



Joe McArthur

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business is our signature

Profile

Joe practises civil litigation and arbitration, including matters involving contractual disputes, shareholder dissent and oppression, corporate governance, breach of trust, breach of fiduciary duty, First Nations, civil fraud and other complex corporate/commercial litigation issues. He has represented both public and private companies in a range of industries, including financial services, technology, real estate development, mining and aviation.

Joe is an experienced trial and appellate lawyer and has argued before all levels of courts in Canada.

Joe is Co-chair of the Firm's International Dispute Resolution Group. He regularly advises on domestic and international arbitrations and is available for appointment as arbitrator.

Select Experience

Recent representative matters include acting as counsel to:

- Suncor Energy Marketing Inc. in a dispute with Suncor's terminal operator in Prince Rupert over the operator's obligations to receive, store and ship Suncor's petroleum coke
- CHC Helicopters in an arbitration over the purported termination by VIH Helicopters of CHC's participation in a Hibernia helicopter contract
- Envirogold Holdings Ltd., an Australian mining firm listed on the Australian Securities Exchange, in an international arbitration
- FinancialCAD Corporation in a dispute regarding the inadvertent triggering of shareholder dissent rights in FinancialCAD as a result of an error by FinancialCAD's corporate solicitors
- NovaGold Resources Inc. in the appraisal of dissenting shareholder's shares in the first reported case to consider B.C. Business Corporation Act dissent provisions
- Ermineskin Cree Nation in a lengthy Federal Court trial and before the Supreme Court of Canada alleging breach of a trustee's duty to prudently invest over C\$1-billion in trust funds and to prudently manage oil and gas resources

Representative clients include Suncor Energy Marketing Inc.; Univar Canada Ltd.; KGHM International Inc.; CHC Helicopters LLC; Lindt & Sprüngli (Canada), Inc.; and Georgia Pacific Canada LP.

Professional Activities

Joe regularly acts as a guest instructor on advocacy and British Columbia Supreme Court practice as part of The British Columbia Law Society's professional legal training course.

He is a fellow of the Chartered Institute of Arbitrators and an invited member of the Western Canada Commercial Arbitration Society.

Awards and Recognition

In *Benchmark Canada: The Definitive Guide to Canada's Leading Litigation Firms and Attorneys - 2013* Edition, Joe is recognized as a Litigation Star in the national speciality areas of Arbitration and Aboriginal, as well as a Local Litigation Star for British Columbia. He has also been voted as one of the leading lawyers in Canada in a peer-review survey performed by the publication *The Best Lawyers in Canada 2013*.

Education

Admitted to the British Columbia Bar - 1995
LL.B., University of Toronto - 1994
B.A. (Political Science), Carleton University - 1991

Publications

Co-author - "[Indian Courts Change Approach Towards International Arbitration](#)", Blakes Bulletin on International Dispute Resolution, September 2012.

Co-author - "[International Arbitration Involving Mainland Chinese Parties](#)", Blakes Bulletin on International Dispute Resolution, May 2012.

Author - "[Changes to ICC Rules of Arbitration](#)", Blakes Bulletin on International Dispute Resolution, January 2012.

Professional Appearances

Co-speaker - "Perspectives on Arbitration, International and Otherwise", Blakes Business Class Seminar, November 19, 2012.

Speaker - "Injunctions and Urgent Relief", Commercial Litigation 2012, CLE BC, Vancouver, British Columbia, September 27, 2012

Speaker - "Getting the Most out of Mediation & Arbitration", Hot Topics in Litigation, Blakes Business Class Seminar, May 31, 2012.

Panellist - "Stories from the Front Lines: Recent Experiences with Process Design and Arbitration of Energy and Mining Disputes", Western Canada Arbitrators Roundtable, Sixth Annual Energy, Mining and Resources Arbitration Conference, Calgary, Alberta, May 15th, 2012.

Speaker - "Arbitrator Selection, Appointment, and Challenges", CLE BC, Commercial Arbitration 2012, Vancouver, British Columbia, March 1, 2012.

Panellist - "Effectively Managing Commercial Arbitrations", Alternative Dispute Resolution Institute of Canada 2011: Break-through Strategies, Critical Insights for Achieving Peak Performance in ADR, Vancouver, British Columbia, October 28, 2011.

Media Appearances

Quoted - "Tug of War Over Dispute Resolution", Lawyers Weekly, March 9, 2012.

Quoted - "Resolution Revolution: Arbitration In Focus", China Business Law Journal, Volume 3, Issue 8, September 2012

Quoted - "The Problem is Enforcement", Canadian Lawyer Magazine, September 3, 2012.

Quoted - "Enforcing arbitral awards 'not guaranteed' in China, India, Russia", Article by David Dias, Lexpert Magazine Blog, November 26, 2012.