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Curriculum Vitae Robert Margolis

PROFESSIONAL QUALIFICATIONS

1993 – Solicitor of the Supreme Court of England and Wales

1985 – Barrister and Solicitor in the Province of British Columbia

PRACTICE AREAS

Maritime Law and International Trade

PRACTICE HISTORY

1997 - Present

Partner of Giaschi & Margolis
Vancouver, B.C.

1994 - 1997

Associate Lawyer with Connell Lightbody
Vancouver, B.C.

1993 - 1994

Foreign Legal Consultant with the Law Offices of Fujii Ikuya
Tokyo, Japan

1991 - 1993

Foreign Legal Consultant with the Satori Law Office
(including secondment to the Tokio Marine and Fire Insurance Company Limited)
Tokyo, Japan

1988 - 1990

Lecturer in the Faculty of Law at the University of Hong Kong
Subjects taught: Shipping Law (LL.M.); Admiralty and Marine Insurance (LL.M.); Private
International Law (LL.B.); Contracts (LL.B.); Trusts (LL.B.)

1986 - 1988

Lecturer in the Faculty of Law at the National University of Singapore

PROFESSIONAL AND EDITORIAL POSITIONS

Arbitrating Member - Vancouver Maritime Arbitration Association

Overseas Correspondent for Japan with Lloyd's Maritime and Commercial Law Quarterly (1993-94)

Contributor responsible for Order 75 (Hong Kong) Admiralty Proceeding in *Hong Kong Supreme Court Practice* (Butterworths Asia)

Member - Law Society of British Columbia

Member - Law Society of England and Wales

Member - Canadian Maritime Law Association

Member - Canadian Bar Association

Member - Marine Insurance Association of British Columbia

EDUCATION

LL.M. (1986)

University College London, University of London
London, England

B.C.L. (1984)

Wadham College, University of Oxford
Oxford, England

LL.B. (1983)

Faculty of Law, University of British Columbia
Vancouver, B.C.

M.A. (1980)

Department of Economics, University of Western Ontario
London, Ontario

B.A. (Honours) (1979)

Department of Economics, University of British Columbia
Vancouver, B.C.

Certificat en droit civil (1981)

Université de Sherbrooke and Dalhousie University
Sherbrooke, Quebec and Halifax, Nova Scotia

RECENT ACADEMIC APPOINTMENTS

Adjunct Professor of Maritime Law – University of British Columbia Law School (1996-2004)

Visiting Professor – Graduate School of International Development, Nagoya University, Japan (2001)

Instructor in Business Law and International Trade, Faculty of Business Administration, British Columbia Institute of Technology (1997-2000)

PUBLICATIONS

"Priorities and Bankruptcy in Admiralty", with Christopher Giaschi, Proceedings of the Federal Court Judges' Seminar (April 12, 2002) 174-192.

"Some Unique Characteristics of Canadian Law concerning Priorities to the Proceeds from the Judicial Sale of a Vessel", (2002) Wavelength (Japan Shipping Exchange Bulletin No. 44) 25-36.

"Order 75: Hong Kong Admiralty Proceedings" in W.S. Clarke, ed. Hong Kong Civil Court Practice Desk Edition (Hong Kong: Butterworths Asia, 2000).

"Damages for the Wrongful Arrest of a Vessel: the Venerable Rule Confirmed - Armada Lines v. Chaleur Fertilizers", [1998] Lloyd's Maritime and Commercial Law Quarterly 11-14.

"Order 75: Hong Kong Admiralty Proceedings" in W.S. Clarke, ed. Hong Kong Supreme Court Practice (Hong Kong: Butterworths Asia, 1996).

"The Influence of the American Bad Faith and Unfair Dealings Doctrine in Commonwealth Countries", (1995) No. 57 Vol. 2 Songai Hoken Kenkyu 99-139 (a journal of the Non-Life Insurance Institute of Japan). This article was also published in Japanese in the same journal at 75-97.

"Conversion Dates and Interest Rates in Collision, Cargo Claims and Marine Insurance Cases", (1995) 31 Bulletin of the Japan Shipping Exchange 16-33.

"The Implied Indemnity for Loss of Round Logs Carried on Deck under the NANYOZAI and BEIZAI forms of Charter and the Unenforceability of Express Undertakings in Side Letters of Indemnity", (1995) 30 Bulletin of the Japan Shipping Exchange 33-44. Reprinted in Japanese in (1995) No. 124 Kaijiko Kenkyukaishi 23-30.

"Bailment and Sub-bailment on Terms in Marine Cargo Claims Cases", (1994) No. 56 Vol. 3 Songai Hoken Kenkyu 151-173 (a journal of the Non-Life Insurance Institute of Japan). This article was also published in Japanese in the same journal at 133-149.

"Order 75: Hong Kong Admiralty Proceedings" in W.S. Clarke, ed. Hong Kong Supreme Court Practice (Hong Kong: Butterworths Asia, 1994), pp. X 83 - X 245.

"Staying an action because the foreign law is ambiguous: The Planeta", [1994] Lloyd's Maritime and Commercial Law Quarterly 30-34.

"Some Recent Developments in Safe Ports Law", (1994) 28 Bulletin of the Japan Shipping Exchange 39-52.

"Validity of the Demise Clause under Japanese Law and the Consequences for Enforcement Abroad of Claims under Japanese Bills of Lading: The Jasmin", [1993] Lloyd's Maritime and Commercial Law Quarterly 164-70.

"Delayed Applications for Stay of Proceedings in Shipping Cases", (1992) 13 Singapore Law Review 163-177.

Review of *Lowndes and Rudolf: The Law of General Average and the York-Antwerp Rules* (11th ed.), by D.J. Wilson and J.H.S. Cooke, (1992) 22 Hong Kong Law Journal 736.

"The Burden of Proof and Allegations of Unseaworthiness When a Vessel Disappears in Calm Seas", (1992) 24 Bulletin of the Japan Shipping Exchange 32-59.

"Admiralty Law", in Annual Survey of the Law 1990-91, edited by J. Sihombing (Hong Kong Law Journal, 1992), pp. 1-24.

Review of *Shipping Law*, by Martin Davies and Anthony Dickey, (1991) 21 Hong Kong Law Journal 404.

"Exclusive Jurisdiction Clauses and Multiple Plaintiffs: The Frinton", (1991) 21 Hong Kong Law Journal 240-247.

"Combined Transport Bills and a New Limitation to the Hague-Visby Rules: Horst Karcher v. Piff Shipping Ltd.", (1991) 21 Hong Kong Law Journal 116-122.

"The Concept of Relevance: in the Evidence Act and the Modern View", (1990) 11 Singapore Law Review 24-42.

"Evidence of Similar Facts, the Evidence Act, and the Judge of Law as Trier of Fact", (1988) 9 Singapore Law Review 103-124.

Review of *Yearbook of Maritime Law Vol. 1*, edited by Ignacio Arroyo, [1988] Lloyd's Maritime and Commercial Law Quarterly 110.

SPECIAL LECTURES AND SEMINARS:

Lecture to the Graduate School of International Development of Nagoya University on "The Use of Class Action Lawsuits in Less Developed Countries"(Nagoya, 6 December 2001)

Lecture at the Japan Shipping Exchange on "Certain Unique Characteristics of Canadian Law concerning Priorities to the Proceeds from the Judicial Sale of a Vessel" (Tokyo, 4 December 2001)

Lecture at the Japan Shipping Exchange on "Sanctity of Contracts and Sanctions for Breach of Contract under English Law" (Tokyo, 7 November 2001)

Lecture to the Nagoya International Chamber of Commerce on "Trade Finance Fraud: Fraud on buyers, sellers, carriers, insurers and banks involving bills of lading and letters of credit" (Nagoya, 27 September 2001)

Lecture to the Canadian Bar Association Legal Research Sub-section (British Columbia) on "Canadian Maritime Law and the Supreme Court of Canada Decision in *Ordon Estate v. Grail*" (Vancouver, 23 November 2000)

Speaker on "Bailment and Sub-bailment on Terms in Marine Cargo Claims Cases" at the Fourth International Conference on Carriage of Goods by Sea and Maritime Liability (Singapore, 2 May 1996).

Speaker on "Retention of Security in Maritime Arbitration - the Position in Canada/British Columbia and Japan" at the Vancouver Maritime Arbitrators Association Spring 1996 Lecture Series (Vancouver, 17 April 1996).

Lecture at the Japan Shipping Exchange on "Conversion Dates and Conversion Rates in Collision, Cargo Claims and Marine Insurance Cases" (Tokyo, 19 May 1995).

Lecture at the Non-Life Insurance Institute of Japan on "Bad Faith or Bad Form: the Wrongful Denial of Insurance Benefits under American and Anglo-Commonwealth Law" (Tokyo, 17 May 1995)

Lecture at the Non-Life Insurance Institute of Japan on "Bailment and Sub-bailment on Terms in Marine Cargo Claims Cases" (Tokyo, 18 August 1994).

Lecture to the Maritime Law Group of the Japan Shipping Exchange, Kobe Branch, on "Some Recent Developments in Safe Ports Law" (Kobe, 16 March 1993).

Series of 14 lectures on "Carriage of Goods by Sea and Bill of Lading", sponsored by the Japan Shipping Exchange (Tokyo, October 1991 - February 1992 and again October 1992 - April 1993).

Series of 9 lectures on "The English Law of Marine Insurance", sponsored by the Non-Life Insurance Institute of Japan (Tokyo, September - November 1991 and again September - November 1992).

Lecture to the Maritime Law Group of the Japan Shipping Exchange on "Validity of the Demise Clause under Japanese Law and the Consequences for Enforcement Abroad of Claims under Japanese Bills of Lading: *The Jasmin* and *The Dong Do*" (Tokyo, 29 July 1992).

Lecture to the Maritime Law Group of the Japan Shipping Exchange on "Delayed Applications for Stay of Proceedings in Shipping Cases" (Tokyo, 5 March 1992).

Lecture to the Hull Claims and Cargo Claims Departments of the Tokio Marine and Fire Insurance Company on "The Burden of Proof and Allegations of Unseaworthiness When a Vessel Disappears in Calm Seas" (Tokyo, 26 February 1992)