



# Mediator Full Profile



## Mr. Allan Stitt

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Address:

180 Duncan Mill Road

4th Floor

Toronto, Ontario, M3B 1Z6

Canada

## Experience Qualification Path

Category 2: ADR Chambers Canada

## Mediation locations

Canada - ON, United States - NY, Ethiopia, Singapore, Trinidad and Tobago, Israel

## Mediation languages

English

## Current position and background

President and C.E.O. of ADR Chambers Inc.

- ADR Chambers Inc. is the largest, private alternative dispute resolution service provider in the world administering over 55,000 mediations and arbitrations since 2012.
- Mediator for two-party and multi-party disputes in numerous contexts including employment, wrongful dismissal, sports, commercial, insurance, regulatory, corporate governance, and breach of contract.
- Arbitrator of commercial disputes.
- Negotiation consultant for private and public sector negotiations.
- Trainer of over two hundred workshops in negotiation and dispute resolution (mediation and arbitration) around the world (North America, South America, Europe, Australia, Asia, and Africa), many of which were in joint venture with the University of Windsor Law School or the University of Notre Dame Law School.
- Designer of Dispute Resolution systems for numerous organizations.
- Listed in The International Who's Who of Commercial Mediation, the Best Lawyers in Canada in ADR, the Mediation Chapter of Who's Who Legal: Canada, and Who's Who Legal: Mediation.
- Senior Advisor to the Jerusalem Arbitration Centre, an ADR organization specializing in mediating and arbitrating disputes between Israeli and Palestinian businesses.
- UNCITRAL Working Group - Canadian advisor on the enforcement of international mediation agreements, appointed by the Department of Justice Canada.
- Willing to travel.

Full biography available online at:



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## Main mediation practice areas

Commercial, insurance, employment, sports, agricultural, environmental, estates & trusts, First Nations, hospitals/health, human rights, libel & slander.

## Mediation experience

Allan has mediated two-party and multi-party disputes in numerous contexts, including commercial, employment, corporate governance, workplace, banking, personal injury, sports, and breach of contract. He has mediated and arbitrated many agricultural disputes including mediating disputes between growers and processors of peas, apples, carrots, grapes, potatoes, and chicken.

## Description of mediation style

Allan is a facilitative mediator who is not afraid to express his views if that is what the parties request. He is persistent and does not give up unless the parties are absolutely insistent that the mediation is over. He always spends the necessary time to prepare so that he can have informed and intelligent discussions with the parties about the issues. He uses a combination of joint sessions and caucuses and is flexible with the process, making sure that it suits the parties' needs. He helps both sides explore the likely outcome of their dispute but does not insist that his views are the correct ones.

Over the years, he has developed multiple techniques to help disputants overcome stalemates. Many are outlined in his book, *Mediating Commercial Disputes*.

## Code of professional conduct

IMI Code of Professional Conduct

## Complaint process

IMI Professional Conduct Assessment Process

## Professional indemnity insurance

Trisura

\$5,000,000 per claim

## Feedback digest

Reviewer: ( )

Latest Update: 2009-12-28 22:56:20

This Feedback Digest is based on 14 feedbacks in 14 mediations covering the 12 months ending February 2009. This Digest was initially submitted in May 2009.

Mr Stitt was consistently rated at Performance Levels 4 and 5 by parties for whom he has acted as a mediator. An extremely high percentage of parties would recommend Mr. Stitt as a mediator, as demonstrated by the number of parties willing to use him again and to provide a



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reference to parties considering his engagement as a mediator in the future. Costs were reported as reasonable in the context of the value of the disputes. In each case, the degree of satisfaction was reported at Levels 4 or 5.

Mr. Stitt's organizational skills in setting up, explaining and preparing for the mediation were praised. Comments included that Mr. Stitt was "very professional" and explained "the mediation process fully and clearly". Another participant noted that Allan's "strength is helping the parties to understand the alternatives to settlement".

Several participants commended Mr. Stitt's management skills in the mediation process. He was consistently described as a principled mediator. Mr. Stitt was reported as encouraging the parties to develop a range of solutions. One participant noted that Allan "offered practical suggestions on how to move towards settlement". A very high proportion of Mr. Stitt's mediations resulted in a resolution.

A wide range of mediation skills have emerged from the feedbacks received. There is frequent mention of Allan's ability to deal with a high level of emotions and with difficult legal counsel. One participant summarized Allan's approach as "persuasive, fair and very effective".

Mr. Stitt successfully mediated a broad range of disputes including commercial litigation, property disputes, defamation actions, insurance claims, wrongful dismissal and shareholder oppression claims.

No reportable negative comments arose in this review.

### Professional affiliations

UNCITRAL Working Group 2015 to present

Canadian advisor on the enforcement of international mediation agreements, appointed by the Department of Justice Canada

The Jerusalem Arbitration Centre (JAC) 2013 to present

Senior Advisor assisting with the development of arbitration rules and introduction of mediation for resolution of disputes between Israeli and Palestinian businesses]

Canadian Transportation Agency List of Arbitrators - 2013 to present

Singapore Mediation Centre, International Panel of Mediators - 2012 to present

Sport Dispute Resolution Centre of Canada

Arbitrator & Mediator 2009 to present

Inaugural Chair of the Board of Directors 2003 - 2009

International Academy of Mediators

Appointed Distinguished Fellow of the Academy 2007 to present

NAFTA Advisory Committee on Private Commercial Disputes

Member appointed by the Foreign Affairs and International Trade Canada, Department of Justice 2008 - 2012



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International Mediation Institute (IMI)

Member of the Independent Standards Commission; Certified Mediator 2008 - Present

Association for International Arbitrations

Member since 1998.

ADR Institute of Canada

Elected President, 1999-2000 and again in 2000-2001.

Awarded designation of Chartered Mediator, 1996.

Awarded designation of Chartered Arbitrator, 2000.

Negotiated merger of Arbitration & Mediation Institute of Canada and Canadian Foundation for Dispute Resolution (to become ADR Institute of Canada), 2000.

Member, 1996-Present.

Arbitration and Mediation Institute of Ontario

Elected President 1997-1998 and again in 1998-1999.

Member, 1994-Present.

Ontario Bar Association

Recipient of the 2006 Ontario Bar Association Award for Excellence in Alternative Dispute Resolution.

Elected Chair of the Alternation Dispute Resolution Section, 1996-1997.

Member, 1994-Present.

Local Mediation Committee - Toronto

Committee Member 1999 - Present

Appointed by the Ministry of the Attorney General.

Law Society of Upper Canada - Civility Tour 2010

- Facilitated workshops through Ontario.

## Fee rate

\$6,000 per day, plus applicable taxes. A full day is 6 hours of mediation time and includes up to 2 hours of preparation time.

\$3,500 per half day, plus applicable taxes. A half day is 3 hours of mediation time and includes up to 1 hour of preparation time.

\$750 per hour, plus applicable taxes.

Willing to travel. Rates increase if more than 2-parties. All rates are in US dollars. Travel extra.

## Contact details for references/recommendations

Jeffrey J. Long, 416-595-2125, jlong@kmlaw.ca

Nathalie MacDonald, 416-364-9599, lawyers@grosman.ca

Marc E. Smith, 613-749-4700, msmith@boslaw.ca



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Manny Solnik, 416-767-7506, x225, many@solnikandsolnik.com  
Malcolm MacKillop, 416-304-6417, mmackillop@djmlaw.ca  
Marvin Gorodensky, 416-323-9395, marvin@dismissed.ca  
LeRoy Bleta, 416-207-0100, lawbleta@bellnet.ca  
Kimberly Boara Alexander, 416-865-5320, kalexander@teplitskycolson.com  
Jan Weir, 416-599-6991, office@jdweir.com  
Jerry Birenbaum, 416-961-9721, birenbaum@bslsc.com  
Daniel Himelfarb, 416-363-2353, x271, dhimelfarb@laxtonglass.com  
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Brian Wasyliw, bwasyliw@mccarthy.ca  
Rosa Firsten, 416-599-8080, x340, rfirsten@himprolaw.com  
Jeffrey D. Gray, 416-512-1694  
L. Viet Nguyen, 416-225-8750  
Matthew Moloci, 905-526-4377, moloci@shlaw.ca  
Jeffrey Elkinson, 441-299-4932, jeffrey.elkinson@conyesdillandpearman.com

## Mediation education and training

1993 Advanced Negotiation Course  
Program of Instruction for Lawyers, Harvard Law School.

1992 Negotiation and Mediation Workshop  
Harvard Law School, taught by Professor Roger Fisher, Professor Frank Sander, and Bruce Patton. Completed as part of LL.M. Program at Harvard Law School.

1992 Master of Laws  
Harvard Law School  
Social Sciences and Humanities Research Council of Canada Doctoral Fellowship.

## Mediation teaching and mentoring

1994-Present Taught over 200 courses in mediation in North America, South America, Europe, Australia, Asia, and Africa.

1992-Present University of Toronto Faculty of Law  
\* Adjunct Professor teaching courses in Negotiation.

1994-1995 Harvard Law School  
\* Instructor (Teaching Assistant) to Professor Roger Fisher for the Negotiation Workshop at the Program of Instruction for Lawyers.

1998-2004 University of Windsor Law School  
\* Sessional Lecturer, teaching courses in Alternative Dispute Resolution and Negotiation.

2000 Notre Dame Law School  
\* Assistant Adjunct Professor teaching a course in Negotiation.

## Mediation publications

Mediation: A Practical Guide, (Cavendish Publishing, London UK), 2004.



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Mediating Commercial Disputes (Canada Law Book, Toronto), 2003. Number one on National Post Business Books bestseller list, July, 2003.

ADR For Organizations: How To Design A System For Effective Conflict Management (John Wiley & Sons, Toronto), 1998. Number one on Globe and Mail Business Books bestseller list, October, 1998.

ADR Practice Manual, Editor-in-Chief, (LexisNexis Canada Inc., Toronto) 1996 to present.

**Note: This Mediator Profile is intended to offer guidance to users of mediation services about the competency, skills, styles and potential suitability of the IMI Certified Mediator featured above. The Reviewer, the Mediator and IMI are attempting to present fair, balanced and objective information but none are to be held responsible for reliance on the information given. Users of mediation services are encouraged to pursue further research before selecting the IMI Certified Mediator, including contacting references and conducting an interview with the Mediator before making a selection.**