

THE HONOURABLE EDWARD C. (“ED”) CHIASSON, Q.C.

EDUCATION: B.A., Notre Dame College and University of British Columbia, 1963
LL.B., University of British Columbia, 1966

CALLED TO THE BAR: British Columbia, 1967; Alberta, 1977; Yukon Territory, 1977; the Court of Appeal for British Columbia and Yukon Court of Appeal, September 2006 to December 2015.

PRACTICE AREAS: As an appellate judge decided all types of commercial cases, including cases involving arbitration issues.

In practice, commercial litigation, arbitration and mediation, both domestic and international, including maritime (collision, construction and cargo), tax, combines (anti-trust), joint venture, franchising, consortium and licensing disputes, hi-tech and computer issues, including matters of intellectual property, general litigation, with particular emphasis and experience in construction, engineering and other similar technical disputes, advising on and acting as counsel with respect to environmental, waste management and native rights issues.

Appeared as counsel in all of the courts of British Columbia, Alberta, the Supreme Court of the Yukon Territory, all divisions of the Federal Court of Canada and the Supreme Court of Canada.

Appeared as counsel and acted as an arbitrator and mediator in international proceedings in Canada, France, England, United States, Hong Kong and Singapore involving parties from Eastern and Western Europe, North America, the Pacific Rim and India. The arbitrations have been both ad hoc and institutional, including proceedings under UNCITRAL Rules, the American Arbitration Association, the International Chamber of Commerce, the British Columbia International Commercial Arbitration Centre and the International Centre for Settlement of Investment Disputes (ICSID). Mediations include acting under the Commercial Arbitration and Mediation Center for the Americas (CAMCA).

Completed mediation training in a program sponsored by Center for Public Resources (CPR) – over four days, including extensive role-playing (20 hours CLE credit).

OTHER ACTIVITIES INTERESTS AND AFFILIATIONS

Sailing (Victoria to Maui race 2000), swimming, hiking (walking), cycling and music (piano, double-bass and singing)

Past Chair, Board of Directors, Vancouver Symphony Society

Past member, Board of Directors of Festival Vancouver

Member, Board of Directors, Chor Leoni Men's Choir

Past member, Board of Directors, Bowen Island Community Foundation

Member, Royal Vancouver Yacht Club

Past Grand Senechal, Vancouver Chapter, Confrerie des Chaveliers du Tastevin

Member Vancouver Branch, International Wine and Food Society

Member Vancouver Chapter, Commanderie de Bordeaux

PUBLICATIONS AND COURSES TAUGHT:

While a judge published and spoke as follows: "Arbitral and Judicial Musings", ADRIIC Canadian Arbitration and Mediation Journal 2014; "View from the Bench" 2008 (I do not have a note of the journal); 2009 - speaker at CLE "Drafting Arbitral Awards"; 2012 "the Role of the Courts in Commercial Arbitration"; 2014 - speaker at Western Canada Commercial Arbitration Society in Calgary, Alberta; 2015 - speaker at ICDR Miami International Arbitration Conference; 2015 - speaker at ICC Canada international arbitration conference in Vancouver, B.C.

While in practice published and delivered papers in the fields of commercial litigation practice and procedure, international and domestic commercial arbitration, mediation, environmental law and native issues. During the period July 1995-June 1996, he was the Hunter Professor of Arbitration and Dispute Resolution at the City University of Hong Kong.

"The Canadian Litigator's Experience with International Commercial Arbitration - One Man's Perspective", *International Commercial Arbitration*, Canadian Council International Chamber of Commerce, 1982

"Commercial Arbitration and International Trade", April 1982

"Practical Aspects of International Arbitration", September 1983

"The Canadian Common Law and the Concept of Amiable Composition", *Arbitration*, Vol.52, No.3 August 1986.

"Canada - No Man's Land No More", Journal of International Arbitration, Vol. 3, No. 2, June 1986

"Notes on Recent Canadian Legislation on Arbitration" (Co-Author, Marc Lalonde) Arbitration International, Vol. 2, No. 4, November 1986

"Sights, Centres and Practices", September 1986

"To UNCITRAL or not to UNCITRAL", September 1986

"The Arbitrator's Role in International Arbitration", November 1986

"History and Use of Commercial Arbitration", November 1986

"Alternative Dispute Resolution", November 1986

"The Better Way Within: The Reaction of Canadian Courts to Modern Needs", May 1987

"Responding to Environmental Investigations" with G.R. Switzer and W.K. McNaughton, September 1989

"Aboriginal Rights and Indian Self-Government", April 1990

"Defending Against Environmental Prosecutions", May 1990

"From the Desert to the Mountains: and Now to Avoid the Precipice", The Advocate, Vol. 49, Part 1, January 1991, page 19: with B. Thompson.

"Legal Green", C.G.A. Journal, January, 1991

"Environmental Investigations and Spill Response", Environmental Law and Business in Canada, May 1993, with W.K. McNaughton

"U.S. Commercial Law Crosses Northern Border: Good Faith and Fair Dealing" The National Law Journal September 4, 1995 page C16.

"A Precipice Avoided: Judicial Stays and Party Autonomy in International Arbitration", The Advocate, Vol. 54 Part 1, January 1996, page 63.

"The UNIDROIT Principles of International Commercial Contracts and the Growth of International Commercial Law in the Asia-Pacific Region", 1996 [to be published in the spring of 1999]

"Alternative Dispute Resolution in Non-Union Human Resource Conflicts in the Context of the North American Free Trade Agreement" Canada-United States Law Journal, Vol. 22, 1996, page 295

"Sources of Law in International Arbitration", G.M. Beresford Hartwell (ed.) The Commercial Way to Justice, 1997, page 29

"Evidentiary Issues in International Arbitration" (August 1996)

"The Commercial Arbitration and Mediation Centre for the Americas: NAFTA's Mandate for the Private Sector", Arbitration International, Vol. 13, No. 1, 1997, page 93

"International Arbitration in Canada", Internationale Schiedsgerichtsbarkeit, ed. Prof. Dr. Peter Gottwald, Geiseking-Verlag, Bielefeld 1997, page 639

"A Comparison of International Commercial Arbitration Rules: The Practical Implications", January 1999.

"Weighing the Pros and Cons of a Fairness Arbitration", Corporate Legal Times, Vol. 9, Number 93, page 32, August 1999, with Ian Marshall

"Harmonization and Growth of International Commercial Law in the Asia-Pacific Region", Comparative Law Yearbook of International Business, Vol. 21, 1999, page 389

"A Comparison of International Arbitration Rules: A Practical Perspective" Lawyering in the International Market, editors, Dennis Campbell, Brian Birkeland, International Business Law Practice Series, Transnational Publishers, Inc. Ardsley, New York, 1999

MEMBERSHIPS AND OFFICES HELD:

Fellow of the Chartered Institute of Arbitrators (London) and C. Arb of the Institute

Fellow of the Hong Kong Institute of Arbitrators Limited

Chartered Arbitrator of the Canadian Institute of Arbitrators

Member of the Panel of Arbitrators of the American Arbitration Association

Member, International Chamber of Commerce Commission on Arbitration; Past-Chairman, Commercial Arbitration Committee of ICC Canadian National the Committee

Member of the Panel of Arbitrators of the Chartered Institute of Arbitrators

Founding Trustee, British Columbia International Commercial Arbitration Centre;

Member, Canadian Section Inter-America Commercial Arbitration Commission

Member of the Advisory Group on Private International Law of the Department of Justice, Ottawa

Member Ad Hoc Committee to Advise the Attorney-General of Hong Kong on Amendments to the Arbitration Ordinance

Fellow of the American College of Trial Lawyers

Fellow of the College of Commercial Arbitrators

Adjunct Professor, University of British Columbia Law School

Member, CPR Panel of Arbitrators and Mediators

Member, International Bar Association; Asia-Pacific Lawyers' Association

Chairman, Canada, United States Free Trade Agreement review panel; (FTA)

Member of the Roster of Dispute Resolution Panelists under the North American Free Trade Agreement (NAFTA) and Chairman of panel reviews

Hunter Professor of Arbitration, City University, Hong Kong: July 1995 - June 1996.

Member of the Canadian Roster of the Commercial Arbitration and Mediation Centre for the Americas (CAMCA)

Appointed as an arbitrator of the China International Economic and Trade Arbitration Commission (CIETAC)

Appointed as a UNIDROIT correspondent

Appointed to The Canadian Foundation for Dispute Resolution's Advisory Board

Appointed to domain name arbitration panels of several institutions.

LIST OF ADR ASSIGNMENTS

The following is a list of arbitrations and mediations with which I have been involved either as counsel or as a tribunal member - usually as a sole arbitrator or mediator or Chairman of the tribunal. Not all cases were taken through to an award or negotiation, but all reached a stage of development sufficient to contribute to my overall experience. They are not in chronological or any other order and are reproduced based upon my recollection at the time the list was prepared. The list is representative, not exhaustive.

Location: British Columbia
Parties: Canadian
Type of Dispute: Underground sewer construction
Acting Capacity: Counsel
Administration: ad hoc

Location: Alberta
Parties: Canadian
Type of Dispute: Concrete Building Construction
Acting Capacity: Counsel
Administration: ad hoc

Location: New York
Parties: German and U.S.
Type of Dispute: Construction of Industrial Plant
Acting Capacity: Arbitrator
Administration: ICC

Location: New York
Parties: Dutch and U.S.
Type of Dispute: Construction of Industrial Plant (pressure vessels)
Acting Capacity: Arbitrator
Administration: AAA

Location: New York
Parties: Turkish and U.S.
Type of Dispute: Distribution Agreement (Food)
Acting Capacity: Arbitrator
Administration: ICC

Location: Chicago
Parties: German and U.S.
Type of Dispute: Construction of Industrial Plant
Acting Capacity: Arbitrator
Administration: AAA

Location: Boston
Parties: Singaporean (French), U.S.
Type of Dispute: Franchise and Distributorship Agreement
Acting Capacity: Arbitrator
Administration: AAA

Location: Florida
Parties: German and U.S.
Type of Dispute: Construction of Industrial Plant (turbo machinery)
Acting Capacity: Arbitrator
Administration: AAA

Location: Seattle
Parties: Italian and U.S.
Type of Dispute: Distributorship Agreement (Clothing)
Acting Capacity: Arbitrator
Administration: ad hoc

Location: British Columbia
Parties: Canadian and U.S.
Type of Dispute: Construction of a Sailing Yacht
Acting Capacity: Arbitrator
Administration: ad hoc

Location: British Columbia
Parties: Canadian
Type of Dispute: Stock Option Agreement
Acting Capacity: Arbitrator
Administration: ad hoc

Location: British Columbia
Parties: Canadian and U.S.
Type of Dispute: Distributorship Agreement (high tech products)
Acting Capacity: Arbitrator
Administration: ad hoc

Location: British Columbia
Parties: Chinese and U.S.
Type of Dispute: Warranties and Distributorship Agreement
Acting Capacity: Arbitrator
Administration: B.C.I.C.A.C.

Location: British Columbia
Parties: Canadian and U.S.
Type of Dispute: Distributorship Agreement (Food)
Acting Capacity: Arbitrator
Administration: B.C.I.C.A.C.

Location: British Columbia
Parties: Japanese and U.S.
Type of Dispute: Land Development Joint Venture
Acting Capacity: Arbitrator
Administration: ICC

Location: Seattle (Paris)
Parties: French and U.S.
Type of Dispute: Shareholders Agreement
Acting Capacity: Arbitrator
Administration: ICC

Location: British Columbia
Parties: Korean and Canadian
Type of Dispute: Ship Construction
Acting Capacity: Counsel
Administration: B.C.I.C.A.C.

Location: British Columbia
Parties: Japanese and German
Type of Dispute: Supply of Machinery Components
Acting Capacity: Counsel
Administration: ICC

Location: Paris
Parties: Canadian and Yugoslavian
Type of Dispute: Construction of Industrial Plant (Chemical)
Acting Capacity: Counsel
Administration: ICC

Location: London
Parties: Canadian (Russian) and English
Type of Dispute: Commodity Supply Contract
Acting Capacity: Counsel
Administration: London Cocoa Association

Location: British Columbia
Parties: Australian and U.S.
Type of Dispute: Franchise Agreement (Musical Instruments)
Acting Capacity: Arbitrator
Administration: ICC

Location: California
Parties: English and U.S.
Type of Dispute: Railway Rolling Stock
Acting Capacity: Arbitrator
Administration: ad hoc (AAA)

Location: Washington, D.C.
Parties: British Virgin Islands and Bangladesh
Type of Dispute: Resource Development
Acting Capacity: Arbitrator
Administration: ICSID

Location: British Columbia
Parties: Hongkong and English
Type of Dispute: Banking
Acting Capacity: Counsel
Administration: B.C.I.C.A.C.

Location: Alberta
Parties: Canadian
Type of Dispute: Commodity Freight Rate
Acting Capacity: Counsel
Administration: ad hoc

Location: British Columbia
Parties: Canadian and U.S.
Type of Dispute: Franchise Agreement (Computerized Financial Transactions)
Acting Capacity: Arbitrator
Administration: ad hoc

Location: California
Parties: Malaysian, Hong Kong, Australian and U.S.
Type of Dispute: Franchise Agreement (Food)
Acting Capacity: Arbitrator
Administration: AAA

Location: California
Parties: Australian and U.S.
Type of Dispute: Contract (Real Estate Finders Fee)
Acting Capacity: Arbitrator
Administration: AAA

Location: Hong Kong
Parties: Canadian and Hong Kong Chinese
Type of Dispute: Food Supply
Acting Capacity: Counsel and consultant
Administration: Ad Hoc and Hong Kong International Arbitration Centre

Location: Texas
Parties: Argentinian, Turkmenistanian & British Virgin Islands
Type of Dispute: Petroleum Resource Development
Acting Capacity: Arbitrator
Administration: ICC

Location: Minnesota
Parties: U.S. and New Zealand
Type of Dispute: Intellectual Property Transfer
Acting Capacity: Arbitrator
Administration: ICC

Location: Vancouver
Parties: Canadian
Type of Dispute: Business Dislocation
Acting Capacity: Counsel
Administration: ad hoc

Location: Vancouver
Parties: Canadian
Type of Dispute: Construction
Acting Capacity: Arbitrator
Administration: B.C.I.C.A.C.

Location: Singapore
Parties: Japan and Australia
Type of Dispute: Construction (petroleum plant)
Acting Capacity: Arbitrator
Administration: I.C.C.

Location: Seattle
Parties: Switzerland and U.S.
Type of Dispute: Ship construction
Acting capacity: Arbitrator
Administration: I.C.C.

Location: California
Parties: U.S. and Taiwan
Type of Dispute: Telecommunications and Intellectual Property
Acting capacity: Arbitrator
Administration: AAA

Location: Texas
Parties: Japan and U.S.
Type of Dispute: Agency Agreement
Acting capacity: Arbitrator
Administration: AAA

Location: Calgary
Parties: Canada and Philippines
Type of Dispute: Oil and Gas Consortium
Acting capacity: Arbitrator
Administration: ICC

Location: California
Parties: U.S. and Belgium
Type of Dispute: Licencing Agreement: Intellectual Property, Medical & Pharmaceutical Research
Acting capacity: Arbitrator
Administration: AAA

Location: Vancouver
Parties: U. S. and Canada
Type of Dispute: Gas Supply Contract
Acting Capacity: Counsel
Administration: BCICAC

Location: London
Parties: U.S. and England
Type of Dispute: Dissolution of Partnership
Acting Capacity: Consultant
Administration: Ad Hoc

Location: Vancouver
Parties: U.S. and Canada
Type of Dispute: Licensing Agreement - Fuel
Acting Capacity: Arbitrator
Administration: BCICAC

Location: West Virginia
Parties: U.S. and Canada
Type of Dispute: Railway Car Hire – Final Offer
Acting Capacity: Counsel
Administration: AAA

Location: Toronto
Parties: Canada and the U.S.
Type of Dispute: NAFTA Chapter 11 – investor state
Acting Capacity: Co-arbitrator
Administration: UNCITRAL Rules

Location: Chicago
Parties: U.S. and Canada
Type of Dispute: Software design contract
Acting Capacity: Counsel
Administration: AAA

Location: Vancouver, Canada
Parties: Canada and China
Type of Dispute: Joint Venture
Acting Capacity: Counsel
Administration: Ad Hoc

Location: Atlanta, Georgia
Parties: Canada and U.S.
Type of Dispute: Distribution of chemicals
Acting Capacity: Counsel
Administration: AAA

Location: New York
Parties: U.S. and Mexico
Type of Dispute: Financial Services
Acting Capacity: Mediator
Administration: CAMCA

Location: Vancouver
Parties: Canadian
Type of Dispute: Partnership
Acting Capacity: Mediator
Administration: Ad Hoc

Location: New York
Parties: Germany and U.S (Korea)
Type of Dispute: Ship construction (conversion)
Acting Capacity: Arbitrator
Administrator: AAA

Location: Vancouver
Parties: Canadian
Type of Dispute: Compensation for expropriation
Acting Capacity: Mediator
Administration: Ad Hoc

Location: New York
Parties: Germany and U.S
Type of Dispute: Computer technology
Acting Capacity: Arbitrator
Administrator: AAA

Location: California
Parties: Italy and U.S.
Type of Dispute: Ship technology
Acting Capacity: Arbitrator
Administrator: AAA

Location: Washington
Parties: Slovak Republic and U.S.
Type of Dispute: Construction
Acting Capacity: Arbitrator
Administrator: AAA

Location: Miami
Parties: Chile and U.S.
Type of Dispute: Breach of confidentiality
Acting Capacity: Arbitrator
Administrator: AAA

Location: British Columbia
Parties: Canadian
Type of Dispute: Native land tenure
Acting Capacity: Mediator
Administration: Ad Hoc

Location: Vancouver
Parties: Canadian and U.S.
Type of dispute: Ship brokerage
Acting capacity: Arbitrator
Administration: Ad Hoc

Location: Los Angeles
Parties: Mexico and U.S.
Type of dispute: Distribution of beverages
Acting capacity: Presiding Arbitrator
Administration: AAA

Location: Los Angeles
Parties: Netherlands Antilles and U.S.
Type of dispute: Licensing Agreement
Acting capacity: Presiding Arbitrator
Administration: AAA

Location: Vancouver
Parties: Antigua and Canada
Type of dispute: Licencing Agreement
Acting capacity: Co-Arbitrator
Administration: BCICAC

Location: London
Parties: Turkey and Canada
Type of dispute: Construction
Acting capacity: Counsel
Administration: ICC

Location: London
Parties: Canada and Italy
Type of dispute: Bank Share Purchase Agreement
Acting capacity: Counsel
Administration: ICC

Location: New York
Parties: United States and England
Type of dispute: Equipment purchase
Acting capacity: Arbitrator
Administration: AAA

Location: Vancouver
Parties: Canadian
Type of dispute: Ownership of business
Acting capacity: Mediator
Administration: Ad Hoc

Location: Seattle
Parties: Brazil and United States
Type of dispute: Boat Licencing agreement
Acting capacity: Presiding Arbitrator
Administration: AAA

Location: Calgary
Parties: United States and England
Type of dispute: Oil and gas
Acting capacity: Presiding Arbitrator
Administration: Ad hoc - UNCITRAL Rules

Location: Toronto
Parties: United States and Belize
Type of dispute: Communications
Acting capacity: Presiding Arbitrator
Administration: Ad hoc - UNCITRAL Rules

Location: Houston
Parties: United States, Israel and Republic of China
Type of dispute: Oil and gas
Acting capacity: Arbitrator
Administration: Ad hoc - UNCITRAL Rules

Chaired FTA Chapter 19 bi-national panel and sat on five - two as chair - NAFTA Chapter 19 bi-national panels. Arbitrator in NAFTA Chapter 11 arbitration.

Administrative panellist in over 100 proceedings under the ICANN Uniform Domain Name Dispute Resolution Policy the STOP procedure as a sole panellist, presiding panellist and co-panellist.