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PROFILE

David has eighteen years experience in the Canadian securities industry as a registered representative who dealt with individual and corporate accounts, and was licensed to trade securities in Canadian and U.S. markets. He has three years managing a Canadian export business, and eight years as a mediator, arbitrator and expert witness

He has rendered expert reports for litigation in five Canadian jurisdictions: Ontario, British Columbia, Alberta, Saskatchewan, and Quebec, and has testified in Ontario Superior Court.

David is currently a Mediator on the Court Roster Toronto, Ontario Superior Court of Justice and an Arbitrator for the Financial Industry Regulatory Authority (FINRA), the largest non-governmental regulator for securities firms doing business in the United States.

CAREER HIGHLIGHTS

- Mediated over 200 disputes and wrote over 70 expert witness opinions (2003-2010)
- Arbitrator, Financial Industry Regulatory Authority in the U.S. (since 2007)
- New York Stock Exchange, Arbitrator and Mediator (2004-2007)
- Arbitrator and Mediator, National Association of Security Dealers (2004-2007)
- Committee Member of Alternative Dispute Resolution Executive, Ontario Bar Association (2004-2010)
- Court appointed Mediator for Toronto, Ontario (since 2003)
- Dealt extensively with government institutions, corporations and small businesses as an investment advisor and consultant (1984-2000)
- Taught in MBA program at the Schulich School of Business, York University (1999-2004)
- Operated small export business venture (1994-1996)
- Seventeen years experience in the securities industry (1978-1995)
- General sales training at Merrill Lynch in New York (1979); licensed to trade U.S. and Canadian securities in Canada (1979-1995)

* In the decision on Newman v. T.D. Securities Inc., CanLII 463 (ON S.C.) Mr. Justice Smith repeatedly cited David's expert opinion to find in favor of the defendants (TD Securities Inc. & C. Martin). A copy of this decision is available at: <http://canlii.ca/on/cas/onsc/2007/2007onsc10068.html>

EXPERIENCE

1. Business and Business Services

FAIRWINDS FINANCIAL GROUP LTD.
President

(1996 - present)

Mediation, Arbitration and Expert Witness services for private parties in voluntary or mandatory alternative dispute resolution; financial services to individuals and corporations, and educational services to universities.

Accomplishments

- Mediated or co-mediated over 200 disputes from 2003-2010 with a settlement rate of over 70%.
- Expert Witness in Canadian securities disputes; clients include financial institutions and individual investors. Provided over 70 expert witness reports and evaluations for litigants in the securities industry, and has testified in Ontario Superior Court.
- Completed in June 2000 an historical review of the origins and development of the Independent Order of Foresters that contributed to a strategic repositioning and re-branding of the IOF into a 21st century fraternal benefit society.
- Created a computer generated real-time analysis of preferred shares, convertible bonds and royalty income trusts; and advised on a \$10 million private equity placement for Credifinance Securities Ltd. Completed in March 1999.
- Contracted to develop plans for a new mutual fund dealer, focusing on compliance, systems and administrative procedures for The Independent Order of Foresters (IOF), a fraternal benefit society. Completed by April 1998.
- Taught MBA international business and strategic management courses at the Schulich School of Business, York University.

GRQ PARTNERS**(1994 - 1996)****Chief Financial Officer**

Managed and co-owned an export company that distributed Canadian and U.S. building materials and hand tools in Latvia, Estonia and the Czech Republic.

Responsibilities included managing the daily operations of the company in Canada, monitoring the financial reports from our European affiliates and visiting our affiliates to physically inspect inventory and accounting systems. Also dealt with Canadian and Central European government officials for regulatory and tax purposes.

Arranged funding from the Export Development Corporation to finance over 2,000 items for export to Eastern Europe for up to \$500,000. Expanded sales from a standing start to \$1.5 million in one year.

2. Academics

Published "Freedom's Philosopher, Ernst Cassirer, 1874-1945 in The American Interest January / February 2007 (2007)

Lawyers Weekly (2003- 2004)

Published a series of articles on bringing best business practices to alternative dispute Resolution

York University, Schulich School of Business (1999 - 2004)

Contract teacher at the Schulich School of Business, York University; in international business and international strategic management

University of Toronto and York University (1972 - 1976)

Taught introductory courses in European history and the social sciences; and gave seminars in modern European Literature.

Published Ernst Cassirer: The Dilemma of a Liberal Intellectual in Germany 1914-1933 (University of Toronto Press, 1976)

3. Financial Services**BBN JAMES CAPEL****(1990 – 1995)****Vice President**

Responsible for institutional and corporate sales for preferred shares, computer analyses of preferred share markets, generation and management of new accounts and development of special financing projects.

Accomplishments

- Established long term business relations with senior executives in major corporations and institutions. Conducted the extensive dealings with lawyers and accountants to design tax driven investments and structured financial products.
- Since 1990 our trading group consistently held a 2-5% market share of publicly traded preferred shares.
- Conducted a study of the Baltic States on behalf of James Capel and the Hong Kong Bank Group to determine the feasibility of entering the capital and equities markets in that region.

**FRASER DINGMAN
Vice President****(1988 – 1990)**

Headed up Risk Management Department. Responsibilities included creating, marketing and trading strategies for maximizing client after tax cash flow by using preferred shares, options and futures. Reported to senior management committee.

**DEAN WITTER REYNOLDS (CANADA) AND GARDINER WATSON
Vice President and Director****(1983 – 1988)**

Participated in the expansion of the preferred share market in Canada while it increased ten fold to the \$30-\$40 billion range. Engaged in selling and trading new and listed preferred shares for institutional and corporate accounts. Advised corporate clients to maximize after tax cash flows by structuring tax credit investments.

MERRILL LYNCH ROYAL SECURITIES, RETAIL SALES**(1978 – 1983)**

Responsible for initiating client contacts, opening new accounts and advising on personal portfolios for equity and bond investments. 125-140 retail accounts opened, generating \$150,000-\$275,000 in commissions.

ROYAL BANK OF CANADA, BRANCH ADMINISTRATION**(1976–1978)**

Responsible for managing daily branch operations and reporting quarterly to regional office.

VOLUNTEER ACTIVITIES

**Better Living Health and Community Services,
Board of Directors, Audit and Planning Committees** (since 2010)

Alliance Hospice, Board of Directors, Board Member (2009 - 2011)

Ontario Bar Association, Committee Member of Alternative Dispute Resolution Executive
(2004 - 2010)

Helped draft new rules for Ontario’s Mandatory Mediation Program for the purpose of stream lining the flow of cases through the courts.

Design and mount professional educational panels for dispute resolution practitioners.

Friends of Public Education (2000-2002)

Established and chaired citizen’s group consisting of high school parents seeking to give input to the Ontario Minister of Education on revising the funding formula for public education in Ontario.

PROFESSIONAL CREDENTIALS

Financial and Regulatory

- Comprehensive Arbitration Training Course, ADR Institute of Ontario 2008
- Governance Essentials Program for Directors of Not for Profit Organizations, Rotman School of Management 2008
- New York Stock Exchange, Arbitrator and Mediator 2004
- Roster NASD Dispute Resolution, Arbitrator and Mediator 2004
- Elected to Alternative Dispute Resolution Executive Committee, Ontario Bar Association 2004
- Toronto Court Roster Mediator 2003
- Alternative Dispute Resolution and Negotiation Courses, Faculty of Law, University of Windsor 2002
- Partners, Directors and Officers Exam, Investment Dealers Association 1985
- Fellow of the Canadian Securities Institute 1984
- Canadian Investment Finance 1 & 2 (CSI) 1984
- National Commodity Futures Exam 1983
- Canadian Securities, Registered Representative and Options Courses 1978

Academic

- University of Toronto, Ph.D (Modern Europe) 1975
- University of Sussex, M.A. (Comparative Literature) 1970
- City College of New York, B.A.(History) 1969