



## 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](mailto:Martina.Faith@otc-cta.gc.ca)

Date of this version	October 11, 2018
First name	Daniel
Last name	Urbas
Middle initial	
Honorifics	
Professional title	Lawyer, arbitrator, mediator
Firm name	Urbas Arbitral
Address line 1	2170 René-Lévesque West, suite 405
Address line 2	
City	Montréal
Province	Quebec
Postal code	H3H 2T8
Secondary address (please indicate street, city, province and postal code)	64, Ballantyne Nord, Montréal Ouest, QC H4X 2B8
Telephone (office)	514-907-3429
Telephone (mobile)	514-927-3149
Telephone (other)	
Fax	514-907-5116
E-mail	du@urbas.ca
Web site URL	www.urbas.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
BCL and LLB	McGill University	1991
BA	University of Western Ontario	1985
Completing year for UWO BA (1985)	University of British Columbia	
DEC (CEGEP)	Marianopolis College (CEGEP)	1982

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

Courses	Institution attended	Year
Macro, micro-economics	University of Western Ontario	1983

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

Courses	Institution attended	Year
Accounting for lawyers	McGill University Executive Institute	2010



Various accounting expert reports for use in litigation as counsel for clients		During practice 1992-2017
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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, UK	2011
Member	ADRIO, IMAQ	2017
Member	ICC – International Chamber of Commerce, Canada Committee	2012
Board of Directors, Treasurer	Chartered Institute of Arbitrators, Canada Branch	2017-2018
Board of Directors	Chartered Institute of Arbitrators, North America Branch	2014-2016

### 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
Module 4 - international arbitration award writing	Chartered Institute of Arbitrators, UK	2010
Module 3 - the law and practice of international arbitration(Advanced credit given to me for Modules 1 and 2)	Chartered Institute of Arbitrators, UK	2009



Accelerated Route to Fellowship (I am Course Director, tutor)	Chartered Institute of Arbitrators, North America Branch and Canada Branch  I serve as Course Director (see link below) and as tutor, most recently in Boston, Chicago, Vancouver. Upcoming courses in Washington and Toronto in September 2018  <a href="https://www.ciarbcanada.org/courses-events/accelerated-route-to-fellowship-program-2018/">https://www.ciarbcanada.org/courses-events/accelerated-route-to-fellowship-program-2018/</a>	2015-2018
I have published detailed article on arbitration survey of ten (10) years of court decisions on arbitration	Annual Review of Civil Litigation 2010	2010
Since August 2017, I have posted 115+ detailed notes on Canadian court decisions on arbitration	“Arbitration Matters” notes at <a href="http://www.urbas.ca">www.urbas.ca</a>	2017-2018
Drafting Awards (New York)	ICC – International Chamber of Commerce, Canada Committee	2017
Arbitration Master Class (New York)	ICC – International Chamber of Commerce, Canada Committee	2016
Annual Arbitration Conference (Shanghai)	International Bar Association	2016
Symposium on Arbitration (Shanghai)	London Court of International Arbitration	2016
ICDR training on new Canadian Rules (Toronto)	American Arbitration Association’s International Centre for Dispute Resolution	2015

### Commercial Litigation Experience

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

300 (approx. 10-15 per year for 25 years)

Please list range of years over which these cases occurred.

1992-2018

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



Firm name	Duration
Borden Ladner Gervais LLP	Jan 2005 – June 2017
Woods LLP	Dec 2000 – Dec 2005
Heenan Blaikie LLP	Oct 1992 – Nov 2000

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)
Patent infringement	oral, exhibits	patent experts, accounting	ownership of sport product	8 weeks
Broadcasting fees	oral, exhibits	accounting	\$100 million	2 weeks
Passing off, unfair trade	oral, exhibits	survey/marketing evidence	closure of competitor's business	2 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
<b>Number of cases</b>	25		
<b>Over what period of years</b>	2005-2018		
<b>Number of commercial cases</b>	25		
<b>Over what period of years</b>	2005-2018		
<b>Level of court</b>			
<b>Please specify tribunal</b>	Ad hoc, institutional (ICC, CCAC, IATA)		

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	IT software	oral, exhibits	yes, report	ownership of open source software	6
arbitrator	mining	oral, exhibits	yes, report	delayed completion of contract	5
arbitrator	copyright	oral, exhibits	yes, report	Ownership of manuals for training in Canada	4

### 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>	
<i>Railway Interswitching Regulations – SOR/88-41</i>	

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

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>	Fair
<i>Shipping Conferences Exemption Act, 1987 – R.S.C., 1985, c. 17 (3rd Supp.)</i>	

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

Legal advice on changes proposed and made to Pilotage Act

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>	

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





**Familiarity with Transportation and Transportation Law**

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

Have sat as chair of arbitral panel in confidential IATA arbitration between IATA members; have arbitrated confidential disputes regarding: software license used by clients and transport companies in trucking assignments, trade-mark issues for trucking companies before 2005, insurance responsibility between ship operator and client to cover at-source employee deductions for staff employed on maritime vessels in St-Lawrence Seaway

**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:

**Conflict**

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

None currently. While at Heenan Blaikie, up to 2004, I provided advice and representation to TransForce (trucking services)

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

My former firm Borden Ladner Gervais did represent several companies in matters relating to shipment of goods through their maritime law practice group. I have represented clients and transporters in disputes but not in the last five (5) years aside from representing Transcore Linklogistics in a 2014 dispute: Transcore Linklogistics v. Mike's Transport and Auto Haul Inc., 2014 QCCA 776: (<https://www.canlii.org/fr/qc/qcca/doc/2014/2014qcca776/2014qcca776.pdf>)

**Fees**

Please provide daily and hourly rates	Response
Daily	\$3800.00
Hourly	\$475.00

**Availability**

How many months in advance are you booked for?

3-6 weeks but openings left in each week for shorter hearings, case management calls to move files ahead, hear pressing/unexpected 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 #	MCL 1966PL-8 / MCL 1966GL-8
Issuer	Marsh, ADR Institute of Canada Program

<b>Signed on</b>	
<b>in the province of</b>	
<b>Signature (Please sign the form digitally by typing your first and last name.)</b>	* 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](mailto: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