

CURRICULUM VITAE

W. NIELS ORTVED

SUMMARY

Prior to commencing his practice focused on mediation and arbitration, Mr. Ortved was engaged exclusively in the practice of litigation for more than four decades, including as a senior partner in the litigation group at McCarthy Tetrault LLP for over 35 years. He has been engaged in a wide range of litigation matters, including corporate/commercial, administrative, intellectual property, medical negligence, criminal defence and professional regulation matters. He appeared as counsel at all levels of the Courts, including the Supreme Court of Canada, and in many administrative tribunals, Commissions of Inquiry and arbitrations. He lectured and has written extensively in the areas of advocacy, civil litigation and criminal law. He is a Fellow of the American College of Trial Lawyers (former Chair of the Ontario Province Committee). From 1997 to 2002 he served as McCarthy Tetrault's Managing Partner. He was elected is a Bencher (Director) of the Law Society of Upper Canada for the period 1997 to 2003. He was formerly an adjunct faculty member and head of the Trial Advocacy course at the University of Toronto, Faculty of Law. For many years before commencing his practice restricted to arbitration and mediation he was consistently recognized as a leading litigation counsel in *The Canadian Legal Lexpert Directory*, in *Chambers Canada* as a leading practitioner in the field of dispute resolution, and in *The Best Lawyers in Canada*.

EDUCATION

1968 - University of Toronto, Bachelor of Arts (B.A.)

1971 - University of Toronto, Faculty of Law, Doctor of Jurisprudence (J.D.)

PROFESSIONAL QUALIFICATIONS

1973 - Called to the Bar, Province of Ontario

2021 - Qualified Arbitrator, ADR Institute of Canada

PROFESSIONAL AFFILIATIONS AND NATURE OF LEGAL PRACTICE

1973-1974 Torys LLP – formerly Tory, Tory, Deslauriers & Binnington

Practiced as an associate in the area of civil litigation.

1974-1981 Private Practice – Law Office of W. Niels Ortved

Practiced in the areas of administrative and criminal law. Member of the panel of prosecutors for the Discipline Committee of the College of Physicians and Surgeons of Ontario. Routinely engaged in the defence of criminal charges, including numerous murder trials and appeals to the Ontario Court of Appeal. In the case of a physician convicted of murder, succeeded in obtaining a Reference to the Court of Appeal by the Minister of Justice and having a new trial ordered. Counsel to the Metropolitan Toronto Review of Citizen Police Complaint Procedure in 1975. Subsequently appointed by the provincial government to act as one of a panel of rotating Chairmen for Boards of Inquiry to adjudicate such complaints. Special Counsel to the Office of the Ombudsman in Ontario. Responsible for the Report to the Government of Ontario on the Organization of the Ombudsman's Office in 1979.

1981-2019 McCarthy Tetrault LLP

Acted as counsel to the Toronto Stock Exchange in a number of receiverships resulting from bankruptcies of brokerage firms. Successfully resisted a constitutional challenge brought concerning the areas of practice reserved for Chartered Accountants in the Province of Ontario and served as counsel to the Appeal Tribunal for the Institute of Chartered Accountants of Ontario. Represented the University of Western Ontario in an action concerning its ownership of copyright in a suite of software programs developed at the university. Successfully defended The Toronto Dominion Bank in a shareholder's rights case from first instance and through appeals up to the Supreme Court of Canada. Appeared as counsel on behalf of physicians in numerous trials, appeals and other proceedings concerning alleged medical negligence as well as at multiple regulatory proceedings. In 1982 through 1984, acted as counsel on behalf of the physicians before the Grange Commission of Inquiry concerning unexplained deaths in the cardiac ward of the Hospital for Sick Children. In the period 2007 to 2008, appeared as counsel before the capital Goudge Inquiry into Pediatric Forensic Pathology in Ontario. In 2014 named the recipient of the Medico-Legal Society Award.

MANAGEMENT EXPERIENCE

- 1992-1994 Professional Development Partner - McCarthy Tetrault LLP (Toronto)
Member of the National Management Committee
- 1997-2002 Managing Partner - McCarthy Tetrault LLP (Toronto)
Member of the National Management Committee

LAW SOCIETY OF UPPER CANADA APPOINTMENTS

- 1998-2001 Vice-Chair - Professional Regulation Committee
Vice-Chair - Proceedings Authorization Committee
- 1999-2001 Co-Chair - Litigation Committee
Member - Multi-Disciplinary Task Force
- 2001-2003 Co-Chair - Emerging Issues Committee
Member - Inter-Jurisdictional Mobility Committee
Member - Task Force on the Continuum of Legal Education

EDUCATIONAL APPOINTMENTS

- 1976-1980 Lecturer and Instructor in the Bar Admission Course on Criminal Law
- 1979-1980 Lecturer in the Federation of Law Societies Criminal Law Programme
- 1980-1987 Adjunct faculty member, University of Toronto, Faculty of Law

CONTINUING LEGAL EDUCATION

Speaker and panelist at various programs conducted by the Canadian Bar Association, the Law Society of Upper Canada, the Criminal Lawyers Association, The Advocates' Society, the Medico-Legal Society, the Ontario Medical Association and Ontario law faculties.

