

GRAEME MEW B.A. (Hons) Law, LL.B., FCI Arb
390 Bay Street, Suite 612, Toronto, Ontario, Canada M5H 2Y2
Tel: (416) 366-4555 Fax: (416) 352-5704 E-mail: gmew@npm.ca

PERSONAL

Born in 1959. Two children. Resident in Toronto, Canada and London, England.

Barrister (England & Wales), Barrister & Solicitor (Ontario), Mediator and Arbitrator.

EDUCATION

B.A. (Honours) Law from Kingston University (formerly Kingston Polytechnic) in 1980 (Law School Prize). Called to the Bar of England and Wales (Middle Temple) in July 1982. LL.B. from the University of Windsor (Ontario) in 1986 (Dean's Honour Roll). Called to the Ontario Bar and admitted as a solicitor in Ontario in 1987. Admitted *pro hac vice* by the United States District Court in the US Virgin Islands in 2003.

PROFESSIONAL

Nicholl Paskell-Mede, Lawyers: Managing Partner of the Toronto office.

Chambers of Roger Stewart QC (Four New Square), Barristers, Lincoln's Inn, London: Tenant

Fellow of the Chartered Institute of Arbitrators

CEDR Accredited Mediator (U.K.)

Ranked by *The Canadian Legal Lexpert Directory* (www.lexpert.ca) as a Leading Practitioner in Litigation-Commercial Insurance, Product Liability and International Commercial Arbitration and by *Best Lawyers in Canada* (www.bestlawyers.com) in the fields of Insurance Law (Litigation) and International Arbitration (as an arbitrator and as counsel)

PRACTICE

Advocacy

Advocacy in all levels of court in Ontario, including the Federal Court and the Supreme Court of Canada as well as trial and appellate courts in England & Wales and British Columbia.

Appearances as counsel before arbitrators, mediators, sport governing bodies and administrative tribunals. Main areas of practice include civil and commercial litigation, public law, private international law, insurance law (including excess and reinsurance issues), contract and tort law (including personal injury, product liability, property and transportation), sports law, business disputes, professional liability (including liability of hospitals, lawyers, physicians and accountants and related insurance issues) and liability of directors and officers (including related

insurance issues).

ADR / Judicial (excluding Sports)

Panel arbitrator and/or mediator for: ADR Institute of Ontario, ADR Institute of Canada, ADR Chambers and the International Centre for Dispute Resolution (American Arbitration Association). Formerly a volunteer mediator at the Ontario Court of Justice ADR Centre, Toronto (a pilot project for court-annexed alternative dispute resolution) and a roster mediator for the Ontario Superior Court (1999-2004). Mediator in a wide variety of civil disputes under the current mandatory mediation programme of the Ontario Superior Court. Private mediation and arbitration assignments have included international, commercial, professional partnership, real property, professional liability, environmental, intellectual property, insurance and tort/personal injury matters. Has undertaken mediation and/or arbitration work in Canada, the United States, Ireland, the United Kingdom, Australia and Switzerland. In 2005, appointed by the Regional Senior Justice for the Toronto Region of the Ontario Superior Court to conduct pre-trial settlement conferences for “simplified rules” civil cases.

Sport Specific

Arbitrator, Court of Arbitration for Sport, Lausanne, Switzerland

Arbitrator and Mediator, Sports Dispute Resolution Centre of Canada (and its predecessors, ADR-sport-RED and the Centre for Sport and Law) A Judicial Officer for the International Rugby Board since 2002.

An honorary Legal Adviser to Rugby Canada

Arbitrator and Mediator, Sport Resolutions (formerly the Sports Disputes Resolution Panel), London, England

Specialist Member of the Football Association Judicial Panel (England)

An experienced neutral in sports disputes including doping cases brought by the Canadian Centre for Ethics in Sport, the International Rugby Board and assignments involving various national sport governing bodies, athletes, coaches and sponsors.

Former President (in 2000), Secretary (in 1987), Player and Director, Toronto Nomads Rugby Club. National Coaching Certification Programme (Rugby – Technical – Level 1) in 2001 and assistant coach Toronto Nomads Junior Rugby 2000-3.

Served as an appeal officer at the 2003 and 2007 Rugby World Cups in Australia and France respectively.

Member, Anti-Doping Advisory Committee, International Rugby Board, 2000- . Served on numerous preliminary review and decision review panels for the International Rugby Board and European Cup Rugby in respect of doping matters.

Ad hoc and Tournament Judicial Officer/Appeal Committee appointments in discipline and

misconduct matters by USA Rugby, Rugby Canada, Rugby World Cup, Churchill Cup and the International Rugby Board, including USA v France (2004), USA v Wales (2005), British and Irish Lions – New Zealand (2005), IRB Under 21 World Championship – Argentina (2005), Churchill Cup – Ontario (2006), NA4 - British Columbia and Ohio (2006), USA v Barbados RWCQ (2006), Uruguay v Chile RWCQ (2006), South Africa v England (2007), New Zealand v France (2007), Canada Select v Portugal (2007) and a special assignment in Namibia (2007) in connection with Rugby World Cup.

Provided advice and representation to national sports governing bodies, provincial sports associations, clubs, officials and athletes with respect to liability, governance, disciplinary and eligibility/selection issues.

Represented and/or advised parties involved in cases before the Association of Tennis Professionals, the International Rugby Board, the National Hockey League Players' Association and the Court for Arbitration in Sport (CAS). Counsel in court applications for judicial review of sports tribunal decisions.

ADR and legal work in sport has included the following sports: track and field, triathlon, wrestling, judo, swimming, football (soccer), rugby, ice hockey, paralympic sports, water-polo, basketball, synchronised swimming, karate, tennis, rowing, weight lifting, speed skating and skiing.

CLIENTS

Domestic and international insurers including Lloyd's underwriters, other financial institutions, private individuals, British, Canadian and international businesses. Municipal, provincial and national governments. Athletes and sport organisations. Honorary Legal Adviser to HM British Consulate, Toronto.

MEMBERSHIPS

Law Society of Upper Canada; Canadian Bar Association; Commonwealth Lawyers' Association; Honourable Society of the Middle Temple; International Bar Association; Advocates' Society; Metropolitan Toronto Lawyers' Association; Medico-Legal Society of Toronto; Chartered Institute of Arbitrators (FCI Arb); Arbitration and Mediation Institute of Ontario; Subscriber, American Arbitration Association; Centre for Effective Dispute Resolution (CEDR Accredited Mediator); Sports Lawyers Association (US); Australian and New Zealand Sports Law Association; Federation of Defense and Corporate Counsel (US); International Academy of Sportslaw Practitioners and Executives.

PUBLICATIONS

"Settlement Negotiations and Limitation Periods" (1992), 1 *Uberrima Fides* 56

The Law of Limitations, Butterworths, Toronto: 1991 (1st ed.), 2004 (2nd ed.)

"Lawyers: The Agony and the Ecstasy of Self-Government" (1989), 9 *Windsor Yearbook of Access to Justice* 210

"Impact of Part V of the Family Law Act" (1986), 5 *Can. J. Insurance Law* 42

Case Comment on *Knutson v. Farr* (1986), 64 *Can. Bar Rev.* 562

Editor, *Insurance Law* (a quarterly publication of Federated Press, Montreal), 1994-1998

"Seals and Limitations: 872899 Ontario Inc. v Iacovoni" (1999), 21 *Adv. Q.* 523

"A Clash of Cultures? An Examination of Lawyer's Attitudes to Mediation and Alternative Dispute Resolution in Ontario" (1999), 12th Commonwealth Law Conference, Kuala Lumpur, Malaysia

"Taking on the Government in Time: An Overview of Government Limitations" (2000), v.8 No.3 *The Litigator* 7

Editor, *Clarion* (a publication of the Commonwealth Lawyers Association), 2001- 4

"Class Proceedings in Canada" (2003), 13th Commonwealth Law Conference, Melbourne, Australia

"The Insurance Defence Lawyer's Conundrum: Conflicts of Interest and Ethical Dilemmas Between Insurer and Insured" (2003), 26 *Adv. Q.* 429

"When Does Time Start to Run?" (2004), 28 *Adv. Q.* 448

"More Than Just a Game: Resolving Disputes in Modern Sport" (2005), 14th Commonwealth Law Conference, London, England

"Doping in Sport: To Win at Any Cost?" (2007), 15th Commonwealth Law Conference, Nairobi, Kenya

OTHER

Special Fellowship Course, Chartered Institute of Arbitrators (Netherlands, 1993). Advanced Alternative Dispute Resolution Workshop, University of Windsor (Toronto, 1996). Centre for Dispute Resolution (CEDR) mediation training in London, England (1999). Speaker at various seminars and programmes on insurance law, civil litigation, ADR and international law presented by the Ontario Bar Association, the Ontario Trial Lawyers' Association, the Advocates' Society, the Continuing Legal Education Society of British Columbia, the Law

Society of Upper Canada, the Commonwealth Lawyers Association, Lexpert, the Toronto Lawyers Association, the Australian and New Zealand Sports Law Association and the ADR Institute of Ontario. Guest instructor, Intensive Trial Advocacy Programme, Osgoode Hall Law School. Director, Artists' Health Centre Foundation, 2003-6. Director, Steuart Mew (Underwriting Agencies) Ltd., 1982-1987. Honorary Secretary, Commonwealth Lawyers Association, 2003-5. President, Commonwealth Lawyers Association, 2005-7.

Hobbies include watching all sports (particularly rugby, football (soccer) and cricket), playing tennis and squash, hiking and travel.