

# Public Program - Thursday, February 1

## **Speakers' Biographies**

### ***1. Traditional Welcome***

#### **GIROUX, Henri**

Henri Giroux is Woodland Cree from Driftpile First Nations in Treaty 8 territory and has made Calgary her home for over 20 years. Henri has spent 15 years in the Social Work sector, working with many Indigenous families. Henri has been involved in reconciliation work during her five years with the Calgary Public Library, including various facilitation aspects involving Blanket Exercises, and delivering Indigenous Awareness training and many land acknowledgments. She has received many teachings from various Treaty 7 Elders as the Elders Guidance Coordinator. Henri is currently working towards a double major in International Indigenous Studies and Law and Society at the University of Calgary.

### ***2. Update on SDRCC Activities***

#### **ASSELIN, Marie-Claude**

Before joining the SDRCC in 2007, Marie-Claude Asselin was Manager of Education at the World Anti-Doping Agency (WADA) and, from 1997 to 2002, held responsibilities in Games management, high performance services and athlete services at the Canadian Olympic Committee. Marie-Claude holds a master's degree in Physical Activity Sciences from Université Laval and an Executive Certificate in Conflict Management from the University of Windsor Law School. She competed, coached and officiated in various sports, from community to university levels.

### ***3. Review of Recent SDRCC and CAS Jurisprudence***

#### **DUBEY, Jean-Philippe**

As Head of the CAS Scientific Department, Jean-Philippe Dubey leads a team that focuses mainly on the overview of the CAS case law and on scientific assistance to the arbitrators and the other counsels. In parallel, he is a visiting lecturer in sports arbitration at various Universities and Masters, and formerly has been active in the setting-up and organizing as well as the teaching of the FIFA Master of the International Center for Sports Studies (CIES). He has also been a lecturer in European Union Law at the University of Fribourg (Switzerland).

#### **VARASCHIN, Ambrosia**

Ambrosia Varaschin is thrilled to be the first graduate of the SDRCC's Women in Arbitration Mentorship Program. She currently sits as a member of the Social Security Tribunal of Canada and the Saskatchewan Centralized Board of Revision. She serves as co-chair of the Diversity and Inclusion for the Private Commercial Disputes Advisory Council for the Can-US-Mexico Trade Agreement and was a member of the ICC Disability Inclusion Taskforce for the International Court of Arbitration.

#### ***4. Managing Delay Tactics to Enhance Efficiency in the Conduct of Proceedings***

##### **HAAS, Ulrich**

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Ulrich Haas is a professor at law for civil procedure and private law at the University of Zurich in Switzerland and Attorney-at-Law in Hamburg, Germany. International sports law, and more particularly international sports arbitration, is one of his major fields of research and practice. He has published numerous books, contributed to books and articles in this field, and sat on many high-profile CAS cases. He has been an arbitrator with CAS since 2002 and was part of its ad hoc division for the 2010 Winter Olympics and the 2016 Summer Olympics. Ulrich is the academic coordinator of the sports law program at the University of Zurich.

##### **BODNARCHUK, Kim**

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Kim Bodnarchuk's experience has been as a teacher, a lawyer, an arbitrator and a mediator. She sits on various tribunals and is a member of the inaugural cohort of the SDRCC's Women in Arbitration Mentorship Program. She works with (and for) the Dispute Resolution Office of Saskatchewan as a mediator and training facilitator.

#### ***5a. Protection of Vulnerable Parties and Witnesses in Testimony***

##### **FRASER, Hugh**

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Justice Fraser is an Olympian, recognized as an international expert in sports law. He has been on the Court of Arbitration for Sport for 28 years and served on the first ad hoc Court at the 1996 Olympic Games in Atlanta. He is a Fellow of the Chartered Institute of Arbitrators and a Fellow of the College of Commercial Arbitrators. In 2020, he received the Canadian Bar Association's President's Award, given for significant contribution to the legal profession in Canada. In 2021, Justice Fraser was appointed an Officer of the Order of Canada.

##### **SAYAO, Carlos**

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Carlos Sayao is a lawyer at Tyr LLP practicing civil and commercial litigation. As a former competitive swimmer who represented Canada internationally, Carlos brings to bear his passion for sport in acting for athletes, coaches, administrators, and sport organizations. He has appeared before the SDRCC and CAS on multiple occasions, including in anti-doping, eligibility, team selection, and disciplinary matters. He has also served as an adjudicator in disciplinary cases under NSO rules. Carlos has been an invited guest lecturer on sports law at various institutions, including Osgoode Hall Law School in Toronto, the University of Victoria, and ISDE in Madrid.

#### ***5b. Inclusive Award-Writing Techniques***

##### **OVIATT, Kathryn**

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Kathryn Oviatt is the Chief of the Commission and Tribunals of the Alberta Human Rights Commission. She has spent her entire legal career practicing in administrative law, including in human rights, labour and employment, professional regulation, privacy, policing, and education. Since 2015, she has exclusively practiced as a neutral adjudicator, including as labour arbitrator in Alberta and federally. Kathryn was an arbitrator for the SDRCC and on its Safeguarding Tribunal Roster. She has published more than 140 public decisions, many of which are leading cases in Alberta, in addition to many dozens of unpublished procedural and case management decisions.

## **LENEHAN, Nick**

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Nick Lenehan's experience in the area of equity, diversity, inclusion & accessibility (EDIA) includes developing and delivering educational trainings, drafting policies and implementation plans, and leading people to create meaningful change in communities themselves. He is currently the EDIA Lead at Sport Nova Scotia, where, amongst other things, he is responsible for working with provincial sport organizations on creating and implementing inclusion plans with a community-first mindset. Through all of this, Nick has learned over and over again the power of language, and how we can use it to reinforce trust and a sense of belonging or completely negate it.

### ***5c. Learnings from Mediating Safe Sport Matters***

## **LAMBERT, Sue**

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Previously a divorce lawyer, Sue Lambert discovered the less antagonistic world of mediation and switched to doing divorce mediation. She established and currently runs a divorce mediation company. Sue has been, and continues to be, involved in many sports (waterpolo, mountain biking, triathlon, XTerra, soccer and open water swimming) at a high level, as an athlete and coach. She was heavily involved in community consultation as president of a group of communities dealing with the University of Alberta, as well as being president of her local community league and being on that board for 20 years.

## **FAUTEUX, Paul**

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A former diplomat and federal executive, Paul Fauteux was accredited as a mediator in family, civil, commercial, labour and small claims matters, and later as an arbitrator in civil and commercial matters. He taught international commercial arbitration and was a member of the Federal Public Sector Labour Relations and Employment Board and the Board of Directors of the *Institut de médiation et d'arbitrage du Québec*. Today, he practices law, mediation and arbitration at CMKZ, a firm specializing in international business and trade law, and teaches mediation and participatory justice.

### ***6. Data Protection and IT Security in Law and Dispute Resolution***

## **BARBEAU, Paul**

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Paul Barbeau runs an IT consulting firm providing custom and targeted software, database, infrastructure, and security solutions to clients such as the Government of Canada, other governments, SMEs, NAFTA, Olympic Secretariats, embassies, non-profit, law firms and banks. He consults on all aspects of cyber security, including applications, M365, and various methods used to protect from cyber threats. Paul is a speaker and proponent of companies using a zero-trust security strategy. He provides technical expert services to Canadian law firms on data recovery, computer forensics and patent infringement, and has several certificates in hacking and computer forensics.

## **7. Match Manipulation: Where We Are, Where We Are Heading**

### **SAROLI, Marianne**

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Marianne Saroli is a qualified lawyer from Montreal, Canada and currently a Senior Legal Counsel in the Integrity & Regulatory Affairs Department at the *Fédération Internationale de l'Automobile (FIA)* in Geneva, Switzerland. Her work with the FIA focuses on the Formula 1 Financial Regulations as well as on the FIA's sporting, disciplinary and anti-doping powers. Marianne is also an arbitrator at CAS. Before joining the FIA, she served as the sport legal analyst for *Réseau des Sports (RDS)* and co-authored the first book on sports law in Quebec with Me Patrice Brunet.

### **LUKE, Jeremy**

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Jeremy Luke is the President and CEO of the CCES. He has experience in international sport as a contributor to several WADA Committees, chair of the WADA Independent Observer Program for the 2018 Asian Games, and a member of the IOC Legal Working Group on Competition Manipulation. Jeremy was the Director of Anti-Doping with the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Games where he developed and implemented a comprehensive anti-doping program to protect the integrity of those games. Jeremy holds a master's degree in Sport Administration and a bachelor's degree in Kinesiology (Honours).

## **8. Learnings from Three Years of Applying the World Anti-Doping Code 2021**

### **McLAREN, RICHARD**

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As an Order of Canada recipient, Professor Richard McLaren has been recognized for his exceptional achievement, service and contribution to the country and international community. Acknowledged as an expert in sports law and arbitration, he is a frequent keynote speaker and panelist. His independent investigations and reports on alleged misconduct, athlete eligibility, doping, corruption, sample-tampering, financial fraud, governance, sexual abuse and need for safe sport led to appointments as Integrity Officer for FIBA and IBA, Chief Anti-Corruption Hearing Officer for professional tennis and Chief Arbitrator for UFC and PFL. Richard is a long-standing member of CAS and the SDRCC.

### **SOUBLIÈRE, Janie**

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As Principal of Soubliere Sports Law, Janie Soublière acts internationally as Legal Consultant in matters concerning anti-doping, safeguarding, governance, eligibility, anti-corruption, human rights, policy review, etc. She actively works as a trained trauma-informed investigator and arbitrator in safe sport related disputes and other sport-related misconduct allegations. A Chartered Arbitrator, she currently sits on a variety of dispute resolution panels: CAS, the SDRCC, UFC, Zwift Esports and the International Tennis Integrity Agency's Anti-Corruption panel. She has taught Sports Law, regularly lectures for various University Sports Law programs and is an Executive Board Member of the Canadian Ski Hall of Fame.

### ***9a. Impact of WADA Privacy Standards on Award Writing and Jurisprudence***

#### **BRUNET, Patrice**

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Patrice Brunet has developed an expertise in international sports law for almost 30 years. He is on the general roster of both the SDRCC and CAS, as well as their respective anti-doping divisions. With colleague Marianne Saroli, he is the co-author of *Le Droit du Sport au Québec et au Canada* and teaches sport law (doping) at the University of Sherbrooke. He has rendered over 75 arbitration awards during his career and acts as a commercial arbitrator in other matters. His law firm is also specialized in business immigration law.

#### **KAISER, Matthew**

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Matthew Kaiser is an attorney at Global Sports Advocates, a law firm recognized by Chambers USA and Who's Who Legal as one of the world's leaders in sports law. Matthew is devoted to protecting athletes' rights and in practice has successfully represented athletes at CAS and other sports tribunals in a variety of matters ranging from alleged anti-doping rule violations to team selection disputes. Ranked as an Associate to Watch by Chambers and Partners, Matt enjoys advocating for athletes and takes pride in the positive impact his firm has made for athletes throughout the world.

### ***9b. Role of the Mediator in Results Management Agreements and Case Resolution Agreements***

#### **GREENE, Paul J.**

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Paul J. Greene, the founder of Global Sports Advocates, is recognized by Who's Who Legal and Chambers USA as one of the world's leading sports lawyers. Paul has handled sports law matters around the world, including numerous hearings before CAS. Paul is best known for his successful advocacy on behalf of athletes and players in high-profile matters. This past year, Paul again handled some of the world's highest profile sports law matters including the case of Australian runner Peter Bol who was exonerated after being falsely accused of an anti-doping rule violation.

#### **PANKO, Charmaine**

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Charmaine Panko practices at her own firm, Panko Collaborative Law & Mediation, where she specializes in conflict resolution as a collaborative lawyer, mediator, arbitrator, and trainer. Charmaine has experience in resolving legal disputes in all practice areas from corporate commercial to family and estates matters. Charmaine volunteers with Pro Bono Students Canada and as a mentor with the Canadian Bar Association student mentoring program. Charmaine is actively involved in the community and regularly presents to promote public legal education.