

## **CURRICULUM VITAE**

### **Richard J. Weiler LL.B.**

#### **EXECUTIVE SUMMARY**

Recognized as one of Canada's foremost commercial mediators, Rick Weiler is also experienced in conducting arbitrations and med-arbs of commercial, construction, employment and insurance-related matters. Rick has been mediator for over 25 years, mediating approximately 3,500 cases, and was the first Canadian mediator to be certified by the International Mediation Institute and he has been a regular contributor to the Kluwer Mediation Blog.

Rick is a past Chair of the National ADR Section of the Canadian Bar Association and was the recipient of the 2004 Award of Excellence in ADR from the Ontario Bar Association's ADR Section.

Rick mediates disputes involving a wide variety of subject matter including, Long Term Disability Insurance, Employment, Motor Vehicle Accidents, Historical Sexual Abuse, Construction, Business, Corporate and Contract-related disputes, Medical Malpractice, Professional E&O Claims, Environmental, including spills, IP and IT and a range of other tort claims.

In the past Rick has delivered Mediation and Conflict Resolution training to a wide variety of audiences including The National Judicial Institute (Canada), The Department of Justice (Canada), the Royal Canadian Mounted Police, The Public Service Staff Relations Board, The Canadian Institute for Conflict Resolution, Parks Canada, The Department of National Defence (Canada), The Canadian Transportation Agency, The Royal Bank of Canada, The Bank of Nova Scotia, The Law Society of Upper Canada, The Public Service Alliance of Canada, The Canadian Bar Association and major Canadian law firms. In 2000, he delivered an intensive 6-week mediation-training program for Russian lawyers in Moscow as part of a World Bank justice reform initiative. He was also involved in a Project to establish a Commercial ADR Centre in Tirana, Albania. In 2003, he completed an Inter-American Development Bank consultancy regarding the development of commercial ADR in Guyana. He was also involved in a Court-Connected mediation project in Lesotho.

He has been an adjunct professor, teaching ADR at the University of Ottawa Law School where he currently sponsors the Weiler ADR Prize for Mediation. He has also taught Advanced Mediation at the University of Toronto and has lectured on Conflict Analysis and Process Design as part of the LL.M. in ADR program at Osgoode Hall Law School. He has lectured at Queen's University Law School in Kingston, and serves on the faculty of International Law Institute-African Centre for Legal Excellence (ILI-Uganda). Rick writes and speaks frequently on issues related to mediation and conflict resolution and has been a contributing author to the CCH Alternative Dispute Resolution Practice Manual and LexisNexis Canadian Legal Practice.

Prior to his career in mediation Rick practiced corporate, commercial, real estate, development and tax law.

**Revised April 2016**

**TYPES OF CASES MEDIATED:**

- Long Term Disability
- Employment / Wrongful Dismissal
- Tort Claims of all sorts
- Motor Vehicle, including Accident Benefits
- Historical Sexual Abuse
- Medical Malpractice
- LawPro Claims
- Other Professional E&O Claims
- Contract & Business Disputes
- Franchise
- Life and Critical Illness Insurance
- Real Estate, including property development
- Environmental, including spills
- Information Technology
- Intellectual Property

**PROFESSIONAL EXPERIENCE**

- 1997 - present      *Mediator / Arbitrator / Trainer / Dispute Systems Designer*  
Private practice of Alternative Dispute Resolution
- 2010 -            *ADR Consultant – International Law Institute - Lesotho*  
Consulting & training related to court-connected mediation.
- 2003 -            *ADR Consultant – Inter-American Development Bank - Guyana*  
Consulting relative to Commercial dispute resolution
- 2002 -            *ADR Consultant – World Bank Albania Commercial ADR Project*  
2004              Consulting and ADR Training services in Tirana, Albania
- 2002 - present    *Mediation Panelist*  
Center for Arbitration and Dispute Resolution (CADER) (Kampala, Uganda)
- 2001 - present    *Faculty Member*  
International Law Institute – Uganda – African Centre for Legal Excellence
- 2001-2006        *Adjunct Professor (ADR)*  
University of Ottawa Law School (Common Law)
- 1999 - 2000        *ADR Consultant – World Bank Russian Commercial ADR Project*  
Consulting and ADR Training services in Moscow, Russia

**Curriculum Vitae – Richard J. Weiler - Weiler ADR Inc.**

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- 2000 - present      *Mediation Panelist*  
World Intellectual Property Organization (WIPO) general list of Arbitrators and Mediators
- 1998 - 2002      *Mediation Panelist*  
Ontario Mandatory Mediation Program
- 1997 - 2000      *Third Party Neutral -- Panel Member*  
The Canadian Foundation for Dispute Resolution
- 1997 - present      *Commercial Mediation Panelist*  
National Commercial Mediation Panel  
ADR Institute of Canada
- 1997 - 1998      *Mediation Panelist*  
Ottawa Court Connected Mediation Project
- 1994 - 1999      *Commercial Mediation Panelist*  
Dispute Resolution Institute of North America (DRINA)
- 1993 - 1997      *Conflict Manager / Commercial Mediator / Trainer*  
Founding Principal -- Agree Inc.  
Private practice of conflict management
- 1991 - 1993      *Commercial Mediation Panelist*  
Canadian Dispute Resolution Corporation (CDRC)
- 1991- 1993      *Commercial Mediator / Trainer*  
Conduct private practice in commercial mediation
- 1994 - 1995      *Barrister and Solicitor*  
Corporate Counsel to McCabe, Kelly & Filkin, Barristers and Solicitors, Brampton, Ontario. Emphasis on negotiation and settlement strategies.
- 1991 - 1994      *Barrister and Solicitor*  
Richard J. Weiler, Barrister and Solicitor, Brampton, Ontario  
Conduct private practice with emphasis on business and contract law.
- 1989 - 1990      *Barrister and Solicitor*  
Partner with Dalzell, Inglis, Waite & Weiler, Barristers and Solicitors, Brampton, Ontario.

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Conducted private practice with emphasis on business, contract and taxation law.

- 1979 - *Barrister and Solicitor*  
1989 Employee and then Partner with Lawrence, Lawrence, Stevenson, Barristers and Solicitors, Brampton, Ontario.  
Conducted private practice with emphasis on business, contract, real estate, development and taxation law.

**SPEAKING, SEMINARS AND TEACHING**

The following are representative of the speaking, seminar and teaching engagements in which Mr. Weiler has been involved in recent years.

- 2016 *Demonstration Mediator*  
University of Ottawa Law School
- 2013 *Panelist*  
The Osgoode Short Course In Mediation Advocacy - Toronto
- 2011 *Panel Chair & Presenter*  
Dealing with Impasse in Long Term Disability Mediations - Toronto  
Advanced Mediation Advocacy Forum
- 2008 to *Judge / Mediator*  
Present Weiler Prize Mediation Competition – Ottawa  
University of Ottawa Law School
- 2007 *Judge*  
International Mediation Competition – Paris, France  
Hosted by International Chamber of Commerce.
- 2006 *Panelist*  
Mediation and Resolution of Employment Law Disputes  
Law Society of Upper Canada - Ottawa
- 2006 *Panelist and Speaker*  
Med-Arb for Resolution of Employment Disputes  
Employment Law Summit  
Law Society of Upper Canada - Toronto
- 2006 *Chair of Panel & Speaker*  
Mediation Strategy & Tactics – The Many Ways of Settlement  
Canadian Bar Association – St. John's Newfoundland

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- 2005      *Speaker & Panelist*  
The use of ADR in the context of government ethics laws  
Council on Government Ethics Laws, Boston Mass.
- 2004      *Speaker*  
Mediating the Disability Insurance Dispute  
Canadian Institute – Toronto
- 2004      *Speaker*  
Using ADR to Rescue the Problem Commercial Deal  
Law Society of Upper Canada – Province of Ontario, Canada
- 2004      *Speaker*  
Mediation Confidentiality  
Ontario Bar Association – Toronto
- 2004      *Speaker & Moderator*  
Mediation of Employment Disputes  
Ontario Human Resource Professionals Assoc. - Ottawa
- 2003      *Speaker*  
W(h)ither Mediation – The Future of Commercial Mediation  
ADR Institute of Canada – Toronto
- 2003      *Speaker*  
Tools for Success in Intellectual Property Mediation  
Canadian Bar Association – IP ADR Conference – Ottawa
- 2003      *Speaker*  
Building a Successful International Mediation Practice  
American Bar Association – International ADR Conference – Washington
- 2002      *Speaker*  
Five Top Reasons For Not Taking Your IP Dispute to ADR  
Symposium on IP ADR  
Canadian Bar Association - Ottawa
- 2002      *Speaker*  
Mediation of Intellectual Property Disputes  
Intellectual Property Institute of Canada
- 2002      *Speaker*

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**RICHARD JOHN WEILER LL.B.**

- Commercial Mediation in Russia  
American Bar Association - Dispute Resolution Section Annual Meeting
- 2001 *Speaker*  
Mediating Employee Terminations  
Insight Seminars, Ottawa, Canada
- 2001 *Speaker & Panel Member*  
Finessing Mandatory Mediation  
Local Mediation Committee - Ontario Mandatory Mediation - Ottawa ON
- 2001 *Speaker & Panel Moderator*  
Mediating the Multi-party, Multi-day Mediation  
Ontario Bar Association - Ottawa ON
- 2001 *Workshop Leader & Roundtable Facilitator*  
The Annual Meeting of the ADR Institute of Canada – Ottawa ON
- 2001 *Training Leader*  
Third Party Neutral Training – Election Officials from Bosnia Herzegovina  
Canadian Institute for Conflict Resolution – Ottawa, ON
- 2001 *Speaker*  
The Use of ADR for Resolution of International Commercial Disputes  
Subcommittee of the United States Department of Commerce
2001. *Speaker*  
Online Resolution of Insurance Disputes – Insight Seminar Group –  
Toronto, ON
- 2001 *Speaker & Panel Moderator*  
Effective Mediation Advocacy – The Advocates' Society – Toronto, ON
- 2000 *Speaker*  
The Mediation Process -- Russian National ADR Conference  
Moscow, Russian Federation
- 2000 *Speaker*  
Wargaming and ADR  
Queen's University Law School - Kingston, ON
- 1999 *Speaker*  
Mediation & Wargaming  
International Academy of Mediators - Washington DC

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- 1998 *Speaker*  
Resolving Disputes involving Charities and Not for Profits  
Law Society of Upper Canada -- Toronto
- 1998 *Speaker*  
Mediation Advocacy  
Advocate's Society – Ottawa Chapter
- 1998 *Speaker*  
Conflict Analysis in Commercial Mediation  
Interaction '98 – The Network – Sherbrooke Quebec
- 1998 *Speaker*  
Effective Mediation  
County of Carleton Law Association – Civil Litigation Update
- 1998 *Process Facilitator*  
Creating and Sustaining Conflict Management Systems within  
Organizations  
Society for Professionals in Dispute Resolution, Washington D.C.
- 1998 *Presenter / Facilitator*  
Dispute Resolution Forum  
Society of Adjudicators and Regulators and Council of Government Dispute  
Resolvers - Toronto
- 1997 *Presenter*  
ADR and Criminal Law  
Canadian Criminal Justice Association Annual Meeting
- 1997 *Lecturer*  
Organizational Conflict / Conflict Resolution  
York University - Continuing Studies in Conflict Resolution
- 1996-7 *Workshop Leader / Trainer*  
National Judicial Institute (Canada)
- 1996-  
2002 *Lecturer*  
Advance Mediation  
University of Toronto -- Continuing Studies in Dispute Resolution
- 1996- *Lecturer*

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- 1999 Design in Conflict Resolution  
LL.M. Program - Osgoode Hall Law School
- 1996 *Facilitator*  
Open Space Technology Session -- Mediator Qualifications  
The Network: Interaction for Conflict Resolution
- 1996 *Lecturer*  
The Ethics of Mediation  
Osgoode Hall Law School -- Student Mediation Program  
Toronto, Ontario
- 1996 *Presenter*  
Mediation and the Christian Practitioner  
Society of Professionals in Conflict Resolution -- Anaheim CA
- 1996 *Program Chair / Presenter*  
ADR for Lawyers (Training for Bar Admission Course Instructors)  
Law Society of Upper Canada -- Toronto
- 1996-  
Present *Workshop Leader*  
Third Party Neutral III (5-day Mediation Training)  
Canadian Institute for Conflict Resolution - Ottawa
- 1996 *Co-presenter (With Genevieve Chornenki)*  
The Promise of Mediation  
Network Interaction '96 Conference - Edmonton
- 1995 *Seminar Leader*  
Commercial Mediation / Conflict Management  
Canadian Institute for Conflict Resolution -- Ottawa ON
- 1995 *Presenter and Panelist*  
New Era in Labour Management Cooperation  
The Canadian Institute -- Toronto, ON
- 1995 *Presenter*  
ADR and Workers' Compensation  
The Canadian Institute -- Toronto ON
- 1995 *Trainer / Coach*  
Advance Mediation III  
Private Course (with Janine Higgins LL.B.) London ON

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- 1995      *Trainer / Facilitator*  
Commercial Mediation I  
Canadian Institute for Conflict Resolution -- Ottawa, ON
- 1995      *Presenter and Panelist*  
ADR -- Maximizing Mediation  
Canadian Bar Association (Ontario)
- 1994      *Presenter and Panelist*  
The Business of ADR  
SPIDR - 22nd Annual Conference - Dallas, TX.
- 1994      *Mediation Coach*  
University of Western Ontario - London, ON
- 1994      *Interview Subject*  
The Respectful Workplace - Video Production  
Quality Media Resources - Bellevue Washington, USA
- 1994      *Presenter*  
Alternative Dispute Resolution  
The Canadian Gas Association - Winnipeg
- 1994      *Presenter*  
Franchising Disputes  
The Canadian Institute
- 1994      *Presenter and Panelist*  
Mechanics of Mediation  
Canadian Bar Association (Ontario)
- 1994      *Presenter and Panelist*  
Alternative Dispute Resolution (ADR)  
CCH Canadian Limited
- 1994      *Workshop Leader, Instructor and Coach*  
Strategies for Settlement  
Canadian Institute for Conflict Resolution
- 1994      *Presenter and Panelist*  
Alternative Dispute Resolution in Franchising  
Canadian Franchise Association / AMI(O)
- 1994      *Presenter and Panelist*

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Canadian Bar Association (Ontario) ADR Section  
Facilitated Negotiation of Public Policy

- 1993 *Trainer and Coach*  
Generic Mediation Training  
Arbitration and Mediation Institute (Ontario)
- 1993 *Mediation / Arbitration Coaching*  
Canadian Bar Association (Ontario) Annual Institute  
Coaching mediation and arbitration technique

### EDUCATION & MEMBERSHIPS

- 1979 - Member of Law Society of Upper Canada (Ontario, Canada)  
present
- 1977 *LL.B. Osgoode Hall Law School,*  
York University, Toronto, Ontario
- 1974 *Undergraduate Studies.*  
University of Toronto, Victoria College, Toronto Ontario.

### ARTICLES & PUBLICATIONS

#### **Mediation Chapter**

Canadian Legal Practice - LexisNexis Canada - 2013 - present

#### **Various Blog Posts**

Kluwer Mediation Blog - 2011 - present

#### **Amiable Composition – Making Equity A Priority Over Law**

Lawyers Weekly – September 15, 2006

#### **Stone v. Polon [2006] O.J. No. 174 – Case Comment**

Scope of the Arbitration Agreement  
Lawyers Weekly – March 2006

#### **Mediation Chapter**

Butterworth's Barristers & Solicitors in Practice – 2004

#### **Enforceability of Commercial ADR Clauses**

Commercial Litigation Review – September 2003

#### **Commercial Mediation – We Ain't Seen Nothing Yet**

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Journal of ADR Institute of Canada – Winter 2002

**Mediating Employee Termination Disputes**

Insight Publications – Fall 2001

**Mediation FAQ**

ADR Institute Journal – Summer 2001

**ADR Primer**

Developed for the Law Society of Upper Canada - 1998

**Third Party Neutral III – Mediation Manual**

Developed for Canadian Institute for Conflict Resolution - 1998

**Grievance Mediation Manual**

Developed for the Public Service Staff Relations Board 1998

**Appropriate Dispute Resolution - Lower cost resolution of investment related disputes**

Article for Offshore Investment Canada Magazine - 1998

**Conflict (Who, me?)**

Article for “good idea” published by Wycliffe College Institute of Evangelism - 1997

**ADR and Justice**

Article for inclusion in forthcoming handbook on ADR for Canadian Judges. - 1996

**Conflict System Design Manual**

The Canadian Institute

**ADR -- Appropriate Dispute Resolution -- mediation and other innovative approaches to workers' compensation related conflict management**

The Canadian Institute

**The Authority Issue in Mediation**

Chapter in CCH Canadian ADR Manual

**Appropriate Dispute Resolution - An Innovative Approach to Franchise Conflict Management.**

Franchising Disputes

Canadian Institute, 1994

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**How to Get Your Case to Mediation**

Mechanics of Mediation

Canadian Bar Association (Ontario), 1994

**ADR Clauses - 1993**

Institute Proceedings, Canadian Bar Association (Ontario).

**Future Disputes Resolution Clauses - Practical Implications -**

Law Society of Upper Canada - ADR Primer Programme - December 1993.

**ADR and the Internet**

CCH ADR Forum Newsletter -- Summer 1995

**INTERVIEW SUBJECT**

Gordon, Sheldon, "***What's New in ADR – Five For the Future***", in The National (magazine of the Canadian Bar Association), September 2006, vol. 15, no. 6, p. 43

Carlson, Daryl-Lynn, "***Wordwide Mediation***", in The National (magazine of the Canadian Bar Association), November 2004, vol. 13, no. 7, p. 30

Date: April 2016