



UNIVERSITY OF  
CALGARY

faculty of law  
**moot hill**  
Winter 2007

# **bridging tradition and innovation**

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### **Contact and Editorial Information**

Moot Hill news from the Faculty of Law is published once per year by the University of Calgary. Faculty of Law © by the University of Calgary, Faculty of Law.

### **Senior Editor and Writer**

Jami Young

### **Photographer**

Shallon Cunningham

### **Design**

Sasges Inc.

Faculty of Law  
Murray Fraser Hall  
University of Calgary  
2500 University Drive NW  
Calgary, AB, T2N 1N4  
youngj@ucalgary.ca  
telephone 403 210 8720

### **Dean's Message** Alastair R. Lucas, Q.C.

The Faculty has a new look in 2007. A renovation, generously supported by our donor community, has completely renewed Murray Fraser Hall for this academic year. Renovating a 15 year old building on this scale will give us the teaching and research space we need for an expanded student body and upgrade the building technologically. Watch for a grand opening early in 2008!

But our premises are not all that is new. We welcomed a September '07 LL.B. class of 100 students, up from the customary 75. In addition, new course-based LL.M. and Postgraduate Certificate programs are commencing. Like our thesis-based LL.M., these programs are exclusively in the area of natural resources, energy and environmental law.

For the incoming LL.B. class, the first year program has been renewed and revitalized. The legal writing and research component (now called Fundamental Legal Skills) has been strengthened to ensure that students are able to develop analytical legal research and writing skills early and fully. Dispute Resolution I, a new block course for January '08 will introduce first year students to a range of approaches and techniques

for dispute resolution. This dispute resolution focus will be carried through the program by a refreshed second year ADR course (Dispute Resolution II) and the highly successful third year Trial Advocacy block course (Dispute Resolution III). These latter courses are part of the ongoing Curriculum Review, which in Fall '07, under the leadership of Professors Nigel Bankes and Jonnette Watson Hamilton, will address upper year optional courses and program structure issues.

Apart from First Year, the Curriculum Review has delivered changes in upper year course requirements for 2008 implementation, including a new compulsory Ethical Lawyering course and a major legal research paper requirement.

The Faculty welcomes three new Assistant Professors. Shaun Fluker joins us from the Alberta Securities Commission. His research interests centre on decision making, particularly regulatory theory, energy and environmental regulation, and ethics. He will teach Administrative Law and Legal Perspectives.

Michael Ilg comes to the Faculty from the University of Saskatchewan College of Law. His research is in legal theory, business law, and law and economics with a particular focus on international development. Michael's courses will be Contracts and a new seminar in International Development Law.

Nickie Vlavianos has been a Research Associate at the Canadian Institute of Resources Law (CIRL). Her research, which she will carry out primarily under a partial secondment to CIRL, is in natural resources, energy and environmental law. Current work is on the legal regime for oil sands development. Nickie will teach Property Law.

The Faculty is a partner (with the Faculty of Social Science and The Haskayne School of Business) in the appointment of renowned fiscal and tax policy specialist Jack Mintz to the Palmer Chair in Public Policy. Professor Mintz will create a new school of Policy Studies at the University.

2007-2008 promises to be a year of change and challenge.



On behalf of the student body, I would like to graciously thank the legal community for the enthusiastic support that has been extended to our students. The encouragement and assistance you have provided in the form of donations of time and finances have been integral to the growth of each and every student of this Faculty.

This year's Society of Law Students executive reflects the diverse and talented makeup of our student body. The enthusiasm, energy and dedication that each member of the executive has demonstrated during our current term is a measure of our commitment to ensure that all students have a great experience during their time at the Faculty.

The upcoming academic year is sure to be an exciting one. With renovations nearing completion and an increase in the number of incoming students and Faculty members, the Faculty has further cemented its reputation as one of the premier law schools in this country. The quality of the students admitted to the program, the nature and quality of the undergraduate and graduate programs offered as well as the achievements of Alumni in the legal community are testament to this fact.

Our incoming first year students will be welcomed with a number of exciting events, thanks to the generosity of the sponsoring law firms. Included in this year's orientation schedule will be a welcome luncheon, a Stampede style breakfast, a barbeque, a 10km walk/run, bowling, as well as our annual softball and golf tournaments. Additionally the Fall Recruitment Mixer and numerous seminars on campus will allow all students to engage with lawyers in a casual setting.

This year our Career Day has moved from its traditional time in the winter semester to early October. The rationale for this decision is based on a strong belief by the SLS that it was important that students have an opportunity to gather information on firms prior to applying for summer positions. The Calgary legal community has strongly supported this decision. Based on the participation of firms in the past, a highly successful event is anticipated.

This report would not be complete without reference to the incredible work that is being undertaken by students participating in Student Legal Assistance and Pro Bono Students Canada. A landmark institution within the Faculty, Student Legal Assistance remains one of the greatest examples of how law students can make a difference in the community at large. It was also a milestone year for Pro Bono Students Canada with public interest and community participation at an all time high. As both Student Legal Assistance and Pro Bono Students Canada move into new offices, we can expect more great things in their pursuit of equality and justice for those in need.

I look forward to an exciting albeit challenging year ahead. The SLS will be relocating to new offices in the Faculty of Law Building. I'm confident that these much improved spaces will better enable the SLS to play an integral role in ensuring that every student in the Faculty of Law has access to an engaging and fulfilling learning experience.

Cheers and Best Wishes





**30 Years New**

On Tuesday November 7, 2006, the Faculty hosted "30 Years New," an exclusive alumni soiree in celebration of the law school's 30th anniversary. The event was held at Hotel Arts in Calgary and was a brilliant success. A wonderful evening was had by all, catching up with classmates, colleagues, and faculty while sipping on the night's signature martini—the de novo. The turnout was spectacular with almost every

one of our graduating classes being represented! Speakers for the night included Dean Al Lucas, former SLS president Wilson Acton, as well as Rob Malach and Doug Mills, both members of the class of 1983.



**Career Services**

Law Career Services is pleased to report that in 2007, the articling placement rate of graduates stands at an impressive 97%.

Please contact Maryanne Forayi at forrayim@ucalgary.ca or 403.220.2177 for information in regards to articling or summer positions for University of Calgary Law students.

**Graduation Awards**

On April 28, the 2007 graduation dinner was held at Hotel Arts. A significant highlight of the evening was the presentation of the four awards given out annually in recognition of outstanding student achievement, dedication, and contribution.

- Congratulations to the following individuals:
- William A. McGillivray Gold Medal in Law** Russell Krueger
  - Campbell McLaurin Achievement Award** Dan Shea
  - Dean Mike Wylie Social Responsibility Award** Oliver MacLaren
  - Grant McKibben Prize** Enrique Dubon







### **Law Firm Outreach**

On July 4th, 2007, Dean Al Lucas and Law Career Advisor, Maryanne Forrayi, had the privilege of hosting a Law Firm Outreach that was very well received. Fifteen recruitment committee members of major Calgary law firms and Career Officers from thirteen law schools from across Canada met for a productive meeting. Important topics such the Calgary

recruitment process and an update on the Canadian Directory of Legal Employers was provided. The opportunity for dialogue between the law schools and recruitment committees proved to be very positive. Meetings for Law School Career Officers carried on into July 5th and ended on a high note with their attendance at a fabulous Stampede Party sponsored by Osler, Hoskin & Harcourt LLP. On behalf of the Faculty

of Law and the Canadian Legal Career Development Network (CLCDN) we would like to extend special thanks to Osler, Hoskin & Harcourt LLP for their invitation to this fun event and for their support of the Law Firm Outreach through sponsorship of the lunch and refreshments.

### **On The Road**

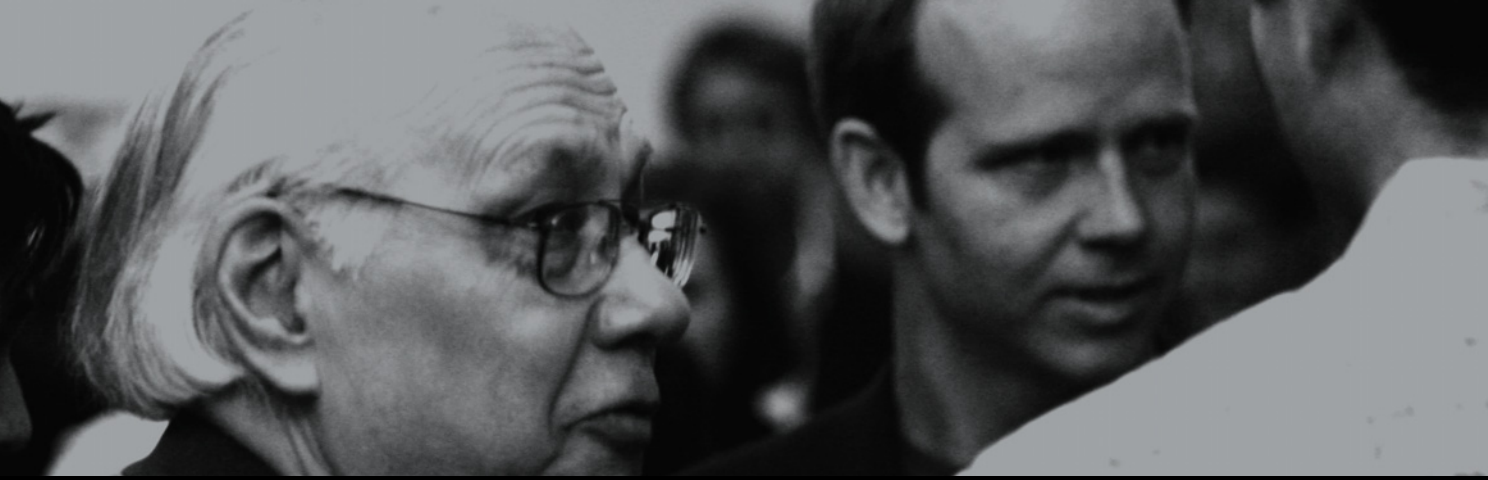
In May 2007, Acting Dean Al Lucas, Professor Nick Rafferty, and Development Officer Jami Young recently made their way to Vancouver and Toronto for exclusive alumni events. It was wonderful to see old friends and to have the opportunity to share all of the exciting changes at the law school. It was also great to see some new faces, as we were

fortunate to have a number of our incoming students for the 2007 term join in the festivities. Dean Lucas took a few moments in each case to update everyone on the status of the renovations, explain some of the upcoming curriculum changes, and to congratulate Nick Rafferty on awards recently received in recognition of his outstanding scholarship and teaching capacity. Dean Lucas also expressed his most

sincere thanks to the ongoing and unwavering support of the alumni in the law school's numerous initiatives. We would like to take this opportunity to thank Debra Finlay, Tracey Sandgathe, and Borden Ladner Gervais for hosting a wonderful evening in Vancouver and Joanna Carroll, Elizabeth Hyde, and Miller Thomson for making our Toronto visit a tremendous success.







**Chief Justice  
Catherine Fraser  
Receives Honorary  
Degree**

The Honourable Catherine Anne Fraser, the first woman to be appointed Chief Justice of a province in Canada, received an honorary degree at the University of Calgary's spring convocation. The honorary degree is the University's highest accolade, bestowed on those individuals who have made extraordinary achievements and done a great service to the community.

**Donor Reception**

The annual awards reception was held at the law school on November 16, 2006 providing a wonderful opportunity for donors and award recipients to meet and spend some time getting to know one another.

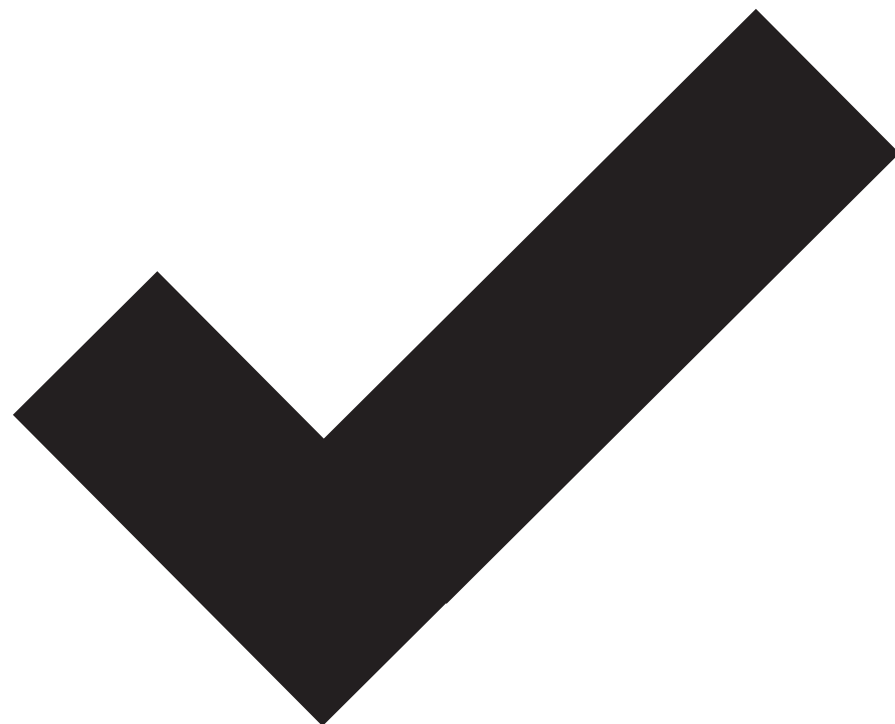
This year we were fortunate to have third-year student, Curtis Marble and recent graduate, Lara Kaiser say a few words and acknowledge how important and how much appreciated outside community and individual

support are to the law school. This year represented the first awarding of the Tavender Family Scholarship, which went to Patrick (Lonny) Tetley.



**Annual Chief Justice  
William McGillivray Moot  
Shield Competition**

The 2006-2007 Mooting and Debating year began with the Annual McGillivray Moot. This year's winners were Matt Dalidowicz and Joel Chevrefils. Top Oralist was Matt Dalidowicz.



**Fraser Milner  
Negotiation Competition**

The 9th Annual FMC UofC Negotiation Competition was held in October 2006. The Calgary office of FMC was pleased to host the annual competition on October 19, 2006. This year's competition was 25% larger than the previous 8 years, and its popularity with UofC students

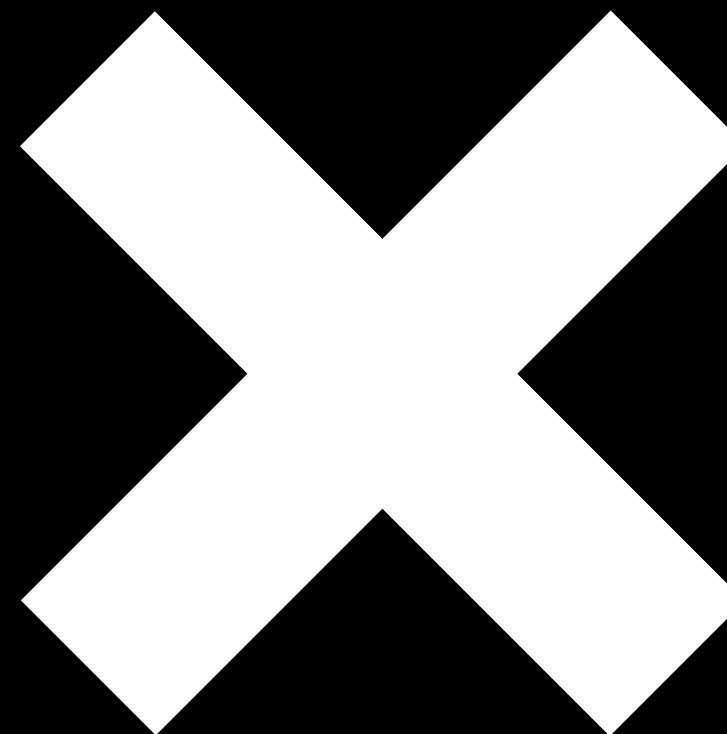
was demonstrated by the fact that registration for the 72 student spots filled up in the fastest time ever, just over 6 hours! FMC was also pleased to welcome 28 judges, 17 of whom are valued clients of the firm.

The winners of this year's competition were:

**1st Place:**  
Kris Noonan and  
David Elhart

**2nd Place:**  
Dan Hursh and  
Ahmad Erfan

**3rd Place:**  
Karen Chee and  
Sandeep Gill



*Western Canada Trial  
Competition–Sopinka Cup  
February 8–11, 2007*

*Host: University of Victoria*  
Once again we had the privilege of Don Hadley (Hadley & Davis) and Janice Rea (Crown's Office) as coaches. The school was represented in Victoria, B.C., by Matt Dalidowicz and Joel Chevretil. Don Hadley advised that although our team did not succeed, Matt and Joel did an amazing job!

*Gale Cup  
February 21–25, 2007  
Toronto*

Stephen Davis (Hadley & Davis) again stepped up to the plate to coach our team. Team members consisted of Abby Griener, Jennifer Hourihan, Katherine Sangster and Kristyn-Anne Stevens. Jennifer Hourihan received the Dickson Medal for Advocacy. Although our team did not place in the Gale Cup, Stephen advises that they did a good job.

*Canadian Labour  
Arbitration Competition*

The faculty is pleased to announce that they were invited to join the prestigious annual Canadian Labour Arbitration Competition. Faculty Council granted credit to this new moot. Our team consisted of David Elhart and Kristopher Noonan. Our coaches were David Corry and Greg Francis. Our coaches advise that our team did exceptionally well at this competition! We look forward to future participation.

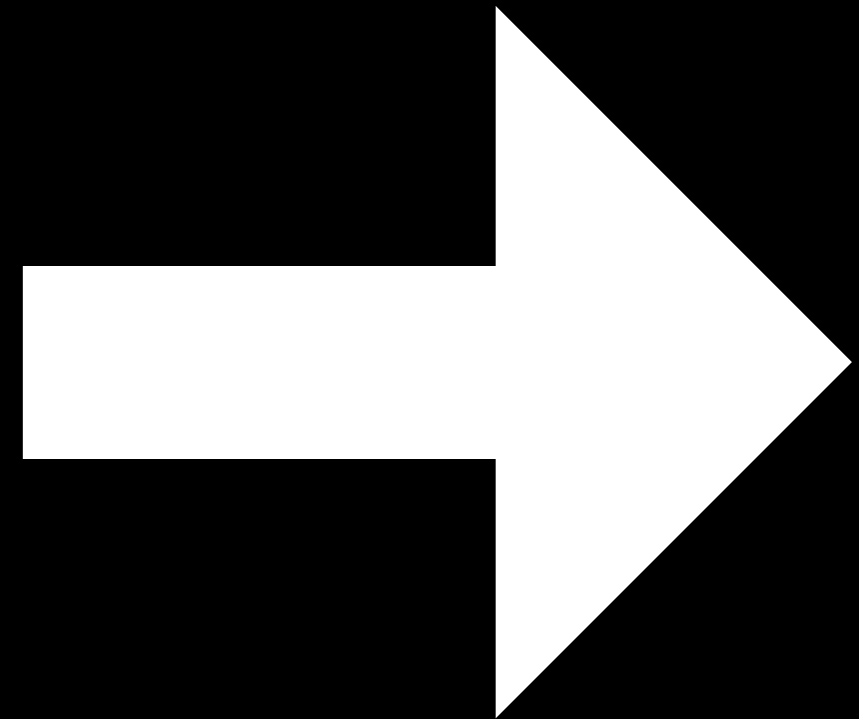
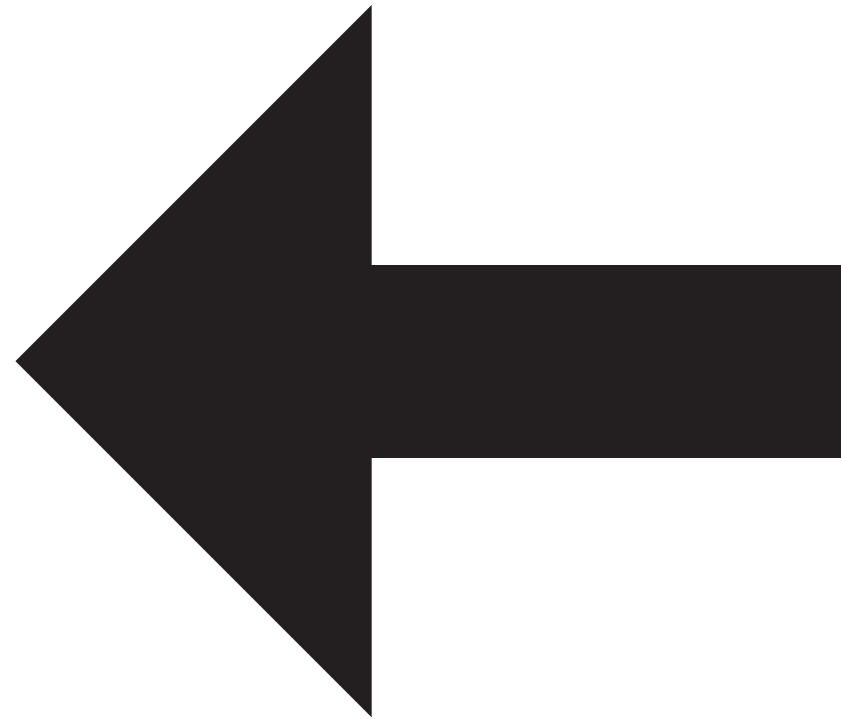
*Blackstone Debate  
Final Debate  
January 31, 2007*

This year's Blackstone Debate was organized by Anne Stalker. There were 12 teams of 2 participants that participated. This year's resolution was: "Be it resolved that differential fees undermine diversity in the law school." The final debate participants were: In the Affirmative: Matt Dalidowicz and Alex Ramsvig, and In the Negative: Monique Dion

and Brian Hadford. First place was the Affirmative team of Matt Dalidowicz and Alex Ramsvig, and Top Oralists were Monique Dion.

This year, the Blackstone Debate Final had the privilege of an Alumni Bench consisting of Mr. Richard Billington, Q.C., Ms. Mary Wyatt Sindlinger, Dr. Patrick Baillie, and Mr. Gavin Price.

Once again, the Blackstone family was represented by Mrs. Clara Blackstone, her daughter, husband, and her granddaughter.





**Corporate Securities**

This year's team of Sarah Chiu, Jatinder Chera, Wesley Rogers, David Sue-A-Quan, and Michelle Lee (researcher) was coached by alumni, Todd Studor and Michael Waite. As always, Bennett Jones LLP was the team sponsor. The team performed quite well at the competition.

**Kawaskimhon**

**Aboriginal Circle 2007**

**March 1-4, 2007**

**Host: University of Manitoba**

This year's team consisted of Candice Gonzales, Alexander Ramsvig, Jason Scratch and Brian West. We have a new alumni coach, Christine Goodwin of Seventh Generation Law Group.

This year, the Circle was split into two working groups. One group reached consensus, the other did not. Our team advised that the experience was good, and that they learned a lot.

**Alberta Court**

**of Appeal Moot**

**March 9-10, 2007**

**Host: University of Calgary**

We are pleased to announce that the UofC team placed first in all three moots! This is the 9th consecutive year that our students and their coaches have made this faculty proud!

**Legal Area: Civil**

Students: Wilson Acton & Beth Younggren

Alumni Coach(es):

Chad Newcombe

**Legal Area: Criminal**

Students: Laura Liscio & Brian Hadford

Alumni Coaches: Jennifer Ruttan & Michael Bates

**Legal Area: Constitutional**

Students: Cherity Smith & Jennifer Shepherd

Alumni Coach: Beth Aspinall

The cases under

appeal were:

**1. Civil Moot:**

Mustapha v. Culligan of

Canada Ltd, [2006]

O.J. No. 4964 (O.C.A.)

Appellant: UofC vs

Respondent: UofA

**2. Criminal Moot:**

R. v. MacDonald, [2006]

A.J. No. 706 (A.C.A.)

Appellant: UofA vs

Respondent: UofC

**3. Constitutional Moot:**

R. v. Kapp, [2006] B.C.J.

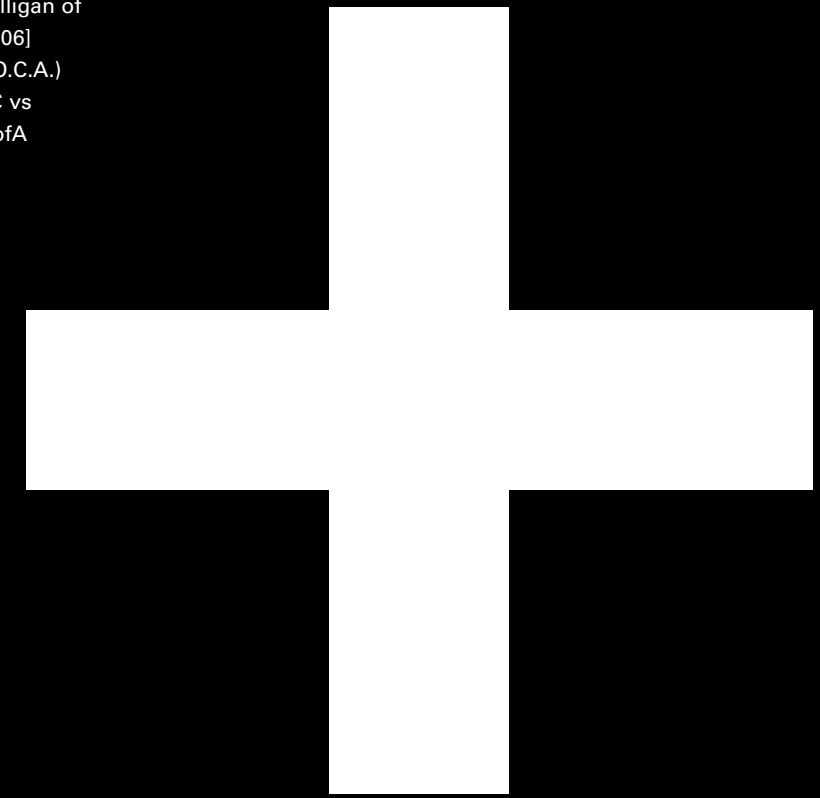
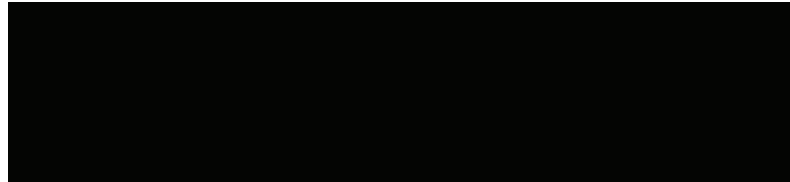
No. 1273 (B.C.C.A.)

Appellant: UofA ("the

Fishers") vs Respondent:

UofC ("the Intervener")

The Mooting and Debating Program is seeking alumni to participate as judges. Alumni interested in taking part in this opportunity can contact Chantal Pegg for additional information at 203.220.7117 or [pegg@ucalgary.ca](mailto:pegg@ucalgary.ca).



# *Lawyers are not rats*

*(but we should still care  
about legal ethics and  
professional regulation)*

*Writer: Alice Woolley*

*Maclean's headline "Lawyers are Rats," and the origins of that headline in Philip Slayton's publication of his book *Lawyers Gone Bad*, placed lawyers ethics and the self-regulation of the legal profession squarely into the public eye this summer. Both the book and the headline primarily did so, however, by emphasizing those lawyers whose behaviour trespassed clear moral and legal boundaries.*

**T**he Maclean's cover remarkably coupled its headline with pictures of various individuals captioned "I pad my bills," "I'm dishonest," "I take bribes," "I sleep with my clients" and "Justice? Ha!" etc. Slayton's book begins with the notorious stories of Martin Pilzmaker (immigration fraud), Bob Donaldson (mismanagement of client funds), Dan Cooper (theft from clients), Ingrid Chen (immigration fraud and other crimes), Simon Rosenfeld (money laundering), Peter Shoniker (money laundering), Agnew Johnson (sex with underage prostitutes), Michael Bomek (sexual exploitation of clients), and Reeves Matheson (misappropriation of client funds).

This emphasis on the salacious tends, however, to obscure the truly interesting questions about the ethics and regulation of the legal profession. After all, illegal and obviously immoral conduct can occur in any walk of life, and it only occasionally tells us something about

ourselves or about the context in which it occurred. A mother who murders her children may tell us something about the stresses of parenting, but not very much, and certainly not in a way that speaks profoundly to helping parents avoid other less extreme but still undesirable responses to those stresses. Similarly, here, it is not the obvious breaches of law and morality that indicate the interesting problems and questions related to legal ethics and professional regulation—particularly where (as in the cases discussed by Slayton) those breaches ultimately resulted in criminal and professional sanction.

Those more interesting questions and problems relate to both professional regulation and personal ethical responsibility. Some which have been the focus of recent research by myself and other Canadian academics interested in legal ethics include: How do you efficiently and effectively regulate the market for legal services given



***What is the source of ethical conduct by lawyers?***

***How do you ensure access to justice?***

***Who should decide what lawyer regulation looks like?***

that the various imperfections in that market, largely related to informational asymmetry, prevent the exercise of efficient market discipline? Who should decide what that regulation looks like? How do you ensure that lawyers act consistently with the interests of their clients given that the interests of lawyers and clients are not always aligned? How do you ensure that lawyers know when not to pursue their clients' interests because those interests are unjust/unethical/unlawful? How do you ensure access to justice while still allowing the efficiencies of market capitalism to exist? What is the source of ethical conduct by lawyers—the right form of market regulation and the right type of practice context, or the lawyer's own good moral character? And, finally, how do you ensure lawyers—and particularly new lawyers—recognize those behaviours which may be accepted or tolerated (and even technically lawful) but are in fact unethical and may result in serious professional and personal consequences?

Ultimately a number of these questions are raised within the recent controversy, particularly towards the end of Slayton's book. It is then that he tells of lawyers whose conduct was eventually subject to professional sanction but which could have been perceived by those

lawyers (at least for a time) as legitimate and consistent with the norms of the ethical lawyer. Richard Shead, for example, was disbarred and convicted of fraud for the assistance he provided for client Bruce McLeod's "fraudulent investment deal". Yet Slayton quotes one of Shead's former partners who described Shead as "straightforward, honest, always acted in the best interests of his client" and who argued that Shead's problem was simply that "the line is always moving; standards and perceptions are constantly changing. You may be on the right side of the line today, but next year when someone looks at what you did today, they decide by new standards that what you did was wrong".

Slayton also discusses Martin Wirick, notable for having "facilitated the biggest legal fraud in Canadian history". Wirick did so through acting for a client in routine conveyances of real estate. After initially being persuaded by his client to ignore his own accounting error with respect to how much money was needed to discharge existing mortgages on a property, Wirick became embroiled in three years of numerous fraudulent misrepresentations with regard to the financing of the real estate conveyances. At the end of three years Wirick reported himself to the Law Society of British Columbia

and resigned. He was subsequently disbarred. Wirick's conduct was obviously wrongful. Yet his participation was much more that of a facilitator than an initiator and he himself did not gain from it. What started out as overlooking an error to extend a helping hand to a client, hopefully without harm to anyone else, gradually snowballed out of control into a multi-million dollar loss, mostly for lending institutions in BC, and to Wirick's own disgrace and disbarment.

These stories, of good lawyers gone wrong, of the blurred line between right and wrong, of a regulatory regime which placed insufficient checks and balances on real estate transactions (at least in the Wirick case) and of the overall question of how to balance resolute advocacy of a client and the needs of justice, are where our attentions should lie. The other stories—of lawyers who violate clear and known moral and legal prohibitions—need not so long as those lawyers are, as they were, subject to professional sanction.



## YYC

*A number of students enrolled in the LL.M. program in the Faculty of Law spent the summer of 2007 interning at organizations across the globe.*

*The Faculty of Law hopes to be able to continue assisting graduate students to participate in such endeavours in the future. As stated so eloquently by the students, internships are an invaluable way of putting theory and doctrine into practice, gaining and sharing expertise, and making international connections.*

## GVA

### **Damilola Olawuyi**

Interned at the headquarters of the United Nations Institute for Training and Research (UNITAR) in Geneva. During this internship, Damilola worked as a Research Associate of the International Environmental Law group at UNITAR, having been selected as the only intern out of over 500 international applicants. Asked about the benefits of the internship, Damilola stated that “I was able to gain enormous insights on the workings of the UN. By attending several UN conferences and treaty negotiations involving delegates from different countries,

I was able to familiarize myself with the process of law making at the international level. The internship also added to my knowledge of my thesis topic (Clean Development Mechanisms (CDMs) under the Kyoto protocol), as I had access to several UN documents and materials on my area of research. I was also able to hold extensive discussions on my thesis topic with environmental law experts from different parts of the globe. This internship indeed afforded me the opportunity of understanding the very essence of the CDM and the purpose which the UN designed it to serve.”

## LHR

### **Williams Daudu**

Completed a three month internship program at the London, England office of the Foundation for International Environmental Law and Development (FIELD). FIELD is an international NGO with a research focus on the sustainable development of natural resources. Williams worked along with FIELD lawyers and interns from Israel, Italy and Jamaica on issues related to climate change, water availability and management from a transnational perspective. Williams reports that “these issues have broadened my intellectual frontiers in no

## IAD

### **Chilenye Nwapi**

Undertook a summer internship in Washington, DC with EarthRights International (ERI). ERI is a nonprofit group of activists, organizers, and lawyers with expertise in human rights, the environment, and corporate accountability. Chilenye writes that “I saw my work during the internship as the next step to what I am doing on my thesis (on community participation in oil and gas management in Nigeria). As a number of the litigations ERI handled arose from alleged violations by oil companies in Nigerian villages, I had the opportu-

nity of extending my awareness of oil operations in Nigeria. I had the pleasure of participating in brainstorming sessions on those litigations and was handy to provide Nigerian legal perspectives—and even arranged for the production of some Nigerian legal authorities—that enabled our counsel to handle some of the conflict of laws issues that arose. Excitingly enough, we had a major victory in one of the Nigerian cases shortly before I concluded my internship.”

small ways. It has been a unique opportunity to put to a useful test the research and analytical skills that I have acquired in the course of my studentship at the University of Calgary in a work-place setting outside of an academic environment and its attendant pressures. I am doubtless ready to face the challenges of life after school. I thank the Faculty of Law, University of Calgary for providing the necessary facilitative environment that made this possible.”





2007

1. *Darren Kautz*

Darren has recently taken a position at Ross Todd & Company in Drumheller, Alberta. He returns to the small town for professional and personal reasons: to practice law, farm with his family and help the legal community that he feels is suffering from lack of qualified help to survive beyond the next ten years.

2006

2. *Tai Cheng*

Tai has some exciting news in his legal career. He will be complete his articles at Borden Ladner Gervais in Vancouver in the fall of this year. He will then be relocating to work at Linklaters in London, England as Legal Advisor in the Private Banking group.

3. *Bradley Chisholm*

Bradley just accepted a position as the Executive Assistant to the Minister of Municipal Affairs and Housing for the Government of Alberta. He thinks it will be an interesting gig considering what will be involved: affordable housing, Municipal Sustainability Initiative, Building Codes, etc.

4. *Cyndy Morin*

Cyndy has enjoyed starting the Flying Lawyers Association. February 25, 2007 marked their inaugural meeting (aka: "Lawyers with Attitude"). She is also involved with a new legal pro bono initiative currently under development called JUST AIR. In celebration of the Law Society's 100th anniversary this year, the group is launching a pro bono initiative under the umbrella of the Flying Lawyers Association. JUST AIR's mandate is to provide pro bono legal services to marginalized

communities in remote areas of the Province. The "flying lawyers" will provide 'access to justice' by offering monthly pro bono legal clinics to remote places that otherwise would not have access to legal services.

2004

5. *Brian Kahane*

Brian moved from Calgary to Ottawa in 2006 and is practicing law at Gowling Lafleur Henderson LLP in its business law department. He is specializing in commercial leasing.

Keep your classmates and colleagues informed of your personal and professional accomplishments! Forward all alumni updates and current contact information to Jami Young at 403.210.8720 or youngj@ucalgary.ca.

2003

6. *Cam Proctor*

Cam recently left his position as a senior associate at Blake, Cassels & Graydon to take a position as Assistant General Counsel at Spectra Energy, North America's largest fully integrated midstream oil and gas business. He moved back to Blakes shortly after that time.

7. *Jason Husack*

Jason will be joining Tai Cheng (see 2006) as a new associate at Linklaters LLP in London, England. Jason will be joining the Projects group.

8. *Magdalena Muir*

Magdalena's work is divided between Canada and Europe, specializing in coastal, climate, ocean and energy issues at political and practical level. This includes ongoing involvement as a Research Associate with the Arctic Institute of North America, working collaboratively with the EUCC—The Coastal Union and the UN Global Forum on Oceans, Coasts and Islands, and participating in EU-funded projects such as ENCORA's Coastal Wikki.

Most recently, she is involved in the Working Group on Climate, Oceans and Security that is designed to provide information and policy recommendations for the Fourth Global Conference on Oceans, Coasts and Islands in Vietnam in April 2008, and the World Oceans Conference in Indonesia in May 2009.

9. *David Mohr*

David has been developing a litigation practice on his own for a couple of years. He recently associated with the Savage Silver Kiss & Virk firm. He is also the proud dad of a three year old girl who keeps his time filled.

2002

10. *Erika Ringseis*

Erika is now at McCarthy Tétrault LLP (in Calgary) in the labour and employment group.

11. *Anna Zadunayski*

Anna is now a Research Associate with the Office of Medical Bioethics, University of Calgary, Faculty of Medicine. She and her husband, Mike Mitchell, recently welcomed the birth of their third daughter, Avery Noelle Mitchell, born March 28, 2007. She is healthy and wonderful!

2001

12. *Anoop Desai*

In January 2006, Anoop and his wife, Neeta, quit their respective jobs, sold their home, put all their belongings into storage and hopped on a plane, not to set foot back in Canada until a full year later. Anoop and Neeta spent the year circumnavigating the globe visiting 20 countries on five continents. Upon returning from his adventures, Anoop elected not to return to the practice of law and, instead, pursue opportunities in Vancouver's hot video game industry. In September of this year, Anoop joined fellow University

of Calgary alum, Keith Darvell, at the video game giant, Electronic Arts, as Manager, Business Affairs.



2000

13. *Robert MacNevin*

Robert is still practicing with the Attorney General of PEI, in the litigation group. He has been there almost six years. He is married to Sherri, and they have two daughters: Mya Jane (6) and Kaley Colleen (3). He is still playing competitive soccer and likes to race motorcycles when time permits.

14. *Jeffrey Kahane*

Over the last couple of years, Jeffrey was awarded the Alberta centennial medal for volunteerism and contributing to the Province. His office, Kahane Law Office, was also ranked as one of the best places to work in Calgary by Calgary Inc Magazine in 2006. The office was nominated again in 2007.

Jeffrey is currently up for a couple of exciting nominations. He has been nominated for the Ernst & Young Entre-

***JUST AIR's mandate is to offer pro bono legal services to marginalized communities in remote areas of Alberta, providing an 'access to justice' otherwise unattainable.***



preneur of the Year award for 2007 and Calgary Inc Magazine's Top 40 Under 40, for 2007. Good luck, Jeffrey!

#### 15. *Elise Lavigne*

Elise is practicing Family Law with Foster Stock Richmond. Elise has a broad range of Family Law experience, having argued at Provincial Court, the Court of Queen's Bench and the Alberta Court of Appeal. Although Elise enjoys the challenge of the litigation process she is strongly committed to providing her clients with alternative options for resolving their disputes in as amicable and cost effective a manner as possible.

Elise is a volunteer with the Calgary Women's Centre having served both as a board member and currently as a volunteer lawyer for the Centre's Legal Clinic. Elise also has extensive volunteer experience in the area of family violence having worked both as a Peer Support Volunteer with abused women and as Facilitator of the Men's Domestic Violence Education Program with Probation Services.

Elise has three grown children. She has a commercial pilot's license and has been involved in Triathlon for the past four years. In 2004, Elise successfully completed her first Ironman competition.

#### 16. *Nickie Vlavianos*

Nickie completed her Master of Laws degree at the University of Calgary in 2000 with a specialization in environmental and oil and gas law. Her

thesis, which was awarded the Governor General's Gold Medal, considered the liability regimes for well abandonment, reclamation, releases of substances, and contaminated sites in Alberta. In 2007, she joined the Faculty of Law as an Assistant Professor. She is also a Research Associate with the Canadian Institute of Resources Law at the University of Calgary.

#### 1999

#### 17. *Patricia Olyslager*

Patricia and her husband, Brent, just gave birth to a baby girl August 22, 2007. This is their second child (per Murray Harris).

#### 18. *Joanna Carroll*

Joanna joined MillerThomson LLP in October, 2006 where she continues to practice in the area of employment litigation. She is also active in the firm's government relations group. On June 9, 2007 Joanna married Kevin Robinson who is also a lawyer in Toronto.

#### 19. *Sarah Hansen*

Sarah received her LL.M. from the London School of Economics and Political Science in 2005 and is currently with MillerThomson LLP in Vancouver. An associate in commercial litigation, Sarah works in a variety of areas including civil and commercial litigation focusing primarily on contract, tort, energy, environmental, employment, and aboriginal rights

disputes. Sarah was the recipient of the Viscount Bennett Fellowship Award in 2004.

#### 1998

#### 20. *Eric Greif*

Currently Eric is a Lecturer in the Department of Justice Studies at Mount Royal College. He moved back here from England in 2005, after completing his LL.M. and practicing. He has been honored to have his mentor, Prof. Kathleen Mahoney, as a guest in one of the courses he teaches at MRC (Restorative Justice). He was recently on campus and was very happy to see the expansion going on!

Eric received a pancreas transplant at Foothills last summer but, unfortunately, it failed a few months later, so health continues to be a struggle for him. He and his wife Emma have two children: Anna is 7 and Sam is turning 3.

#### 21. *Craig Savage*

Craig left CSIS in Ottawa to return to his hometown Winnipeg, where he practices as a Crown Prosecutor

#### 22. *Michael Waite*

In the last few years, Mike has completed his Master of Laws, became a partner at his small firm (Stones Carbert Waite LLP), begun teaching the Law & Medicine course and was voted one of 2007's Top 40 Under 40 for Calgary Inc. Magazine.

## *Constance O'Laughlin: "Above all you will find, by far, my biggest accomplishment: surviving"*

#### 1997

#### 23. *Adam Brosgall*

Adam Brosgall and his wife Erica are currently enjoying their son Cooper's first erratic steps and jumbled words.



#### 24. *Catherine Chow*

Catherine W. Chow (Hughesman) is now the Director of Legal Services for Keg Restaurants Ltd., managing legal affairs for Keg's 92 locations in Canada & US. Catherine is also currently completing a Masters Degree in Law at UBC—her thesis topic is property rights in Vancouver's Chinatown owing to her previous expropriation practice at Rooney Prentice in Calgary and Stikeman Elliott LLP in Vancouver.

#### 1996

#### 25. *Shashi Malik*

Shashi has moved to Stikeman Elliott LLP in Calgary.

#### 1995

#### 26. *Rod Dal Collo*

Rod has moved from Calgary and joined the firm of Johnson McClelland Murdoch in Hinton. He finds Hinton a much saner environment. Rod's dogs, Grunt and Ginger, are loving the great walking trails not only in Hinton but in Jasper and surrounding areas too.

#### 27. *Constance O'Laughlin*

Constance is currently a lawyer in Aboriginal Law Services in the Department of Justice Canada's Prairie Region. In August 2005, O'Laughlin, a competitive marathon runner, was diagnosed with lung cancer. Constance's most important accomplishment is her survival and she attributes the success of her ongoing healing process to the tremendous support of colleagues, friends, and family.

#### 1994

#### 28. *Mark Austin*

Mark was recently made a partner in the Toronto office of Osler, Hoskin and Harcourt.

#### 1993

#### 29. *Erin Butler*

Erin is currently involved in establishing the College of Esoteric Arts. The college offers Intuitive Life Coaching and Life Path Alignment to individuals using an integration of the disciplines of Tarot, Astrology, Numerology, Manifestation, and Creative Process Engineering. To the business commu-

nity, they offer "Intuitive Corporate Initiative" which applies a similar integrated approach to corporate direction and decision making.

Erin has two children: a daughter, Tess, age 6 and a son, Aubrey, age 9. She lives in Inglewood with her children and husband, Douglas George McCormick.

#### 30. *Sean Korney*

Sean recently left Denton Wilde Sapte in Dubai to join Baker Botts in Dubai. He is still working as a partner in the energy industry. He and his wife, Lori, have been overseas for six years now, three in Singapore and three in Dubai. They are not yet tired of hot weather and lower taxes, especially given the cost of living in Calgary now.

#### 1992

#### 31. *David Heckadon*

David is a Partner in the Intellectual Property Group at Gordon & Rees LLP in San Francisco. His practice focuses on patent application and prosecution experience involving core technologies with invasive and non-invasive medical devices, microfluidics/micro electro mechanical systems, medical imaging and scanning devices, mechanical assembly and chemical analysis systems, mechanical systems and design patents. In addition to intellectual property disputes, David handles matters covering trademarks, copyrights, trade dress, trade secrets, licensing, technology transfer, and non-disclosure and non-compete agreements in global markets.

#### 32. *E. Jane Sidnell*

Jane joined Fraser Milner Casgrain LLP, Calgary, as a partner on March 1, 2007 in the construction law group.

#### 33. *Jerry Kiriak*

Jerry asked that we pass on a friendly hello to all from the class of 1992. He remarried in 2005 and he

## *Governor General's Gold Medal: Nickie Vlavianos' thesis considered the liability regimes for well abandonment, reclamation, releases of substances, and contaminated sites in Alberta.*

and his wife have five children, all under 12, including a one year old. He continues to operate a busy law practice in Edmonton with Lucy Dang in the areas of Family Law, Real Estate Law and Personal Injury. They are growing and are currently looking for a larger space. Jerry says he is happy to have chosen the practice of Law and makes a point of working as little as possible due to the fact that "nobody ever died wishing they spent more time at work"

Jerry muses that the University of Calgary Law program was a very memorable experience and always looks back fondly on those years in his life. If he was not offered an articling position in Edmonton, his practice would very likely have ended up in Calgary.

**34. Jonathan Blakey**

In November 2004, Jonathan left Stikeman Elliott's Ottawa office, where he had been practicing Communications, Copyright and Privacy Law, to join Bell Canada as Assistant General Counsel—Regulatory Law. He continues to be based in Ottawa and practices primarily in the areas of Telecommunications and Broadcast Law and regulation, as well as the collective administration of copyright before the Copyright Board of Canada.

**35. Rob Beck**

Rob and his wife, Cheryl, celebrated their 13th wedding anniversary on June 15, 2007. Since they have been married, they have had the opportunity to travel all over the world including Europe several times, a Kenyan safari and a cruise down the Danube River through Hungary, Serbia, Croatia, Bulgaria and Romania. In November of this year, they will embark on an 18-day cruise to Antarctica with a stop in the Falkland and South Georgia Islands!

Rob is still working for the Edmonton Crown Prosecutors' Office and is now an Assistant Chief Crown

Prosecutor responsible for Education, Performance Planning, and Human Resources. He says it has been a steep learning curve but is fortunate to work with an incredibly supportive team who are also very patient. Their seven pound wonder-dog, Max, a Toy Fox Terrier also keeps them entertained. Max and Rob are starting a flyball course in the fall!



**36. Susan Bocock**

Since being called to the bar in 1993, Susan has worked in public and private practice in Edmonton, as well as for an MP in Ottawa and in policy development at WCB. After trying different types of work she can honestly say that she loves her job with the provincial government, providing legislative and other legal services to the department of Advanced Education and Technology. She finds it interesting and challenging every day, while still providing a great work/life balance.



The most recent example of work/life balance being Susan's month-long holiday in Italy. Susan reports that the food and wine is even better than one expects, and the sites spectacular no matter what part of the country you visit.

**1991**

**37. Don Young**

Don has been at the Alberta Securities Commission now for almost seven years, presently managing a group of nine lawyers responsible for securities enforcement in the province. He has two great kids, both boys, ages 4 and 5, and a wife, Ariane, who is a partner at Tingle Merrett LLP, a boutique securities firm in Calgary.

**38. Ken Bagan**

Ken is now the President & CEO of Wellco Energy Services Trust based in Calgary.

**1997**

**39. David Younggren**

Since joining the firm Dunphy Best Blocksom LLP, David has been engaged exclusively in litigation. Although his earlier practice included criminal law, today his practice is solely civil litigation consisting mainly of corporate/contractual litigation, wrongful dismissal, shareholder's disputes, personal injury and collections. In September of 1999, David became one of two managing partners at Dunphy Best Blocksom LLP. Additionally, David is a member of Calgary Police Commission and Past Chair of the Legal Aid Society of Alberta

David is married with two children and enjoys spending time with his family. When he has spare time, he may also be seen golfing, boating, water-skiing or fishing.

**40. Lawrence Ben-Eliezer**

Lawrence, a criminal defense lawyer, ran the first Boxing Counsel fundraising boxing match in Toronto last April. The event, billed as Justice By The

Pound, attracted more than 400 spectators from the legal and boxing worlds, raised a few thousand dollars for the Elizabeth Fry Society and featured lawyers fighting each other in the squared circle. Lawrence hopes the event will become an annual one, predicting next year's will be bigger and better.

**1995**

**41. Susan V. Reid Billington**

Since graduation, Susan has kept contact with the Faculty through the moot and debating program, in particular the Blackstone Debates. In her law school days, Susan won the Blackstone Debate (under the name of Susan Reid) in her second year with partner Richard O'Gorman (who is now a Provincial Family Court Judge).

Susan has worked as counsel at the Law Society of Alberta since 1994. 2007 commemorates the 100th anniversary of the Law Society of Alberta and the Law Society is launching its legacy project, Pro Bono Law Alberta. She has been seconded from her duties at the Law Society to be the first Executive Director of Pro Bono Law Alberta. Pro Bono Law Alberta is a nonprofit organization that promotes access to justice in Alberta by creating and promoting opportunities for lawyers to provide legal services to persons of limited means.

For more information about Pro Bono Law Alberta, Susan points to the following websites: [www.pbla.ca](http://www.pbla.ca) or [www.lawsocietyalberta.com](http://www.lawsocietyalberta.com).

**Victor Tousignant was appointed Assistant Chief Judge of the Provincial Court of Alberta, Family and Youth Divisions.**

**42. Victor Tousignant**

Vic was appointed a Judge of the Provincial Court of Alberta, Family and Youth Divisions, effective July 1, 2004 and has also been appointed Assistant Chief Judge of the same court effective October 1, 2007. Outside the judicial system, Vic recently stepped down after 6 years as President of the Alliance Française of Calgary. In recognition of his contribution to French culture and language education, Vic was named Chevalier of the Ordre National du Mérite by Jacques Chirac, President of the Republic of France.

**43. Sandy Jakab**

Sandy has been appointed the Director, Capital Markets Regulation, for the British Columbia Securities Commission.



**1984**

**44. Alex Fyfe**

Alex is now senior counsel within the Legislative Services Branch of Justice Canada in Ottawa.

**45. Joanne Barnard**

Joanne moved to an office in an old character building in downtown Victoria last year, where she is a sole practitioner. Most of her work continues to be for the oil and gas clients that she consulted for in Calgary. Technology enables her to continue to do some work and still enjoy the benefits of life on the coast, including a lot of sailing on her sailboat "Nearchus" with her husband Graham. In the summer of 2006, they circumnavigated Vancouver Island and this past summer they spent over three months sailing on the west coast of B.C. up to the Alaskan panhandle and the Queen Charlotte Islands.

**1982**

**46. Pat Blocksom**

Pat has recently been elected to the board of a Canadian Charitable Foundation, Partners in the Horn of Africa, that does humanitarian work in Ethiopia. She traveled to Ethiopia in March, 2007 as well as Gulu, in northern Uganda to look at a number of humanitarian projects. In April 2006, she received the John Haynes Memorial Award which recognizes an outstanding contribution in the area of family mediation. On a more personal note, Pat and Allan Shewchuk were married this fall. "Life couldn't be better," says Pat.

**1981**

**47. Bruce Churchill-Smith**

Bruce recently joined Borden Ladner Gervais LLP in Calgary.

**48. Janice Mucalov**

Janice is still enjoying both travel and legal writing. She was a recent recipient of the 2007 Kenneth R. Wilson Memorial Award "Silver" Winner in the Canadian Business Press for "Best Professional Article" in the National magazine, which is published by the Canadian Bar Association.



*Excerpt from Swearing-in Ceremony*

***As mentioned, I was the first graduate of the University of Calgary Faculty of Law to be appointed to the Court. In the early years of the law school, the law firms were somewhat skeptical of our legal education. They thought that we rode around in police cars and drafted oil and gas contracts at the expense of learning any substantive law. We did drive around in police cars and we did draft oil and gas contracts, but we also received a solid legal education. Today we are not only leaders in the legal profession in Calgary but throughout the country.***

***I am proud that today there are five graduates of the University of Calgary, Faculty of Law, on the Bench, some of whom are here today: Master Hanebury, Judges Skene (who was unable to be here), and Brown, Judges Tousignant and O’Gorman.***

***It was also my good fortune to be hired by the Law Faculty where I taught for nine and a half years. The Deans with whom I worked, Madam Justice Connie Hunt and Madam Justice Sheilah Martin and Michael Wylie, were great leaders and supportive of their faculty***

members. I worked with wonderful colleagues. I taught with some of the most remarkable legal minds I have ever encountered, Professors Chris Levy and Nicholas Rafferty. I have been able to continue my relationship with the law school, thanks to the invitations of former Dean Dr. Patricia Hughes and Acting Dean Al Lucas to participate in the Dean’s Community Council. Many of my former students have appeared before me in Court, and actually most of you must have paid attention.

***Madam Justice P.A. Rowbotham***

Madam Justice Rowbotham is a graduate of the University of Calgary (Bachelor of Education 1976, LLB 1981). She clerked for two Justices of the Supreme Court of Canada, Mr. Justice Ronald Martland and Madam Justice Bertha Wilson) and was called to the Bar of Alberta in 1983. She obtained an LLM from Cambridge University in 1984. She was appointed Queen’s Counsel in 1996.

From 1984 to 1990, Madam Justice Rowbotham practised civil litigation with two Calgary firms, Fenerty Robertson Fraser and Hatch (now Fraser Milner) and Blake Cassels and Graydon.

In 1990 she joined the University of Calgary Faculty of Law, first as Practitioner-in-Residence (January to June 1990), then as an Assistant Professor (1990 to 1994), and most recently as an Associate Professor (1994 to 1999). Her major areas of teaching were civil procedure, evidence, torts, trial advocacy and professional responsibility. She also taught in the areas of oil and gas law, wills, and advanced contract and torts. Her research and publications were in the areas of torts, evidence and professional responsibility.

Madam Justice Rowbotham was a Bencher of the Law Society of Alberta from 1996 to 1999, during which time she chaired the Gender and Equality Committee, the Education Committee and the Multi-disciplinary Practice Committee. From 1991 to 1997, she co-ordinated the LESA Intensive Trial Advocacy Course for practitioners.

Madam Justice Rowbotham was appointed to the Court of Queen’s Bench of Alberta in June 1999, and elevated to the Court of Appeal of Alberta in 2007.

In 2006, on the occasion of the 40th anniversary of the University of Calgary, Justice Rowbotham was named one of its top 40 alumni.



# Above the bar: welcoming three new faculty members



(left to right) Elaine Ward, a Brazilian fisherwoman, and Erika de Castro from UBC along the Sao Francisco River in Brazil (2006)

Photographer: Thais Madeira

## Elaine Ward

Elaine is a consultant in public international law and human rights, specializing in ethics and diversity issues. Her international work has taken her to Denmark, Greenland, Tanzania, Kenya, South Africa, Venezuela, Cuba, Italy, Armenia, Croatia and Brazil. Elaine received an LL.B. from the University of Calgary and a Masters of Public International Law from the Raoul Wallenberg Institute for Human Rights and Humanitarian Law at Lund University in Sweden.

Upon graduation, she completed research commissioned by the Greenland Home Rule Government on Indigenous Peoples between Human Rights and Environmental Protection (published by the Danish Centre for Human Rights in 1993) focusing on the sealskin controversy. Elaine then spent six years in Tanzania as a CUSO Co-operant working for three Maasai and Barabaig indigenous peoples' NGOs as a legal, management and gender advisor. During law school, she also worked briefly for the Membership Division of the Siksika Nation under the auspices of the Indian Management Assistance Program of the First Nations Resource Council.

More recently, Elaine was the Project Manager for the Canadian International Development Agency (CIDA) Ethics Promotion Project–Tanzania Democratic Development Program from 2002 to 2004. In 2005, she facilitated a course in the Executive MBA in Leadership Program at Royal Roads University and served as a corporate social responsibility and/or gender specialist for three CIDA projects targeting China, Croatia and Sub-Saharan Africa. She is currently consulting with World Fisheries Trust in Victoria conducting research on gender and aquatic biodiversity, and was previously a gender and diversity specialist for their CIDA-Brazil Inland Fisheries Project (above photo). "Elaine is also associated with IRIS Environmental Systems Inc. in Calgary, serving as leader of the socio-economic impact assessment team for a First Nation in Northern Saskatchewan.

In 1999, Elaine was awarded the YMCA Peace Medal for her work in Human Rights, Environmental Law and Land Rights in Tanzania. "Some of that development work is represented in the video entitled Fighting for Survival." The Pastoralist Land Rights Movement of Northern Tanzania produced through the UofC's Information Resources Image Centre in 2000.



mental and oil and gas law. Her thesis, which was awarded the Governor General's Gold Medal, considered the liability regimes for well abandonment, reclamation, releases of substances, and contaminated sites in Alberta. In 2002, she was a visiting assistant professor with the Faculty of Law.

Professor Vlavianos' research and teaching interests are in the areas of energy, natural resources, environmental, and property law. She is the

the Disposition of Oil and Gas Rights in Alberta" (2007) 17 J.E.L.P. 205.

**Michael Ilg** (centre photo)  
Ph.D. Candidate (UBC), LL.M., LL.B. (Queen's) Assistant Professor  
Prior to joining the faculty of law in July 2007, Professor Ilg was Assistant Professor at the College of Law, University of Saskatchewan. He is currently completing a doctoral dissertation at the University of British

raised in Alberta, spending an equal amount of time between Calgary and Edmonton. Shaun currently resides in Cochrane with his partner, Samantha Hutchinson, and their two daughters, Onaya Skye and Willow Naomi. They find Cochrane to be well-situated between the University and the Rocky Mountains—two of Shaun's favorite destinations. When he is not at the University or home in Cochrane, you are most likely to find Shaun climb-

**Professor Fluker's Recent Publication on Ecological Integrity**  
Assistant Professor Shaun Fluker has collaborated with academics in protected areas management to co-author a book chapter critically examining the application of ecological integrity as a governing management policy in protected areas. The chapter, entitled *Deconstructing Ecological Integrity Policy in Canadian National Parks*, will be published this

in the parks. After providing institutional reasons why a preservationist discourse of ecological integrity was legislated rather than a more inclusive discourse that considers socio-economic interests, the chapter provides several case study examples of protected area management where a strictly preservationist approach has produced sub-optimal conservation results. Professor Fluker adds to these findings by illustrating that the



**Nickie Vlavianos** (left photo)  
Professor Vlavianos joined the Faculty of Law as an Assistant Professor in July 2007. She is also a Research Associate with the Canadian Institute of Resources Law at the University of Calgary. Professor Vlavianos holds a Bachelor of Arts (Honours) in French and Political Studies from the University of Saskatchewan, a Bachelor of Laws from the University of Alberta, and a Master of Laws from the University of Calgary.

Professor Vlavianos joined the Canadian Institute of Resources Law as a legal researcher in 2001. Prior to that time, she practiced law in Calgary and served as legal counsel to Madam Justice C. Hunt of the Alberta Court of Appeal. In 1996-1997, she articulated with the Courts of Appeal and Queen's Bench in Calgary and was called to the Alberta Bar in 1997. In 2000, Professor Vlavianos completed a Master of Laws degree with a specialization in environ-

current editor of the *Canada Energy Law Service—Federal* (Thomson/Carswell). Her publications and research include work on such topics as: theories of environmental liability, including the polluter pays principle; liability regimes for the clean up of environmental damage; the interrelationship between human rights and natural resource development; public participation in natural resource and environmental decision making; the role of municipalities in natural resource and alternative energy development; and the legal and regulatory framework for oil and gas development.

Her most recent publications are: N. Vlavianos, *The Legislative and Regulatory Framework for Oil Sands Development in Alberta: A Detailed Review and Analysis*, Occasional Paper #21 (Calgary: Canadian Institute of Resources Law, 2007); and N. Vlavianos, "Public Participation and

Columbia, examining international rights from an economic perspective. Further teaching and research interests include international law, legal theory, and corporate law.

**Shaun Fluker** (right photo)  
Professor Shaun Fluker joined the Faculty of Law in July 2007 as an Assistant Professor, and he has been a member of the Alberta Bar since 1996. His teaching and research interests are in environmental law and ethics, regulatory theory, natural resources regulation, and administrative law. Prior to joining the Faculty, Shaun spent two years with the Alberta Securities Commission working on a national project to reform securities market regulation in Canada. He is a graduate of the Faculty's LL.M. programme (2004). Between 1996 and 2001, Professor Fluker was a corporate/commercial practitioner in Calgary. Professor Fluker was born and

ing or skiing in the mountains west of Calgary. Not surprisingly then, he is also an active member in the Calgary chapters of both the Alpine Club of Canada and the Canadian Parks and Wilderness Society.

Shaun resides in Cochrane with Samantha and their two daughters: Onaya Skye and Willow Naomi. Cochrane is well-situated between two of his—favorite destinations: the University and the Rocky Mountains. Shaun enjoys mountaineering, and is an active member of the Alpine Club of Canada in Calgary.

His interest in energy and environmental law began in the late 1990s with his volunteer tenure with the local chapter of the Canadian Parks and Wilderness Society. Shaun pursued this interest further by entering the Faculty's LL.M. program in 2001 where he examined the principle of ecological integrity and its application in provincial energy and federal parks legislation.

*Fall in the forthcoming book, Transforming Parks and Protected Areas: Management and Governance in a Changing World.* (Routledge, U.K.) edited by Kevin Hanna, Doug Clark, and Scott Sloccombe.

Professor Fluker's ongoing research includes examining challenges in the legal implementation of ecological integrity as a non-negotiable preservationist principle that excludes socio-economic considerations in protected area management. In *Deconstructing Ecological Integrity Policy in Canadian National Parks*, his findings are combined with others that have studied the effectiveness of ecological integrity as a government management principle on the ground.

The chapter looks specifically at Canadian national parks and the legislated management priority in the *Canada National Parks Act* to maintain or restore ecological integrity

preservationist ecological integrity mandate in the *Canada National Parks Act* has been read down by subsequent judicial interpretation in the *Federal Court of Canada* to the disappointment of conservation groups looking to use the legislated ecological integrity provisions to advance preservation in the national parks.

The chapter concludes that the preservationist discourse of ecological integrity legislated in the *Canada National Parks Act* has not yet produced normative results in the field. Moreover, the chapter questions whether the ecological integrity principle in its preservationist form, would produce optimal conservation results in any event.



*Nicholas Rafferty (photo below)*

In this past year, Nick has received numerous awards recognizing his outstanding contributions to both the legal and academic fields. As a practitioner, educator and mentor with a career spanning across decades and two continents, Nick has contributed significantly to the Alberta legal community and has advanced the stature of the legal profession in general.



Nick obtained his law degree and a master's degree in law from Jesus College, Cambridge. He obtained a further master's degree in law from the University of Illinois. He has been teaching at the Faculty of Law, University of Calgary for the last 30 years. He has concentrated his teaching and research upon the private law of obligations, especially contract law and tort law, and the conflict of laws. Presently, he teaches contract law to first year students and conflict of laws to third year students. He has always regarded teaching as his first priority and, over the years, he has received numerous awards. Thus, he has won the Students' Union Teaching Excellence Award a total of six times (1982, 1989, 1994, 1999, 2000, and 2007). In addition, he has received an Honourable Mention (1998) and a further nomination (2006). He also won the Carswell Excellence in Teaching Award in 1993, was an

inaugural recipient of the University of Calgary President's Circle Award for Achievement in Teaching Excellence in 2000, and received the University of Calgary Celebrating Excellence Award for "inspiration, Innovation, and Outstanding Contributions in Teaching and Research at the University of Calgary" in 2002. Finally, he was one of an initial group of six faculty members in the University to be honoured on a

University of Calgary Faculty Association Bookmark in 2002 for contributions to the University, in his case as an Outstanding Teacher.

**2007 Awards**

- Faculty of Law's Inaugural Howard Tidswell Memorial Award for Teaching Excellence
- Students' Union Teaching Excellence Award
- Law Society of Alberta and the Canadian Bar Association Distinguished Service Award (Legal Scholarship)

*Kathleen Mahoney (photo above)*

Professor Kathleen Mahoney is continuing her work on the Vietnam judicial strengthening project. In October, the project took her to Barcelona with a delegation from Vietnam to attend the 3rd meeting of the International Organisation for judicial Training. Judges and judicial trainers from more than



65 countries attended to hear about recent developments in judicial training. Professor Mahoney presented a workshop on pedagogical techniques for training judges.

Professor Mahoney also presented the keynote address at an international conference on equality held in Galway, Ireland on Canadian law of Equality under the Charter of Rights and Freedoms. The conference took place at the Faculty of Law

and Management at the University of Galway.

In June, she was the Director and organiser of an international conference here at the University of Calgary on the Canadian Truth Commission on Indian Residential Schools. More than 300 delegates attended from Canada, Australia, South Africa, Peru, and the United States. The Hon. Frank Iacobucci, National Chief Phil Fontaine, Hon. Michael Ignatieff, and the Hon. Jim Prentice were among the many speakers who attended.

It has been an interesting, exciting and inspiring year at the Faculty of Law. As a result of the support from our alumni, friends, and community partners, we have been able to realize the transformation of our law school. These substantial efforts and contributions have made possible an increase in our student body, the revitalization of our physical space, the introduction of outstanding new faculty members and a significant

ment Director. Elspeth was a driving force behind the Strategic Plan and her unparalleled commitment to this initiative and the law school in general will be missed. Please look for an important Development announcement in upcoming weeks.

On the alumni front, we are looking to make significant changes in programming. On November 29, I had the opportunity to sit down with Dean Al Lucas, founding Dean John



renewal of the curriculum. Thank you for your commitment, tenacity, and patience as we continue to implement the vision of the Strategic Plan.

2008 promises to be another year of change and growth in the law school and in our Development team. We bid a fond farewell to Elspeth Carmichael who has moved on to Athabasca University, leaving big shoes to fill in the role of Develop-

ment Director. Elspeth was a driving force behind the Strategic Plan and her unparalleled commitment to this initiative and the law school in general will be missed. Please look for an important Development announcement in upcoming weeks. On the alumni front, we are looking to make significant changes in programming. On November 29, I had the opportunity to sit down with Dean Al Lucas, founding Dean John McLaren and a select few alumni to discuss how we might strengthen our relationships moving forward. An important dialogue ensued and many suggestions were brought to the table. I want to thank all of you who graciously participated and I look forward to hearing from more of you with ideas on ensuring your law school remains a relevant presence in your life following graduation.

**Strategic Plan Donors**

*The Faculty of Law wishes to extend sincere appreciation to the following contributors for their generous support of the Strategic Plan and the future of the law school.*

- Barbara and Dr. James Palmer, QC
- Government of Alberta—Renaissance Fund
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- Friends of James Ferguson, QC
- Virginia May, QC
- D. Blair Nixon, QC
- John McWilliams, QC

- The Honourable Madam Justice Adelle Fruman
- The Honourable Richard J. O'Gorman
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- Edward A. Wooldridge



*"I contributed to the Law School at the University of Calgary so that it has increased capacity to strengthen its foundations and advance its agenda. In particular, I am hoping that this support will assist the Law School in its efforts to achieve its full potential."*

**D. Blair Nixon, QC**

*2008 W.K. Moore Award Recipient*

Blair Nixon has been named the 2008 recipient of the W.K. Moore award in recognition of his outstanding commitment to the law school, tremendous contributions to the legal community in Calgary and beyond, and his broad philanthropic associations.

Blair is an alumnus of the Faculty of Law (1987) and a partner at Felesky Flynn LLP in Calgary. Please join us in congratulating Blair!

**New Scholarships and Awards:**

- Eileen Ackerman Memorial Bursary
- Kerry Dyte Access Bursary
- Terrence A. Cooper, O.C. "Pay it Forward" Bursary
- Thackray Burgess Professional Women's Advisory Group Prize in Law

**Why do you give?**

*Lawrence Ben-Eliezer (1987)*

I support the Faculty because (1) it gave me the opportunity to enter my profession of choice, (2) did so within the context of a superb learning environment staffed by excellent professors and (3) continues doing so today despite the corporate atmosphere that seems to have permeated so many other law schools. I also believe in the 'pass it forward' philosophy of life, which means that I am obliged to duplicate some of the support that made my attendance at the U of C possible.

I will always be grateful to my professors for having given their time and talents to educate me. I am extremely proud to be an alumnus of this institution and will advertise its commitment to excellence at every opportunity.

*Jeffrey Kahane (2000)*

The faculty has given me the opportunity to do what I love each day.

Without my degree I can not imagine feeling as fulfilled by my career... How can I not support the school community that has given so much to me? Everyone should.

*Chris Rappel (1997)* I have given back to the U of C law school simply because I do recognize that support from the alumni is an important part of the ongoing success of our school. I am grateful for the education I received and choose to show my appreciation by giving back to help ensure new students have the same benefits and resources I had during my years at the U of C.

*The Honourable Bernadette Schmaltz (1991)*

I support the U of C law school because I am an alumnus of the U of C; I think it is not only a good law school, but a unique law school emphasizing the practical as well as the academic...I received scholarships throughout university and I believe I have a responsibility to do my part to ensure that others too may have the benefit of scholarships.

**Annual Fund Supporters  
2006/2007**

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Peter Enderwick  
James Farrington  
Wendy Francis  
Susan Fremit  
Donna Groves  
Judith B. Hanebury, QC  
Jacqueline Halpern  
Clarke Hunter  
Sandra Kalef  
Linda Kamerman  
Ronald Kemle

Robert Kennedy  
Konstantin Kotzeff  
Gregory Lohnes  
Letha J MacLachlan  
Steve Major  
Benjamin Marshall  
Donna Maxwell  
Maureen McCall  
Dennis Nerland  
The Honourable  
Richard O'Gorman  
William Opalka  
Margaret Otto  
Hugh O'Reilly  
Patrick Poyner

Katharine Richmond  
Stuart Ross  
The Honourable  
Bernadette Schmaltz  
The Honourable  
Catherine M. Skene  
Karen Sloan  
Barbara Snowdon  
Nancy-Lynn Stevenson  
Dale Styner  
Shawn Taylor  
Catherine Wood  
Edward Wooldridge  
David Younggren

**How can I not support the community that has given me so much? Everyone should.**

**Jeffrey Kahane (2000)**





#### Publications and Presentations

A number of faculty members contributed essays to a book commemorating the 100th anniversary of the Alberta Supreme Court, *The Alberta Supreme Court at 100: History and Authority*, edited by Jonathan Swainger of the University of Northern British Columbia and published by the University of Alberta Press and the Osgoode Society for Canadian Legal History. **Jonnette Watson Hamilton** wrote "Space for Religion: Regulation of Hutterite Expansion and the Superior Courts of Alberta"; **Jennifer Koshan** co-authored "The Province of Persons: The Alberta Supreme Court and Women's Equality" with **Elizabeth Whitsitt**, a graduate from our LL.B. program in 2004; **Arlene Kwasniak** published "The Supreme Court of Alberta and Water Law"; and **Alastair Lucas** contributed "Energy Law: The Court and the Prosperity Bonus".

**Nigel Bankes** published a number of articles in law journals and other publications. "The Legal Framework in Alberta for Acquiring Water Entitlements from Existing Users" was published in volume 44(2) of the *Alberta Law Review*; "Shining a Light on the Management of Water Resources: The Role of an Environmental Appeal Board" came out in volume 16 of the *Journal of Environmental Law and Practice*; and "Marshall and Bernard: Ignoring the Relevance of Customary Property Laws" was commissioned by the editor of a special issue of the *University of New Brunswick Law Journal* (published in vol. 55). Together with **Monique Ross** of CIRL, and **Veronica Potes**, LL.M., Professor Bankes co-authored "Oil and Gas Development and the Crown's Duty to Consult: A Critical Analysis of Alberta's Consultation Policy and Practice". This report was commissioned by the Institute for Sustainable Energy, Environment and the Economy (ISEEE). Professor Bankes also wrote three articles for CIRL's publication *Resources: "Mikisew Cree and the Lands Taken Up Clause of the Numbered Treaties"* (volume 92/93), "Carbon Capture and Storage in Alberta: Learning from the Acid Gas Disposal Analogy" (volume 97, with **Jenette Poschwatta** of CIRL), and "Speaking

Truth to Power: Some Reflections on the Role of Law" (the text of an invited key note address to the University of Lapland, Finland).

**Catherine Brown** gave four conference presentations to such diverse groups as the Canadian Bar Association, The Senior Estates and Trusts Forum, the Estate Planning Summit, and The Law Society of Upper Canada. Professor Brown also produced three refereed journal articles, receiving the Widdifield Award for best article in the *Estates Trusts and Pension Journal* in 2006 for one of her contributions. Other examples of her work can be found in four invited articles in the *Lawyers Weekly* throughout 2006 and 2007. The 9th Edition of her text *Taxation and Estate Planning* will be released this fall together with a new online version of the text.

**Greg Hagen** recently published "Canadian Copyright Reform: P2P Sharing, Making Available and the Three Step Test" in the *University of Ottawa Technology Law Journal* 3(2) 2006 (with **Nyall Engfield**, LL.B. 2007). His comment, "Layered Rights" *Robertson v. Thomson*, was published in volume 6(1) of the *Canadian Journal of Law and Technology*. He presented "Privacy and Network Neutrality" at the Calgary Supernet Conference in June, 2006. Various parts of his paper "Is Copyright a Human Right" were presented to audiences in Dublin, Berlin, Toronto and Calgary during 2006-7. During the Fall, 2007, he was a co-presenter (with **Michael Whitt** of Borden Ladner Gervais LLP) at Legal Education Society of Alberta workshops in Edmonton and Calgary that focused on intellectual property law for business lawyers. A presentation entitled "Potency, Preformation and Patenting," dealing with the patentability of stem cells was given at the Western Canadian Emerging Scholars Incubator Workshop in Vancouver during Spring 2007. Together with **Sebastien Gittens**, LL.B. 2007, he recently completed a paper, "Patenting Chimera, Transgenics and Stem Cells containing Human DNA in Canada, U.S. and Europe."

**Jonnette Watson Hamilton** published "Pre-Dispute Consumer Arbitration Clauses: Denying Access to Justice?" (2006) 51 *McGill Law Review* 693-734, and presented "The Value of Equality" to the Department of Philosophy's Ethical and Political Philosophy Research Group in March 2007.

**Jennifer Koshan** has two articles forthcoming in the *Canadian Journal of Women and the Law*. "Theorizing Civil Domestic Violence Legislation in the Context of Restructuring: A Tale of Two Provinces" (2007) 18 (2) *Canadian Journal of Women and the Law* was co-authored with Wanda Wieggers. "Newfoundland (Treasury Board) v. N.A.P.E." (2007) 18 (1) *Canadian Journal of Women and the Law* 857 is a judgment written for the Women's Court of Canada, a virtual shadow court established by equality rights scholars and activists to reconsider Supreme Court of Canada decisions. Professor Koshan presented a paper on the Women's Court at the International Law and Society Association conference in Berlin, Germany in July, 2007.

**Arlene Kwasniak** published several articles and book chapters in the area of water law. "Waste Not Want Not: A Comparative Analysis and Critique of Legal Rights to Use and Re-Use Produced Water—Lessons for Alberta" is forthcoming in the *Denver Water Law Review*; "Quenching Instream Thirst: A Role for Water Trusts in the Prairie Provinces" was published in volume 16 of the *Journal of Environmental Law and Practice*; and "Water Saturates Alberta's Political Agenda" was co-authored with Danielle Droitsch and Linda Duncan for the *Environmental Law Year in Review (Canada Law Book)*.

Together with **Steve Kennett**, formerly of CIRL, **Arlene Kwasniak** and **Alastair Lucas** published "Property Rights and the Legal Framework for Carbon Sequestration on Agricultural Land" (2006) 27 *Ottawa Law Review* 171-213.

**Alastair Lucas** co-edited *Halsbury's Laws of Canada, Environment* with Roger Cotton, a senior environmental law practitioner in Ontario (to be published by LexisNexis in 2007).

**Nicholas Rafferty** published his most recent analyses of Supreme Court of Canada jurisprudence in "Developments in Contract and Tort Law" for the 2005-6 and 2006-7 terms. These articles appear in volumes 35 and 40 of



the Supreme Court Law Review (Second Series), for which Professor Rafferty also serves as the topic editor for Contract and Tort Law. Professor Rafferty also wrote “Damages for Mental Distress for Breach of Contract: A Canadian Perspective”, published in volume 23 of Tottel’s Journal of Professional Negligence.

**Ian Rounthwaite** published two articles dealing with species at risk: “Saving the Sakinaw Sockeye” in the December 2006 edition of the Canadian Parks and Wilderness Society’s Green Notes, and “Unique Litigation—s. 29 of Canada’s Species at Risk Act” in the Rocky Mountain Mineral Law Foundation newsletter, February 2007. Professor Rounthwaite has commenced a public interest lawsuit against the federal Minister of the Environment concerning the treatment of Sakinaw salmon under the Species at Risk Act.

**Iwan Saunders** is working on a book on “The Law of Remedies” for LexisNexis Canada. The book, which has an estimated publication date of 2010, is aimed primarily at lawyers and judges but will also be of interest to law students.

**Alice Woolley** has several publications and presentations over the past year. “Legitimizing Public Policy” was presented at the University of Michigan Governance Seminar in January 2006, and to the ISEEE Futures Conference in the spring of 2006. This paper is forthcoming in the University of Toronto Law Journal. Professor Woolley was invited to present the Wickwire Lecture in Legal Ethics in January 2007 at Dalhousie Law School. That paper, “Tending the Bar: The Good Character Requirement for Law Society Admission” is forthcoming in volume 30 of the Dalhousie Law Journal. Together with **Sara Bagg**, LL.B. 2006, Professor Woolley wrote “Ethics Teaching in Law School”, which is forthcoming in the Canadian Legal Education Annual Review (volume 1). Professor Woolley also published two pieces on the ATCO Gas and Pipelines Ltd. v. Alberta (Energy and Utilities Board) case in the Alberta Law Review: “‘Practical Necessity’ or ‘Highly

Sophisticated Opportunism’? Judicial Review and Rate Regulation after ATCO Gas and Pipelines Ltd. v. Alberta (Energy and Utilities Board)” (2006) 44 Alta. L. Rev. 445 and “The Importance of ATCO Gas and Pipelines Ltd.: A Response to Marty Kay”, (2007) 45 (2) Alta. L. Rev.

**Keith Yamauchi** published “Successor Employer: Who Decides? Then What? GMAC Commercial Credit Corp. and Its Aftermath” in the Canadian Labour and Employment Law Journal, and “Evolution, Revolution or Nothing At All? Recent Reforms to Canadian Bankruptcy and Insolvency Legislation” in volume 15(3) of the International Insolvency Review. He also presented “Should Reciprocity be a Part of the UNCITRAL Model Cross-Border Insolvency Law?” to the 36th Annual Workshop on Commercial and Consumer Law.

In February, 2007, **Nigel Bankes** and **Alastair Lucas** took over as editors of the **Journal of Energy and Natural Resources Law**. The Journal publishes articles that illuminate legal problems or issues currently faced by governments, companies and international organisations by setting them within their general legal, economic or political context.

#### *Sharing Expertise*

**Nigel Bankes** gave numerous presentations at conferences and universities around the world, including the annual conference of the Canadian Petroleum Law Foundation, the 16th Annual Summit of the Pacific Northwest Economic Region, and the Danish Energy Law Section.

In 2006/07 **Catherine Brown** continued her SSHRC funded research project on Tax Discrimination and Trade in Services. As part of her research she attended at the Institute for Australian and International Tax in Vienna as a visiting professor for a week in July of 2006. She was also invited to attend at a conference held by the University of Business and Economics, Vienna held in Rust, Austria in July, as the Canadian National reporter to

a conference on the EU and Direct taxation in Vienna in October, and to a Tax Treaty Conference held in Milan and hosted by the Council of Italian Ministers and the OECD in November. She gave three invited lectures in Vienna and Budapest including “Tax Discrimination and Trade in Services in the NAFTA Block: A Search For Solutions under the Treaty of Rome”, Institute for Austrian and International Tax Law, Trusts, Form, Use & Commercial Function”, University Cornivus, Budapest, Hungary, and “Trusts and Estate Planning in Canada”, University of Economics & Business Administration, Vienna. She received an additional SSHRC Public Outreach Grant of \$34,500 to convert her research into a more publicly assessable format including the development of a publicly assessable web site as part of the Legal Centre for Business and Technology. She will continue her work in 2007 at UCLA Law School where she has been accepted as a Visiting Scholar during her 2007 sabbatical.

Arlene Kwasniak gave several presentations in the area of water law and natural resources law, including sessions with **Mike Wenig** of CIRL to the Alberta Society of Professional Biologists and the Alberta Environmental Network, as well presentations to the Rocky Mountain Mineral Law Institute, the Canadian Bar Association Municipal Law Subsection, and the International Bar Association.

Dean **Alastair Lucas** served as Special Legal Advisor to the North American Commission for Environmental Cooperation. He also sits on two committees of the Alberta Law Reform Institute: the Judicial Review Subcommittee of the Rules of Court Project, and the Advisory Committee of the Administrative Procedures Project.

**Kathleen Mahoney** is Project Director for a \$12.5 million CIDA funded judicial education project in Vietnam, the “Judicial Development and Grassroots Engagement Project” (JUDGE). Professor Mahoney met with senior judges, academics and government officials in January 2007 to plan for and design educational activities and projects for the Vietnamese judiciary. She also presented

“International Development, Gender and International Law” at the Canadian Bar Association’s annual meeting in Calgary in August, 2007, and gave several presentations in Canada and internationally on issues related to compensation and reconciliation for survivors of Indian Residential Schools.

**Anne Stalker** published “Effective Advanced Legal Research Instruction” in volume XIV of the Law Teacher, a publication of the Gonzaga Institute for Law School Teaching. Professor Stalker also gave presentations on this topic to the Canadian Bar Association Legal Research Section and the Calgary Law Librarians Group.

#### *Faculty Awards / Prizes*

In March, 2007, **Nicholas Rafferty** received the Law Society of Alberta’s award for **Distinguished Service in Legal Scholarship**. The award recognizes Professor Rafferty’s contributions to the legal and academic fields, spanning more than 30 years from England to Canada. The Law Society notes that Professor Rafferty “is known as an instrumental practitioner, educator and mentor who has advanced the stature of the legal profession through his many roles in teaching across the legal industry.”

#### *Bringing People Together*

**Greg Hagen** co-organized (with Clem Martini of the Faculty of Fine Arts) an International Conference, “Ethics, Creativity & Copyright” held in Calgary and Banff in August, 2006. The conference brought together experts from the legal and arts communities, including speakers John Raulston Saul, Justice Roger Hughes, Ian Kerr, Dennis Karjala, Ingrid Parent, Aritha Van Herk, and Fred Stenson.

**Alastair Lucas, Susan Marks, and Sue Lapierre** organized the International Bar Association Section on Environment, Energy, Resources and Infrastructure Law (SEERIL) Academic Advisory Group Workshop, held in Banff from June 1-3, 2007. The workshop was supported by grants from the International Bar Association and from the University of Calgary's Institute for Sustainable Energy, Environment and Economy (ISEEE). Adjunct Professor **Lila Barrera-Hernandez** is co-editing the book that was the subject of the workshop (L. Barrera-Hernandez, Y. Omorogbe, C. Redgwell, and D. Zillman (eds.), *Moving Beyond the Carbon Economy* (Oxford University Press, 2007). Several faculty members and graduate students presented at the workshop and contributed chapters to the book. Alastair Lucas, **Williams Daudu** and **Chidinma Thompson** wrote "Heavy Duty Transition Fuels: Oil Sands and Heavy Oil"; **Nigel Bankes** co-authored a chapter with Martha Roggenkamp, "The Regulation of Carbon Capture and Storage"; and Lila Barrera-Hernandez authored a chapter on Latin America.

**Kathleen Mahoney** was the key organizer of a conference hosted by the Faculty of Law and the Assembly of First Nations. "Preparing for the Truth Commission: Sharing the Truth about Residential Schools" took place from June 14 to 17th, 2007 on the University of Calgary campus, and examined issues related to the upcoming Truth and Reconciliation Commission for survivors of residential schools, their families and communities, and the rest of Canada. Speakers included The Honourable Jim Prentice, Minister of Indian Affairs at the time, Phil Fontaine, National Chief of the Assembly of First Nations, The Honourable James Bartleman, Lieutenant Governor of Ontario, and The Honourable Frank Iacobucci.

**Alice Woolley** and **Iwan Saunders** are organizing the 100th Anniversary Conference of the Law Society of Alberta, "Canadian Lawyers in the 21st Century." The conference

will be held in Edmonton from October 26 to 27, 2007, and includes speakers on topics of abiding interest to lawyers in the 21st century, including access to justice, diversity and demographic change, and professional competence. Keynote speakers will be Harry Arthurs and The Honourable Anne McLellan, P.C.

*The following graduate students were awarded their LLM degrees in 2006-7:*

**Julie Krivitsky's** thesis, entitled "Tax Discrimination in International Trade in Services," was supervised by Professor Catherine Brown. Julie is currently working as a Law Clerk at the Federal Court of Canada.

**Chidinma Thompson** wrote her thesis on "Oil and Gas in the Nigeria/Cameroon Maritime Boundary Dispute—An Alternative Legal Approach." Chidi is currently enrolled as a special case PhD. student in the Faculty of Law, working on issues related to municipal jurisdiction in oil sands development in Alberta with Professors Arlene Kwasniak and Alastair Lucas.

**Daniela Chimisso dos Santos** worked with Professors Nigel Bankes and Jonnette Watson Hamilton, culminating in her thesis "Deconstructing Establishment Rights in International Investment Law." Daniela has joined CVRD Inco Ltd. as Associate General Counsel for Capital Projects/Business Development based out of Toronto, but with a global portfolio on projects from conception to production.

**Takako Ono's** thesis, supervised by Professor Kwasniak, dealt with the "Legal Conservation of Forest Ecological Functions in Japan: A Critique of the Protection Forest System."

**Verónica Potes'** thesis, "Taking Duties Seriously? The State Obligations to Consult and to Accommodate Indigenous Peoples' Rights" was supervised by Professor Bankes. Verónica is furthering her research in this area through a special case Ph.D. program in our faculty.

*Student Awards, Grants and Scholarships*

**Isabela Figueroa** is a recipient of a prestigious World Wildlife Federation Russell E. Train Fellowship for conservationists from Africa, Asia and Latin America. Train Fellows receive financial support for education-related costs for a period of up to two years. Isabela also received the Ron Ghitler Award in Human Rights, awarded to a student who has demonstrated a commitment to the advocacy and exploration of human rights through academic studies and related activities. Isabela's research is in the area of Indigenous peoples and resource development.

**Rachel Hird** successfully competed for a Canadian Petroleum Law Foundation Graduate Scholarship, valued at \$10,000. This award is open to graduate students across Canada whose research is of interest to Canadian oil and gas lawyers. Rachel's thesis explores the topic of "Fair and Equitable Treatment in International Investment Agreements: Implications for Natural Resources Regulation in Alberta."

**Sébastien Raymond** won two awards through competitions at the University of Calgary. He received a Queen Elizabeth II Graduate Scholarship, funded by the province of Alberta (\$6,200), and a John S. Poyen Scholarship (\$3,500). Sébastien's thesis is investigating a green tax on carbon emissions.

A number of graduate students received ISEEE Access Program stipends valued at \$15,000: LL.M. students **Isabela Figueroa, Rachel Hird, Christina Smith, and Judy Stewart;** and Ph.D. students **Chidinma Thompson** and **Verónica Potes.** These stipends permitted the Faculty to admit a second cohort of LL.M. students and two special case Ph.D. students in 2007.

Recipients of N.D. McDermid scholarships during 2006 and 2007 were: **Guncha Byashiyeva, Victoria Polyakevich, and Mathys Truyen.**

A number of students were awarded scholarships funded by the Alberta Law Foundation during 2006 and 2007: **Doris Akonobi, Martin Ayisi, Teshager Dagne, Elsa Kaus, Oluwaseun Kelani, and Chilenye Nwapi.** **Damilola Olawuyi** received a Faculty of Law Graduate Scholarship and a CIRL scholarship in 2006.

## NEW GRADUATE PROGRAMS IN THE FACULTY OF LAW

For the first time this fall, the faculty admitted students to its new course based LLM program in natural resources, energy and environmental law. This program can be taken full or part-time, and complements the faculty's long-standing and successful thesis based LLM program.

Pending government approval, the faculty is also commencing a Post-Graduate Certificate in Natural Resources, Energy and Environmental Law.

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For further information on these programs see  
<http://www.law.ucalgary.ca/law/programs/grad>

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## QUEEN'S COUNSEL APPOINTMENTS ANNOUNCED

Congratulations to the following alumni as recipients of the honorary title of Queen's Counsel, which recognizes members of the Alberta bar for their contributions to the legal profession and their communities:

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Geoffrey Douglas Baker  
Susan Verna Reid Billington  
Louise Patricia Campbell  
James Bradley Laycraft  
Andrew Louis Oppenheim  
Kenneth John Warren  
Catherine (Kate) Elaine Anderson Wood

## JOURNAL OF ENERGY AND NATURAL RESOURCES LAW ANNOUNCEMENT OF NEW EDITORS AND CALL FOR SUBMISSIONS

Effective February 1, 2007 the Journal of Energy and Natural Resources Law (JERL) is under new editorship. The new editors, Professor Alastair Lucas and Professor Nigel Bankes of the Faculty of Law at The University of Calgary, Alberta, Canada take this opportunity to thank Professor Thomas Wälde for his many years of dedicated service to the Journal.

JERL is the Journal of the International Bar Association's Section on Energy, Environment, Natural Resources and Infrastructure Law. The Journal is the leading refereed journal in the field of energy and natural resources law offering global coverage of legal issues within these sectors. The Journal covers oil and gas law, mineral law (covering legal questions relating to minerals, including non-fuel minerals and the nuclear fuel cycle), coal law, water law and renewable energy law (which includes legal aspects of such matters as hydro and geothermal power, solar, tidal, wind and ocean energy, and timber and agricultural waste use).

The Editors welcome the submission of articles that illuminate legal problems or issues currently faced by governments, companies and international organisations by setting them within their general legal, economic or political context. Of particular interest will be articles which record the actual experience of lawyers resolving practical problems or developing legal devices or techniques, as well as those from academics contributing the fruits of their research into larger issues of law, economics or politics.

A copy of the to Authors is available on the IBA website at  
[www.ibanet.org/images/downloads/pubs/JERL\\_Guidelines\\_for\\_Authors.pdf](http://www.ibanet.org/images/downloads/pubs/JERL_Guidelines_for_Authors.pdf)

Manuscripts should be submitted to the Managing Editor at  
[editor@int-bar.org](mailto:editor@int-bar.org)  
or the Content Commissioning Editor at  
[paulcrick@mac.com](mailto:paulcrick@mac.com)



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Room 4370 Murray Fraser Hall  
Faculty of Law  
University of Calgary  
2500 University Drive  
Calgary, AB T2N 1N4