

J. BRIAN CASEY



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Mr. Casey has 40 years of experience in commercial dispute resolution. He is a former Principal of Baker & McKenzie International and a former Chair of the Firm's North American Litigation Practice group.

Mr. Casey received a Bachelor of Engineering degree from Carleton University and graduated magna cum laude with his J.D. from the University of Ottawa. He was called to the Bar in 1976. He has practiced at all levels of the courts in Canada, including the Supreme Court of Canada.

Mr. Casey also holds an LL.M. in international business law from York University, having focused his studies on international commercial arbitration. In 1995 he was designated a Fellow of the Chartered Institute of Arbitrators. In 2012 he formed Bay Street Chambers to continue his practice as an independent commercial arbitrator, providing arbitration and consulting services to both the Canadian and international business community.

During his career, Mr. Casey has been retained as sole arbitrator, chairman of the tribunal, or as co-arbitrator in numerous commercial arbitrations both ad hoc and institutional under the auspices of the LCIA, ICC, and the AAA/ICDR. Mr. Casey has also acted in investor/State arbitrations under Chapter 11 of the NAFTA administered by ICSID and other investor/state arbitrations arising out of Bilateral Investment Treaties.

Mr. Casey is listed in tier 1 in *Chambers Global*, in the *Lexpert/American Lawyer Guide to the leading 500 lawyers in Canada*, in *Euromoney's Guide to the World's Leading Experts in Commercial Arbitration* and in *Who's Who Legal*. He is an adjunct professor at the University Of Toronto Law School and is on the Council of the American Arbitration Association. He is Chair of the Canadian Advisory Committee to the International Centre for Dispute Resolution.

Mr. Casey is the author of *Arbitration Law of Canada: Practice and Procedure*, and is a contributor to *International Arbitration Checklists*, both published by Juris Publishing. He has also contributed to *Alternative Dispute Resolution*, a text published by Aspatore Books, the CCH *Ultimate Corporate Counsel Guide* and *Arbitration World*, 4th Ed. by Sweet & Maxwell.

Mr. Casey has lectured and delivered numerous papers in North America, Latin America, Europe and Australia on various aspects of commercial arbitration. Papers and speeches include:

- Update on Foreign Investment Disputes – University of Houston lecture
- NAFTA Chapter 11: What's the Fuss – Canadian Corporate Counsel Association article
- Non-Party intervention in Arbitration – LCIA Seminar, London
- International Multi-Party Arbitrations – IBA Seminar, Melbourne
- Drafting Inter-Cultural Arbitration Agreements – The Center for American and International Law Seminar, Dallas
- Strategic Considerations in Arbitrations under NAFTA and Bilateral Investment Treaties – McGill University lecture
- Drafting International Arbitration Clauses – AAA/ICDR Seminar, Miami
- The Implication of National Laws in the Application of the New York Convention – ICC Seminar, Caracas
- Managing Cultural Differences in International Arbitration – Juris Leading Arbitrators Seminar, Vienna
- Assessment of Damages in Investor State Arbitrations- the View from the Tribunal –Juris Damages Conference, Washington DC.
- Recent developments in arbitrating disputes in Oil & Gas Production Sharing Contracts – ICC Conference, Houston

- Recent update of arbitration in the Americas - ICDR Seminar, Miami
- Expert evidence in Arbitrations and Court – ADR Institute of Canada, Calgary
- Arbitration Advocacy – The Advocates Society, Toronto
- Update on ICDR Canada Rules for Oil & Gas Dispute Resolution- AIPN, Calgary
- Third party funding issues in arbitration- Juris Leading Arbitrators Seminar, Vienna

Representative arbitrations as arbitrator:

- Sole arbitrator in international licence dispute regarding IP rights (ICDR)
- Chair of the tribunal in a marine docking dispute (ICC)
- Sole arbitrator in a computer software installation and warranty dispute. (ICDR)
- Co-arbitrator in an investor/state construction dispute (ICC)
- Chair in a technology licence dispute (LCIA)
- Chair of the tribunal in a dispute involving representations and warranties in a share purchase agreement regarding a hotel chain. (ad hoc)
- Chair of the tribunal in a government procurement dispute (ICC)
- Chair of the tribunal in a breach of warranty claim concerning installation of pulp and paper manufacturing equipment. (ad hoc)
- Sole arbitrator in a publishing and merchandizing licence dispute. (ICDR)
- Chair in an M&A price adjustment dispute regarding retail stores (LCIA)
- Co-arbitrator in a construction delay claim. (ad hoc)
- Sole arbitrator in a joint venture land development dispute. (ad hoc)
- Sole arbitrator in a law partnership dissolution dispute. (ad hoc)
- Co-arbitrator in a right of first refusal contract case regarding merchandizing rights (ICDR)
- Co-arbitrator in an energy pricing dispute (ad hoc)
- Chair in an M&A Share purchase dispute (ICDR)
- Co-arbitrator in a breach of warranty claim concerning installation of mining equipment. (ad hoc)
- Co-arbitrator in a royalty dispute respecting oil and gas deposits (ad hoc)
- Co-arbitrator in a joint venture contract dispute between oil companies (LCIA)
- Co-arbitrator in a wind farm lease dispute (ad hoc)
- Chair in a foreign investment consulting agreement dispute (ICC)
- Emergency Arbitrator regarding a licencing dispute in the publishing field (ICDR)
- Emergency Arbitrator regarding a franchise agreement in the entertainment field (ICDR)
- Chair in a power purchase dispute (ad hoc)
- Chair in a share purchase dispute involving a government owned mining company (LCIA)