

MURRAY A. CLEMENS, Q.C., FCI Arb
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Mr. Clemens has over 35 years experience in commercial litigation before the Supreme Court and Court of Appeal of British Columbia, Federal Court, Supreme Court of Canada and arbitration panels, involving shareholders' and partners' disputes, construction disputes, mining related claims, professional negligence claims, real estate, employment, securities, banking, insurance and maritime litigation.

In addition to commercial litigation, Mr. Clemens has experience in administrative hearings including proceedings before the Securities Commission and the disciplinary and credentials committees of various professional associations.

Mr. Clemens is also active in alternate dispute resolution including appointments as an arbitrator or mediator in commercial and interest-based disputes.

Education:

University of Toronto, B.A. (Political Economy), 1972
Queen's University, LL.B., 1975
Called to British Columbia Bar, 1976

Memberships/Appointments:

Canadian Bar Association (Past Member of Provincial Council)
Vancouver Bar Association (Past Member of the Executive Committee)
Chartered Institute of Arbitrators, Fellow
British Columbia International Commercial Arbitration Centre, Trustee 1996 – 2002
Canadian Transportation Agency Listed Arbitrator since 1987

Peer and Industry Recognition:

Appointed Queen's Counsel, December 22, 1993
Martindale Hubbell Rating – “AV Preeminent” since 1997
Fellow of the American College of Trial Lawyers, 2003
Fellow – Litigation Counsel of America, 2011
Who's Who Legal, Mediation 2014, recognized as one of 15 leaders in the field in Canada
Listed in the 2014 edition of World's Leading Experts in Commercial Arbitration
Benchmark Canada, 2015, Litigation Star–Arbitration, Commercial Disputes and Securities

Chambers Global 2015, ranked as a leader since 2009, Murray Clemens "... is an excellent litigator – he is very quick and practical and has a very effective way of getting through to people. He is also recognized for his focus on arbitration and mediation"

LEXPERT – Repeatedly recommended

Representative Publications and Presentations:

Anatomy of A Commercial Case, CLE, 1987 and 2003

Experts and Expert Reports, CLE, 1988, 1993 and 1998

Author - "The Lawyer – Expert Relationship From Initial Consultation Through Post Trial" presented to the Continuing Education Association of the Institute of Chartered Accountants of British Columbia, 1991

Evidence, CLE, 1992, 1995, 1996 and 2012

Civil Litigation Conference, CLE, 1996

Use and Exclusive Use Clauses in Commercial Leasing Disputes, CLE, 1998

Arbitrating Lease Disputes, CLE, 1998 and 2011

The Advocate - *Jurisdiction to Grant Relief From Forfeiture in Commercial Arbitration*, September, 1999

Treaty Negotiations and Alternative Dispute Resolution, Pacific Business and Law Institute, 2000

Remedies for Commercial Litigators, CLE, 2003

Western Canadian Securities Litigation Conference, Insight, 2006

Mining Law, CLE, 2009 – Arbitrating Mining Disputes

Commercial Leasing: Arbitration and Remedies, CLE 2011

Commercial Arbitration, CLE 2012

Construction Law – Arbitration and Mediation, CLE 2013

Dispute Resolution – Sector Experience

In addition to acting as counsel in hundreds of commercial disputes Mr. Clemens has been appointed the sole arbitrator, member or chair of an arbitration panel in more than 100 disputes arising in broad commercial context. Sector examples include:

Construction – Mines, Utilities, Commercial Buildings, Ships

Corporate – Private Resolution of Shareholders Disputes

Employment – Termination, Pension and Competition Disputes

Estates – Trust Issues

Forestry – Renewable Contract Disputes, Compensation Disputes

Franchising – Disputes between franchisors and franchisees

Manufacturing – Assembly Line, Automated Picking and Order Assembly Performance Disputes

Mining – Development and Construction, Joint Venture Disputes

Partnership - Private Resolution of Partnership Disputes

Medical Practitioners – Grant and Fee Allocations, Fee Disputes and Interest Disputes Among Members of Professional Associations over allocations of economic entitlements

Real Estate – Development Disputes, Taxation Disputes, Joint Venture Disputes, Commercial Strata Disputes, Lease Disputes

Transportation – Rate Disputes