	2007 - current
McIntyre Winteringham	1997 - 2007
Alexander Holburn Beaudin & Lang	1984 - 1997

Did you typically represent plaintiff, respondent or both? Please provide your answer as a percentage.	Response
Plaintiff	33%
Respondent	67%

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)
Real estate development dispute	Contract, trust, quantum	Accountants	\$1.7 million	3 weeks
Ship Repair Dispute	Contract, negligent repair, quantum	Engineers	\$1.5 million	15 days
Product Liability	Contract, negligent design, quantum	Engineers, Accountants	\$1.5 million	8 days

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	18		15
Over what period of years	2002 - present		2005 - 2014
Number of commercial cases	18		
Over what period of years	2002 - present		
Level of court	na		
Please specify tribunal	VMAA, BCICAC AMAC, and <i>ad hoc</i> arbitration tribunals		CCES (Canadian Centre for Ethics in Sport) Administrative Review Designee; Swimming Canada – Appeal Panel Chair; Water Polo Canada – Discipline Panel Member



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)
Sole Arbitrator	Transportation - Vessel Construction Dispute	Contract, Accounting, Engineering	Accountants, Engineers	\$2.0 million	20 days
Sole Arbitrator	Transportation - Fire Damage during Ship Repair Dispute	Contract, Necessity and Scope of Repairs	Marine - Surveyors, Architects, Engineers; Engine experts	\$1.2 million	18 days
Chair Tribunal	Transportation - Charter Party, Storm Damage	Contract, Delays due to damage	Marine Surveyors	\$1.0 million	8 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>	Fair
<i>Railway Third Party Liability Insurance Coverage Regulations – SOR/96-337</i>	Fair
<i>Railway Traffic Liability Regulations – SOR/91-488</i>	Fair
<i>Carriers and Transportation and Grain Handling Undertakings Information Regulations – SOR/96-334</i>	Fair
<i>Railway Interswitching Regulations – SOR/88-41</i>	Fair

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



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

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

Arbitrator and formerly Counsel in maritime matters; member various maritime organizations

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.

Reading the legislation

Familiarity with Transportation and Transportation Law

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

I have acted as counsel in maritime, trucking, rail and air disputes since 1984 representing docks, stevedores, charterers, supercargoes, trucking and air transportation companies and their insurers. Since 2002, I have largely given up counsel work in these businesses in order that I can act as a Mediator and Arbitrator in transportation disputes.

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:

Oxbow Carbon and Minerals (1997 – 2001); Interior Helicopters Ltd. (2010 – 2015)

Conflict

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



Trucking: Wells Cartage Ltd.; Transx Ltd. Charterers: Oxbow Carbon & Minerals Ltd; Air: Interior Helicopters Ltd.

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

Fraser Surrey Docks Ltd.; Transx Ltd.; H.A.Davis Ltd.; International Fastline Forwarding Inc.; ABC Recycling Ltd.; Oxbow Carbon & Minerals Inc.;

Fees

Please provide daily and hourly rates	Response
Daily	\$4500
Hourly	\$450

Availability

How many months in advance are you booked for?

2 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 #	LPL 18-01-01
Issuer	LSBC Captive Insurance Inc.

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