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WORK EXPERIENCE

APTUS CONFLICT SOLUTIONS

December 2008 – Present

Mediator, Arbitrator, Workplace Investigator, Senior Trainer, Coach and Consultant

- President and cofounder
- Conducting mediations and arbitrations in employment, labour, insurance and commercial disputes
- Conducting workplace investigations
- Designing and conducting training in negotiation, mediation, workplace investigation and collaborative work skills
- Team coaching
- Abrasive Boss Coaching

ADR CHAMBERS AND THE STITT FELD HANDY GROUP

January 1998 – November 2008

Mediator, Arbitrator, Senior Trainer, Coach and Consultant

- Conducting mediations and arbitrations in employment, labour, insurance and commercial disputes
- Designing and conducting training in negotiation, mediation, arbitration (labour and commercial) and collaborative work skills in Canada, Europe, Africa, the United States, Australia and the Caribbean
- Team coaching
- Designing dispute resolution processes for various organisations

NELLIGAN, O'BRIEN, PAYNE LLP, BARRISTERS AND SOLICITORS

January 1986 - December 1997

Lawyer and Mediator

- Practice of law focussed primarily on litigation involving employment, labour, insurance, commercial, estate, regulatory and professional malpractice litigation
- Partner as of February 1, 1991
- Began conducting mediations in 1995 mainly in matters involving employment and insurance litigation

UNIVERSITY OF OTTAWA, FACULTY OF LAW

July 1983 – December 1985 - Full-time Professor in the Faculty of Law, Common Law Section

- Teaching Commercial Law, Evidence, Wills, Criminal Law and Advanced Criminal Law

January 1996 to May 2010 - Lecturer in the Faculty of Law, Common Law Section

- Labour Arbitration (1999 and 2004 to 2010)
- Interviewing and Communication Skills (2002 - 2003)
- Alternative Dispute Resolution – Negotiation, Mediation and Commercial Arbitration (1996 - 2006)

EDUCATION

MASTER OF LAWS

University of Toronto, Faculty of Law (1983 - 1985)

Degree conferred in 1985

JURIS DOCTOR

University of Ottawa, Faculty of Law, Common Law Section (1979-1982)

Degree conferred in 1982

- Magna Cum Laude
- Second ex aequo in class of 153 students
- Gold medal for highest grade point average in third year (combined French-language and English-language programs)

BACHELOR OF SOCIAL SCIENCES (POLITICAL SCIENCE)

University of Ottawa, Faculty of Social Sciences (1977-1979)

Degree conferred in 1979

- Degree completed in two years, rather than standard three years

PROFESSIONAL DESIGNATIONS

INTERNATIONAL MEDIATION INSTITUTE (IMI)

- 2009 – Became an IMI Certified Mediator

TEAM COACHING INTERNATIONAL

- 2008 - Authorised Facilitator for the Team Diagnostic

ADR INSTITUTE OF CANADA

- 2005 - Designated a Chartered Arbitrator (C.Arb.)
- 1999 - Designated a Chartered Mediator (C.Med.)

LAW SOCIETY OF UPPER CANADA

- 1985 – Called to the Bar of Ontario

PROFESSIONAL ACTIVITIES

**SINCE
1998**

ONTARIO MANDATORY MEDIATION PROGRAM

CHAIR OF THE LOCAL MEDIATION COMMITTEE FOR OTTAWA-CARLETON

- Appointed by the Attorney General of Ontario in accordance with the Rules of Civil Procedure
- Assessing applicant mediators for the Court-Connected Mandatory Mediation Roster
- Receiving and processing complaints against mediators under the Code of Conduct
- Making recommendations to the Attorney General of Ontario on the

creation, structuring, functioning and evaluation of the Mandatory Court-Connected Mediation Program

2007-2008 ADR INSTITUTE OF ONTARIO

MEMBER OF THE OTTAWA REGIONAL CHARTERED ARBITRATOR ACCREDITATION COMMITTEE

- Processing and making recommendations to the ADR Institute regarding applications for the C.Arb. designation

2007-2009 ONTARIO MINISTRY OF EDUCATION

MEMBER OF THE PROVINCIAL ADVISORY COMMITTEE ON FORMAL DISPUTE RESOLUTION REGARDING SPECIAL EDUCATION PROGRAMS AND SERVICES

- Committee overseeing the design, implementation and evaluation of a formal dispute resolution system to resolve disputes between parents and school boards relating to accommodating students with special needs

2008 ONTARIO BAR ASSOCIATION

MEMBER OF THE EXPANSION OF MANDATORY MEDIATION WORKING GROUP

- Member of a group studying the feasibility of expanding mandatory mediation to various places in Ontario

2002-2008 ADR CHAMBERS UK

MEDIATION TRAINER

- Assisting in setting up panel of mediators and arbitrators in the United Kingdom by providing mediation and advanced mediation training to senior barristers and ex-judges (all levels including the Court of Appeal and the House of Lords)

2002-2008 OTTAWA STEERING COMMITTEE ON MANDATORY MEDIATION IN ESTATES MATTERS

COMMITTEE MEMBER

- Committee of mediators, judges and lawyers overseeing the application of Rule 75.1 of the Rules of Civil Procedure in Ottawa (mandatory court-connected mediation in estate litigation)

2002-2008 NEXIENT

TRAINER IN PROJECT MANAGEMENT STREAM

- Delivering workshops in managing the procurement process and in negotiation for project managers across Canada

2000-2008 CCH CANADIAN LIMITED

AUTHOR AND EDITORIAL BOARD MEMBER

- Member of the Editorial Board for the ADR PRACTICE MANUAL published by CCH

2002-2007 ADR INSTITUTE OF ONTARIO

MEMBER OF THE OTTAWA REGIONAL CHARTERED MEDIATOR ACCREDITATION COMMITTEE

- Processing and making recommendations to the ADR Institute of Canada regarding applications for the C.Med. designation

1998-2005 CANADIAN HUMAN RIGHTS COMMISSION

DISPUTE RESOLUTION DESIGN CONSULTANT AND MEDIATION TRAINER

- Designing implementing and evaluating pre-investigation mediation in the human rights commission's processes
- Developing selection criteria for mediators and assisting in selecting mediators to act on behalf of the commission
- Delivering training workshops to commission mediators
- Designing and implementing an evaluation protocol and tools to evaluate the use of mediation by the commission
- Developing a publication addressed- to the public, explaining mediation
- Developing a mediation agreement, criteria to select cases for mediation, and a detailed Procedural Protocol to be followed by staff and mediators

2003-2004 WORKERS' COMPENSATION BOARD OF BRITISH COLUMBIA

DISPUTE RESOLUTION DESIGN CONSULTANT AND MEDIATION TRAINER

- Diagnosing strengths and weaknesses of the existing systems and making recommendations for improving it

- Planning and designing a new dispute resolution process and a pilot project
- Delivering mediation training to Board neutrals.

2003-2004 ADR INSTITUTE OF ONTARIO
MEMBER OF THE BOARD OF DIRECTORS

1998-1999 ONTARIO MANDATORY MEDIATION PROGRAMME
MEMBER OF THE PROVINCIAL WORKING GROUP

- Recommending guidelines for Local Mediation Committees and advising the Ministry of the Attorney General on structure and evaluation of the Mandatory Mediation Program

1999 CANADIAN BAR ASSOCIATION, EAST AFRICAN STUDY TOUR TO ONTARIO AND ALBERTA
MEDIATION TRAINER

- Conducting mediation training for representatives of Law Societies of Uganda, Kenya and Tanzania

1990-1998 ONTARIO BAR ADMISSION COURSE
LECTURER

- Lecturer on mediation (1997 and 1998)
- Panel member on ethics and on professional negligence (1994, 1995, 1996 and 1997)
- Lecturer on trial tactics (1990)

1995 ONTARIO COURT OF JUSTICE (GENERAL DIVISION)
BACKLOG ELIMINATION PROGRAMME FOR THE EASTERN REGION

- Conducting (at the invitation of the Regional Senior Justice), civil pre-trial settlement conferences with a view to eliminating the court's backlog of civil cases

PROFESSIONAL APPOINTMENTS

2014 GOVERNMENT OF CANADA, HUMAN RESOURCES AND SKILLS DEVELOPMENT CANADA

- Added to the list of arbitrators eligible for appointment by the Minister of Labour as a grievance arbitrator under Part I of the *Canada Labour Code*, as an unjust dismissal adjudicator or wage recovery referee under Part III of the *Code*, and as an adjudicator under the *Wage Earner Protection Program Act*

2012 GOVERNMENT OF CANADA, MINISTER OF NATURAL RESOURCES

- Added to list of arbitrators appointed by the Minister of Natural Resources of Canada to pipeline arbitrations pursuant to the *National Energy Board Act*

2011 SPORTS DISPUTE RESOLUTION CENTRE OF CANADA

- Added to list of resolution facilitators

2007 GOVERNMENT OF ONTARIO

- Became Vendor of Record (VOR) for workplace investigations and workplace restoration services

2003 TARION CORPORATION (FORMERLY THE ONTARIO NEW HOME WARRANTY PROGRAM)

- Appointed to Arbitration Roster

2002 ONTARIO COLLEGE OF TEACHERS

- Appointed to Mediation Roster

2000 CANADA CUSTOMS AND REVENUE AGENCY

- Appointed to Panel of Independent Third Party Reviewers for arbitration of staffing disputes

1999 ONTARIO MANDATORY MEDIATION PROGRAMME

- Appointed to Mediation Roster, Toronto and Ottawa

1997 ONTARIO COURT OF JUSTICE (GENERAL DIVISION)

- Appointed to Court-Connected Mediation Roster

ONTARIO HUMAN RIGHTS COMMISSION

- Appointed to Mediation Roster

- Received two days of Ontario Human Rights Commission mediation training

1997 ONTARIO INSURANCE COMMISSION

- Appointed to roster of pre-hearing arbitrators
- Received two days of Ontario Insurance Commission mediation training

SELECTED PUBLICATIONS, PANELS, LECTURES AND SPEAKING ENGAGEMENTS

- ***Collaborative Work Skills (CWS): Soft Skills for Creating Iron Clad Collaboration*** (in draft), book
- ***“Comment concilier équité, éthique et enquête en matière de harcèlement psychologique”*** (2013), Institut d’arbitrage et de médiation du Québec, speaker and panelist
- ***“Enquête en milieu de travail”*** (2012), Congrès de l’Association des juristes d’expression française (AJEFO), speaker and panelist
- ***“La pratique du droit en français hors du Québec”*** (2012), University of Ottawa, speaker and panelist
- ***“Successfully Navigating Difficult Conversations”***, Infonex, Absenteeism and Disability Management Conference (2012), speaker
- ***“Managing Conflict in the Workplace: Promoting Respect, Dignity & Diversity in the Workplace”*** (2012), Infonex, First Nations Human Resources Conference (2012), speaker
- ***“Doing things Differently: Written Advocacy in Mediation”*** (2012), Advocates’ Society of Ontario, speaker and panelist
- ***“The Ins and Outs of Investigations Videoconference”***, Association of Professional Executives of the Public Service of Canada (2011), speaker and panellist on conducting workplace investigations in the public service
- ***“Things Mediators Do to Break Log Jams”***(2010), Ottawa-Gatineau Chapter of Christian Legal Fellowship, speaker.
- ***“Diagnosing and Curing the Toxic Workplace”***, ADR Institute of Canada and Institut de Médiation et d’arbitrage du Québec Conference (2008), speaker and panelist.

- **“It’s All in the Preparation: Risk Analysis, Principled Negotiation and Mediation”**, ADR Institute of Canada and Institut de Médiation et d’arbitrage du Québec Conference (2008), speaker and panelist.
- **“How to be More Effective in Mediation”**, Ontario Bar Association – Young Lawyers’ Division (2007), breakfast speaker
- **“Negotiation for Project Managers”**, Ottawa Centre for Research and Innovation (2006), speaker
- **“Introducing Court-Based ADR: A workshop to Explore International Best Practices”**, National Judicial Institute of Canada” (2004), panelist
- **“Mediation in Condominium Disputes”**, Association of Condominium Managers in Ontario (2004), speaker
- **“Court-Connected Not So Confidential Mediation”**, CCH ADR Forum (2004), article
- **“Round Table Discussion on the Use of Mediation in Medical Malpractice Cases”**, Association des juristes d’expression française de l’Ontario Annual Conference (2003), panelist
- **“Case Management and Mediation”**, County of Carleton Law Association: Civil Litigation Updated Conference (2001), panelist
- **“Recent Developments in Mediation”**, Barreau du Québec (2001), panelist
- **“Streamlining the Administration of a Court-Connected Mediation Practice”**, Finessing Court-Connected Mediation – A Continuing Education Seminar for Court-Connected Mediators, Ontario Mandatory Mediation Program (2001), speaker
- **“Choosing an Arbitrator”**, CCH ADR Practice Manual (1999), article
- **“Mediators’ Commitments and Undertakings in the Mandatory Mediation Programme”**, Ottawa-Carleton Orientation Session for Mandatory Mediation Programme (1999), speaker
- **“La négociation raisonnée”**, University of Ottawa Faculty of Law (1999), panelist
- **“Le futur du RED”**, University of Ottawa Faculty of Law ADR Week (1999), speaker
- **“Introduction to Alternative Dispute Resolution”**, Canadian College of Health Service Executives (1999), speaker
- **“La médiation – Introduction”**, MacKenzie Group International (1998), played the role of the mediator in a video on mediation
- **“Ten Common Traps for Mediators”**, Society of Adjudicators and Regulators

(SOAR) and Council on Government, Dispute Resolvers (COGDR) ADR Forum (1998), speaker

- **“Introduction to Alternative Dispute Resolution”**, Federal Court Clerk Lecture Series (1998), speaker
- **“Le rôle du RED dans la pratique du droit”**, Université of Ottawa Faculty of Law (1998), speaker
- **“Le renvoi obligatoire à la médiation”**, Association des juristes d'expression française de l'Ontario (1997), speaker
- **“The Civil Justice System, Arbitration and Mediation: Similarities and Distinctions”**, University of Ottawa Faculty of Law ADR Week (1997), speaker
- **“Introduction à la négociation et à la médiation”**, Annual Conference of the Association des juristes d'expression française de, l'Ontario (1997), speaker
- **“Méthodes de règlement des différends”**, University of Ottawa Faculty of Law Lecture Series (1997), speaker
- **“Alternative Dispute Resolution in Real Estate Disputes”**, The Ottawa Real Estate Forum (1997), speaker
- **“Mediation: An Introduction”**, Queen's University Faculty of Law (1997), speaker
- **“The ABC's and a Few DEF's About Choosing an Arbitrator”**, County of Carleton Law Association Fifth Annual Solicitors Conference (1997), speaker
- **“What is Alternative Dispute Resolution”**, Federal Court Clerk Lecture Series (1996), speaker
- **“School Support in the 1990's”**, Ontario Separate School Business Officials Association (1994), speaker
- **“La pratique du droit en marge des règles”**, University of Ottawa Conference on Professional Negligence (1993), speaker
- **“Négligence professionnelle”**, Association des juristes d'expression française de l'Ontario (1992), speaker
- **“Charter Mobility Rights: Five Years Down the Road”**, Charter Issues in Civil Cases (1988) 151-169 (Carswell), chapter
- **“Utilisation du droit des délits dans les causes de renvoi injuste”**, Association des juristes d'expression française de l'Ontario (1988), speaker

- *“The Doctrine of Recent Possession: A Black Box Presumption”* (1986-87), 29 Crim.L.Q. 453-486, article

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

ASSOCIATION DES JURISTES D'EXPRESSION FRANÇAISE DE L'ONTARIO

- Member since 1979

ADR INSTITUTE OF ONTARIO

- Member of Board of Directors in 2004 and 2005
- Member since 1995

ADR INSTITUTE OF CANADA

- Member since 1995

THE NETWORK: INTERACTION FOR CONFLICT RESOLUTION

- Member 1998-2000

DISPUTE RESOLUTION CENTRE FOR OTTAWA-CARLETON

- Member 1996-1999

MOUVEMENT D'IMPLICATION FRANCOPHONE D'ORLÉANS

- Member of the Board of Directors from 1992 to 1995

AWARDS

CERTIFICATE OF EXCELLENCE IN TEACHING FOR PART-TIME PROFESSORS (2002)

- French-Language Program, Common Law, Faculty of Law, University of Ottawa

CERTIFICATE OF RECOGNITION FOR OUTSTANDING CONTRIBUTION BY A PROFESSOR (2000)

- Common Law Student Association of the University of Ottawa

CERTIFICATE OF APPRECIATION FOR CONTRIBUTION TO THE MOUVEMENT D'IMPLICATION FRANCOPHONE D'ORLÉANS AND TO THE CENTRE CULTUREL D'ORLÉANS (1995)

- Mouvement d'implication francophone d'Orléans

SELECTED LIST OF CLIENTS

INSURERS

- Allstate Insurance
- AIG Life Insurance
- Assurance-Vie Desjardins-Laurentienne
- Aviva Insurance
- Canadian Medical Protective Association
- Economical Insurance
- ENCON Group Inc
- Great West Life
- ING Direct Canada
- Lloyds of London
- Ontario Teachers' Insurance Plan,
- Manulife Financial
- Lawyers' Professional Indemnity Company
- London Life Insurance
- Maritime Life
- Reinsurance Management Associates Inc
- State Farm Insurance

LAW FIRMS

- Blake Cassels & Graydon
- Borden Ladner Gervais
- Cassels Brock
- Cooligan Ryan
- Doucet McBride
- Emond Harnden
- Fasken Martineau DuMoulin
- Frazer Milner Casgrain
- Gowling Lafleur Henderson
- Heenan Blaikie
- Hicks Morley Hamilton Stewart Storie
- Jewitt Morrison and Associates
- Kelly Santini
- Lang Michener
- Lavery DeBilly
- Miller Thomson
- Nelligan O'Brien Payne
- Ogilvy Renault

- Osler Hoskin & Harcourt
- Perley-Robertson, Hill & McDougall
- Rasmussen Starr Ruddy
- Raven Cameron Ballantyne & Yazbeck
- Smart & Biggar
- Soloway Wright
- Stikeman Elliott
- Tierney Stauffer
- Thompson Rogers
- Torys

FINANCIAL

- American Express
- Bank of Montreal
- Business Development Bank of Canada
- Canadian Imperial Bank of Commerce,
- Export Development Canada
- Laurentian Bank of Canada
- MBNA Canada
- Merrill Lynch Canada Inc
- RBC Royal Bank
- Scotiabank
- TD Bank

GOVERNMENT AND OTHER PUBLIC

- Canada Revenue Agency
- Canadian Blood Services
- Canadian Human Rights Commission
- Canadian Turkey Marketing Agency
- Children's Aid Society of Ottawa
- Children's Hospital of Eastern Ontario
- City of Ottawa
- Conseil des écoles catholiques de langue française du Centre-Est
- Conseil des écoles publiques de l'est de l'Ontario
- Conseil scolaire catholique Franco-Nord
- Conseil scolaire catholique des Grandes Rivières
- Government of Canada (various ministries/departments)
- Government of Ontario (various ministries/departments)
- Hawkesbury Hospital
- Lakehead University
- Lycée Claudel
- Montfort Hospital
- NAV Canada
- National Capital Commission
- Ombudsman for Banking Service and Investments
- Ontario Human Rights Commission
- Ottawa-Carleton District School Board
- Ottawa Catholic School Board

- Ottawa Community Housing Corporation
- Ottawa Hospital
- Ottawa Police Services
- Royal Canadian Mint
- Royal Canadian Mounted Police
- Tarion Corporation
- University of Ottawa

UNIONS

- Association des enseignantes et des enseignants franco-ontariens
- Association of Professors of the University of Ottawa
- Canadian Postmasters and Assistants Association
- Customs and Immigration Union
- Ottawa Police Association
- Public Service Alliance of Canada
- Professional Institute the Public Service of Canada

OTHER

- Accenture Inc
- Allstream
- Bell Canada
- IBM Canada
- MINTO Construction
- MP Lundy Construction Ltd
- Raytheon Canada
- Sprint Canada
- Telesat Canada
- ThyssenKrupp

SELECTED LIST OF TRAINING CLIENTS

INSTITUTIONS (TRAINING DELIVERED IN ASSOCIATION WITH)

- Queen's University
- LaTrobe University
- Nexient. Training
- Notre Dame University
- University of New South Wales
- University of Melbourne
- University of Ottawa
- University of Windsor

CLIENTS FOR WHICH CUSTOMIZED TRAINING WAS DELIVERED

- ALCOA
- Beaumont Hospital (Ireland)
- Association des enseignantes et des enseignants franco-ontariens
- Association des juristes d'expression française de l'Ontario
- Association of Canadian Court Administrators
- Forum of Canadian Ombudsman
- Government of Canada (various departments/ministries)
- Government of Ontario (various departments/ministries)
- Government of Nunavut
- Human Resources Professional Association of Ontario
- Humber College
- INCO Irish Bar Association
- Masterfoods
- Novartis Ontario Bar Association
- Ontario Power Generation
- Ontario Vegetable Marketing Growers' Board
- Scotiabank
- TBAYTel
- Vertex
- Workers' Compensation Board of British Columbia

SELECTED LIST OF WORKSHOPS DELIVERED

ALTERNATIVE DISPUTE RESOLUTION WORKSHOP

This workshop gives participants the tools they need to manage conflict constructively both in the workplace and at home. Participants learn how to use interest based negotiation and how to mediate disputes. The course is typically delivered over a 4-day period.

ADVANCED ALTERNATIVE DISPUTE RESOLUTION WORKSHOP

The workshop is designed for those who want to improve their dispute resolution skills, become mediators professionally or mediate within their own organisation. Participants learn advanced negotiation and mediation skills, including how to deal with complex issues and challenges that can arise in mediation. The workshop is typically delivered over a 4-day period.

APPLIED ALTERNATIVE DISPUTE RESOLUTION WORKSHOP

This is a 4-day advanced negotiation and mediation skills building workshop.

COLLABORATIVE WORK SKILLS (CWS)

In this workshop participants learn the skills effective leaders, negotiators, mediators, team builders, investigators and coaches use to help people work together in teams. It

is meant to give participants the soft skills they need to work collaboratively with others in the work place.

CONDUCTING WORKPLACE INVESTIGATIONS

In this workshop participants learn how to conduct investigations into workplace wrongdoing such as harassment. The course is provided in a one day or a two day format. Its focus is on ensuring that managers and others conducting workplace investigations have the skills they need to execute them effectively.

BUILDING LABOUR ARBITRATION CASES

This is a 4-day workshop in which client representatives (human resource personnel and union representatives) learn how to build cases for arbitration. Participants learn how to develop theories, interview witnesses, collect and preserve evidence and otherwise prepare cases to be handed off to their lawyers for hearing. By the end of the workshop each participant has been involved in the preparation and hearing of 5 mock arbitrations. In addition to preparing the cases, the participants get to see the cases they have prepared unfold in mock hearings in which they take turns playing the role of witnesses, board side chairs and counsel.

BUILDING, SETTLING AND PRESENTING COMMERCIAL ARBITRATION CASES

In this workshop participants learn how to build cases and present them at an arbitration hearing. The workshop consists of a number of role-plays that involve the participants in mock arbitration hearings.

CONTRACTING PRINCIPLES FOR PROJECT AND CONTRACT MANAGERS

This 3-day course is geared towards project and contract managers. It provides an overview of all phases of procurement, from developing requirements to closeout. A significant part of the course is focussed on dispute prevention and resolution.

SELECTED LIST OF DISPUTE RESOLUTION SYSTEMS DESIGN CLIENTS

- Canada Revenue Agency
- Canadian Human Rights Commission
- Commission for Complaints About the RCMP
- Office of the Commissioner of Official Languages
- Ombudsman for Banking Services and Investments