

## CIRCULUM VITAE

### **Professor Richard H. McLaren, O.C., D.D.**

**Richard H. McLaren,  
O.C., D.D.**

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An internationally recognized expert arbitrator, academic and investigator Richard McLaren has spent his career working in alternative dispute resolution.

Richard McLaren has lent his expertise across multiple areas of labour and arbitral proceedings, including labour, commercial, international and sports arbitration. For over 40 years he has held appointments as an interest arbitrator in contract negotiations involving police, firefighters and essential health care workers. McLaren has served as party appointed Arbitrator or Chairman on more than 500 commercial arbitral tribunals; including both arbitral institutions and ad hoc appointments. He been involved in significant labour arbitration work at the federal and provincial level and has conducted close to 1,500 labour arbitrations. He is also recognized as a leading figure in sport dispute resolution, working at the highest level of sport organizations. He has served with distinction in his dealings with salary arbitrations and Player/Agent disputes, as well as on more than 200 panels of the Court of Arbitration for Sport (CAS) and the Sport Dispute Resolution Centre of Canada (SDRCC). As a member of the World Anti-Doping Agency's 2015 Independent Commission, he investigated systemic doping and corruption in Russian athletics. In 2016, he led the investigation into allegations of sample tampering at the 2014 Sochi Winter Olympics. McLaren and his McLaren Reports were featured in *Icarus*, the 2018 Oscar winning documentary that exposed state-sponsored performance enhancing doping in Russian sport.

Outside his involvement in dispute resolution Richard McLaren is a Professor of Law at Western University in London, Ontario and has been an Associate Dean and Interim Dean. He was Chairman Emeritus of the Advisory Board, National Sports Law Institute at Marquette University; and Special Advisor to Strauss Institute for Dispute Resolution, Pepperdine University. He has been a visiting scholar at Oxford University; the Institute for Advanced Legal Studies; the London School of Economics and Political Science at the University of London and on two occasions at Stanford University, California. He has been appointed an Honorary Senior Fellow at the Law School of Melbourne University in Australia.

He is also Counsel to McKenzie Lake Lawyers LLP and practices law as an independent arbitrator and mediator through his companies, Innovative Dispute Resolution Ltd. and McLaren Global Sport Solutions Inc.

Professor McLaren is a recipient of the Order of Canada by appointment of the Governor General of Canada, one of the country's highest civilian distinctions. He is also the recipient of the Board of Governors' Recognition of Achievement Award, Canada Awards for Excellence and has been presented with the Master of the Game Award by Marquette University Law School in Milwaukee and the Sir William Osler Medal from Trinity College School.

## Education

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- Trinity College School (1964)
- University of Western Ontario, H.B.A. (1968)
- University of Western Ontario, LL.B. (1971)
- University of London, London School of Economics and Political Science LL.M. (1972)
- Barrister and Solicitor Law Society of Upper Canada (1974)
- National Academy of Arbitrators (N.A.A.) (U.S.A.) (1980)
- Arbitrator's Institute of Canada Inc. - Chartered Arbitrator (C.Arb.) (1989)

## Experience

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### Legal Experience

- Counsel, McKenzie Lake Lawyers LLP, London ON (2005 – present)
- Counsel, MacKewn, Winder & Kirwin, London, ON (1984-2005)
  - Appellate litigation, consultative trial work and legal opinions
- Practicing lawyer in commercial litigation, Harrison Elwood, London, ON (1983-1984)

### Labour Arbitration

- Regularly selected by mutual consent of employers and unions as chair or sole arbitrator of ad hoc labour arbitrations
- Member of the permanent panel of arbitrators for employers and trade unions (1985 – present)
- Player/Agent arbitrator for NHLPA (2001 – present)
- Salary arbitrator for NHL/NHLPA (1993 – 2000)
- Various appointments as an interest arbitrator for disputes involving police, firefighters and essential health care workers
- A selected list of labour arbitration work includes:
  - Air Ontario and the Canadian Autoworkers Union
  - Bell Canada and the Communication, Energy & Paperworks Union
  - Purolator Courier Limited & Teamsters, Chauffeurs & Warehouseman Union
  - Arvin Automotive and the USWA
  - CIP Containers and the Energy & Chemical Workers Union
  - Fleet Industries and Frontier Lodge 171, IAM
  - Kellogg Canada Inc. and the American Federation of Grain Millers
  - Ontario Council of Regents for the Colleges of the Applied Arts & Technology and OSPEU
  - Ontario Police Arbitration Commission
  - Royal Oak Dairy, a division of Ault Foods Limited and the Retail, Wholesale & Department Store Union, Local 442
  - Somerville Packaging, a division of Paperboard Industries Co. and the Canadian Paperworkers Union, Local 36
  - Stelco Inc. and the United Steelworkers of America, Local 1005
  - Stelco Inc., Lake Erie Works and the USWA, Local 878
  - The Corporation of the Town of Oakville and the Canadian Autoworkers, Local 1256
  - The Windsor Star and the Windsor Newspaper Guild
  - Veratec (Canada) and the United Steelworkers of America, Local 8505

## **International and Domestic Commercial Arbitration**

- Party-appointed member of International Centre for Settlement of Investment Disputes (ICSID) Tribunal, Washington, D.C. for an investor-state dispute (2016 – 2020)
- Appointed as pipeline-arbitrator by Natural Resources Canada under the National Energy Board Act (2012 – present)
- President of International Chamber of Commerce (ICC) arbitration panel
- Court appointed arbitrator
- Regularly named as the mutually agreed upon ad hoc arbitrator for shareholder and commercial disputes, including:
  - as a party appointed arbitrator to an ad hoc panel asked to determine various financial issues associated with a hotel management agreement (2010-2012)
  - as sole arbitrator to technology company dispute involving unanimous shareholder agreement (2008)
  - as sole arbitrator in a shareholder dispute and representation agreement determination of legal rights and then a mediation of dispute (2007)
  - as sole arbitrator for share purchase pricing options and rights of setoff triggered by employee termination (2006)
  - as sole arbitrator for a share purchase dispute regarding the assignment of rights and the exclusion of liability (2005)
  - as sole arbitrator for an exclusive sales territorial compensation dispute (2004)
- Appointed by the American Arbitration Association as a foreign national arbitrator for five complex commercial arbitrations, each with multi-million dollar claims

## **Sports Arbitration and Investigation**

- Independent Investigator appointed by the Executive Board of the International Weightlifting Federation to investigate allegations of impropriety surrounding the IWF (2020 – present)
- Independent Person appointed by WADA to conduct an investigation and review of the allegations made in relation to the 2014 Sochi Olympic Games (2016)
- Chief Arbitrator of Panel of Arbitrators for the Ultimate Fighting Championship (UFC) (2015 – present)
- Chief Arbitrator for World Triathlon Corporation o/a IRONMAN (2015 – present)
- One of three Commissioners on the WADA Independent Commission that examined allegations of systemic doping and cover-ups in Russian sportspersons (2014 – 2016)
- Anti-Corruption Hearing Officer for the Professional Tennis Integrity Unit (comprised of the ATP; WTA; ITF and Grand Slam Board) (2008 – present)
- Arbitrator for the ATP Tour Anti-Doping Tribunal (1993 to 2000)
- Arbitrator for the European Tour and PGA Tour (2000 – present)
- One of the Founders of the Sport Dispute Resolution Centre for Canada and drafter of the Sports Code for Canada
- Co-chief arbitrator for the ADRsportRED/Sports Dispute Resolution Centre for Canada, Canadian national sports arbitration program, a sports alternative dispute resolution system for amateur sport
- Assisted Senator Mitchell in the Major League Baseball inquiry into the use of performance enhancing steroids in professional baseball (2007)

## **Mediation**

My training has been of a practical nature born out of my work as an arbitrator. In the course of doing labour and commercial arbitration, I have found over the years the need to engage more and more frequently in mediation.

- I have also had specific assignments as a mediator and have handled over 100 mediations, some specific assignments include:
  - Mediation between the Ontario Hospital Association and OPSEU with respect to the reclassification of 10,000 medical technicians
  - Mediation of a community dispute between a medical dental clinic, its professional staff and its constituent native community

- Mediation of civil litigation Maritime marine accidents and deaths
- Mediation of a civil litigation between a large commercial landlord and its tenant in a shopping mall
- Numerous mediation/ arbitration assignments in the labour law area
- Mediation of an engineering specification in a specially designed product for use in the Persian Gulf War
- Mediator of a road property construction joint venture in the Dallas, Texas area
- Mediator of a bankruptcy and insolvency dispute involving defaulted sale of Business (\$6 million involved)
- Appointed by Bank of Nova Scotia to its panel of mediators dealing with small business credit mediation program
- Mediation between authors of television scripts for Henson International in connection with its children television program Fraggle Rock over the royalty entitlement for foreign residuals

## Academic Publications

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### Major Books & Treatises

- *Canadian Commercial Reorganization: Preventing Bankruptcy*, Canada Law Book (ongoing)
- *Innovative Dispute Resolution: The Alternative*, Carswell (ongoing)
- *Secured Transactions in Personal Property Security in Canada*, Carswell (3<sup>rd</sup> Ed.) (ongoing)
- *Annotated Ontario Personal Property Security Act 2020*, Carswell, published annually since 1993
- The Sports Law Review, Chapter 4, (5<sup>th</sup> Ed.)The Law Reviews (2019)
- McLaren & Palmer *Commercial Arbitration Law*, Carswell (1982)
- McLaren & Rayner *Falconbridge: The Law of Mortgages* (4<sup>th</sup> Ed.),Canada Law Book (1977)
- Catzman, McLaren et al *Personal Property Security Law in Ontario*, Carswell (1976)
- Editor of the Personal Property Security Act Cases a law report service P.P.S.A.C. (4<sup>th</sup>)

## Awards and Honours

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- Sir William Osler Medal (2019)
- Officer of the Order of Canada (2015)
- University of North Carolina (Chapel Hill) Bluth Memorial Lecture (2018)
- -Master of the Game Award, National Sports Law Institute, Marquette University Law School (2017)
- Honorary Doctor of Divinity Degree (HDD) Huron University College (2017)
- Ivan Rand Alumni Award, Western University Canada (2016)
- Board of Governors' Recognition of Achievement Award, Canada Awards for Excellence (2016)
- Joseph E. O'Neill Award, Marquette University Law School (2015)
- Huron University College Distinguished Alumni Award (2014)
- Lionel J. McGowan Award for Excellence in ADR in Canada (2010)
- Feeney Memorial Public Lecture, University of Ottawa (2010)

## Membership and Activities

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- The Arbitrator's Institute of Canada
- The National Academy of Arbitrators (United States)
- The London Court of International Arbitration (North American Council)
- ICC Canada Arbitration Committee (The Canadian Chamber of Commerce)
- Law Society of Upper Canada
- Canadian Bar Association/Ontario Bar Association

- Ontario Labour-Management Arbitrator's Association
- Former Director, ADR Institute of Ontario
- Founder, creator and member of ADR program for amateur sport (ADRsportRED), Past Co-Chief Arbitrator for the Sports Dispute Resolution Centre for Canada
- Member of Court of Arbitration for Sport (CAS) panel of arbitrators, based in Lausanne, Switzerland
- Member of the CAS Ad Hoc Panel at five Olympic Games and the panel for the Commonwealth Games
- American Express Cardholder Dispute Resolution Roster
- Beijing Arbitration Commission (BAC)
- Dubai International Arbitration Centre
- Fédération Equestre Internationale (FEI) Commission- Anti Doping & Medication - Legal Group
- Chairman Emeritus of the Advisory Board National Sports Law Institute at Marquette University Faculty of Law
- Special Advisor to Straus Institute, Council of Distinguished Advisors for Dispute Resolution, Pepperdine University
- Canadian Association of Law Teachers (CALT)
- Chairman of the Board of Governors at Trinity College School
- Member of the Corporation and Foundation for Huron University College