

**PAUL MICHAEL IACONO, Q.C.**  
**34 Stag Hill Drive**  
**Toronto ON**  
**M4B 1K6**

**CURRICULUM VITAE**

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Married : Wife - Maila

Children : Daniel, Timothy

Born October 19, 1946  
Toronto, Ontario

Telephone: Business: (416) 866-2400

**PROFESSIONAL PRACTICE**

|             |   |
|-------------|---|
| Present     | Mediator, Arbitrator, Investigator<br><b>ADR Chambers</b>                                     |
| 2003 - 2018 | Counsel<br><b>BEARD WINTER LLP, Barristers</b>  |
| 1997 - 2018 | President<br><b>YORKSTREET DISPUTE RESOLUTION GROUP INC.</b>                                  |
| 1990 - 2003 | Partner<br><b>IACONO BROWN, Barristers</b>  |
| 1973 - 1990 | Partner<br><b>LYONS, GOODMAN, IACONO, SMITH &amp;<br/>BERKOW, Barristers &amp; Solicitors</b> |
| 1997 - 2018 | President<br><b>YORKSTREET DISPUTE RESOLUTION GROUP INC.</b>                                  |

**EDUCATION**

- 1996                    **ADVANCED COMMERCIAL MEDIATION**  
Canadian Dispute Resolution  
Corporation Commercial  
Mediation Program
- 1996                    **ADVANCED MEDIATION**  
Advocates' Society  
Lewis & Singer  
  
A follow up to the Harvard Mediation Project; How to deal with  
impasse and multi-party disputes; as well as designing A.D.R.  
systems.
- 1992                    **ARBITRATION II**  
University of Toronto  
School of Continuing Studies  
  
(Advanced credit course providing an in depth examination of  
the elements of law affecting arbitrations, with a special  
emphasis on insurance disagreements)
- 1990                    **MEDIATION TRAINING**  
Canadian Dispute Resolution Corporation  
  
(Trained in the techniques and skills of providing a structural  
process to assist parties in resolving disputes)
- 1990                    **SPECIALIST CERTIFICATION, CIVIL LITIGATION**  
Law Society of Upper Canada
- 1984                    **QUEEN'S COUNSEL**
- 1972                    **ADMITTED TO BAR**, Law Society of Upper Canada
- 1970                    Osgoode Hall Law School, LL.B.
- 1967                    University of Toronto, B.A.

## **MEMBERSHIPS**

Honorary Member, 1996, Ontario  
Insurance Adjusters Association

Deputy Judge, Small Claims Court

Director - The Advocates' Society  
1985 - 1988

Director - The Toronto East General Hospital Trust  
Foundation

Director - The Canadian Paralegic Association of Ontario

Member - Canadian Bar Association, ADR Section (Chairman, 2003/2004)

Member - The Advocates' Society

Member - Metropolitan Toronto Lawyers Association

Member - Medico-Legal Society of Toronto

Fellow of the International Academy of Mediators

## **A.D.R. AFFILIATIONS**

Mediation & Arbitration Panelist, YorkStreet Dispute  
Resolution Group Inc.

Mediation & Arbitration Panelist, Arbitration and  
Mediation Institute of Ontario Inc.

Member - The Arbitration and Mediation Institute of Ontario

Member - Law Society of Upper Canada "Working Group on  
Rules of Professional Conduct for Lawyers Acting as  
Mediators"

Member - Advisory Committee, York University, ADR - Practice,  
Management and Administration

Member - Canadian Bar Association - ADR Section

## **AWARDS AND HONOURS**

2015 Order of the Knights  
 2013 IAM – President’s Award  
 2009 O.B.A. – Award of Excellence in Mediation  
 1996 OIAA – Honorary Life Member

## **TRAINING AND EDUCATION DEVELOPMENT**

Lecturer for Law Society of Upper Canada -  
 Special Lectures -

Lecturer for Canadian Bar Association

Past Instructor - Osgoode Hall - Bar Admission  
 Course (Civil Procedure II)

Member - Editorial Board - Insurance  
 Law Review

Member - Editorial Board - Defence Research Institute

Contributor - Legal Focus (Case Law Reporter)

Legal Editor - Legal Focus on Property and General  
 Liability Insurance

Editor - The Canadian Bar Association - Ontario -  
 Alternative Dispute Resolution Section News

## **PUBLISHED ARTICLES**

### **Alternative Dispute Resolution**

1. P. Iacono, "Who Needs the Courts? Alternate Dispute Resolution" (1986) 51 Without Prejudice 59; (1988) 53 Without Prejudice 61; (1993) 12 Legal Alert 2.
2. P. Iacono, "Mechanics of Mediation" (1994) 36 The Canadian Independent Adjuster 3. Court Annexed A.D.R. Law Society of Upper Canada, March, 1994.

3. P. Iacono, "Court-Annexed ADR 'Quovadis'" (1994) 59 Without Prejudice 27.
4. P. Iacono, "Fitting the Forum to the Fight: Which ADR Process is Best Suited to Your Dispute" (1995) 60 Without Prejudice 6; (1995) 14 Legal Alert 70; (1995) 37 The Canadian Independent Adjuster 16.
5. P. Iacono, "The ADR Imperative" (1996) 1 Legal Focus on Property and General Liability Insurance 87; (1996) 60 Without Prejudice 6, (1996) 38 The Canadian Independent Adjuster 2.
6. P. Iacono, "ADR Well-Suited to Property and Casualty Insurance Claims" (1996) 15 Legal Alert 5.
7. P. Iacono, "Let There Be No Doubt; Bill 59 is ADR Driven", (1997) 39 The Canadian Independent Adjuster 2; (1997) 1 Legal Focus on Property and General Liability Insurance 21 (entitled "Insurance Disputes: The Way of the Future is ADR"); (1997) 62 Without Prejudice 29; (1997) 16 Legal Alert 7 (entitled "Bill 59 Directs Disputes Through A.D.R. Process").
8. P. Iacono, "ADR or Perish" (1998) 62 Without Prejudice 9; (1998) 40 The Canadian Independent Adjuster 1.
9. P. Iacono, "Effective Tactics in Mediation: Dealing in Personalities (1998) International Association of Defence Counsel Newsletters 97/98-02 April.
10. P. Iacono, "ADR - A Neighbourly Point of View" (1998) Summer ADR Choices - Publication of DRI Alternative Dispute Resolution Committee Defense Research Institute 5.
11. P. Iacono, "Mandatory Mediation - -A Horse of a Different Colour" (1998) 17 Legal Alert 8.
12. P. Iacono, "Mandatory Mediation: Strategies for the Insurance Industry" (1999) 63 Without Prejudice 45, (1999) 40 The Canadian Independent Adjuster 12.
13. P. Iacono, "Strategies for Success - Choosing the Best ADR Process" (2000) 42 For the Defense 45.
14. P. Iacono, "Mandatory Mediation - Water Under the Bridge" (2000) 42 The Canadian Independent Adjuster 9, (2000) 65 Without Prejudice 6.
15. P. Iacono, "Appendix I - Choosing the Best ADR Process for your Dispute and Maximizing the Chances of Success at the Mediation" (2001) Mediation and Negotiation: Representing your Clients, authored by Michael Silver.

16. P. Iacono, "Preparing for Mediation: Important Issues to Consider" (2002) 6 Legal Alert 50; (2002) 67 Without Prejudice 2.
17. P. Iacono, "Time Trials" (2006) Canadian Underwriter, January 2006, p.44
18. P. Iacono, "Has Mediation Replaced Litigation?" (2007), 26 Legal Alert 7
19. P. Iacono, "Mediation and Personal Injury Cases: Where Do We Go From Here?" (2008), 72 Without Prejudice 5; (2008) 1 Claims Canada 5
20. P. Iacono, "Mediation and Personal Injury Cases: Where Do We Go From Here?" P. Iacono, "Is Our Jurisprudence Suffering from Too Much Mediation" (2008), 27 Legal Alert 5
21. P. Iacono, "Multicultural Issues in Mediation" (2013) 32 Legal Alert 2; (2013) Summer L'avvocato 2

### **Procedural**

22. P. Iacono, "Underinsured and Uninsured Motorist Coverage" (1986) 50 Without Prejudice 38.
23. P. Iacono, "Sunshine on the Insurance Industry" (1988) 7 Advocates' Society Journal 18; (1989) 53 Without Prejudice 7; (1989) 1 CLLR 195; (1989) 31 The Canadian Independent Adjuster 18.
24. P. Iacono, "The 1990's - The Age of Reasonableness" (1989) 8 Advocates' Society Journal 36; (1990) 1 C.I.L.R. 255.
25. P. Iacono, "The Mary Carter Agreement in Canada" (1990) 55 Without Prejudice 50; (1991) 2 CILR 171; (1993) 11 Legal Alert 131; (1994) 36 The Canadian Independent Adjuster 36.
26. P. Iacono, "Examination for Discovery: the Process, the Purpose" (1992) 56 Without Prejudice 19.
27. P. Iacono, "Mary Carter Revisited" (1993) 58 Without Prejudice 19; (1994) 4 Canadian Insurance Law Review 3.
28. P. Iacono, "Bill 164 Under Insurance Act Creates More Adversarial Process for First Party Benefits" (1994) 12 Legal Alert 11.
29. P. Iacono, "Contingent Fees - Why All The Fuss" (1997) 1 Legal Focus on Property and General Liability Insurance 20; (1997) 16 Legal Alert 1 (entitled "Contingent Fees will Give More People Access to Courts"); (1997) 62 Without Prejudice 46.

30. P. Iacono, "Pro-Active Defences in Occupiers' Liability Cases" (1998) 62 Without Prejudice 45.
31. P. Iacono, "Disclosure of Surveillance Evidence Prior to Trial" (1999) 41 The Canadian Independent Adjuster 21, (1999) 63 Without Prejudice 54.
32. P. Iacono, "Insurers and Their Counsel - The Costs Controversy" (2001) 65 Without Prejudice 6, (2001) 43 The Canadian Independent Adjuster 12.
33. P. Iacono, "Legal Counsel Costs - Value or Not?" (2001) 68 Canadian Underwriter 48,
34. P. Iacono, "A Contemporary Approach to Risk Analysis" (2002) 66 Without Prejudice 10, (2002) 44 The Canadian Independent Adjuster 16, (2002) 11 Legal Focus on Property and General Liability Insurance 78.

### **Evidentiary**

35. P. Iacono, "Dealing with the Expert Witness" (1992) 56 Without Prejudice 48; (1997) 1 Legal Focus on Property and General Liability Insurance 27.

### **Legal Principles**

36. P. Iacono, "Who is Your Neighbour in the 80's" (1986) 50 Without Prejudice 5; (1986) 5 Advocates' Society Journal 46.
37. P. Iacono, "The Municipality as Occupier of Recreational Property" (1987) 6 Advocates' Society Journal 27; (1988) 52 Without Prejudice 6.
38. P. Iacono, "Threshold - Court of Appeal Guidelines" (1994) 36 The Canadian Independent Adjuster 1.
39. P. Iacono, "*Pettey v Avis Car Inc.* - Case Commentary" (1994) 58 Without Prejudice 44.
40. P. Iacono, "Medical Device Liability "An Ever Rising Standard of Care" (1995) 59 Without Prejudice 6, (1995) 13 Legal Alert 11; (1995) 37 The Canadian Independent Adjuster 1.
41. P. Iacono, "Justice for Innkeepers: Alcohol and Tort Law" (1995) 1 Legal Focus on Property and General Liability Insurance 1; (1995) 60 Without Prejudice 43.
42. P. Iacono, "The O.M.P.P. Threshold: Where Are We Now? (1995) 14 Legal Alert 21, (1996) 61 Without Prejudice.

43. P. Iacono, "Supreme Court of Canada Articulates Reasonable Test for Innkeeper Liability" (1996) 14 Legal Alert 78.
44. P. Iacono and W.G. Scott, "Medical Device Liability Update", 15 Lawyers Weekly 6; (1996) 14 Legal Alert 12; (1996) 60 Without Prejudice 11.
45. P. Iacono, "Tortious Interference With Contractual Rights Will the Fog Ever Lift" (1996) 61 Without Prejudice 62, (1996) 38 The Canadian Independent Adjuster 16.
46. P. Iacono, "*Peixeiro v Haberman* - Case Commentary" (1998) 62 Without Prejudice 45.
47. P. Iacono, "*Campanaro v Kim* - Case Commentary: The End of the Defence of Void Ab Initio" (1999) 63 Without Prejudice 6.
48. P. Iacono, "*Whiten v. Pilot Insurance et al* - Case Commentary" (1999) 18 Legal Alert 3, (1999) 41 The Canadian Independent Adjuster 16 .
49. P. Iacono, "The Evolving Landscape of Jurisprudence Trying Disability Cases with Juries: A Slow Train Coming" (2004) Without Prejudice Vol.68, No. 7

### **Damages**

50. P. Iacono, "Injuries in the Work Place: Promise or Despair?" (1990) 1 C.I.L.R. 263.
51. P. Iacono, "Production and Payment of Plaintiffs' Medical Reports Under O.M.P.P." (1993) 57 Without Prejudice 9.
52. P. Iacono, "Strategies for Effective Control of the Rehabilitation Process" (1994) 58 Without Prejudice 8; (1994) 36 The Canadian Independent Adjuster 2; 5 CILR 87.
53. P. Iacono, "More Recovery in Tort under Bill 164" (1995) 14 Legal Alert 4.
54. P. Iacono, "The Fourth Protocol" (1996) 61 Without Prejudice 6.
55. P. Iacono, "The Punitive Damage Award in Canada - American Pariah; or Legitimate Head of Damage" (1997) 61 Without Prejudice 43.
56. P. Iacono, "Sign of the Times: Libel and Slander - Personal Injury Coverage" (1998) 1 Legal Focus on Property and General Liability Insurance 2.



57. P. Iacono, "Libel and Slander, The Right Coverage: the Duty to Defend" (1998) 62 Without Prejudice 6; (1998) 40 The Canadian Independent Adjuster 3.
58. P. Iacono, "Workplace Safety and Insurance Act: What's in a Name" (1998) 63 Without Prejudice 43; (1998) 40 The Canadian Independent Adjuster 4; (1998) 2 Labour Alert 10.
59. P. Iacono, "A New Millennium and A New Target Defendant", (1999) 1 Legal Focus 12, (2000) 64 Without Prejudice 12, (1999) 42 The Canadian Independent Adjuster 25.
60. P. Iacono, "The Punitive Damage Award in Canada - Where Will the Pendulum Stop?" (2000) 64 Without Prejudice 10, (2000) 6 Legal Focus on Property and General Liability Insurance 4, (2000) 42 The Canadian Independent Adjuster 2, (2000) Excess/Surplus Lines Claims Association - Declarations, 35.

### Class Actions

61. P. Iacono, "Class Actions and Products Liability In Ontario - What Will Happen?" (1991) 56 Without Prejudice 46; (1991) 3 CILR 99.
62. P. Iacono, "Class Actions - Defensive Strategies" (1993) 57 Without Prejudice 9.
63. P. Iacono, "Class Actions - The Ontario Experience" (1994) 58 Without Prejudice 8; 5 CILR 75.
64. P. Iacono and W.G. Scott, "Defence Strategies Under the Class Proceedings Act", (1996) 1 Legal Focus on Property and General Liability Insurance 115; (1997) 1 Legal Focus on Property and General Liability Insurance 28.

### LECTURES AND ESSAYS

1. P. Iacono, "Damage Awards Under the Family Law Reform Act in Non-Fatal Cases" in Canadian Bar Association-Ontario Civil Litigation Section, **Family Law Reform Act Claims of Spouses and Other Family Members of Injured Plaintiffs in Non-Fatal Situations** (1985).
2. P. Iacono, "Risk Management and the Expanding Horizons of Liability", Society of Public Insurance Administrators of Ontario (Risk Management), **Workshop lit** (1986).

3. P. Iacono, "How High the Threshold - Defence Strategies in the New Era", Insight Educational Services, **The Implementation of No-Fault Insurance in Ontario** (1990).
4. P. Iacono, "Winning Strategies and Tactics in Small Claims Court", The Law Society of Upper Canada, **Ceiling \$6,000.00: The New Small Claims Court** (1993).
5. P. Iacono and F. Gomberg, "The Forensic Accountant in Personal Injury Litigation", The Canadian Institute of Chartered Accountants of Ontario, **The 3rd Investigative and Forensic Accounting Interest Group Conference** (1995).
6. P. Iacono, "Tort Recovery in Alcohol-Related Cases: Recompense or Relegation", Ontario Community Council on Impaired Driving, **Countermeasures '96, Destination 2000** (1996).
7. P. Iacono, "ADR - A Second Look from the 49th Parallel" (2001).
8. P. Iacono, "Preparing for Mediation - Important Issues to Consider" (2002)
9. P. Iacono, John Beaucage, Alicia Kuin "How a new kind of resolution process can support reconciliation Opinion: How a 'hybrid process' style of mediation could help in treaty disputes" *Mcleans* (2017).
10. P. Iacono, J. Beaucage, and A. Kuin, "Anishnabe N'Oon DA Gaaziiwin: an Indigenous Peacemaking Mediation Nexus" *Fourth World Journal*. (2018).
11. P. Iacono, "The Art and Science of Mediating" (2019).
12. P. Iacono, "Mediation Strategies and Techniques Dealing with Subjective Injuries" (2019).

### **CONFERENCE PARTICIPANT**

1. P. Iacono, (Panelist) "**Handling the Acquired Brain Injury Claim**", Insight Conferences/The Globe and Mail (1995).
2. P. Iacono, (Panelist) "**Symposium on Alternate Dispute Resolution**", Insurance Bureau of Canada (1996).
3. P. Iacono, (Speaker) "**Canadian Association of Black Lawyers**", Expert Evidence (1997).

4. P. Iacono, (Speaker), Mary Carter Agreement; Are they being used to their Full Potential, "**Setting up for Success: Winning Strategies for Targeting Non-Protected Defendants**", Ontario Trial Lawyers Association, (1997).
5. P. Iacono, (Speaker), Mandatory Mediation - Strategies for the Insurance Industry, "**OIAA Claims '99**", Ontario Insurance Adjusters Association, (1999).
6. P. Iacono, (Speaker), Preserving and Improving the Jury Trial, "**1999 Canadian Defence Lawyers Annual Meeting**", (1999).
7. P. Iacono, (Speaker), Defending Long-Term Disability Cases, Controlling Successful Settlements, "**Litigating Disability Insurance Claims**", The Canadian Institute, (1999).
8. P. Iacono, (Speaker), Legal Costs - Can We Get Off the Hourly Rate, "**Section Meeting**", The Canadian Bar Association, (2000).
9. P. Iacono, (Speaker), The Affect of American Jurisprudence on Canadian Law, "**Canadian Italian Advocates' Organization - Joint Conference with the National Italian American Bar Association**", (2000).
10. P. Iacono, (Speaker), Negotiating Strategies for Defendants - "Between a Rock and a Hard Place", "**Litigating Disability Insurance Claims**", The Canadian Institute, (2000).
11. P. Iacono, (Chair), "**ADR Practice Talk - The Insurer's Point of View - Best Practices at Mediations of Actions Involving Insurers**", Canadian Bar Association - Ontario, ADR Section, (2001).
12. P. Iacono, "Preparing a Case for Trial", Seneca College, (March, 2001).
13. P. Iacono, (Chair) "Getting the Most out of Mandatory Mediation", "**ADR Best Practices Seminar**", Canadian Bar Association - Ontario, ADR Section, (2001).
14. P. Iacono, (Speaker), Achieving Cost Effective File Management, "**Insurance Litigation Conference**", The Canadian Institute, (2001).
15. P. Iacono, (Speaker) "**Effectively Managing Insurance Claims**", Insight Conference (2001).
16. P. Iacono, (Co-chairman and Speaker), "**2002 Institute of Continuing Legal Education - ADR Section**", Ontario Bar Association, (2002).

17. P. Iacono, (Speaker), "**An Inside Advantage: Effective Negotiation and Mediation of Personal Injury Claims**", The Law Society of Upper Canada, Special Lectures (2002).
18. P. Iacono, (Speaker), "**Making the Most of Private ADR in Auto Insurance Claims Litigation**", The Canadian Institute, (2002).
19. P. Iacono, (Speaker), "**Private ADR - Advocacy - Evidence - What Works?**", Admissibility of Forensic and Demonstrative Evidence for Insurance Claims, Insight Conference, (2003).
20. P. Iacono, (Speaker), "**Auto Insurance Claims Litigation Under Ontario's new Bill 198**", The Canadian Institute, (2003).
21. P. Iacono, (Co-chairman), "**A Sword, A Shield - Mediation is Both. Use it Either Way - Improve your Skills**", Ontario Bar Association - ADR Section, (2003).
22. P. Iacono, (Speaker), "**Assessing Damages**", The Canadian Institute, Auto Insurance Claims Litigation, (December 9, 2003)
23. P. Iacono, (Speaker), "**Choose The Right ADR Forum: Arbitration, Mediation, Neutral Evaluation**", International Council of Shopping Centres (ICSC) Law Conference: Arbitration and Mediation, (March 4, 2004)
24. P. Iacono, (Speaker), "**Are You Dying To Mediate: The Differences Between Rule 24.1 and The Estate Mediation Rule**", OBA Seminar Presentation (March 30, 2004)
25. P. Iacono, (Speaker), "**Mediating Auto Insurance Claims: What Lawyers and Their Clients Need To Know**", The Canadian Institute (June 11, 2004)
26. P. Iacono, (Speaker), "**Fixing The Civil Justice System: It Is Just Like Starting Over**", The Canadian Institute Conference on Insurance Coverage Disputes (June 24 and 25, 2004)
27. P. Iacono, (Chair), "**Mediation Is No Mystery: Keep It Simple**", The Ontario Bar Association, ADR Section (October 22, 2004)
28. P. Iacono, (Speaker), "Mediating Damages", The Canadian Institute Conference on Litigating Personal Injury Damages (February 25, 2005)
29. P. Iacono, (Speaker), "Civil Justice and ADR: The Times, They Are A-Changing", The Ontario Bar Association (November 11, 2005)
30. P. Iacono (Speaker), "**Avoiding Serious And Costly Error: Managing**

**Bill 198 and the New Regulations",** The Canadian Institute, Auto Insurance Claims Litigation (November 28, 2005)

31. P. Iacono (Speaker), "**Bill 198 Update and The Ever-Changing Threshold Bar**", Infonex, Insurance Litigation Disputes, Chair, (December 5 & 6, 2005)
32. P. Iacono (Chair and Speaker), "**Mediation Strategy For Insurers: What works? Improve your success**", Ontario Insurance Adjusters Association: Claims 2006 (January 25, 2006)
33. P. Iacono (Facilitator), "**The Opening Session at Mediation: Setting The Table**", American Bar Association, ADR Section (October 19, 2006)
34. P. Iacono (Moderator & Speaker), "**Does Private Mediation Add Value to the MVA Litigation Process?**", Canadian Institute Advanced Forum on Motor Vehicle Accident Litigation (September 25 & 26, 2007)
35. P. Iacono (Panellist), "**The Mediator's Role in Dispute Resolution - What Works and What Doesn't?**", Osgoode Hall Law School, Professional Development CLE, 3<sup>rd</sup> Annual Update on Personal Injury Law and Practice (October 17, 2007)
36. P. Iacono (Speaker), "**Preparing for Settlement: Hits for a Successful Pre-Trial and Mediation**", Ontario Trial Lawyers Association 2007 Fall Conference (October 26, 2007)
37. P. Iacono (Speaker), "**Has Mediation Replaced Litigation?**", 9<sup>th</sup> Annual Investigative and Forensic Accounting Conference, Toronto (October 29 & 30, 2007)
38. P. Iacono (Speaker), "**The Essentials of Settlement From Offers to Handshakes**" Ontario Bar Association. Toronto (Dec. 10, 2008)
39. P. Iacono (Speaker), "**Mediation 101: You've Heard About It ... Now See it for Yourself** " 2014 IMA 58<sup>th</sup> Annual Conference. Toronto (Jun. 24, 2014)