



## 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	Harvey
Last name	Kirsh
Middle initial	J.
Honorifics	B.A. (Toronto), LL.B. (Osgoode), LL.M. (Harvard), C.Arb., C.S.
Professional title	
Firm name	Kirsh Construction ADR Services Ltd.
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Address line 2	Suite 431
City	Toronto
Province	Ontario
Postal code	M4N 3R8
Secondary address (please indicate street, city, province and postal code)	
Telephone (office)	
Telephone (mobile)	(416) 488-8887
Telephone (other)	(416) 566-2424
Fax	
E-mail	<a href="mailto:hjkirsh@gmail.com">hjkirsh@gmail.com</a>
Web site URL	<a href="http://kirshadr.com/">http://kirshadr.com/</a> (web site includes professional bio)
LinkedIn URL	
Facebook	
Other social media links	
Region of residence	Ontario



Willingness to travel within and to other provinces? Please specify provinces.	<input type="checkbox"/> All provinces <input checked="" type="checkbox"/> British Columbia <input checked="" type="checkbox"/> Alberta <input checked="" type="checkbox"/> Saskatchewan <input checked="" type="checkbox"/> Manitoba <input checked="" type="checkbox"/> Ontario <input checked="" type="checkbox"/> Quebec <input checked="" type="checkbox"/> New Brunswick <input checked="" type="checkbox"/> Nova Scotia <input checked="" type="checkbox"/> Newfoundland and Labrador <input checked="" 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 type="checkbox"/> French

**Education**

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

Degree	Institution attended	Year degree conferred
LL.M	Harvard Law School	1971
LL.B.	Osgoode Hall Law School	1970
B.A	University of Toronto	1967

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
(i) Accounting and (ii) Taxation	Osgoode Hall Law School	1967-1970



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
Certification as C. Arb. (Chartered Arbitrator)	ADR Institute of Canada	1984 (35 years)
President	Canadian Construction Arbitration Services Ltd.	1984
Award of Excellence in Alternative Dispute Resolution	Ontario Bar Association	2015
Designation and Accreditation	Designated and accredited as Arbitration Roster Member, Builder Arbitration Forum, Tarion Warranty Corporation	2014
Fellow	College of Commercial Arbitrators <i>(an elite organization of internationally recognized commercial arbitrators whose professional training and experience qualify them to undertake the most complex and difficult arbitration assignments)</i>	2013
Chair	Construction Engineering and Infrastructure Group, ADR Chambers Inc. (Canada)	2009
Designation and Accreditation	ADR Service Provider and Training: Global Engineering and Construction Group, JAMS ADR Services and JAMS International	2008
Designation	Designated by <i>Chambers Global</i> as one of Canada's Most in Demand" arbitrators	Every year



Designation	Designated as a leading practitioner in arbitration in <i>The Best Lawyers in Canada Directory</i> ; <i>the Canadian Legal Lexpert Directory</i> ; <i>the Lexpert/American Lawyer Guide to the Leading 500 Lawyers in Canada</i> ; and <i>the International Who's Who Legal</i>	Every year
Designation	Martindale Hubbell rating: AV (top rating)	Every year
Designation	Consultant and Member, Attorney General of Ontario's Advisory Committee on Construction Dispute Resolution	1992

### 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
<p>In addition to courses which I have taken (which are generally set out below), I have also presented numerous conference papers to professional groups throughout Canada and the United States on arbitration, have published extensively internationally on the topic, and have taught a course for some years at the Faculty of Law, University of Toronto entitled "<i>From Buildings to Blueprints: Legal Issues in the Construction Industry</i>", which includes a component dealing with arbitration.</p>		
Arbitration and Mediation	Judicial Arbitration and Mediation Services ("JAMS") and JAMS International	Various training courses from 2008-2014
Numerous Canadian and U.S.-based professional development courses in arbitration (both as delegate for continuing professional education and as instructor)	<p>Osgoode Hall Law School</p> <p>Harvard Law School (Cambridge, Massachusetts)</p> <p>American Bar Association (Chicago, San Francisco, Washington, New York, Toronto)</p> <p>Canadian Bar Association (several venues)</p>	



	<p>Law Society of Upper Canada</p> <p>Advocates' Society</p> <p>Toronto Commercial Arbitration Society</p> <p>Dispute Review Board Foundation (Miami, Florida)</p> <p>American Law Institute (Philadelphia, Pennsylvania)</p> <p>Numerous other CPD seminars and conferences</p>	
Arbitration and Mediation	Wagner Hahns Inglis Claims Consultants (North Carolina)	2006

### Commercial Litigation Experience

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

At least 1,000 large, complex commercial litigation cases, representing plaintiffs, defendants, third parties and others.

Please list range of years over which these cases occurred.

1973-2017

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

Firm name	Duration
Glaholt LLP (Of Counsel)	5 years
Osler Hoskin and Harcourt LLP (Senior Partner)	12 years
Cassels Brock & Blackwell LLP (Senior Partner)	15 years
Blaney, Pasternak, Smela, Eagleson & Watson (Partner)	10 years



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

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.

**Also see attached Schedule "A"**

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)
Large and complex claims relating to construction of Toronto York Spadina Subway Extension Project	Issues re performance of equipment (e.g., tunnel boring machines); failure of equipment (e.g., tower crane); standard of care of contractor, engineering consultant and owner; issues re contributory negligence; proving/rebutting delay/loss of productivity/impact damages claims; determination and calculation of damages; various forensic analyses; various causation issues; various geotechnical issues re unforeseen subsurface conditions; bonding issues; construction lien issues	Mechanical engineers; geotechnical engineers; civil engineers with expertise in maintenance and use of heavy equipment; materials engineers; construction claims scheduling engineer; standard of care civil engineer	\$230 million	Case was prosecuted for more than 5 years. Numerous in-court motion and arbitration proceedings (total duration: two months), but case settled before trial



<p>Large and complex claims relating to construction of Sheppard Subway Project</p>	<p>Issues re performance of equipment (e.g., tunnel boring machines); standard of care of contractor, engineering consultant and owner; issues re contributory negligence; proving/rebutting delay/loss of productivity/impact damages claims; determination and calculation of damages; various forensic analyses; various causation issues; various geotechnical issues re unforeseen subsurface conditions; bonding issues; construction lien issues</p>	<p>Mechanical engineers; geotechnical engineers; civil engineers with expertise in maintenance and use of heavy equipment; materials engineers; construction claims scheduling engineer; standard of care civil engineer</p>	<p>\$100 million</p>	<p>Case was prosecuted for five years, and then settled before trial. Numerous examinations and in-court motion proceedings.</p>
<p>Confederation Bridge between New Brunswick and Prince Edward Island</p>	<p>Issues re concrete fabrication; issues re installation of concrete bridge piers in Northumberland Strait; standard of care of contractor, engineering consultant and owner; issues re contributory negligence; proving/rebutting delay/loss of productivity/impact damages claims; determination and calculation of damages; various forensic analyses; various causation issues; cross-border lien issues</p>	<p>Civil and materials engineers; mechanical engineers; geotechnical engineers; construction claims scheduling engineer; standard of care civil engineer</p>	<p>\$5 million claim, \$40 million counterclaim</p>	<p>Case was prosecuted for four years, and then settled before trial. Numerous examinations and in-court motion proceedings.</p>

**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.





**See attached Schedule "B"**

	Arbitrator	Judge	Tribunal Adjudicator
Number of cases	See full information in attached Schedule "B"		
Over what period of years			
Number of commercial cases			
Over what period of years			
Level of court			
Please specify tribunal			

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	Claims and counterclaims arising out of construction of cogeneration plant to service both pulp and paper mill and electrical requirements of Province of Nova Scotia	Engineering standard of care, and delay claim issues	Civil engineer on standard of care issues and construction claims engineering consultants on delay claim issues	\$9.2 million in claims and \$3.3 million in counterclaims	60 hearing days



Arbitrator	Claims and counterclaims regarding contractual disputes arising out of fabrication of modules and related process piping for installation at the \$500 million Canadian Natural Resources Ltd. Horizon C02 Recovery Plant located in Fort McKay (north of Fort McMurray), Alberta	Engineering standard of care, deficiencies, and significant delay claim issues	Civil engineer on standard of care issues and construction claims engineering consultants on delay claim issues	45 million in claims and \$26 million in counterclaims	16 hearing days
Sole Arbitrator	Subrogated claim of insurer arising out of negligence and breach of services contract for resident engineering inspection services generally relating to the reconstruction of streets, including the replacement and connection of new sewer pipes and mains, in the City of New York	Engineering standard of care, and construction deficiencies	Civil engineer in sewer rehabilitation projects and wastewater treatment plants	\$125,000 US	3 hearing 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.

In each case, I am willing to study and learn about these Regulations

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>	Not familiar
<i>Coasting Trade Act – S.C. 1992, c. 31</i>	Not familiar
<i>Pilotage Act – R.S.C. 1985, c. P-14</i>	Not familiar
<i>Shipping Conferences Exemption Act, 1987 – R.S.C., 1985, c. 17 (3rd Supp.)</i>	Not familiar

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

I am willing to learn about these Regulations

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>	Not familiar



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

In each case, I am willing to study and learn about this legislation.

### **Familiarity with Transportation and Transportation Law**

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

I have had considerable experience dealing with disputes in the transportation industry. In particular:

- (i) I was lead counsel acting for the Toronto Transit Commission for 5 years relating to \$100 million in claims and disputes arising out of the construction of the Sheppard Subway project;
- (ii) I was lead counsel acting for OHL/FCC (a Spanish joint venture) for more than 5 years relating to \$230 million in claims and disputes arising out of the construction of the Toronto-York Spadina Subway Extension project;
- (iii) I was selected to NJ Transit and the Port Authority of New York and New Jersey to act as Chair of a Dispute Review Board, for both subsurface and surface contracts, relating to the construction of the \$8.7 billion Mass Transit Tunnel from the suburbs of New Jersey to central Manhattan (although the construction project was ultimately cancelled by the State of New Jersey due to lack of funding) and;
- (iv) I was appointed by the Government of Ontario as Chair of "The Independent Expert Review of Certain Girders Manufactured for the Rt. Hon. Herb Gray Parkway", whose mandate was to investigate and make recommendations regarding the safety and durability of certain girders used in the construction of the Rt. Hon Herb Gray Parkway, which was one of the largest construction projects in Canada.

### **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	\$6,000.00 (hearing day)
Hourly	\$600.00

**Availability**

How many months in advance are you booked for?

I am currently generally available for any new 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 #	MCL 1966-8



Issuer	Marsh Canada Ltd. (Lloyds ADR Institute of Canada Program)
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<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

### **SCHEDULE "A" TO HARVEY J. KIRSH REQUEST FOR BIOGRAPHICAL INFORMATION**

#### AS COUNSEL ON ARBITRATION OR MEDIATION MATTERS:

- Lead counsel for a municipal transportation authority, in mediation proceedings, in connection with the defence of CDN \$100 million in claims arising out of the construction of the CDN \$990 million Sheppard Subway project in Toronto, Canada
- Lead counsel for a European joint venture, in arbitration proceedings, in connection with the defence of CDN \$100 million in claims arising out of the construction of the CDN \$3 billion Toronto-York Spadina Subway Extension project in Toronto, Canada
- Lead counsel for a contractor, in mediation proceedings, in connection with the prosecution of a CDN \$5 million claim and the defence of a CDN \$40 million counterclaim by joint venture developer companies (based in The Netherlands, France, Germany and



Canada), arising out of a contract for the fabrication and erection of the steel girders for the CDN \$1.3 billion Confederation Bridge ("the longest bridge over ice-covered waters in the world"), which now spans the Northumberland Strait (8.1 miles) between the Atlantic provinces of New Brunswick and Prince Edward

- Counsel for an international contractor commencing arbitration proceedings, in connection with the prosecution of a US \$170 million claim and the defence of a US \$200 million counterclaim, arising out of an EPC Contract relating to an offshore gas production field centre project off the Atlantic coast of Nova Scotia
- Counsel, in mediation proceedings, representing an energy income trust with respect to a claim against an equipment supplier for CDN \$17 million in damages arising out of breach of an engineering / procurement / construction contract relating to the supply of heat recovery steam generators for use in a 110-megawatt co-generation facility
- Lead counsel for an owner/developer, in mediation proceedings, in connection with the defence of a CDN \$17 million claim arising out of a contract for the construction of a CDN \$48.5 million ethanol distillery project in Ontario

#### AS COUNSEL ON LITIGATION MATTERS:

Mr. Kirsh has resolved substantial and complex disputes dealing with delay, loss of productivity, impact and acceleration claims, construction and design deficiencies and errors, scope-of-work issues, professional liability and negligence, economic loss, tendering and procurement issues, and lien claims.

Those disputes related to a wide range of facilities — public and private — including bridges, subways and transportation facilities, roads and highways, casinos, resorts, airports, stadiums and arenas, water and wastewater plants, hospitals and healthcare facilities, court houses, manufacturing and distribution facilities, commercial office towers, high-rise condominiums and hotels, municipal projects, university buildings, schools, shopping centers, and a range of energy projects including co-generation, electrical transmission, and nuclear facilities.

The following are some representative example projects:

- Four Seasons Centre for the Performing Arts (home of the Canadian Opera Company and the National Ballet of Canada)
- Greater Toronto Airport Authority (also known as Lester B. Pearson International Airport)
- Niagara Fallsview Casino Resort
- Toronto Transit Commission's \$900 million Sheppard Subway
- Toronto Transit Commission's \$3 billion Toronto-York Spadina Subway Extension Project



- 580-megawatt Brighton Beach Power Plant (Windsor, Ontario)
- CANDU 9 nuclear reactor project (Bruce Nuclear Generating Station)
- City of Sudbury Water Reservoir (Sudbury, Ontario)
- Deerhurst Resort (one of Canada's largest all-season luxury golf, spa, and family resorts, and the site of the recent G-8 Summit)
- Kingston Regional Sports and Entertainment Centre (home of the Kingston Frontenacs hockey team)
- Marriott Toronto Downtown Eaton Centre Hotel
- Municipality of Metropolitan Toronto Archives
- Northland Power's 110-megawatt Iroquois Falls, Ontario cogeneration plant
- Numerous University of Toronto construction projects, including fiber optics installation program, Varsity Arena renovations, construction of student dormitories, renovation of law school, dental school facilities, etc.
- Sewage pumping station (Wasaga Beach Ontario)
- Shoppers' Drug Mart's Mississauga Distribution Centre
- Sunnybrook Health Sciences Centre
- The Residences at the Ritz Carlton (luxury high-rise condominium and hotel)
- Wastewater treatment plant (Orangeville, Ontario)





## **SCHEDULE "B" TO HARVEY J. KIRSH REQUEST FOR BIOGRAPHICAL INFORMATION**

AS NEUTRAL ARBITRATOR, MEDIATOR, REFEREE, DRB MEMBER, OR STANDING NEUTRAL:

- Appointed by Government of Ontario as Chair of "The Independent Expert Review of Certain Girders Manufactured for the Rt. Hon. Herb Gray Parkway", whose mandate was to investigate and make recommendations regarding the safety and durability of certain girders used in the construction of one of the largest construction projects in Canada
- Sole Arbitrator in connection with a complex liability dispute between Nova Scotia Power and a major construction engineering company arising out of the construction of a cogeneration facility in the Cape Breton area which was to service both a pulp and paper mill and the electrical needs of the Province of Nova Scotia
- Sole Referee in connection with three claims by international joint venture against Government of Nunavut arising out of the Iqaluit International Airport Improvement Project in Iqaluit Nunavut
- Arbitrator in connection with \$45 million in claims and \$26 million in counterclaims regarding contractual disputes arising out of fabrication of modules and related process piping for installation at the \$500 million Canadian Natural Resources Ltd. Horizon C02 Recovery Plant located in Fort McKay (north of Fort McMurray), Alberta
- Party-appointment to ICC Arbitration Panel with respect to more than \$140 million in claims and counterclaims arising out of the construction of pumping stations and a crude oil pipeline from northern Canada to the Gulf of Mexico
- Sole Arbitrator in connection with a liability dispute between a federal government agency and a general contractor relating to the interpretation of a system for evaluating competitive bids for the public procurement of construction services for an armed forces base
- Arbitrator with respect to more than CDN \$18 million in complex claims and CDN \$20 million in counterclaims arising out of the design, construction and commissioning of three sewage treatment plants in Halifax, Dartmouth, and Herring Cove, Nova Scotia, as part of the CDN \$112 million Halifax Harbour Solutions Sewage Collection System Project
- Sole Arbitrator with respect to more than CDN \$3 million in claims arising out of the dismantling and demolition of the infrastructure of a mining site in northern Ontario
- Sole Arbitrator with respect to a dispute between a general contractor and a consulting engineering firm arising out of the refurbishment and upgrades to the water and sewer systems in New York City



- Mediator with respect to a \$5 million dispute between a major hospital in Bronx, New York and its landlord relating to asbestos removal, repair, maintenance and other obligations under a lease agreement
- Selected by NJ Transit and the Port Authority of New York and New Jersey to act as Chair of a Dispute Review Board, for both subsurface and surface contracts, relating to the construction of the \$8.7 billion Mass Transit Tunnel from the suburbs of New Jersey to central Manhattan
- Mediator with respect to a dispute arising out of the supply of mechanical services and materials in connection with the construction of a twin tower residential condominium development in Ontario
- Arbitrator with respect to more than US \$12 million in complex claims arising out of the engineering, equipment procurement, structural steel and process piping fabrication and erection in connection with the construction of an oil refinery near Salt Lake City, Utah
- Arbitrator with respect to more than US \$16 million in complex claims arising out of the installation of equipment, erection of steel, and construction of cement finish mill facilities in West Virginia
- Arbitrator, under the auspices of the ICC International Court of Arbitration, with respect to more than US \$2 million in claims arising out of the design, fabrication, and installation/erection of an amusement facility located at the Universal Studios' "Islands of Adventure" amusement theme park in Orlando, Florida
- Sole Arbitrator, under the auspices of the American Arbitration Association's International Centre for Dispute Resolution (ICDR), with respect to more than US \$1 million in claims arising out of the manufacture, supply and installation of commercial and hospitality fixtures
- Sole Arbitrator relating to a dispute between the Government of Bermuda and an architectural firm, arising out of the design and construction of a Magistrates' Court and Police Station project in Hamilton, Bermuda
- Sole Mediator and Adjudicator (i.e., standing neutral), on the appointment of Infrastructure Ontario (Government Crown Agency), with respect to its major infrastructure projects (transportation, hospitals, nuclear facilities, highways, courthouses, correctional facilities)
- Mediator with respect to a dispute between a contractor and an engineering company arising out of the design and installation of a sanitary sewer siphon crossing under the Grand River in Brantford, Ontario
- Mediator with respect to a dispute between a municipality and a contractor relating to dewatering and delay claims arising out of the construction of a sewage pumping station in Wasaga Beach, Ontario



- Mediator with respect to a series of connected and complex claims and disputes amongst eleven (11) parties arising out of a fire and subsequent reconstruction of a retirement home project in Unionville, Ontario
- Mediator with respect to a dispute between a contractor and a subcontractor relating to claims arising out of the design and construction of a Labatt's brewery facility in Nova Scotia
- Standing Neutral, on the appointment of a municipal mental health agency, in connection with the development of its ongoing institutional community housing facilities