

RESUME – AUGUSTUS RICHARDSON, QC

Born: Toronto, April 26, 1952

Member of the Ontario Bar since: April 1984

Member of the Nova Scotia Bar since: February 1990

Queen's Counsel (NS): December 2005

Chartered Arbitrator (C. Arb.): January 2010

Fellow, Chartered Institute of Arbitrators (FCIArb): January 2019

Member, National Academy of Arbitrators: June 2019

DEGREES

LL.B. (Honours) – (University of Toronto, 1982)

M.A. (Social History) – (Essex University, England, 1979)

B.A. (Honours) – (University of Toronto, 1976)

ACADEMIC AWARDS

The McCarthy & McCarthy Prize for Administrative Law (aeq.) – (1980 – 1981)

The M.L. Friedland Prize for the best student contribution to legal scholarship published in the University of Toronto Faculty of Law Review – (1981 – 1982)

CERTIFICATES AND COURSES

The Canadian International Institute of Applied Negotiation

Certificate in ADR (Mediation) (2003)

Canadian Condominium Institute

CM 100 (Fundamental Condominium Management Principles, March 2004)

CM 200 (Practical Condominium Management Principles, February 2006)

ADR Institute of Canada

>*Certificate in Commercial Arbitration (2004)*

Dalhousie Law School

Labour Law (2004, Prof Bruce Archibald, partial audit)

Administration of the Collective Agreement (2004-5, Prof. Innis Christie/Eric Slone, audit)

ARBITRATION AND MEDIATION LISTS

Canada: Grievance Arbitrator/Unjust Dismissal Adjudicator, *Canada Labour Code* (since May 2005)

Nova Scotia: Alternate Vice-Chair, NS Labour Relations Board (since October 2006)

General List of Arbitrators, NS Department of Environment and Labour (since March 2005)

Civil Mediation Roster (since May 2006)

Prince Edward Island: Minister's Labour Arbitration List under the *Labour Act* (since March 2005)

EMPLOYMENT HISTORY

PART-TIME BOARD MEMBER, FEDERAL PUBLIC SERVICE LABOUR RELATIONS BOARD

Appointed May 2010 (coterminous with following)

VICE-CHAIR, NS LABOUR RELATIONS BOARD

October 2006 – January 2013

ADJUDICATOR, SMALL CLAIMS COURT OF NOVA SCOTIA

Appointed April 2001 (coterminous with following)

AD+REM ADR SERVICES INC

June 2005 – present; Practice focussed on arbitration, mediation and appellate work

HUESTIS RITCH

Barristers and Solicitors

1200-1809 Barrington Street

HALIFAX, Nova Scotia

September 1990 – June 2006; became partner in 1993; practice included civil and defence (insurance) litigation

LILLY BLOTT

Barristers and Solicitors

TORONTO, Ontario

April 1985 – September 1990; became partner in February 1988

SUPREME COURT OF ONTARIO

Law Clerk to Chief Justice of the High Court of Justice

February 1984 – February 1985

DICTIONARY OF CANADIAN BIOGRAPHY

Manuscript Editor

July 1975 – August 1977

PUBLICATIONS (SELECT HIGHLIGHTED TO VIEW)

- ["Interference with Contractual Relations: Is *Torquay Hotel* the Law in Canada?" \(1983\) 41 U. of T. Fac. of Law Rev. 1-18.](#)
- "Making an End Run Around the Corporate Veil: The Tort of Inducing Breach of Contract" (1984) 5 Advocates' Quarterly 103-109.
- ["Condominium — Prohibitions on Occupation by Children" \(1984\) 62 Canadian Bar Review 656-68.](#)
- ["Production of Documents Held by Affiliated Corporations Under Rule 30.02\(4\)" \(1985\) 6 Advocates' Quarterly 111-16.](#)
- ["The Privilege Against Production: Are the Walls of Jericho Falling?" \(1987\) 10 CPC \(2d\) 294-312.](#)
- ["The Right to Sue Executive Officers – WCAT – Compensation Appeals Forum – v2 no2 – Oct 1987 pp.21-23.](#)
- "Economic Loss, Contracts and Third Parties: Can a Defendant to a Claim for Economic Loss Rely on a Contract to which He was not a Party?" (1989) 10 Advocates' Quarterly 191-204.
- "The Rule in *Phillips v. Eyre*: The Road Not Taken" (1989) 31 CPC (2d) 65-82.
- "The Irish Mortgage in Nova Scotia" (1991) 17 Nova Scotia Law News 153, 200-207.

- [“Lost Future Income and the Expectancy of Life: *Balkos v. Cook*” \(1990-91\) 13 Advocates’ Quarterly 246-64.](#)
- “The New [Costs] Tariff : Three Years Later” (1992) 18 Nova Scotia Law News, nos. 1, 2 and 4.
- “Insurance Applications and the Insured’s Carelessness in their Execution: *Vrbancic v. London Life Insurance* Revisited” (1993) 14 Advocates’ Quarterly 501-12.
- “Adjuster’s Liability” (Winter 1995) Atlantic Claims Journal 19-23.
- [“In Defence of Small Claims” \(January 2007\) 25 The Society Record No. 1, pp.35-36](#)
- “Damages in Lieu of Reinstatement: An Analysis and Restatement” [2012-2013] Labour Arbitration Yearbook (2nd series) 121-40.
- “Was Lincoln Right?” in Blaikie, Cromwell and Pink (eds.), *Why Good Lawyers Matter* (Toronto, 2012).

PRESENTATIONS AND PAPERS GIVEN (SELECT HIGHLIGHTED TO VIEW)

- CBA – Nova Scotia Branch, Real Property Section (December 1991): “The Irish Mortgage — Developments in Foreclosure Practice [in Nova Scotia]”.
- CLE Society of Nova Scotia: “The Cost and Fees Act Updated,” *Insurance Law*, May 23, 1992, Halifax, Nova Scotia.
- TUNS, 2nd Snow Clearance and De-Icing Seminar (August 1992): “Legal Liability and Levels of Service.”
- CLE Society of Nova Scotia: “Section B Medical and Rehabilitation Benefits,” *Insurance Law*, September 1993 (with Wayne MacDonald).
- 31st General Insurance Conference, “Adjuster’s Liability,” May 1994.
- CLE Society of Nova Scotia: “Costs on Interlocutory Applications and Security for Costs,” September 1995.
- CBA – Nova Scotia Branch (1996 Professional Development Conference): [“Wrestling with Negative and Positive Contingencies When Quantifying Future Loss](#)
- CBA – Nova Scotia Branch (February 1997): “Computerization and the Law.”
- ICANS (February 1997): “Lock Up Your Settlements: Unconscionable Settlements and How to Avoid Them.”
- CBA – Nova Scotia Branch (1997 Civil Litigation Seminar): [“Calculating the Present Value-or Lump Sum-of a Future Loss“](#)
- CBA – Nova Scotia Branch, Young Lawyers’ Section (November 1998): “Dealing with Future Loss Claims.”
- ITAC (Insurance Training And Consulting) (March 1999): “Y2K Claims: How ‘All Risks,’ CGL and D&O Policies Will Respond.”

- CLE Society of Nova Scotia (Personal Injury: Focus on Damages [March 1999]): [“Pre-Judgement Interest Under the Judicature Act – A Primer.”](#)
- CBA – Nova Scotia Branch (January 2000 Professional Development Conference): “Expert Medical Witnesses: Their Retainer, Their Files and Their Opinions” (with Raymond F. Wagner)
- [CLE Society of Nova Scotia \(Personal Injury \[January\] 2001\): “Lost Opportunities and Lost Logic: A Review of the Claim for Loss of Housekeeping Capacity/Services in Personal Injury and Fatal Injury Cases.”](#)
- CBA – Nova Scotia Branch (11th Annual Professional Development Conference, January 2002): [“A Primer on Costs and the Taxation of Legal Accounts in Nova Scotia.”](#)
- CBA – Nova Scotia Branch, Young Lawyers’ Section (October 2002): “The Taxation of Solicitor and Client (Legal) Accounts in Nova Scotia.”
- CBA – Nova Scotia Branch, Law Reform Section (November 2002): “Structured Settlements – Progress or Paternalism.”
- CBA – Nova Scotia Branch (13th Annual Professional Development Conference, January 2004): “Filing the Notice of Trial.”
- CBA – Nova Scotia Branch (March 2004), Litigation Issues for Support Staff: “Fear of the Unknown; Effect of Changes to the Insurance Act on Litigation Support Staff practices – A Primer on Insurance Law Reform.”
- CBA – Nova Scotia Branch (April 2004), “PIPEDA and Insurance Claims Handling and Adjusting.”
- Insurance Institute of Nova Scotia (September 2004) – “Real Estate Appraisals and Valuation Issues – The Question of ACV.”
- CBA – Nova Scotia Branch, Family Law Division (November 2004) – “Taxation and Assessment of Legal Accounts before Small Claims Court Adjudicators.”
- CBA – Nova Scotia Branch (14th Annual Professional Development Conference, January 2005) – “Condominiums and Insurance: Basic Concepts and Issues.”
- Canadian Condominium Institute, NS Chapter (March 2005) – “Insurance Concepts in the Condominium World.”
- CBA – Nova Scotia Branch, Law Reform Section (Nov 2005) – “Vexatious Litigants.”
- Canadian Condominium Institute, NS Chapter (Jan 2006) – “Mediation and Arbitration Under the *Condominium Act*.”
- CBA – Nova Scotia Branch (15th Annual Professional Development Conference, February 2006) – [“The Taxation of Legal Accounts in the Small Claims Court”](#)
- Canadian Independent Adjusters’ Association, NS Chapter (Feb 2006) – “Adjusters and the Small Claims Court of Nova Scotia.”

- Nova Scotia Registrars of Probate (May 2006): “The Taxation of Lawyers’ Bills of Costs in Probate.”
- Canadian Defence Lawyers (Jan 2007) – “Mediating Out of the Box – Effective Mediation Strategies.”
- Lancaster House – Annual Labour Arbitration Conference (Halifax, Nov 2008) – “Dealing with Drugs and Alcohol in the Workplace” – panelist.
- CBA – Nova Scotia Branch (Insurance Law Conference, March 2009) – [“Subrogating LTD Insurers and Personal Injury Claims: Double Recovery Redux”](#)
- Lancaster House – Annual Labour Arbitration Conference (Halifax, 2010) – “Accommodating Parenting and Family Responsibilities” – panelist
- Lancaster House – Annual Labour Arbitration Conference (Halifax, Nov 2011) – “Differences in Damages” – panelist
- CBA – Young Lawyers’ Section (Oct 2012) – “An Introduction to Arbitration and Mediation.”
- ADR Institute of Canada – Annual Meeting (Oct 2012) – “Med/Arb – Where, When, How” – panelist
- Insight – Mental Health in the Workplace (Halifax, May 2013) – “Managing a Mental Health-Related file from Complaint through Arbitration to Settlement – panelist
- Sport Dispute Resolution Centre of Canada (SDRCC), Annual Meeting (Halifax, May 2013) – “Recent SDRCC Cases”
- CBA – Nova Scotia Branch (Halifax, June 2013) – “Small Claims Court”
- Lancaster House, Labour Arbitration Conference (Halifax, May 2016) – Organizing Co-Chair, and panelist, “Arbitrators’ Roundtable: A Discussion of Issues in Accommodation Cases”
- Lancaster House, Skills Training Workshop (St John’s, NF, May 2017), workshop leader – “Handling Medical Information – An In-Depth Training Session for Employers and Unions”
- Lancaster House, Labour Arbitration Conference (Halifax, May 2017) – panelist, “Sealing the Deal”
- Lancaster House, workshop leader – “Advocacy at Arbitration: Thoroughly Preparing and Effectively Presenting Cases”

BAR SOCIETY & OTHER ACTIVITIES

- Vice-Chair, NS Labour Relations Board – Oct 2005 to present
- Adjudicator, Small Claims Court of Nova Scotia – April 2001 to present
- Honorary Counsel, Abilities Foundation of Nova Scotia – 1992 to present
- Board Member, Laing House, Halifax, NS – February 2004 to January 2009

- Board Member, Canadian Condominium Institute (NS Branch) – April 2006 to September 2009
- Law Reform Commission of Nova Scotia, Member of Advisory Group re: *Foreclosure and Sale* (September 1998); Member of Advisory Group re: *The Use of Court-Ordered Structured Settlements in case of Personal Injury Damage Awards* (2003); Member of Advisory Group re: *Privity of Contract (Third Party Rights)* (2004); Member of Advisory Group re: *Vexatious Litigants* (2005).
- Bar Society of Nova Scotia: ad-hoc member of Statutory Costs and Fees (c. 1993-94 and 2003-2004); member Statutory Costs and Fees Committee (May 2004-present); member Civil Procedure Rules subcommittee (1999-2004); Chair of Civil Procedure Rules subcommittee (June 2004-June 2005); member of the Steering Committee of the NS Civil Procedure Rules Revision Project (2004-fall 2008)
- Dalhousie Law School: annual guest lecturer on party and party costs, Civil Procedure course (Prof. Rollie Thompson)
- St Mary's University, Commercial/Business Law, Instructor, 1992-93.