

## Bryan P. Schwartz: Curriculum Vitae

### Asper Chair of International Business and Trade Law

University of Manitoba  
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### Counsel

Pitblado LLP Barristers & Solicitors  
 2500-360 Main Street  
 Winnipeg, MB R3C 4H6  
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 Email: bryanpschwartz@gmail.com

### Education

Mediation for Professionals Certificate (250 program hours; GPA: 4.0)	2019
S.J.D. Faculty of Law, Yale University	1986
LL.M. Faculty of Law, Yale University	1986
LL.B. Faculty of Law, Queen's University	1978

### Major Awards and Honours

- Barney Sneiderman Award for Teaching Excellence at Robson Hall law School (Inaugural Winner) 2015
- Appointed Endowed Chair in International Business and Trade Law (terms of reference require scholar and teacher of international stature) 1999
- Rh Institute Award for Excellence in Scholarship in the Humanities 1989
- Honourary Induction into Phi Delta Phi Legal Fraternity 2006
- Visiting Scholar Rothberg School, Hebrew University of Jerusalem 2015 - Present
- Visiting Professor, Interdisciplinary Centre, Herzliyah, Israel 2011
- Canadian University Professor of the Law, University of Manitoba (Official Nominee) 1999
- Received excellence awards from the University of Manitoba for research, community service or combination of teaching, research and community service (issued on an annual and competitive basis to less than 2% of the university-wide faculty)

## Appointments and Positions Held

### **Professorial Appointments**

- Asper Professor of International Business and Trade Law Robson Hall, Faculty of Law, University of Manitoba (Fully Endowed Chair) 1999 - Present
- Professor, Faculty of Law, University of Manitoba 1987 - Present
- Associate Professor, Faculty of Law, University of Manitoba 1984 - 1987
- Assistant Professor, Faculty of Law, University of Manitoba 1981 - 1984
- Visiting Professor, Law School, Interdisciplinary Center, Israel 2011
- Visiting Scholar, Hebrew University of Jerusalem 2015 - Present

### **Editorial Appointments**

- Founding and Continuing Co-Editor-in-Chief Asper Review of International Business and Trade Law 2001 - Present
- Founding Editor and Continuing Editor in Chief Underneath the Golden Boy 2000 - Present
- Co-Editor-in-Chief, Manitoba Law Journal 2011 - Present

### **Practising Legal Counsel**

- Called to the Ontario Bar 1981
- Called to the Manitoba Bar 1984
- Honorary Phi Delta Phi Legal Fraternity Member 2006
- Counsel, Pitblado LLP, Winnipeg MB 1994 - Present  
Practice focus: Legislation and Public Policy, Labour, Constitutional, Administrative, Aboriginal and Corporate Commercial Law, Indigenous Law
- Former Chair, Constitutional and International Law Section 1987 - 1989  
Canadian Bar Association

### **Arbitrator**

- Roster of Labour Adjudications – Canadian Labour Code 1992 - Present  
(unjust dismissals, unpaid wages, authored several dozen published decisions)
- Panel Chair, Under the Canadian Agreement on International Trade 2010  
*Alberta v. British Columbia*
- Arbitral Tribunal Member-Investor State Arbitration Panel, NAFTA 2008 - Present  
Investor State  
*Bilcon of Delaware et al v. Canada*
- Arbitral Tribunal Member, NAFTA Investor-State Arbitration Panel 1999 - 2004  
*S.D. Myers Inc v. Canada*

## Experience and Areas of Interest

### **Teacher**

Areas of teaching over the years have included:

- Constitutional Law
- Charter of Rights
- Legislative Process
- Public International Law
- International Trade Law
- International Business Law
- Private international Law
- Internet and E-Commerce Law (including Cybersecurity)
- Labour law
- Indigenous Law (Domestic, Comparative and International)
- Contracts
- Legal Systems
- Comparative Constitutional Law
- Law and Religion
- Alternate Dispute Resolution (including Arbitration, Negotiation, Mediation)
- Jessup Moot, Vis Moot, Niagara Moot

### **Scholar**

Authored numerous books and articles topics including:

- Constitutional and International Law
- Legislative Process and Public Policy
- Democratic and Voting System Reform
- Indigenous Law
- Administrative Law
- Legal Philosophy
- International Business and Trade Law
- Law and Literature
- Law and Religion
- Health Law
- Legal Professionalism and Ethics

### **Practice**

Client base:

- Acted as legal or policy advisor to major organizations including: Government of Canada, Manitoba, Saskatchewan, Yukon, Nunavut Arbitration Board, Assembly of First Nations, Assembly of Manitoba Chiefs, as well as numerous private corporations and individuals in both the commercial and non-profit sector;

Acted as counsel in areas that include:

- Constitutional Law
- Indigenous Law
- Charter of Rights
- Human Rights
- Labour Law and individual employment law;
- Corporate governance;
- Commercial Law
- Internet and E-Commerce Law
- Privacy Law
- Franchise Law
- Environmental Law (including counsel for Manitoba in major floodway expansion)
- Tax Law

- Arbitration
- Mediation
- Negotiation
- Trial Litigation
- Appellate Advocacy
- Legislative Policy and Drafting
- Pension law

### **Legislative and Public Policy Development**

- Worked on the development of law reform projects and legislation for numerous Canadian governments including: development of the Specific Claims Tribunal Act, various legislation in areas of open government, voting system reform, democratic reform, health care delivery

### **Counsel or Presenter in Cases of Major Importance at the Supreme Court of Canada:**

- Constitutional issues: Indigenous Rights, Charter and Division of Powers  
*Moses, Kapp, Sappier and Gray, Mikisew, Marshall, Mitchell, Badger, Blackwater, God's Lake First Nation, Pamajewon, Papaschase, Samson, Ermineskin*
- Charter of Rights: Equality  
*Granovsky*
- Labour and Administrative Law  
*Nor-man v Plaisir*
- Acted on legal teams: Constitutional Division of Powers  
*Patriation reference, Secession Reference, Lechasseur, Mutual Access v. McCutcheon*
- Acted as counsel in many other levels of court in areas including: Constitutional (Charter, Division of Powers), Human Rights Law, Constitutional/Criminal Law, Labour Law, Administrative Law, Intellectual Property Law

### **Academic Work Cited**

- Supreme Court of Canada  
*Sparrow, Kapp*
- Federal Court  
*Granovsky, Canadian Red Cross Society v. Canada (Commission of Inquiry on the Blood System in Canada – Krever Commission), Addy v. Canada (Commission of Inquiry into the Deployment of Canadian forces in Somalia – Létourneau Commission)*

### **Expert Opinion Cited By Courts or Legislators**

- Opinion on the Constitutionality of Carbon Pricing Laws in Canada 2017  
Cited by Minister of Justice, Province of Manitoba  
<http://news.gov.mb.ca/news/index.html?item=42320>
- Specific Claims Tribunal Court 2015  
*Beardy's & Okemasis Band No. 96 v Canada (Minister of Indian Affairs and Northern Development)*
- U.S District Court of the Northern District of Illinois 1995  
*Matter of Extradition of Kulekowskis, 881 F. Supp. 1126*

### **Labour Arbitration Decisions**

- Re Mallard and Prairie Flour Mills Ltd 2014

• Re Vermette and Gambler First Nation	2013
• Re God's Lake First Nation and Nasee	2013
• Hooke v. Dakota Tipi First Nation	2011
• Harrison v. Canadian National Railway Co.	2010
• Bartlett v. Arrowhead Development Corp.	2009
• Big Freight Systems Inc v. Horowitz	2009
• Boily v. ADM Milling	2007
• Tacan v. Sioux Valley Dakota Nation	2007
• Sinclair v. Lake St. Martin First Nation	2005, 2006
• Biedrzycki v. Mishkeegogamang First Nation	2005
• Rundle v. Lake St. Martin First Nation	2004
• Hornemann v. All Rig Towing Service	2004
• Traverse v. Lake St. Martin First Nation	2004
• AD Ventures of Linden v. Antonation	2004
• Monkman v. Anishanaabe Mino-Ayaawin	2004
• Curtis v. All Rig Towing Service(A)	2004
• Curtis v. All Rig Towing Service	2004
• General Aviation v. Greaves	2003
• Provider Express v. Dutchak	2003
• Gamble v. TLC Transport	2002
• Nasee v. Gods Lake First Nation	2002
• Kent v. Buffalo Point First Nation	2001
• Fehr v. CPRail PT.2	2001
• Fehr v. CPRail	2000
• Lynch and United Grain Growers	1998
• Bushie and Hollow Water First Nation	1996
• Caldwell and Arnold Bros	1996
• Gershman Transport and Mitchell	1995
• 2960941 Manitoba Ltd	1994
• P.H. Foods and Swan	1993
• Manitoba Telephone System Policy Grievance	1993
• Notre Dame Medical Nursing Unit No. 19B and Smith	1993
• Dominion Bridge Company and Bednarski	1993
• Westfair Foods and Dalkie	1993
• Liquor Control Commission of Manitoba and Trach	1992
• Gateway Industries and Shields	1992
• Manitoba Government Employees and Arnott	1992
• Maple Leaf Foods and McCallum	1992
• Dame Medical Nursing Unit No. 19B and Smith	1992
• Westfair Food and Dalkie	1992
• Victoria General Hospital and Passley et al	1992

## Publications

Over 200 publications including:

- Thirteen books, monographs or official reports as principal or co-author
- Ten books or special issues produced as editor and contributor;

- Founding editor of two journals, senior-co-editor of another, totaling approximately thirty volumes in all
- Over one hundred academic journal articles
- Over forty labour arbitration awards;
- Three major awards authored or co-authored as part of an international or interprovincial dispute resolution panel
- Over fifty op-ed pieces

**Books (including monographs and official studies): Author**

- |                                                                                                                                                                       |      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 13. <i>Indigenous Jurists and Policy-Makers from Manitoba: A Collection of Oral Histories</i><br>(Special issue of the Manitoba Law Journal, Volume 41(2))            | 2018 |
| 12. <i>Consolation: A Musical Meditation</i>                                                                                                                          | 2018 |
| 11. <i>Expert Panel Review on Specific Claims</i> , with Delia Opekokew and Robert Winogron<br>(Assembly of First Nations)                                            | 2015 |
| 10. <i>Establishing a Legal Framework for E-Voting in Canada</i> , with Dan Grice<br>(Elections Canada)                                                               | 2013 |
| 9. <i>Admitted but Excluded: Removing Occupational Barriers to Entry for Immigrants to Canada</i><br>(The Frontier Centre for Public Policy, Winnipeg)                | 2012 |
| 8. <i>Revitalizing Manitoba</i><br>(Frontier Centre for Public Policy, Winnipeg)                                                                                      | 2011 |
| 7. <i>Valuing Canadians</i> , with Darla Rettie<br>(Law Commission of Canada, Ottawa)                                                                                 | 2003 |
| 6. <i>Last Best Hope: Quebec Secession – Lincoln’s Lessons for Canada</i><br>(Temeron Books Inc., Calgary)                                                            | 1998 |
| 5. <i>Opting In: Improving the 1992 Federal Constitutional Proposal</i><br>(Voyageur Publications, Québec)                                                            | 1992 |
| 4. <i>Still Thinking: A Guide to the 1992 Referendum</i><br>(Voyageur Publications, Québec)                                                                           | 1992 |
| 3. <i>Fathoming Meech Lake</i><br>(Legal Research Institute, University of Manitoba, Winnipeg)                                                                        | 1987 |
| 2. <i>First Principles, Second Thoughts: Aboriginal Peoples, Constitutional Reform and Canadian Statecraft</i><br>(Institute for Research on Public Policy, Montréal) | 1986 |
| 1. <i>First Principles: Constitutional Reform with Respect to the Aboriginal Peoples of Canada</i><br>(Queen’s Institution of Intergovernmental Relations, Kingston)  | 1985 |

**Books (including special issues of law journals and collections of essays): Editor and Contributor**

(List only includes special issues of a law journal on a single topic)

10. *The Great Transition in Legal Education*, with Darcy MacPherson  
Manitoba Law Journal 39(2) Special Issues on Legal Education 2016
9. *The Great Transition in Legal Education*, with Darcy MacPherson  
Manitoba Law Journal 39(1) Special Issues on Legal Education 2016
8. *A Judge of Valour: Chief Justice Sam Freedman – In His Own Words*, with Darcy MacPherson, Manitoba Law Journal 37 Special Issue 2014
7. *5 Decades of the Chief Justice of the MBCA*, with Darcy MacPherson  
Manitoba Law Journal 36(5) Special Issue 2013
6. *The Rights of Indigenous Peoples: Perspectives from Comparative and International Law* Casebook Asper Review of International Business and Trade Law 2011
5. *Franchise Law Reform: International Perspectives on Creating a Manitoba Statute*, with John Pozios and Leandro Zylberman, Proceedings of the 2008 Franchise Law Symposium, Asper Review of International Business and Trade Law 2009
4. *Humanity in Doubt*, first edition, essays on the Holocaust by Philip Weiss, with Erin Melrose 2007
3. *Essays from the Asper Chair Conference on Democratic Reform in Canada*, with Edward Kroger and Scott Monkman, Manitoba Law Journal 30(1), Underneath the Golden Boy Special Issue 2005
2. *Clean Hands, Dirty Money: Essays from the Asper Chair Conference on Money Laundering and Proceeds of Crime*, Asper Review of International Business and Trade Law 4 Special Issue 2004
1. *Famous legislative Crises in Manitoba*, with Erin Melrose, Manitoba Law Journal 30(1), Underneath the Golden Boy Special Issue 2003

#### Academic Journals Edited

- Manitoba Law Journal Co-Editor 2011 - Present
- Underneath the Golden Boy Founding and Continuing Editor 2002 - Present
- Asper Review of International Business and Trade Law Founding and Continuing Editor 2000 - Present

#### Academic Articles Authored

123. "The Disruptive Force of the Sharing Economy" with Ellie Einarson (2018) 18 Asper Rev of Int'l Bus & Trade L.
122. "The Constitutionality of the Federal Carbon Pricing Benchmark & Backstop Proposals" (2018) Underneath the Golden Boy 41:1 Man LJ.
121. "Preface" with Darcy MacPherson (2018) Underneath the Golden Boy 41:1 Man LJ.
120. "A Prevention Strategy: Eliminating FASD in Indigenous Communities" with Terrence Laukkanen and Justine Smith (2016) Underneath the Golden Boy 40(2) Man LJ.
119. "Issue Overview and Introduction" (2017) 40:1 Man LJ.
118. "Preface to the Document Supplement of the Special Issue on Legal Education" (2016) 39:2 Man LJ.

117. "Introductory Essay" (2016) 39:1 Man LJ.
116. "Interview with Dale Gibson" (2016) 39:1 Man LJ 25.
115. "Interview with Art Braid" (2016) 39:1 Man LJ 77.
114. "Interview with Gerald Nemiroff" (2016) 39:1 Man LJ 135.
113. "Interview with David Deutscher" (2016) 39:1 Man LJ 217.
112. "Interview with Alvin Esau" (2016) 39:1 Man LJ 257.
111. "Interview with John Eaton" (2016) 39:1 Man LJ 353.
110. "Justice Freedman's Literary Style" (2014) 37:3 Man LJ.
109. "An Interview with the Justice Minister and Attorney General of Manitoba" (2014) 37:2 Underneath the Golden Boy.
108. "Interview with Kelvin Goertzen" (2014) 37:2 Underneath the Golden Boy.
107. "Interview with Rana Bokhari" (2014) 37:2 Underneath the Golden Boy.
106. "Interview with James Beddome" (2014) 37:2 Underneath the Golden Boy.
105. "ACCLE Conference Remarks – Integrating the Dimensions of Legal Education" (2013) 37:1 Man LJ.
104. "Reinvigorating the World Trade System" (2013) 13 Asper Rev. Int'l Bus & Trade L 1.
103. "Admitted but Excluded, removing occupational barriers to entry for immigrants to Canada" (2012) Frontier Centre for Public Policy, Canadian Electronic Library.
102. "Social Incrimination: How North American courts are embracing online evidence from websites such as Facebook, Myspace, YouTube and Twitter in criminal and civil trials" with Dan Grice, (2012) 12 Asper Rev of Int'l Bus & Trade L.
101. "Democratizing the Regulation Making Process in Manitoba: Drawing on National and International Best Practices" with Matthew Armstrong, Daniel Hildebrand & Jonah Mozeson, (2012) 35:2 Man LJ 1.
100. "Interview with Donna Miller" (2011) 35:1 Man LJ.
99. "Introduction" (2011) 11 Asper Rev of Int'l Bus & Trade L.
98. "Facilitating Credentials Recognition at Frontline Agencies" with Mark Melchers, (2011) 11 Asper Rev of Int'l Bus & Trade L 215.
97. "Improving Labour Market Integration and Interprovincial Mobility for Immigrants Holding Foreign Credentials" with Mark Melchers, (2011) 11 Asper Rev of Int'l Bus & Trade L 195.
96. "Improving Foreign Credential Recognition through Reform in Immigration Law and Policy" with Mark Melchers, (2011) 11 Asper Rev of Int'l Bus & Trade L 171.
95. "All Talk and No Action: Access to Canadian Markets under the General Agreement on Trade in Services" with Anne Amos-Stewart and Katrina Broughton, (2011) 11 Asper Rev of Int'l Bus & Trade L 91.
94. "The Application of Competition Law to Foreign Credential Recognition" with Rachel Hinton, (2011) 11 Asper Rev of Int'l Bus & Trade L 59.
93. "Effective Foreign Credential Recognition Legislation: Recommendations for Success" with Natasha Dhillon Penner, (2011) 11 Asper Rev of Int'l Bus & Trade L 33.
92. "Human Rights Legislation and the Recognition of Foreign Credentials" with Janet Valel, (2011) 11 Asper Rev of Int'l Bus & Trade L 17.
91. "Stifling Innovation in Health Care: The Regional Health Authority System and Restriction on Private Actors" in Underneath the Golden Boy Vol 7. (2010) 34:3 Man LJ 95.
90. "Preface to Volume 6" (2009) 6 Underneath the Golden Boy.
89. "2008 Franchise Law Symposium" (2009) 6 Underneath the Golden Boy.
88. "Response to Consultation paper on Franchise Law" with J. Pozios and L. Zylberman, (2009) 6 Underneath the Golden Boy 295.
87. "Bill 37: Battle Hymn of the Incumbent" (2009) 6 Underneath the Golden Boy 1.
86. "Effective Foreign Credential Regulation Legislation: Giving it Some Teeth" with Natasha Dhillon-Penner, (2009) 6 Underneath the Golden Boy 81.
85. "Introduction to Volume 5" (2008) 5 Underneath the Golden Boy.



84. "Judaism and the Comic Strip" (2008) 7:3 Jewish Renaissance.
83. "Minimum Sitting Dates" with Andrew Buck, (2008) 5 Underneath the Golden Boy 39.
82. "Partisan Advertising by Incumbent Governments" with Andrew Buck, (2008) 5 Underneath the Golden Boy 25.
81. "Inquiries" with Andrew Buck, (2008) 5 Underneath the Golden Boy 13.
80. "Fixed Election Dates" with Andrew Buck, (2008) 5 Underneath the Golden Boy 1.
79. "International Franchise Regulation" with Leandro Zylberman, (2008) 8 Asper Rev of Int'l Bus & Trade L 317.
78. "Response to Consultation Paper on Franchise Law" with John Pozios and Leandro Zylberman, (2008) 8 Asper Rev of Int'l Bus & Trade L 253.
77. "East vs. West: Evaluating Manitoba Hydro's Options for a Power Transmission Line" with Perry Cheung, (2007) 7 Asper Rev of Int'l Bus & Trade L 1.
76. "Economic Prizes: A New Model for Pharmaceutical Innovations" with Mahri Kim, (2006) 6 Asper Rev of Int'l Bus & Trade L 1.
75. "The Canadian Approach to Regulatory Takings" (2006) Washington University Global Studies Law Review with Melanie Bueckert.
74. "Preface" with Rick Mantey, (2005) 4 Underneath the Golden Boy.
73. "Q & A with Garnet Garven and Adrienne Batra" (2005) 4 Underneath the Golden Boy.
72. "Q & A with Kathy O'Hara" (2005) 4 Underneath the Golden Boy.
71. "Q & A with Reg Alcock" (2005) 4 Underneath the Golden Boy.
70. "Q & A with Vic Toews, David Mclaughlin and Derrek Konrad" (2005) 4 Underneath the Golden Boy.
69. "Q & A with Tony Valeri" (2005) 4 Underneath the Golden Boy.
68. "A Better Frame of Mind for Fiscal Decision Making: The Lesson of Behavioural Economics" with Patrick Robinson (2005) 4 Underneath the Golden Boy 71.
67. "The Role of Consumer Preference in the Regulation of Genetically Modified Organisms" with Krista Boryskavich (2005) 5 Asper Rev of Int'l Bus & Trade L.
66. "Preface and Introduction" with Leah Ross, (2004) 3 Underneath the Golden Boy.
65. "Dirty Money, Clean Hands: Conference Opening Address" (2004) 4 Asper Rev of Int'l Bus & Trade L.
64. "Defeat of the Pawley Government" Underneath the Golden Boy (2003) 30:1 Man LJ.
63. "Interview with Andy Anstett" Underneath the Golden Boy (2003) 30:1 Man LJ.
62. "Interview with Darren Praznik" Underneath the Golden Boy (2003) 30:1 Man LJ.
61. "Interview with Jon Gerrard" Underneath the Golden Boy (2003) 30:1 Man LJ.
60. "The Meech Lake Accord" Underneath the Golden Boy (2003) 30:1 Man LJ.
59. "The MTS Debate" with Erin Melrose, Underneath the Golden Boy (2003) 30:1 Man LJ.
58. "Interview with Rick Mantey" Underneath the Golden Boy (2003) 30:1 Man LJ.
57. "Interview with Steve Ashton" Underneath the Golden Boy (2003) 30:1 Man LJ.
56. "The French Language Debate" with Erin Melrose, Underneath the Golden Boy (2003) 30:1 Man LJ.
55. "Introduction" with Erin Melrose, Underneath the Golden Boy (2003) 30:1 Man LJ.
54. "The Doha Round and Investment: Lessons from Chapter 11 of NAFTA" (2003) 3 Asper Rev of Int'l Bus & Trade L 1.
53. "The Investment Subsidies and the Canadian Agreement on International Trade", with Krista Boryskavich (2003) 3 Asper Rev of Int'l Bus & Trade L 103.
52. "Lessons from Experience: Improving the Agreement on Internal Trade" (2002) 2 Asper Rev of Int'l Bus & Trade L 301.
51. "Canada's New Privacy Law: Strategies for Compliance" (2002) 2 Asper Rev of Int'l Bus & Trade L 125.
50. "Canadian Cultural Policy in a World Context" (2002) 2 Asper Rev of Int'l Bus & Trade L 1.
49. "Introduction", inaugural issue of Underneath the Golden Boy, (2001), 28 Man LJ 129.

48. "Proportional Representation for Canada", 2001, 28 Man LJ 133.
47. "Exposing the Invisible - Interview with Rick Mantey", (2001), 28 Man LJ 187.
46. "Draftstoyevsky - Interview with Norm Larsen", ( 2001) 28 Man LJ 201.
45. "Time Out: Canadian Professional Sports Team Franchise - is the Game Really Over?" with Heather Manweiller (2001) 1 Asper Rev of Int'l Bus & Trade L 199.
44. "Biotechnology: A Canadian Perspective" with Pearl Reimer, (2001) 1 Asper Rev of Int'l Bus & Trade L 91.
43. "A Proposal for an Anti-Corruption Dimension to the FTAA" with HeatherManweiller (2001) 1 Asper Rev of Int'l Bus & Trade L 67.
42. "Linking Labour, the Environment and Human Rights to the FTAA" with James Mercury (2001) 1 Asper Rev of Int'l Bus & Trade L 37.
41. "An Efficient and Simplifying Approach to Creating a Balanced FTAA: Cutting and Pasting From Other Treaties and Institutions" (2001) 1 Asper Rev of Int'l Bus & Trade L 33.
40. "Lawyers and the Emerging World Constitution" (2001) 1 Asper Rev of Int'l Bus & Trade L 1.
39. "The Preventative Function of Section 15 of the Charter and the Danger Certification System" (1999-2000) 27:1 Man LJ 115.
38. "Public Inquiries" (1998) 40:1 Can Pub Admin 72.
37. "How Possible Increases in the Scope of the Agreement on Internal Trade Would Affect the Health and Social Services Sectors" (1998) 7:2 Health L Rev 3.
36. "A Model Declaration on the Right of Secession" with Susan Waywood (1998) 11 NY Int'l L Rev 1.
35. "NAFTA Reservations in the Area of Health Care" (1997) 5 Health LJ 99.
34. "Across the Great Divide: The Division of Power over Labour Relations among Federal, Provincial and Aboriginal Governments" (1996) Canadian Bar Association.
33. "Humanitarian Intervention" (1996) Strategic Studies Conference Proceedings, University of Manitoba.
32. "Visible Federalism: A Strategy for the Federal Government in the Aftermath of the Referendum" (1996-1997) 24 Man LJ 533.
31. "Assessing the Agreement on Internal Trade: The Case for a More Perfect Union" in Douglas Brown & Jonathan Rose, eds, The State of the Federation, (Kingston: Queen's Institute of Intergovernmental Relations, 1995) at 189.
30. "A New Federal Role in Building the Social Safety Net for Disabled Persons" (1993-1994) 22:3 Man LJ 395.
29. "On Choosing Judges - Oracles and Performers; or Philosophers and Sages?" (1992) 17 Queen's LJ 479.
28. "Canada Cannot Be Held Together by Chapter (1992) in English Canada Speaks Out, Doubleday at 335.
27. "The General Sense of Things: Delgamuukw and the Courts" in Frank Cassidy, Aboriginal title in British Columbia: Delgamuukw v. the Queen: proceedings of a conference held September 10 & 11, 1991 (Fernie: Oolichan Books and The Institute for Research on Public Policy, 1992 at 161.
26. "The Interpretation of Treaties" (1992) Treaty Five Conference Proceedings.
25. "Dickson on Federalism: The First Principles of His Jurisprudence" (1991) 20 Man LJ 473.
24. "Civil Liberties and Public Inquiries" (Paper delivered at Isaac Pitblado Lectures, 1990), Published in Pitblado Lectures 1990 produced by the Manitoba Law Society.
23. "International Organizations: What Makes Them Work?" with Elliot Leven (1992) 30 Can YB Int'l L 165.
22. "Individuals and Community" (1989) 7 JL & Religion 131.
21. "The Inalienable Right to be Alienated" (1990) 40 UTLJ 477.
20. "Annual First Ministers Conferences" in Lorne Ingle, ed, Meech Lake Reconsidered (Hull: Voyageur Publishing, 1989) at 41.

19. "Meech Lake Changes will be Irreversible" in Lorne Ingle, ed, Meech Lake Reconsidered (Hull: Voyageur Publishing, 1989) at 81.
18. "Quebec's Supreme Court Requests" in Lorne Ingle, ed, Meech Lake Reconsidered (Hull: Voyageur Publishing, 1989) at 33.
17. "A triple-E Senate?" in Lorne Ingle, ed, Meech Lake Reconsidered (Hull: Voyageur Publishing, 1989) at 25.
16. "A Separate Aboriginal Justice System?" (1990) 19 Man LJ 77.
15. "Language and Meech Lake" (Paper, delivered at the Proceedings of Language Law and the State Conference, Edmonton, May 1989 (published by the Centre for Constitutional Studies, University of Alberta.
14. "Let Canada be Switzerland Against Consociationalism" Ibid.
13. "Refashioning Meech Lake" (1989) 18 Man LJ 19.
12. "Fear and Loathing on the Constitutional Agenda: Meech Lake, Free Trade and the Future of Politics in Canada" (1988) in John D. Whyte and Ian Peach, ed., Reforming Canada? The Meaning of the Meech Lake Accord and the Free Trade Agreement for the Canadian State at 15.
11. "George Grant on English Speaking Justice" (1987) 16 Man LJ 73.
10. "The Charter and the Domestic Enforcement Law" (1987) 16 Man LJ 149 with Gordon McIntosh.
9. "The Other Section 23" (1986) 15 Man LJ 347, expounded upon in Reply to Critics, (1987) 16 Man LJ 97.
8. "A Meditation of Bartleby" (1985) 22 Osgoode Hall LJ 441.
7. "Some Comments on Dr. Friedenberg's Cynicism" in Dale Gibson & Janet K Baldwin, eds, Law in a Cynical Society (1985, Carswell) at 426.
6. "The Charter and Due Process" (Paper delivered at Isaac Pitblado Lectures, 1983), Published in Pitblado Lectures 31 produced by the Manitoba Law Society.
5. "The Patriation References and the Idea of Canada" with John Whyte (1982-83) 8 Queen's LJ 158.
4. "Choice of Law in Torts: One More Time for the Road" (1982-83) 12 Man LJ 175, reprinted in hardcover collection of essays, Issues in Tort Law, published by Carswell.
3. "After the Fall: An Analysis of Canadian Legal Claims for Damage Caused by Cosmos 954" (1982) 27 McGill LJ 676
2. "General National Agreement: The Legal Sanction for Constitutional Reform in Canada" (1981) 6 Queen's LJ 513.
1. "Woodward's Estate as Non-Constitutional Law" (1978) 4 Queen LJ 124.

### Op-Ed Articles

57. "A Modern Jewish Credo": The Times of Israel -2019-01-03
56. "The Iranian Nuclear Deal": Winnipeg Jewish Review -2015
55. "Time now for the diplomatic offensive": The Times of Israel -2014-08-07
54. "An open letter to American Jews": The Times of Israel -2012-10-07
53. "Underdevelopment is Overrated": Winnipeg Free Press -2011-03-05
52. "Reforming the Jurassic Crown": Winnipeg Free Press -2011-02-26
51. "How the playing field was Tilted": Winnipeg Free Press 2011-02-12
50. "School System that teaches but can't learn": Winnipeg Free Press 2011-02-05
49. "Healthier Health Care System": Winnipeg Free Press 2011-01-29
48. "Manitoba is in a negative feedback loop": Winnipeg Free Press 2011-01-22
47. "Good Reason to Worry about Hydro": Winnipeg Free Press 2009-10-28
46. "Doer sings a different song": Winnipeg Free Press 2009-06-24
45. "Harper hatred is no reason to support coalition": Winnipeg Free Press 2008-12-06
44. "Nostalgia Doesn't Help the Impoverished East Side": Winnipeg Free Press 2008-01-15

43. "East Side the Right Side": Winnipeg Free Press 2007-05-14
42. "What it means for Manitoba": Winnipeg Free Press 2007-04-20
41. "Economic Freedom Underestimated": Winnipeg Free Press 2007-04-19
40. "Equalization is Killing us with Kindness": Winnipeg Free Press 2007-04-18
39. "Sleepers in Constitution": Winnipeg Free Press 2007-04-17
38. "Privacy Dealt With in the Open": Winnipeg Free Press 2007-04-16
37. "Great Big Time Wasters": Winnipeg Free Press 2007-04-15
36. "Charter Matters But Not Much": Winnipeg Free Press 2007-04-14
35. "O Canada O Quebec": Winnipeg Free Press 2007-04-14
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30. "An Engaging Account of Constitutional Talks": Globe and Mail 1993-10-02
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19. "Different Approaches to Firms that have gone down the Tubes" : Globe and Mail 1993-01-19
18. "Committing Crimes when they are just following orders": Globe and Mail 1992- 01-05
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15. "Citizens should be Better Protected Against Private Policing" : Globe and Mail 1992-11- 24
14. "New Ways of Patenting Designer Genes": Globe and Mail 1992-11-10
13. "When you do a Deal with the Devil": Globe and Mail 1992-10-27
12. "Pros and Cons of the Constitutional Concoction": Globe and Mail 1992-10-13
11. "Genius Should not get Special Treatment in Court": Globe and Mail 1992-09-29
10. "Legislation to Protect a Persons Privacy": Globe and Mail 1992-09-15
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5. "Libel Chill": Globe and Mail 1992-07-07
4. "Money and the Freedom of Screech": Globe and Mail 1992-06-23
3. "Dark Side of Public Inquiries": Globe and Mail 1992-06-09
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1. "Miscue on Meech": Globe and Mail 1988-05-25

### Public Lectures (recent only)

- "Freedom of Expression in the Private Sector" (2018) Mid-Winter MBA Conference
- "Cybersecurity and the Legal Practice" (2015) Intlaw Conference.
- "The Future of Property Law" (2015) Pitblado Lecture series.

**Adjudication awards in interprovincial or international trade dispute cases**

(as per earlier list)

- *SD Myers* (NAFTA decision)
- *Bilcon of Delaware et al v. Canada*
- *Alberta v BC* (interprovincial dispute settlement)

**Educational Websites**

- Specific Claims Website – archive spanning many decades of judicial decisions, official reports legislation and commentary relating to First Nations specific claims  
<http://sclaimswp.bryan-schwartz.com/>

**Recent Major Grants in Aid of Teaching and Scholarship**

- Indigenous Initiatives Fund, University of Manitoba 2016-Present  
(to initiate course on Indigenous Peoples, Oral History and the Law)
- Endowment Fund, University of Manitoba 2016-Present  
(to support establishment of e-publishing for Manitoba scholarly publications)
- Social Sciences and Humanities Research Council 2014-Present  
(Scholarly Publications program for the Manitoba Law Journal)
- Asper Family Foundation, David Asper Foundation 2013-Present  
(to support the Israel and International Law Program, annual grants)
- Canadian Credit Management Foundation, Conference Program 2013-Present  
Fund  
(endowment to support the Intlaw Annual Conferences)
- Canadian Credit Management 2000-Present
- Asper Chair, University of Manitoba 1999-Present  
(endowed funds to support numerous initiatives of the Asper Chair)

**Service (recent only)**

- Member of numerous academic committees  
(including Chair, Governance Committee)
- Member of Canadian Friends of Hebrew University 2002 - Present  
Winnipeg Chapter

**Disclosure, funding sources:**

All views I express as a teacher, scholar, editor member of an academic committee or in any other role as a university professor are strictly my own independent opinion.

Donors for projects with which I am associated come from sources that include:

- The Social Sciences and Humanities Research Council (Grants in Aid of Scholarly Journals);
- The Asper Chair Endowment;

- The Legal Research Institute of the University of Manitoba (law journals, various research projects);
- The Canadian Credit Management Foundation fellows program (for summer students working on the Asper Review);
- The Canadian Credit Management Fund for International Business and Trade Law Conferences (annual International law conference);
- The Asper Family Foundation;
- Canadian Friends of Hebrew University;
- The Jewish Foundation of Manitoba (student subsidies to participate in the Israel and International Law Program, all for student subsidies for the Mishpatim program); and
- The Faculty of Law Endowment Fund (for Manitoba Law Journal projects).

As counsel for the law firm Pitbaldo LLP, I carry out professional practice for various clients that include First Nations and the Planning and Priorities Secretariat of the Provincial Government. I also serve on an international dispute resolution panel (Bilcon v Delaware), with the costs shared by the parties, and as an adjudicator under the Canada Labour Code.