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# Canada- United States Law Journal

Volume 28

2002

## **ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES IN THE CANADA/U.S. CONTEXT**

**Conducted Under the Auspices of**

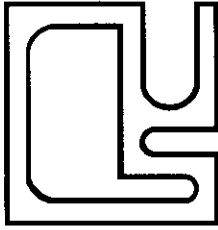
**THE CANADA-UNITED STATES LAW INSTITUTE**

**and**

**CASE WESTERN RESERVE UNIVERSITY SCHOOL OF LAW**

**Cleveland, Ohio  
April 19-21, 2002**

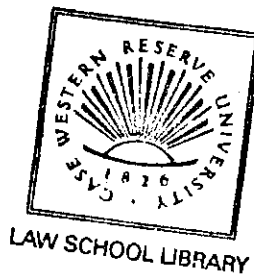
***Conference Chairman*  
Henry T. King, Jr.**



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Although the *Canada-United States Law Journal* only publishes articles and discussions compiled from the transcripts of the Canada-United States Law Institute's annual conference, the *Case Western Reserve Journal of International Law* welcomes the submission of articles on topics in international and comparative law. Manuscripts should be submitted in duplicate and should conform to the *Chicago Manual of Style* (14<sup>th</sup> ed.). Footnotes should conform to *A Uniform System of Citation* (17<sup>th</sup> ed.). Unfortunately, unpublished manuscripts cannot be returned to the author.

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## CANADA-UNITED STATES LAW INSTITUTE

*Canadian Director*

Chios Carmody  
University of Western Ontario  
Faculty of Law  
London, Ontario N6A 3K7  
CANADA

*United States Director*

Henry T. King, Jr.  
Case Western Reserve University  
School of Law  
11075 East Boulevard  
Cleveland, Ohio 44106  
U.S.A.

*Canada-United States Law Journal*

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## EDITOR'S NOTES

Published in this issue of the *Canada-United States Law Journal* are the proceedings of a Conference held under the auspices of the Canada-United States Law Institute and Case Western Reserve University School of Law. The Conference, its theme being *Energy, the Environment and Natural Resources in the Canada/U.S. Context*, took place on April 19-21, 2002.

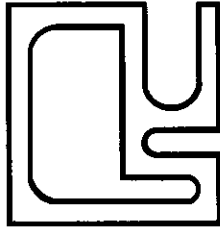
The articles and discussions printed here have been compiled from transcripts of the Conference and papers submitted by the speakers. Our editing process attempts to strike a balance between retaining the spirit of the Conference and maintaining the *Journal's* overall readability. Questions regarding factual assertions in the text should be addressed to the authors.

We have strived to make this volume of the *Journal* the best-edited and most carefully-researched volume in the Institute's nearly 30-year history. As a default rule, footnotes in the *Journal* comply with the format suggested by *The Bluebook: A Uniform System of Citation* (17th ed.), and, when necessary, have been amalgamated with citation forms adapted from the *Canadian Guide to Uniform Legal Citation* (4th ed). The text generally conforms to the *Chicago Manual of Style* (14th ed.).

The creation of Volume 28 of the *Canada-United States Law Journal* has been a "labor of love," but it would not have been accomplished without substantial contributions from everyone involved in the process. Special thanks go to Kelly Cusick, Executive Articles Editor for this Volume, who is one of the best text editors I have ever worked with, catching syntax errors that neither my authors nor I found or corrected. Many thanks also go out to Julianna Herrick, editor in chief of Volume 27, who taught me most of the things I know; to Julie Kraus, for being an ear for my concerns; to Professor Henry King, who has been extraordinarily patient with me and whose dedication to the Institute is an inspiration to all who follow his lead; to Alice Simon, for answering various and sundry questions; to Andy Dorchak, who assisted me in finding a few obscure references; and to all the members of the executive board of *Case Western Reserve Journal of International Law*, for putting up with my virtually continuous occupancy of the editing computer over these last few months. Of course, this Volume would have not been possible without the willingness of the many leaders in business, law and government from both sides of our vast northern border to come to the Conference and share their thoughts with those of us who were fortunate enough to have the opportunity to listen to them.

May all who read this book gain knowledge.

Donovan M. Steltzner  
Editor In Chief  
October 14, 2002



Canada-  
United States  
Law Journal

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VOLUME 28

2002

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PROCEEDINGS OF THE CANADA-UNITED STATES  
LAW INSTITUTE CONFERENCE  
*on*  
ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES IN THE  
CANADA/U.S. CONTEXT

Cleveland, Ohio  
April 19-21, 2002

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## DIRECTORS OF THE CANADA-UNITED STATES LAW INSTITUTE

**Henry T. King, Jr.**, the United States Director of the Canada-United States Law Institute, is a graduate of Yale College and Yale Law School. A former United States Prosecutor at the Nuremberg Trials, a former General Counsel of the United States Foreign Economic Aid Program, as well as a former Chairman of the Section of International Law and Practice of the American Bar Association, Mr. King is United States Chairman of the Joint ABA (American Bar Association) CBA (Canadian Bar Association) Barra Mexicana Working Group on the Settlement of International Dispute. He has held the position of Chief Corporate International Counsel of TRW, was a founder of the Greater Cleveland International Lawyers Group, and is a former president of the Cleveland World Trade Association. He has published over seventy articles on international legal subjects, including international business transactions, international arbitration, and Nuremberg related topics. He is currently Of Counsel to the law firm Squire, Sanders & Dempsey and Professor of Law at Case Western Reserve University. He has written a book, entitled *The Two Worlds of Albert Speer: Reflections of a Nuremberg Prosecutor*. Mr. King is a former Chairman and long time member of the Northern Ohio District Export Council. In June 2002, Mr. King was awarded an honorary degree of Doctor of Civil Laws by The University of Western Ontario.

**Chios Carmody** is the Canadian Director of the Canada-United States Law Institute. He is an Assistant Professor of Law at the University of Western Ontario Faculty of Law, a position he has held since 1999. He received an Honours B.A. from the University of Toronto in 1986; another B.A. from the University of California in 1989; an LL.B. from the University of Ottawa, where he was editor-in-chief of the *Ottawa Law Review*. He was subsequently called to the Bars of Ontario (1994) and New York (1995). Professor Carmody clerked with the Court of Appeal for Ontario and was in private practice for two years before pursuing his graduate studies. He later received an LL.M. from the University of Michigan in 1997, and an S.J.D. from Georgetown University in 2000. He was also an editor of *The Employment Bulletin*, published by Canada Law Book. Currently, Professor Carmody teaches in the areas of Contracts, International Trade Law and International Business Transactions.

SPEAKERS AT THE 26<sup>TH</sup> ANNUAL CANADA-UNITED  
STATES LAW INSTITUTE CONFERENCE

*on*

ENERGY, THE ENVIRONMENT, AND NATURAL RESOURCES IN THE  
CANADA/U.S. CONTEXT

**Emilia Askari** is a journalist who has covered environmental news for the Detroit Free Press since 1990. Ms. Askari has received numerous prizes and fellowships, including the University of Michigan Journalism Fellowship and a National Press Club citation. She taught environmental journalism for four years at the University of Michigan and has helped lead training seminars for environmental journalists in Buenos Aires and Mexico City. Ms. Askari was a founder of the Society of Environmental Journalists, and served as the group's second president. She has served on the national board of the Asian American Journalists Association and on the advisory board of the Science Journalism Fellowships at the Marine Biological Laboratory in Woods Hole, Massachusetts. Ms. Askari is a graduate of Brown University and Columbia University's Graduate School of Journalism.

**Milos Barutciski** is a Partner at the law firm of Davies Ward Phillips & Vineberg LLP, where he practices in the areas of international trade law and competition law. Mr. Barutciski has appeared in anti-dumping, countervailing duty and government procurement cases before the Canadian International Trade Tribunal and advises clients regarding a broad range of international trade and business matters, including NAFTA, WTO, foreign corrupt practices, and trade sanctions. He chairs the International Affairs Committee of the Canadian Chamber of Commerce and is the former Vice-Chair of the Trade Policy committee of the Canadian Council for International business. Mr. Barutciski is also current Chair of the International Law Section of the Canadian Bar Association. He was also an adjunct professor at the Faculty of Law of the University of Ottawa from 1990-1994, where he taught international trade law. He has also been invited to make presentations to NAFTA and WTO Working Groups, and has frequently testified before federal and provincial Parliamentary Committees. Mr. Barutciski received an undergraduate degree from McGill University and an LL.B and LL.L from the University of Ottawa.

**Steve Charnovitz** practices law at Wilmer, Cutler & Pickering in Washington, D.C. Prior to joining the firm in 1998, he was Director of the Global Environment & Trade Study (GETS) at Yale University. Before he helped establish the GETS project in 1995, Mr. Charnovitz served in various positions in the U.S. government. From 1991-95, he was Policy Director of

the U.S. Competitiveness Policy Council. From 1987-91, he was a legislative assistant to Speakers Wright and Foley of the U.S. House of Representatives. From 1975-86, he was an international relations officer and analyst at the U.S. Department of Labor. He has written extensively on economic affairs, the environment, and human rights. Mr. Charnovitz received a B.A. and J.D. from Yale University and an M.P.P. from Harvard University.

**F. Michael Cleland** is the Senior Vice President Government Affairs for the Canadian Electricity Association (CEA). Prior to joining CEA, he was Assistant Deputy Minister (ADM), Energy Sector in the Department of Natural Resources Canada (formerly Energy, Mines and Resources). Prior to his appointment as the ADM, he was Director General of the Energy Policy Branch. From 1987 to January 1990, he was Assistant Director, Resource Policy Division in the Department of Finance. Before joining the federal government in 1987, he worked in Nova Scotia where he was a principal at the firm of Cleland, Dunsmuir Consulting Ltd., was a lecturer in business/government relations at the school of Public Administration at Dalhousie University and served as the academic editor of Plan Canada, the journal of the Canadian Institute of Planners. Mr. Cleland received his B.A. from the University of British Columbia and an M.P.L. from Queens University.

**Kanai (Ken) De** is a Project Engineer and Waste Management Engineer at the Waste Management, Environmental Contaminants and Nuclear Program in Environment Canada, Ontario Region, where he has served since 1992. Mr. De has been a Professional Engineer in Ontario since 1976 and is a seasoned project manager and trainer/educator in environmental management, conducting several workshops around the world and authoring numerous papers and technical reports on environmental issues, research studies and environmental regulations. Prior to joining Environment Canada, he spent more than fifteen years with various private companies, including NCR, ITT, and Raytheon Canada, where he served as a production engineer and environmental coordinator. In 1997, Mr. De led a team of Canadian consultants and companies to India on an international project for wastewater treatment, ISO 14000, Waste Management and Pollution Prevention. Mr. De received his B.Tech (Hons.) from the Indian Institute of Technology, an M.A.Sc. from the University of Waterloo, and an M.B.A. from McMaster University.

**Tracy Dobson** is a Professor in the Department of Fisheries and Wildlife in the College of Natural Resources at Michigan State University. The author of numerous book chapters and law journal articles, Ms. Dobson is currently engaged in research related to the area of biological diversity preservation



and law. Prior to joining the faculty of MSU, where she currently teaches courses in environmental law and sex-based discrimination, she was a dean of MSU's International Studies and Programs for six years. Supported by a Fulbright Senior Scholar Africa Regional Research Grant, she spent 1996 studying and participating in environmental policy development in Malawi. In 1998, Ms. Dobson was invited to assist the Department of National Parks and Wildlife in rewriting their governing statute., and serves on the Board of Technical Experts of the Great Lakes Fishery Commission. Ms. Dobson received both her B.A. and J.D. from the University of Michigan.

**Michael J. Donahue** is the President and CEO of the Great Lakes Commission, where he has served in this capacity since 1987. Prior to this appointment, he held senior management and research positions with The Center for the Great Lakes, the Great Lakes Basin Commission and various departments at the University of Michigan. Dr. Donahue is also an adjunct professor at the School of Natural Resources and Environment at the University of Michigan and a Lecturer in Law at the University of Toledo School of Law. He has been a member of the board of directors of more than a dozen other regional agencies, organizations and research institutes. He has authored more than 150 professional papers, book chapters and journal articles, and one book. Dr. Donahue holds three degrees from the University of Michigan, including a doctorate in Urban, Technological and Environmental Planning.

**David W. Drinkwater** is the Executive Vice President, Law and Corporate Development, of Ontario Power Generation, Inc. (OPG), a position he has held since December 1998. Mr. Drinkwater is responsible for corporate development activities and oversees the legal function and non-nuclear regulatory matters at OPG. Prior to joining OPG, he was the Special Advisor to the Chairman and Chief Executive Officer of Bell Canada. From 1996 to 1998, he served as Group Vice President, Law and General Counsel for Bell Canada. Prior to joining Bell Canada, he has held various senior positions with the law firm of Osler, Hoskin & Harcourt. Mr. Drinkwater is a member of the Executive Committee of the Canadian Olympic Foundation and was formerly chair of the Securities Advisory committee to the Ontario Securities Commission. He received a Bachelor of Business degree from the University of Western Ontario, an LL.B. from Dalhousie University, and an LL.M. from the London School of Economics.

**Janine Ferretti** is the Executive Director of the North American Commission for Environmental Cooperation (CEC). Ms. Ferretti has worked on environmental issues for 18 years, working closely with government, industry, and NGOs. Prior to her appointment to the Commission, Ms.

Ferretti was the Executive Director of Pollution Probe, one of Canada's largest environmental organizations. She was a member of Canada's International Trade Advisory Committee, the Vice-chair of the Ontario Round Table on Environment and the Economy, and a member of the International Institute for Sustainable Development's Task Force on Environment and Trade. Ms. Ferretti has also worked in Kenya at the Environmental Liaison Center, and in Bonn, Germany, with the International Union for the Conservation of Nature.

**Sanford E. Gaines** is the Law Foundation Professor of Law at the University of Houston Law Center, where he teaches courses in environmental law and trade law, and co-directs the Law Center's Mexican Legal Studies Program in Mexico City. From 1996-1999, Professor Gaines was part-time executive director of The North American Institute, and from 1992-1994 he served as Deputy Assistant U.S. Trade Representative for Environment and Natural Resources in the Office of the U.S. Trade Representative in the Executive office of the President. At USTR, he was responsible for environmental issues in the negotiation of NAFTA, the environmental side agreements to NAFTA, and the Uruguay Round agreements in the GATT. Professor Gaines was also a member and chair of the National Advisory Committee to the EPA administrator and the U.S. Representative of the Commission for Environmental Cooperation. He currently serves on the U.N. Environment Programme Expert Group on International Environmental Agreements and Trade. He received bachelor's, *magna cum laude*, and master's degrees from Harvard College, and a law degree, *cum laude*, from Harvard University.

**James F. Hickey, Jr.** is a Professor of Law at Hofstra University School of Law in New York, where he teaches courses in international law, U.S. Federal Energy Law and Policy and Energy, the Environment and the Global Economy. Professor Hickey, the author of several books on energy law and policy, is a member of the ABA Graduate Legal Education Committee, the ABA Special Committee on International Energy Law and the International Environmental Law Working Group of the American Society of International Law. He has been a Consultant to the Energy Charter Secretariat and a Special Assistant to the National Petroleum Council (Water Availability Task Group), and is a former member of the Ukraine Academy of Ecological Sciences. Professor Hickey received his J.D. from University of Georgia and a Ph.D. in International Law from Jesus College, Cambridge University.

**Peter Janson** is Chairman and CEO of AMEC Inc., and is responsible for running AMEC's North and South American operations. Mr. Janson joined AMEC Inc. (formerly AGRA Inc.) in April 1999 and managed the merger the following year between AGRA, a leading North American professional

engineering and environmental services firm, and AMEC. Prior to joining AMEC, Mr. Janson was President and CEO of ABB US, a leading engineering and manufacturing company serving customers primarily in power generation, transmission and distribution. He is currently Co-Chair of the Coalition for Canadian Astronomy and a Director of DuPont Canada Inc., the Royal Ontario Museum and the Conference Board of Canada. In 1998, Mr. Janson was awarded the Canadian Electricity Association's Distinguished Service Award. He is a member of the Business Council on National Issues and a past member of the National Advisory Board on Science & Technology and a Past Chairman of the Centre d'Innovation sur le Transport d'Énergie du Québec. Mr. Janson holds a B.S. degree from Queen's University.

**David J. Jhirad** is a Visiting Professor of Science, Technology and International Affairs at the School of Foreign Service at Georgetown University. Dr. Jhirad served in the Clinton Administration as Deputy Assistant Secretary of Energy for International Energy Policy, Trade and Investment and as Senior Advisor for Multilateral and Bilateral Affairs from 1995 to 2001. He has made major contributions to international work on electrical power policy and regulatory reform, natural gas infrastructure development, financing strategies for clean energy commercialization and energy security. Dr. Jhirad has held numerous positions, including Vice-Chairman of the Governing Board at the International Energy Agency, Senior Energy Advisor to the U.S. Agency for International Development, and has worked as a research physicist for IBM and at Cal Tech. Dr. Jhirad holds a B.Sc. (Hons.) from Delhi University, B.A. and M.A. degrees in Physics and Applied Mathematics from Cambridge University, and a Ph.D. in Applied Physics from Harvard University.

**Martin Kaga** has lead the Legal Services Business Unit of the Department of Energy in the Province of Alberta since 1987. The Legal Services Business Unit provides legal services to the Minister and Department of Energy, represents Alberta in domestic, national and international regulatory proceedings and provides alternative dispute resolution to those paying royalty to the government of Alberta. Mr. Kaga's own preferred areas of practice include legal policy related to tenure and royalty structures, including the preparation of related legislation, regulations and royalty agreements. He currently serves as a member of the Law Society of Alberta's Gender, Equity and Equality Committee. Mr. Kaga holds a Bachelor of Arts degree from the University of Calgary and a bachelor of laws degree from the University of Alberta.

**Frank E. Loy** has most recently served as Under Secretary of State for Global Affairs in the Clinton Administration, from 1998 to 2001. He has served on the boards of various environmental organizations and conferences, serving as chairman of the Environmental Defense Fund and the Conference of the Parties of the Convention on International Trade in Endangered Species in 1994. Mr. Loy has also served on the boards of the Regional Environmental Center for Central and Eastern Europe in Budapest, and Population Services, International. From 1965 to 1970, Mr. Loy served as Deputy Assistant Secretary of State for Economic Affairs; from 1970 to 1973, he was Senior Vice President for International and Regulatory Affairs for Pan American World Airways, and from 1974 to 1979 Mr. Loy served as President of a Penn Central subsidiary, and after a short stay in government in 1980, he served as the president of the German-Marshall Fund of the U.S. He received his bachelor's degree from the University of California, Los Angeles and a law degree from Harvard University.

**David Luff** is Vice President of Stewardship and Public Affairs of the Canadian Association of Petroleum Producers (CAPP), and has held his current position since 1997. Prior to his appointment at CAPP, Mr. Luff has served in various positions in the Alberta Department of Energy since he became a Resource Planner in 1976. Starting in 1982, he became Director of the Mineral Resources Division for seven years, and then served as its Executive director for five. In 1994, Mr. Luff was appointed Assistant Deputy Minister, Operations & Support Division, and in 1995, he became the Assistant Deputy Minister in the Corporate Services Division. Mr. Luff received both his B.A. and M.Sc. degrees from the University of Alberta.

**David J. Manning** is the Senior Vice President of Corporate Affairs of KeySpan, with responsibility for Public Affairs, Government relations, internal and external communications, and environmental policy. Prior to joining KeySpan, Mr. Manning was president of the Canadian Association of Petroleum Producers from 1995 to 1999, Deputy Minister of Energy for the Province of Alberta, Canada from 1993 to 1995; before then he was the Senior International Trade Counsel for the Government of Alberta, based in New York City. Previously, he was in the private practice of law. Mr. Manning is Chairman of the Brooklyn Chamber of Commerce, and is a member of the Long Island Housing Partnership.

**John Mills** is the Regional Director General of Ontario for Environment Canada, a position he has held since 1993. He is responsible for the delivery of Environment Canada programs in Ontario, and he is the Canadian lead for the Great Lakes Program. Mr. Mills is the past Chair of the Ontario Federal Council, Ontario's forum for federal government department and agency

senior managers. He joined the Federal Public Service in 1968 as a weather forecaster. Since 1978, he has held a number of management positions in a variety of program areas, most notably as Director General, Weather Services, and as acting Assistant Deputy Minister of the Atmospheric Environment Service (now the Meteorological Service of Canada). Mr. Mills is a graduate of Memorial University in St. John's, Newfoundland.

**William A. Mogel** is a Partner at the law firm of Squire, Sanders and Dempsey, LLP, and focuses his practice on energy law. Mr. Mogel regularly represents clients before federal and state regulatory commissions and courts. He also represents large consumers of electricity and natural gas, such as petrochemical companies, hotels and public institutions, in transactional matters involving energy contracts. He has extensive experience in federal and state issues affecting the electric power and natural gas industries. Mr. Mogel's international energy experience includes privatization and restructuring matters in Ireland, Moldova, Poland, Russia and the Slovak Republic. Mr. Mogel conducts an annual energy law seminar at the University of Tulsa Law School and serves as a professorial lecturer at the American University Law School. In 1980, Mr. Mogel founded the *Energy Law Journal*, and currently serves as its editor-in-chief and as director of its foundation. He is co-editor of *Energy Law and Transactions*, an internationally known, six-volume treatise dealing with every aspect of energy law. The author of numerous law review articles, Mr. Mogel received his B.A., *cum laude*, from Hobart College, and his law degree from the University of Pennsylvania.

**Alan Nymark** is the Deputy Minister of Environment Canada, a position he has held since 1999. Mr. Nymark's career has included positions with the Department of Finance, the International Monetary Fund, and the Royal Bank of Canada. In 1985, Mr. Nymark was appointed Assistant Chief Negotiator with the Trade Negotiations Office on the Canada-U.S. Free Trade Agreement. Between 1989 and 1993 he served as Executive Vice President of Investment Canada and as Assistant Chief Negotiator for NAFTA. In 1993, Mr. Nymark was appointed Deputy Minister, Industry and Science Policy at Industry Canada. He currently serves on the Boards of Directors of the Canadian Policy Research Networks, Canada's Climate Change Voluntary Challenge and Registry Inc., and the International Institute for Sustainable Development. He holds a Master of Economics degree from Queen's University.

**Robert Page** is the Vice President for Sustainable Development at TransAlta, and is responsible for the company's environmental, health, and safety projects as well as TransAlta's renewable energy projects. Dr. Page is

internationally known for his work on energy and the environment in areas such as environmental impact assessment, environment and trade, climate change, and policy regulation. He is a member of the Clean Air Strategic Alliance of Alberta, and member of the Panel of Advisors, Federal Commissioner of the Environment and Sustainable Development, and is also vice-chairman of the International Emissions Trading Association of Geneva, Switzerland. Dr. Page received a bachelor's degree, with honors, and a master's degree from Queen's University and a doctorate from Oxford University.

**Henry A. Regier** is Professor Emeritus at the University of Toronto and is an adjunct professor in Environmental Studies at the University of Waterloo. A world-renown expert on fisheries and the environment, Dr. Regier has served as an advisor and panelist in numerous governmental and non-governmental scientific and environmental organizations and conferences, including the World Food Congress, the 1972 Stockholm Conference of the Human Environment, the Great Lakes Fishery Commission, the Great Lakes Science Advisory Board of the International Joint Commission of Canada and the USA, the Government of Finland, the Anishinabek/Ontario Fisheries Resource Centre, and the Joint Panel of the National Energy Board/Canadian Environmental Assessment Agencies. He has received numerous conservation and professional awards, including an Award of Excellence of the American Fisheries Society. From 1966 to 1995, he served as a professor of zoology and eventually also of environmental studies at the University of Toronto. Dr. Regier received an Honours B.A. from Queen's University, and his doctorate from Cornell University.

**John H. Sargent** is Head of Domestic Emissions Trading Analysis in the Government of Canada's Climate Change Secretariat. He is on secondment from the Department of Finance where, until September 2001, he was Senior Advisor to the Deputy Minister. He has served as a chair of the federal/provincial/non-government Tradeable Permits Working Group and was Executive Director of the Technical Committee on Business Taxation from 1996 to 1998. Mr. Sargent also served as Assistant Deputy Minister, Tax Policy, for an interim period in 1993. From 1971 to 1983, he served in various other positions in the Department of Finance, including an appointment as the Senior Advisor of the Tax Policy and Legislation Branch, and Assistant Deputy Minister of the Financial Sector Policy Branch. Prior to joining the federal government, Mr. Sargent was an assistant professor of economics at Queen's University. He received his bachelor's degree from McGill University.

**Matthew Schaefer** is an Associate Professor at the University of Nebraska College of Law where he teaches courses in International Trade Law, International Law, International Business Transactions and International Trade Law and Policy. In 1999, he served as a director in the International Economic Affairs Office of the National Security Council and the White House, focusing on WTO and sanctions matters. From 1993 to 1995, he served as a consultant to the National Governors' Association and Western Governors' Association during the legislative implementation of the NAFTA and GATT Uruguay Round multilateral trade agreements. He recently became a term member of the Council on Foreign Relations (New York) and an editorial board member of the Journal of International Economic Law. Professor Schaefer has received a B.A. from the University of Chicago, a J.D. (*magna cum laude*, Order of the Coif) and an LL.M. from the University of Michigan Law School.

**Dale E. Stephenson** is a partner in the law firm of Squire, Sanders & Dempsey, and has experience in all aspects of environmental law, including state and federal litigation, international environmental law, and chemical regulatory law. Mr. Stephenson's environmental litigation experience includes a variety of matters involving air, water, hazardous substances, noise, and the defense of companies and municipalities in actions brought pursuant to federal environmental law, including CERCLA (Superfund) and the Clean Water Act. He is a member of the American Bar Association's Section of Environment, Energy, and Natural Resources. Mr. Stephenson received a B.A., *summa cum laude*, from Spring Arbor University and a J.D. from the University of Michigan.

**William W. Taylor** is the Chairperson and Professor of the Department of Fisheries and Wildlife at Michigan State University, where he has served as an instructor and professor for over two decades. An internationally recognized expert in fisheries ecology, population dynamics and Great Lakes fisheries management, he has received numerous accolades and has served in a number of leadership positions, including president of the American Fisheries Society, Associate Director of the Michigan Sea Grant College Program, and Chair of the Great Lakes Fisheries Commission's Board of Technical Experts. Dr. Taylor helped create the Partnership for Ecosystem Research and Management, a cooperative agreement between MSU, the Michigan Department of Natural Resources, and the U.S. Geologic Survey, to use research talent at MSU towards the solution of natural resources management problems. Dr. Taylor received his B.A. from Hartwick College, an M.S. from West Virginia University, and a Ph.D. from Arizona State University.

**Christopher Waddell**, the Carty Professor of Business and Financial Journalism at Carleton University, is an associate professor in the School of Journalism and Communications. Prior to academia, Professor Waddell spent eight years as Parliamentary Bureau Chief for CBC Television News. Prior to television reporting, he spent seven years at the Globe and Mail covering business in Toronto and the free trade negotiations in Ottawa. Dr. Waddell received his B.A. from the University of Toronto and his M.A. and a Ph.D. in Canadian history from York University.



CANADA-UNITED STATES LAW INSTITUTE CONFERENCE  
*on*  
ENERGY, THE ENVIRONMENT, AND NATURAL RESOURCES IN THE  
CANADA/U.S. CONTEXT

*April 19-21, 2002*

LIST OF PARTICIPANTS

Robert Abrahams	U.S. Department of Commerce	Toledo, OH
Jonathan H. Adler*	CWRU School of Law	Cleveland, OH
Ahmid Ali	Case Western Reserve University	Cleveland, OH
Unid A. Aripdjanov		Tashkent, UZ
Emilia Askari**	Detroit Free Press	Detroit, MI
Dirk K. Barrett, Jr.	Pfizer, Inc.	New York City, NY
Milos Barutciski**	Davies, Ward, Phillips & Vineberg L.L.P.	Toronto, ON
Joseph W. Bauer	The Lubrizol Corporation	Wickliffe, OH
Richard E. Baznik	Case Western Reserve University	Cleveland, OH
Mary Lynn Becker	Canadian Consulate General	Detroit, MI
Jeffrey Bendix	Case Western Reserve University	Cleveland, OH
David Benson	Ohio Lawyers Weekly	Cleveland, OH
Lillian V. Blageff	Business Laws, Inc.	Chesterland, OH

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Stephen de Boer	Ministry of Economic Development & Trade	Toronto, ON
Feleke Bogale	NAFTA Secretariat	Ottawa, ON
Hiliary Bradbury	Case Western Reserve University	Cleveland, OH
Katharine F. Braid	AMEC, Inc.	Toronto, ON
Silviu A. Cappon		Aurora, OH
Chios Carmody*	University of Western Ontario Faculty of Law	London, ON
Steve Charnovitz**	Wilmer, Cutler & Pickering	Washington, DC
Xiaoyang Chen	Case Western Reserve University	Cleveland, OH
F. Michael Cleland**	Canadian Electricity Association	Ottawa, ON
George Costaris	Canadian Consulate General	Detroit, MI
Angela B. Cox	The Minute Maid Company	Houston, TX
Dorinda G. Dallmeyer*	The University of Georgia	Athens, GA
Kanai De**	Environment Canada	Downsview, ON
Brenden Delay	Attorney	Cleveland, OH
Tracy Dobson**	Michigan State University	East Lansing, MI
James Doherty	Alberta International and Intergovernmental Relations	Edmonton, AB

Michael J. Donahue**	Great Lakes Commission	Ann Arbor, MI
Andrew Dorchak	CWRU School of Law	Cleveland, OH
Christine Drennen	Bowling Green State University	Bowling Green, OH
David W. Drinkwater**	Ontario Power Generation	Toronto, ON
Jonathan Entin	CWRU School of Law	Cleveland, OH
Asim Erdilek	Case Western Reserve University	Cleveland, OH
Janine Ferretti**	Commission for Environmental Cooperation	Montréal, QC
Michael Fitz-James	Canadian Lawyer Magazine	Aurora, ON
J. Eric Fleischauer	Decatur Daily	Minor Hill, TN
Sharon G. Floyd	Case Western Reserve University	Cleveland, OH
Ted R. Fowles	U.S. Coast Guard	Cleveland, OH
Sanford E. Gaines**	University of Houston Law Center	Houston, TX
Irene Gauthier	Environment Legal Services	Hull, QC
Martin Gelfand	Office of Congressman Dennis J. Kucinich	Lakewood, OH
Colin Goldie	Canadian Pacific Railway Company	Calgary, AB
Sonja Granzer	Department of Finance	Ottawa, ON

Jon Groetzinger, Jr.*	American Greetings Corporation	Cleveland, OH
Nelson Guillemette	Industry Canada	Ottawa, ON
Frank Hartman	Attorney	Cleveland, OH
Julianna E. Herrick	CWRU School of Law	Cleveland, OH
James E. Hickey, Jr.**	Hofstra University School of Law	Hempstead, NY
Ian Holloway	University of Western Ontario Faculty of Law	London, ON
Victor Ramirez Ibarra	Case Western Reserve University	Cleveland, OH
Peter Janson**	AMEC, Inc.	Toronto, ON
Erik Jensen	CWRU School of Law	Cleveland, OH
David J. Jhirad**	Georgetown University	Washington, DC
Judy Jones	Ohio Office of Energy Efficiency	Columbus, OH
Martin Kaga**	Alberta Department of Energy, Legal Services	Edmonton, AB
Marni J. Kelly	World Trade Center	Cleveland, OH
Charles J. Kerester	Attorney	Shaker Heights, OH
Henry T. King, Jr.*	CWRU School of Law	Cleveland, OH
Linda Klaamas	Environment Canada	Hull, QC
James Kloos		Cleveland, OH
Joseph F. Koonce	Case Western Reserve University	Cleveland, OH

Gerald Korngold*	CWRU School of Law	Cleveland, OH
Clemons J. von Koschembahr	U.S. Department of Commerce	Cleveland, OH
Julie A. Kraus	CWRU School of Law	Cleveland, OH
Amy K. Kuhn	State of Ohio	Columbus, OH
Sven A. Langmack	Niagara Custombilt. Manufacturing Company	Cleveland, OH
John Lowe	Natural Resources Canada	Ottawa, ON
Frank E. Loy**		Washington, DC
David Luff**	Canadian Association of Petroleum Producers	Calgary, AB
Michael Lynk	University of Western Ontario	London, ON
David J. Manning**	Keyspan Energy Corporation	Brooklyn, NY
James P. McIlroy*	McIlroy & McIlroy, Inc.	Toronto, ON
Michael Miller	U.S. Department of Commerce	Cleveland, OH
John Mills**	Environment Canada	Downsview, ON
William A. Mogel**	Squire, Sanders & Dempsey, L.L.P.	Washington, DC
Alan Nymark**	Environment Canada	Ottawa, ON
Phyllis Odenbach-Sutton	Department of Finance	Ottawa, ON
Robert Page**	TransAlta Utilities Corporation	Calgary, AB

Anne-Marie Pelletier	Environment Canada	Hull, QC
Sidney Picker, Jr.*	CWRU School of Law	Cleveland, OH
Marc R. Poirier	Seton Hall University School of Law	Newark, NJ
Simon V. Potter	Ogilvy Renault	Montréal, QC
Daniel M. Price	Sidley Austin Brown & Wood	Washington, DC
Cynthia Prior	Consultant	Cleveland, OH
Brenda D. Pulley	Alcan Aluminum Corporation	Cleveland, OH
Thomas J. Quinn	The Plain Dealer	Cleveland, OH
Christopher M. Rassi	CWRU School of Law	Pepper Pike, OH
Henry A. Regier**	Adjunct Professor, University of Waterloo	Elmira, ON
Norman Robbins	Case Western Reserve University	Cleveland, OH
Davis R. Robinson*	LeBoeuf, Lamb, Greene & MacRae, L.L.P.	Washington, DC
J. Michael Robinson, Q.C.*	Fasken Martineau DuMoulin, L.L.P.	Toronto, ON
David Runnals*	Institute for Sustainable Development	Ottawa, ON
John K. Ryans	Kent State University	Kent, OH
John H. Sargent**	Government of Canada Climate Change Secretariat	Ottawa, ON
Karen Schaefer	WCPN Ideastream	Cleveland, OH

Matthew Schaefer**	University of Nebraska College of Law	Lincoln, NE
Morris Shanker	CWRU School of Law	Cleveland, OH
Thomas V. Silvia	State Bar of Michigan	Ann Arbor, MI
Satender Singh	Department of Foreign Affairs & International Trade	Ottawa, ON
Ken Stein	Shaw Communications Inc.	Toronto, ON
Donovan M. Steltzner	CWRU School of Law	Cleveland Hts., OH
Dale E. Stephenson**	Squire, Sanders & Dempsey, L.L.P.	Cleveland, OH
Brenda Swick	Ogilvy Renault	Ottawa, ON
Graham E. Taylor	The Dow Chemical Company	Midland, MI
William W. Taylor**	Michigan State University School of Natural Resources	East Lansing, MI
John D. Tennant	Canadian Consulate General	Detroit, MI
Daniel D. Ujcz	U.S. District Court	Youngstown, OH
Eric Uram	Sierra Club	Madison, WI
Marcia Valiante	University of Windsor	Windsor, ON
Lynda D. Vaughn	CWRU School of Law	Cleveland Hts., OH
Michael Vechsler	International Joint Commission	Ottawa, ON

Emmy Verdun	Department of Finance	Ottawa, ON
M. Catherine Vernon	Philips Medical Systems	Highland Hts., OH
Christopher Waddell**	Carleton University	Ottawa, ON
Suzanne Wagner		Pepper Pike, OH
Tang Wenchen	Case Western Reserve University	Cleveland, OH

\* - Session Moderator \*\* - Session Speaker





**BOB TAFT**  
GOVERNOR  
STATE OF OHIO

April 19, 2002

Professor Henry T. King, Jr.  
U.S. Director  
US-Canada Law Institute  
Case Western Reserve University Law School  
11075 East Boulevard  
Cleveland, OH 44106

Dear Professor King:

I would like to extend a warm welcome to the participants of the US-Canada Law Institute Conference. During the conference, I understand you will be focusing on a number of issues, such as, environmental implications of new energy resources, NAFTA and the environment, energy policies for the 21st Century, and the Great Lakes' natural resources. These issues touch the livelihood of both the Canadian and the Ohio citizenry.

Your membership, which spans the United States from businessmen and women to government officials, is very impressive. Solving and resolving issues in a forthright manner for the quality of life that our citizenry expects, is also paramount here in Ohio. I just recently announced my initiative, the Third Frontier Project for Ohio, which will focus on and address new emerging technology identification for energy sources, clean environments, boost the economy, and enhance our intellectual property.

We are working in parallel for the betterment of life's issues, and I wish you a most successful conference!

Regards,

A handwritten signature in black ink that reads "Bob Taft".

Bob Taft  
Governor

BT/tp

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