## **Duncan W. Glaholt**

## Arbitrator and Mediator of Construction Industry Disputes

## www.glaholtadr.com dwg@glaholtadr.com



## Bridging the Gap

Blakes is a leader in domestic and international arbitration. We are proud to support the Canadian Journal of Commercial Arbitration.

## **Blakes Means Business**

Blake, Cassels & Graydon LLP | blakes.com

Construction Law Firm of the Year, Best Lawyers® and Benchmark Canada Most Frequently Recommended, Construction Law, *Lexpert*™ Band 1, Construction Law, Chambers Global

#### **CONSTRUCTION & INFRASTRUCTURE**

# A building reputation

We are a preeminent Canadian construction and infrastructure law firm. Our peers and clients recognize our lawyers as the best in the construction industry.

We are experienced advocates in all forms of Alternative Dispute Resolution including mediation and arbitration, both domestically and internationally.

Learn more at singleton.com



Singleton Urquhart Reynolds Vogel LLP Toronto | Vancouver

# FAIR, TIMELY & COST-EFFECTIVE DECISIONS

We have extensive experience as arbitrators in high stakes international and non-international disputes in various fields. Whether the proceedings are administered or *ad-hoc*, we are focused on serving in the role of chair, panel member, or sole arbitrator in a manner that leads to a just and enforceable decision.





Over numerous years, we have been appointed by the Court, mutually by counsel or the parties, or as party nominees to decide cases in a variety of industries including energy, construction, and real estate.

Carsten Jensen QC, FCIArb Bryan C. Duguid QC, FCIArb Sabri M. Shawa QC, FCIArb Glenn Solomon QC, FCIArb

### **JSS** BARRISTERS

Jensen Shawa Solomon Duguid Hawkes LLP

jssbarristers.ca/arbitrators-mediators 403.571.1520

## LERNERS

LAWYERS

# Creativity. Pragmatism. Expertise.

Clients rely on our arbitration lawyers, who have a reputation as experienced, knowledgeable, skilled, and tenacious advocates and arbitrators. We devise effective strategies to help them achieve the best outcomes in their business disputes.





Lisa

Munro

O.Arb

Earl Cherniak *FCI.Arb* 

Cynthia Kuehl O.Arb





LONDON | TORONTO | STRATHROY | WATERLOO REGION | LERNERS.CA



## Borders are not barriers for us, so leave your passport at home.

With over 700 successful virtual matters behind us, we know what it takes to conduct a successful virtual proceeding.

For hybrid proceedings, our physical facilities and video technology are state-of-the-art.

Through our International Arbitration Centre Alliance, you and your clients have the option to attend at the leading arbitration centres in London and Singapore.

We are independent. We are not aligned to any party or to any institution.

#### Our only vested interest is your interest.

arbitrationplace.com

#### **12**

Average matters per day hosted virtually or hybrid

#### <u> ୧</u> **48**

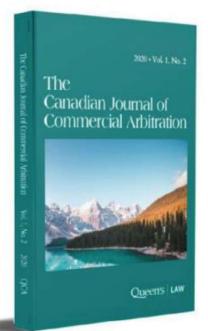
Participants hosted in a single virtual or hybrid proceeding



Hours of virtual and hybrid proceedings since March 2020

## **Interested in subscribing to the** *Canadian Journal of Commercial Arbitration?*

Published semiannually, the CJCA developments explores in commercial and investor-state arbitration that affect Canadian parties and interests, whether within Canada or abroad. Aimed primarily at a practitioner audience, the CJCA bridges the gap between practice and academia through cutting-edge articles. case comments. book reviews, and opinion essays.



## The CJCA is pleased to offer:

- Individual Subscriptions, which include print copies of each issue and immediate access to the journal's content online.
- Subscription Packages, which include multiple print copies of each issue, access to online content, an opportunity to place advertisements in the journal, and recognition by the *CJCA*'s website and activities.

Sign up to be a subscriber at https://cjca.queenslaw.ca/subscriptions

## The Canadian Journal of Commercial Arbitration

## 2021 • Vol. 2, No. 2

#### TABLE OF CONTENTS

Editors' Note Joshua Karton xiii

#### ARTICLES

Canada's First Recorded Arbitration: Iroquet v Atironta, Cahiague, Huron-Wendat First Nation, 1616 Mark Bourrie	1
International Commercial Arbitration in Canada: From Hostility to World Leadership to Playing Catch-up Valerie Hughes and Mark Jewett	14
FEATURES	
2021 Canadian Commercial Arbitration Case Law: A Year in Review <i>Lisa C. Munro</i>	71
YCAP and CJCA Interview with Marek Krasula Interview by James Plotkin & Özge Yazar	92
BOOK REVIEW	
The Three Ages of International Commercial Arbitration	101

The Three Ages of International Commercial Arbitration, 101 by Mikaël Schnazi *Reviewed by Joshua Karton*