



(Please read Membership Criteria and on pages four and five before completing this application)

1. **Sponsor:**
2. **Co-sponsor:**
3. **Nominee Information** Include the following: Name, Firm, Address, City, State/Province
Zip/Postal, Country; Phone/Fax, and email
4. **Description of Nominee's Practice** (include information regarding the market in which the Nominee practices, eg., whether courts mandate mediation and how frequently mediation is utilized in that market)
5. Please attach the Nominee's current curriculum vitae, including mediation certifications, training, speaking, writing, teaching, and training.
6. **IAM Conference Attendance**
Please list the place and date of all IAM Conferences (live or virtual) attended by the Nominee:
7. **IAM Members Known.** Please identify any IAM members the Nominee knows

8. Mediation Experience

a. How many years has the Nominee served as mediator for compensation in commercial disputes? _____

b. How many days has the Nominee served as a mediator for compensation in commercial disputes?

i. In the past 12 months _____

ii. In the past 3 years _____

iii. in the Nominee's career _____

(Commercial disputes shall include a variety of business or economic conflicts as distinct from family, community, political, or public policy disputes. Commercial disputes do not include residential landlord/tenant or dissolution of marriage matters. A day is at least 4-6 hours or more, including preparation time.)

c. Please attach a description of any other mediation-related experience that the Nominee considers to be relevant to this nomination for membership (eg., mediation training, teaching, presiding over settlement conferences as a judge or magistrate, etc.).

9. References

Please list three references whom the Sponsors have contacted and submit summaries of each reference's comments along with this form. References should be counsel, parties, or party representatives with whom the Nominee has worked in a mediation session in the past year.

Name/Address/Phone/Email

Name/Address/Phone/Email

Name/Address/Phone/Email

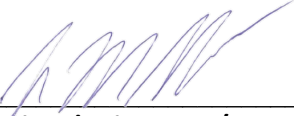
10. Background

Has the Nominee ever been convicted of or are charges pending regarding a violation of any criminal law (other than minor traffic offenses), ethical, code of conduct, or disciplinary rules of any state government or provincial agency, bar association or private or public professional entity? _____

If yes, please explain status and/or resolution in an attachment.

Nominee Affirmation

The undersigned Nominee affirms and verifies that he or she has read and understands the information provided herein, and that the information is true and complete to the best of his or her knowledge, information and belief. Nominee also confirms that he or she understands this submission does not create any obligation on the part of the International Academy of Mediators to admit me as a member. If granted, membership is subject to the conditions of the IAM By-laws and Constitution, including but not limited to dues and conference attendance requirements.



Nominee's Signature/Date

Sponsors' Affirmations

We the undersigned sponsor and co-sponsor of this Nomination, affirm that based on our personal knowledge and review of at least three professional references, the Nominee meets all the qualifications for membership in the IAM and accordingly, we are pleased to nominate _____ to become a Distinguished Fellow of the IAM immediately upon approval of this Nomination by the Board of Governors. (Please attach any additional comments regarding this Nomination that you believe will be helpful to the Board in reviewing the Nomination)



April 20, 2022

Sponsor's Signature/Date

Co-sponsor's Signature/Date

Nominee Affirmation

The undersigned Nominee affirms and verifies that he or she has read and understands the information provided herein, and that the information is true and complete to the best of his or her knowledge, information and belief. Nominee also confirms that he or she understands this submission does not create any obligation on the part of the International Academy of Mediators to admit me as a member. If granted, membership is subject to the conditions of the IAM By-laws and Constitution, including but not limited to dues and conference attendance requirements.

Nominee's Signature/Date

30 March 2022

Sponsors' Affirmations

We the undersigned sponsor and co-sponsor of this Nomination, affirm that based on our personal knowledge and review of at least three professional references, the Nominee meets all the qualifications for membership in the IAM and accordingly, we are pleased to nominate Sabri Shawa to become a Distinguished Fellow of the IAM immediately upon approval of this Nomination by the Board of Governors. (Please attach any additional comments regarding this Nomination that you believe will be helpful to the Board in reviewing the Nomination)

Sponsor's Signature/Date

Barb Cornish (BARB CORNISH) April 20, 2022.

Co-sponsor's Signature/Date

INTERNATIONAL ACADEMY OF MEDIATORS MEMBERSHIP CRITERIA

Overview

New IAM members will be admitted to membership in the Academy under the following guidelines:

- Membership is by **invitation only**
- Membership is limited to **professional commercial mediators** who are **well established and recognized** in their local or regional community as **leading mediators** in the field
- The IAM is dedicated to **inclusiveness** and **diversity** across a full spectrum
- The Membership and Recruiting Committees assist Academy members in identifying mediators who meet the criteria for invitation by the Board of Governors to join as **Distinguished Fellows**

Criteria for Admission to Membership as Distinguished Fellow

Nominees for membership in the Academy in the **Distinguished Fellow** category must generally meet the following **minimum qualifications** with respect to **mediation experience**:

- in commercial mediation practice at least **5 years**, with corresponding certification for those mediators who practice in jurisdictions that have certifications for commercial mediation
- at least **a majority of their professional efforts** are dedicated to commercial mediation
- in developed markets, must have worked at least **300 - 600 commercial mediation days**
- in emerging markets¹, must have worked at least **150-300 commercial mediation days**
- in undeveloped markets², must have worked at least **50-100 commercial mediation days**
- **mediation days** consist of **at least 4 hours** of work focused on **mediation of commercial disputes** (including teaching, training or facilitating as well as mediating disputes and excluding days spent mediating pro bono, small claims and domestic relations matters)
- **alternative mediator experience** may be considered provided it is **substantially equivalent** (participation in mediations as party or counsel is not considered mediator experience)

¹ “Emerging” markets are those areas or regions where relatively fewer commercial disputes are mediated, in contrast with developed markets where the majority of commercial disputes get referred to mediation, whether by courts, counsel or parties. Factors include: the extent to which mediation is mandatory, the length of time mediation has been in use, the types of disputes that go to mediation and the numbers of mediators who practice on a full or substantial-time basis.

² “Undeveloped” markets are those areas or regions where mediation is just beginning to be utilized and thus very few commercial disputes are mediated and very few mediators practice on a full or substantial-time basis.

Membership Nomination Process

Invitations to join the Academy are issued only upon **approval** by the **Board of Governors** of a **Nomination** from a qualified **Sponsor** and **Co-sponsor**

- **Sponsors** must be **Distinguished Fellows** who have been **members** of the IAM **for at least two (2) years** or **who have attended at least four (4) conferences**
- **Nominations** are **submitted** to the Board of Governors **only from** qualified **Co-Sponsors** on a form that includes **attestations vouching** that the prospective new member is a ***pre-eminent distinguished or rising star mediator*** in their local community
- **Nominees for membership** are encouraged (not required) to **attend at least one live or virtual IAM conference** at the invitation of a member (any Distinguished Fellow may invite with approval of the Recruiting Chair) before their Sponsors submit a Nomination on their behalf.
- **Mentees** in the Mentorship Program who have gained the **requisite experience** are encouraged to seek Sponsors for nomination as **Distinguished Fellows (generally including the Mentor)**

Curriculum Vitae

SABRI M. SHAWA QC, FCI Arb

Jensen Shawa Solomon Duguid Hawkes LLP
(JSS Barristers)
Lancaster Building
800 304 8th Avenue SW
Calgary, AB T2P 1C2

shawas@jssbarristers.ca
www.jssbarristers.ca

(403) 571-1527



EDUCATION

LLM (Major in Dispute Resolution) 2006 University of Technology, Sydney, Australia
LLB 1990 University of Alberta
BSc (Chemical Engineering) 1987 University of Calgary

PROFESSIONAL EXPERIENCE AND RECOGNITION

Jensen Shawa Solomon Duguid Hawkes LLP 1995 – present:

Firm Chairman 2008 - 2014
Managing Partner 1997 - 2004
Founding Partner 1995

MacKimmie Matthews 1990 – 1995:

Articling Student and Associate, Litigation Department

In the three decades I have practiced law in Calgary I have represented and advised thousands of parties in matters before the courts, a wide variety of administrative and regulatory boards and tribunals, at arbitrations, and in mediations. I am also an arbitrator, mediator, and negotiator.

In addition to practicing, I have extensive experience teaching. For eight years I taught Civil Procedure at the University of Calgary Law School, which was a required course for all students. I have also taught in a variety of other programs and have spoken at many conferences and seminars on a wide range of topics (see below).

In 2012, I was appointed Queen's Counsel.

In 2014, I was admitted as a Fellow of the Chartered Institute of Arbitrators, an internationally recognized dispute resolution organization based in London. I am also on the executive board of the Canadian Branch of the Institute and the chairperson of its Alberta Chapter.

I have long been listed by *Best Lawyers* and was named its Lawyer of the Year in Calgary for 2020 for Alternative Dispute Resolution. I am listed as a Litigation Star by *Benchmark Canada* for arbitration and dispute resolution, among other things, and have been for many years. The *Canadian Legal Lexpert Directory* also lists me as repeatedly recommended for Commercial Arbitration.

I am a member of the Canadian Academy of Distinguished Neutrals. I am also a member of the Western Canada Commercial Arbitration Society, ADR Institute of Alberta, and a Fellow of the Litigation Counsel of America.

PRACTICE FOCUS

Arbitration, Mediation, and Negotiation

The broad scope of my litigation practice over the years has allowed me to develop a deep understanding of many businesses, industries, and activities. That familiarity, coupled with my training in dispute resolution, equips me to serve as an independent arbitrator and mediator in a wide variety of disputes. As part of my formal training, I have studied arbitration, international commercial dispute resolution, mediation, and international trade law.

I have been appointed as an arbitrator on dozens of occasions, in both administered and *ad hoc* arbitrations, including through the International Court of Arbitration of the International Chamber of Commerce, with respect to:

- construction and engineering projects
- natural resource ventures
- shareholders, franchise, partnership, and joint venture agreements
- insurance claims and coverage
- umpire determinations under s. 519 of the *Alberta Insurance Act*
- commercial lease renewals
- employment and labour relations

As counsel, I have represented parties in many more arbitrations, concerning a wide variety of matters, both domestic and international, administered and *ad hoc*. I have appeared as counsel at the International Court of Arbitration of the International Chamber of Commerce. I also have experience drafted submission agreements and arbitration clauses, and have provided advice and opinions on arbitration provisions, appeals, and enforcement of awards.

I have been retained to mediate hundreds of disputes (including several with a very large number of parties) and represented parties in many others, including with respect to:

- personal injury
- breach of contract
- shareholder, partner, and joint venture relationships
- plant and facilities disasters
- construction and project management
- employment

- professional negligence
- medical malpractice

In addition, I have been appointed as a mediator by the Alberta Utilities Commission in respect of an electricity rate application.

I have also been hired to negotiate a variety of professional services, and related arrangements, including large agreements covering hundreds of individuals.

General Commercial Litigation as well as Administrative and Regulatory Proceedings with an emphasis on Engineering, Energy, and the Environment

I am regularly retained to provide advice and representation in respect of claims (in both litigation and arbitration) and regulatory proceedings concerning:

- construction projects
- engineering and design faults and failures
- oil and gas operating and royalty agreements, as well as ownership and rights issues
- misappropriation of proprietary technology and data
- environmental contamination, nuisance, and remediation
- electrical generation and transmission
- pipelines
- contractual disputes and negligence claims involving industrial parties
- insurance, including coverage
- professional negligence claims
- professional misconduct and discipline proceedings
- admission to professional associations and licencing

Employment and Business Relationships

As counsel in litigation, and as an advisor to employers and employees, I provide representation and advice in employment and professional matters, particularly with respect to executives, involving:

- wrongful and constructive dismissals
- employment issues in restructurings and succession planning
- employee, officer, and director misfeasance and misconduct
- breaches of confidentiality as well as non-competition and non-solicitation obligations
- breaches of fiduciary duties
- injunctions

I negotiate, draft, and provide advice with respect to:

- employment, executive compensation, and independent contractor agreements
- services and partnership agreements
- employment policies

In addition, I investigate, report, and advise, on complaints by and against directors, officers, and employees.

PROFESSIONAL AND COMMUNITY ACTIVITIES AND PUBLICATIONS

Alberta Energy Regulator 2003 - present

Included on roster of mediators

Legal Education Society of Alberta 2012 - present

Member: Board of Directors

Chartered Institute of Arbitrators, Canada Branch 2017 - present

Member: Branch Executive Committee

Chartered Institute of Arbitrators, Alberta Chapter 2017 - present

Chair: Chapter Executive Committee

Alberta Utilities Commission 2020 - present

Included on roster of mediators

York University, Osgoode Hall Law School Professional Development 2021 and 2022

Panellist: Certificate in Construction Law: Western Canada Edition (The Decision-Makers Speak! - View from the Bench

Chartered Institute of Arbitrators, Canada Branch 2021

Tutor: Accelerated Route to Fellowship

National Judicial Institute, Court of Appeal of Alberta Education Seminar 2021

Speaker: Basics of Mediation - a Refresher

Canadian Bar Association, Alberta Branch, ADR Subsection 2020

Speaker: Remedies for Unfavourable Arbitration Awards: Appeals, Setting Aside, and Declarations of Invalidity

ADR Institute of Canada Arbitration Appeals: The Good, the Bad and the Ugly 2020

Speaker: Appeals, Setting Aside, and Declarations of Invalidity

Chartered Institute of Arbitrators, Canada Branch 2020

Tutor: Accelerated Route to Fellowship

ADR Institute of Alberta Luncheon 2019

Speaker: Arbitration Pitfalls & Misconceptions

Alberta Civil Trial Lawyers Association (Calgary and Edmonton) 2019

Speaker: Arbitration Pitfalls & Misconceptions

Chartered Institute of Arbitrators, Canada Branch (Toronto) 2019

Tutor: Accelerated Route to Fellowship

Derer Lutz, No Longer Alternative Dispute Resolution Symposium 2019

Speaker: Basics of Arbitration and Making the Most of Mediation

ADR Institute of Canada ADR to the Rescue of Justice Conference (Montréal) 2018

Speaker: Limitation Periods in Arbitration

Canadian Bar Association, Alberta Branch, ADR Subsection 2018

Speaker: Limitation Periods in Arbitration

University of Calgary 2018

Guest lecturer: Faculty of Law, Civil Procedure (Arbitration)

York University, Osgoode Hall Law School Professional Development 2016

Speaker: Certificate in Construction Law, Western Canada Edition (Arbitrating the Construction Dispute)

Canadian Bar Association, Alberta Branch, ADR Subsection 2015

Speaker: Arbitration

Alberta Civil Trial Lawyers Association 2015

Speaker: Litigation Potpourri (Mediations: Games People Play)

Central Alberta Bar Association (Red Deer) 2015

Speaker: Arbitration

Chartered Institute of Arbitrators 2014

Appointed Fellow

Legal Education Society of Alberta 2014

Speaker: Evidence Law Refresher (the Rule in *Browne v Dunn* and Evidence not Called: The Adverse Inference)

Canadian Bar Association Alberta Law Conference 2014

Panelist: How to Establish a Successful Litigation Practice

University of Calgary, Faculty of Law 2014

Panelist: Candid Conversations with Men in Law Round Table Discussion

Mount Royal University Forensic Studies Program 1999 - 2013

Ad hoc advisor (1999 – 2002), Community Advisory Board: member (2002 – 2006), Chairperson (2006 – 2013), and co-author of two Internet course units

ADR Institute of Canada/International Chamber of Commerce Canada Gold Standard in ADR Conference (Toronto) 2013

Panelist: Thinking Outside the Box to Realize ALL Potential Benefits of Commercial Arbitration

Canadian Centre for Professional Legal Education (CPLED) 2012

Instructor: Advocacy

Province of Alberta 2012

Appointed Queen's Counsel

Legal Education Society of Alberta Intensive Trial Advocacy Workshop 2009 and 2011

Guest instructor

Halsbury's Laws of Canada First Edition 2011

Co-author: Civil Procedure Update, Alberta Rules of Court, Cumulative Supplement Release 14, LexisNexis

Canadian Bar Association Alberta 2011

Author: Law Matters (Mandatory Mediation under the New Alberta Rules of Court – the First Year)

Legal Education Society of Alberta Civil Advocacy Series: Evidence for Litigators Seminar 2011

Panelist and workshop instructor

ADR Institute of Canada Peak Performance in ADR Conference (Vancouver) 2011

Moderator: Financial Experts in ADR

Legal Education Society of Alberta Arbitration Seminar 2011

Speaker: selection, appointment, and jurisdiction of the arbitrator, scope and composition of the award, and enforcement of domestic and international awards

University of Calgary 2003 - 2010

Sessional instructor, Faculty of Law, Civil Procedure

University of Calgary Intensive Trial Advocacy Course 2003, 2004, 2008 and 2009

Guest instructor

Legal Education Society of Alberta New Lawyer Experience Seminar 2009

Co-chairperson

Howard Tidswell Memorial Award for Teaching Excellence (University of Calgary Faculty of Law) 2009

Nominee

Certus Strategies and Canadian Dispute Resolution Corporation 1997 – 2004, 2006 - 2008

Included on roster of mediators

Calgary Medical Legal Society 2008

Speaker: Medical Care for the Gravely Ill - Who Calls the Shots?

CBC TV (The National News at Six) and CBC Radio (Calgary Eye-opener) 2007

Interviewed about an injunction I obtained on behalf of a comatose patient in respect of whom a do-not-resuscitate order had been made

Cochrane High School 1989 and 2004

Graduation ceremony guest speaker

Law Society of Alberta 2004

Insurance Committee Member

Insight Information Co. Obstetric Malpractice and Risk Management Conference (Vancouver) 2004

Speaker: Elective C-Sections - Latest Challenges and Complications

Alberta Civil Trial Lawyers Association Sexual Torts Workshop 2004

Moderator

Resicare Society of Calgary 1994 - 2003

Member: Board of Directors (including several terms as President)

Law Society of Alberta 2000 – 2003

Conduct Committee member

Calgary Inc. Magazine 2003

Profiled as one of its 40 under 40 Calgarians

Alberta Civil Trial Lawyers Association Section B Auto Insurance Workshop 2003

Speaker

The Canadian Institute Litigating Traumatic Brain and Spinal Cord Injuries Conference (Toronto) 2003

Speaker: Building the Plaintiff's Case

University of Calgary 1997 - 2002

Regular Guest Speaker in the Faculties of Nursing and Continuing Education: Nursing and Healthcare in Forensic Populations

Canadian Institute Auto Insurance Claims Litigation Conference 2002

Speaker: Use of Experts in Accident Reconstruction

University of Calgary 2002

Guest Lecturer: Faculty of Law, Civil Procedure

Volunteer Calgary 1997 - 2000

Regular Speaker: Legal Liability, Insurance and Screening Practices for Not-for-Profit Organizations

Essential Talk Network 2000

Internet radio interview about suing politicians

University of Calgary 2000

Guest lecturer: Faculty of Law, Remedies

Conflict Solutions 2000 Conference 2000

Panelist: National Dispute Resolution Conference

Theatre Junction 1996 - 1999

Member of Board of Directors

Alberta Justice Provincial Court 1998 - 1999

Included on roster of mediators, Civil Claims Mediation Program

Better Business Bureau 1996 - 1998

Included on roster of mediators, Mediation Program

Lexpert Medical Negligence Conference 1998

Speaker: Standard of Care, Consent and Limitation Period Issues

The Lawyers Weekly 1998

Author: Informed Consent: Most Difficult Medical Negligence Issue

Canadian Bar Association Health Law Subsection 1998

Speaker: Informed Consent

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

ADR Institutes of Alberta and Canada

Calgary Bar Association

Canadian Academy of Distinguished Neutrals

Canadian Bar Association

Canadian Energy Law Foundation

Chartered Institute of Arbitrators

Law Society of Alberta

Litigation Counsel of America

Western Canada Commercial Arbitration Society

Hi Jeffrey, thank you for the inquiry.

I have used Sabri as both a mediator and Arbitrator over the years. He is very good at both. Sabri has a wide range of experience as a lawyer, and this allows him to bring to bear expertise in a number of areas.

I regularly recommend him to colleagues and would encourage you to include him in your roster. Please feel free to call me with any questions.

David J. Corrigan, Q.C.

Partner



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a. #1000, 903 - 8th Ave. S.W., Calgary, AB T2P 0P7

djcorrigan@hmclawyers.com www.hmclawyers.com



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Mr. Hand,

I highly recommend Sabri Shawa as a mediator. I have used him on a variety of commercial matters over the years. He is very effective, particularly in cases where the parties are really far apart in their respective positions. I recommend Sabri both internally and externally.

Let me know if you require anything further.

Regards,

Taryn Burnett

Partner

T +1 403 298 1967

taryn.burnett@gowlingwlg.com

Hi Jeff. My apologies for delayed response – I have been travelling for work.

I have had the privilege of knowing Sabri since the 1990's both as a very fine counsel and over the past 10 years or so as a skilled, hard-working, and exceptionally talented mediator.

I have mediated numerous commercial disputes with Sabri and have been impressed with his keen work ethic, intellect, and thoughtful and persuasive approach to mediation. I have recommended him to my partners at Gowlings, to clients (in Alberta, Ontario, and the USA), and to fellow counsel outside of my firm. I have never recommended Sabri to anyone and received anything less than glowing reviews for his skills and approach to solving disputes as a mediator.

I would be pleased to provide more granular examples of his fine work and reputation if that would assist.

Cheers and thanks.

David Bishop

Partner

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david.bishop@gowlingwlg.com