

## Representative Work (Arbitrator)

**Pierre's experience as an arbitrator includes the following:**

### **In investment arbitration:**

ICSID Case No. ARB/15/35 - E.ON SE, E.ON Finanzanlagen GmbH and E.ON Iberia Holding GmbH v. Kingdom of Spain – Annulment (Committee Member)

ICSID Case No. ARB/22/13 - Aderlyne Limited v. Romania – Arbitration (President)

ICSID Case No. ARB/22/27 - SHT Doba Pipeline Investment Inc., Petronas (E&P) Overseas Ventures Sdn. Bhd and SHT Doba Holding Inc. v. Republic of Cameroon – Arbitration (President)

ICSID Case No. UNCT/22/1 - Coeur Mining, Inc. v. United Mexican States – Arbitration (Co-arbitrator)

ICSID Case No. ARB/14/18 - RENERGY S.à r.l. v. Kingdom of Spain – Annulment (Committee Member)

ICSID Case No. ARB/14/22 - BSG Resources Limited (in administration), BSG Resources (Guinea) Limited and BSG Resources (Guinea) SÀRL v. Republic of Guinea – Annulment (Committee Member)

### **In commercial arbitration:**

UNCITRAL arbitration, seated in The Hague, between an energy producer and a European sovereign state concerning measures alleged to have triggered an obligation to compensate under pre-existing contractual commitments – Applicable law: Laws of a European civil law country. Amount in dispute: EUR 850 million (Co-arbitrator)

ICC arbitration, seated in London, concerning a contractual dispute involving state-owned entities in relation to an oil development project in Africa– Applicable law: English law. Amount in dispute: USD 350 million (President)

SIAC arbitration, seated in Singapore, concerning a contractual dispute relating to a real estate transaction in the Republic of Korea – Applicable law: Korean law. Amount in dispute: USD 150 million (Co-arbitrator)

LCIA arbitration, seated in New York, concerning a contractual dispute in the energy sector– Applicable law: New York law. Amount in dispute: USD 1,5 billion (President)

ICC arbitration, seated in Seoul, Korea, concerning a licensing dispute in the technology sector– Applicable law: California law. Amount in dispute: USD 150 million (Co-arbitrator)

ICC arbitration, seated in Stockholm, concerning various disputes relating to a nuclear power plant project in Europe– Applicable law: Finnish law – Amount in dispute: EUR 1

billion (President)

VanIAC arbitration, seated in Vancouver, concerning a contractual dispute in the real estate industry- Applicable law: British Columbia law. Amount in dispute: unquantified (President)

ICC arbitration, seated in London, concerning the enforcement of a financial guarantee in favor of a sovereign state in relation to an oil exploration project in Africa- Applicable law: English law. Amount in dispute: USD 140 million (President)

ICC arbitration, seated in Paris, concerning breach of contract and tortious claims arising from alleged acts of corruption in the performance of a contract in the Middle East- Applicable law: English law. Amount in dispute: USD 300 million (President)

ICC arbitration, seated in London, concerning a dispute between joint venture partners in the pharma sector- Applicable law: Korean law. Amount in dispute: USD 1 billion (President)

ICC arbitration, seated in Paris, involving an African sovereign state and concerning allegations of fraud in the procurement of an arbitral award- Applicable law: French law. Amount in dispute: USD 750 million (President)

ICDR arbitration, seated in London, concerning the rights to a new generic Top Level Domain Name- Applicable law: ICANN's By-laws and Articles of Incorporation. Amount in dispute: unquantified (President)

ICC arbitration, seated in Stockholm, concerning multi-faceted disputes arising out of the construction of a nuclear power plant in Finland - Applicable law: Finnish law. Amount in dispute: EUR 2.5 billion (President)

ICC arbitration, seated in Paris, concerning claims for the protection of trade secrets- Applicable law: French law. Amount in dispute: USD 500 million (President)

ICC arbitration, seated in Paris, concerning a contractual dispute in the information technology sector - Applicable law: French law. Amount in dispute: USD 350 million (President)

BCICAC Arbitration, seated in Vancouver, concerning disputes arising under a Shareholders Agreement in relation to a mining project in the Dominican Republic - Applicable law: Dominican law. Amount in dispute: unquantified (President)

ICC arbitration, seated in London, concerning claims arising out of the cancellation of a licensing agreement in the medical sector- Applicable law: Massachusetts law. Amount in dispute: unquantified (President)

LCIA arbitration, seated in London, concerning a claim under a political risk insurance policy- Applicable law: English law. Amount in dispute: unquantified (President)

*Ad hoc* arbitration, seated in Brussels, concerning the termination of a commercial aviation

agency agreement– Applicable law: Mauritian law. Amount in dispute: unquantified (President)

*Ad hoc* conciliation, seated in Paris, of a dispute arising out of the taxation of windfall profits in the oil industry – Applicable law: Laws of a North-African country. Amount in dispute: unquantified (Party-appointed conciliator)

## Representative Work (as Counsel)

**As counsel, Pierre represented the following parties before Canadian courts:**

IATA and sixteen international carriers in an appeal before the Supreme Court of Canada concerning the validity of the federal *Air Passengers Protection Regulations* under the Montréal Convention, an international treaty

The successful respondents in an appeal before the Supreme Court of Canada in negligence proceedings against a lawyer and his law firm for recommending a financial advisor who subsequently absconded with the clients' savings

Hydro-Québec in an appeal before the Supreme Court of Canada by Churchill Falls (Labrador) Corporation (CF(L)Co), seeking to revise the pricing terms of the long-term power supply contract between these parties

Air Canada in an appeal before the Supreme Court of Canada concerning the application of the Montreal Convention, an international treaty, to a claim for damages under the *Official Languages Act*

The successful party before the Supreme Court of Canada in the *Eric v Lola* case, the highly publicized challenge to the constitutional validity of the treatment of unmarried spouses under the *Civil Code of Québec*.

The Attorney General of Canada before the Supreme Court of Canada, in the landmark *Reference re Secession of Quebec* concerning the legality, under both Canadian constitutional law and public international law, of the secession of the Province of Quebec from Canada

The federally appointed judiciary before the Judicial Salaries and Benefits Commission (2004, 2008, 2012, 2016, 2020, and 2024), as well as before the Supreme Court of Canada in the Bodner case, concerning the standard of review of a decision rejecting a compensation commission salary recommendation, and in the *Reference re Code of Civil Procedure (Que.)*, art. 35, concerning the constitutional validity of the monetary jurisdiction of the Court of Quebec

The Canadian Commercial Arbitration Centre before the Supreme Court of Canada in *Éditions Chouette (1987) Inc. v Desputeaux*, an appeal concerning the arbitrability of copyright disputes; the London Court of International Arbitration (LCIA) before the Supreme Court of Canada, first in *Dell Computer Corp. v Union des consommateurs*, dealing with the enforceability of arbitration clauses in consumer contracts, and later in the

*Yugraneft* case, which concerned the legality of local time limitation periods under the New York Convention; and the International Court of Arbitration of the International Chamber of Commerce before the Supreme Court of Canada in the Uber case, which concerned the application of the *compétence/ compétence* principle to the ICC arbitration clause contained in the licensing agreement entered into by Uber drivers

An intervener in the *Carter* case, in which the Supreme Court of Canada declared constitutionally invalid the Criminal Code prohibition on physician-assisted death

The Canadian Bar Association, in an appeal to the Supreme Court of Canada relating to the standard to determine whether a lawyer's in-court behavior constitutes professional misconduct on the basis of incivility

The Advocates Society, in an appeal to the Supreme Court of Canada concerning the constitutional validity of provisions of the *Income Tax Act* that sought to exclude accounting records from the ambit of the protection afforded by solicitor-client privilege

BCE Inc. in its \$1.2 billion claim against the private equity sponsors of the failed leveraged buyout of the company