

HARVEEN THAULI

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PROFESSIONAL PROFILE

Experienced arbitrator and professional conduct, sports and corporate/securities lawyer with diverse legal skills, experience and background. Dedicated professional with a strong sense of vocation. Skillful in identifying, analyzing and solving problems, which are enhanced by tenacity, sense of right and the ability to think creatively. Excellent listener and skilled communicator with great empathy and emotional intelligence.

LEGAL EXPERIENCE

Sports Arbitrator

Fédération Equestre Internationale (FEI) Tribunal

2017 to present

The International Governing Body of Equestrian Sport located in Lausanne, Switzerland

- Adjudicate cases related to breaches of the FEI rules and regulations with the authority to issue fines, disqualify horses or athletes from competitions or events, and suspend horses or athletes for any period of time up to and including life suspensions.
- Review and approve settlements negotiated between the FEI legal department and the athlete or athlete's lawyer.
- Participate in Tribunal meetings in person or by conference calls to discuss the goals and mandates of the FEI and the FEI Tribunal, procedural matters, and legal issues, including criminal and safeguarding (harassment/abuse) matters.
- Review and comment on proposed amendments to the FEI rules and regulations.
- Specifically selected as one of three ad hoc Arbitrators of the FEI Tribunal for Tokyo 2020, the 2021 Summer Olympic Games in Tokyo, Japan.

Sport Resolutions (UK)

2021 to present

- Appointed as an Arbitrator to the International Panel to adjudicate on sports-related disputes.
- Specifically selected as an ad hoc Arbitrator of the Federation Court for the 2022 Commonwealth Games in Birmingham, England.

Sport Dispute Resolution Centre of Canada

2021 to present

- Selected as a Roster Arbitrator to the Ordinary Tribunal and the Doping Tribunal to adjudicate on sports-related disputes.
- Specifically selected as an ad hoc Arbitrator for the 2022 Canada Summer Games in Niagara, Canada.

World Athletics

2023 to present

- Appointed to the Disciplinary and Appeals Tribunal to adjudicate disputes on the sport of athletics, including track and field, cross country running, road running, race walking, mountain running and ultra running.

Arbitrator

British Columbia Farm Industry Review Board

2019 to 2023

- Assist panel with supervising BC's regulated commodity boards and commissions.
- Hear appeals of regulated marketing board and commission orders and decisions.
- Hear appeals of certain animal custody and cost decisions of the BC Society for the Prevention of Cruelty to Animals.
- Hear farm practices complaints from persons disturbed by odour, noise, dust and other disturbances arising from agriculture and aquaculture operations.
- Conduct farm practices studies.

ADR Institute of BC

2022 to present

- Appointed under section 177 of the Insurance (Vehicle) Regulation to determine actual cash value of a vehicle declared a total loss.

Sole Practitioner **Securities Litigation**

2013 to present

- Plan and write comprehensive legal submissions on allegations of breaches of the *Securities Act* (British Columbia) and represent clients before regulatory bodies.

Representative Matters:

- Represented a consultant who allegedly participated in a cash swap scheme that involved the illegal distribution of securities.
- Represented an exempt market dealer in arguing against providing disclosure beyond the scope of the BC Securities Commission's jurisdiction.
- Represented with a colleague an appellant who was found to have committed fraud under securities laws. Successfully argued in the BC Court of Appeal that the penalties imposed on the appellant were disproportionate given the amount involved in the alleged fraud and his unblemished record.
- Represented corporate respondents to argue that disgorgement orders made against them were punitive and not in the public interest.
- Represented a market participant in an alleged insider trading case.
- Represented an audit committee chair in an alleged illegal distribution involving two church investment funds.

Securities Transactions and Compliance

- Provide legal advice and prepare documents on all matters related to corporate/securities transactions and securities law compliance.

Representative Matters

- Prepared continuous disclosure filings required by securities legislation for reporting issuers.
- Advised on corporate governance requirements, including reviewing and revising policies and procedures manuals.
- Incorporated and/or amalgamated companies.
- Advised on pre-public financing, including preparing private placement and related business agreements.
- Prepared SEDAR filings and provide other corporate services to public companies.
- Advised on compliance with anti-money laundering legislation.
- Represented a mortgage investment entity in arguing against its non-compliance with the registration exemptions under securities laws.
- Represented finders in terminating their referral arrangement agreement with an exempt market dealer.
- Assisted with preparing applications for registration as an exempt market dealer in anticipation of the British Columbia Securities Commission's revocation of BC Instrument 32-517 *Exemption from Dealer Registration Requirement for Trades in Securities of Mortgage Investment Entities*.

Thauli Sports Law

2019 to present

- Provide legal advice on sports related matters, including advising on regulatory investigations, disciplinary proceedings, governance issues, and compliance and risk management.

Independent Counsel

2013 to present

Professional Conduct

- Retained by the Law Society of British Columbia as outside counsel to investigate lawyers who are alleged to have breached the *Legal Profession Act*, the Law Society Rules, and/or the *Code of Professional Conduct*. Specifically retained for subject matter expertise in securities and anti-money laundering legislation to investigate corporate/securities lawyers. (2019 to present)

Teacher

- Taught the fall 2018, summer 2022 and summer 2023 sessions of the Professional Legal Training Course, a mandatory 10 week program that articulated students must complete for admission to the Bar of BC. Retained as a substitute teacher to teach, evaluate students, mark assessments and exams. (2019 to present)

Litigation

- Retained as Associate Counsel to represent the Insurance Corporation of BC (ICBC) in motor vehicle accidents. (2015 to 2016)
- Assisted with representing the defendant developer against approximately 85 plaintiffs in a complex commercial litigation matter. (2013 to 2014)

Staff Lawyer

2010 to 2012

The Law Society of British Columbia

- Conducted detailed investigations into breaches of the *Legal Profession Act*, the Law Society Rules, and the *Code of Professional Conduct*. Collected evidence involving complex legal issues, and applied legal analysis and assessment to that evidence. Prepared evidence to the standard suitable for presentation at a Discipline Hearing.
- Exercised discretion to close an investigation by drafting clear and comprehensive written legal decisions communicating the essence and correctness of the assessment to lawyers, complainants, the Complainants' Review Committee and the Ombudsperson's Office. Alternatively, referred an investigation to the Discipline Committee, a sanction approval body, by preparing comprehensive legal opinions of fact and law supporting disciplinary action against a lawyer. Presented and defended the legal opinions before the Discipline Committee.
- Prepared detailed correspondence to members and complainants. Requested specific information by asking in-depth questions similar in scope to a discovery.

Senior Legal Counsel

2007 to 2009

The British Columbia Securities Commission

- Selected to develop legislation, including harmonizing National Instrument 45-106 *Prospectus and Registration Exemptions* and National Instrument 45-102 *Resale of Securities*.
- Analyzed and determined discretionary relief applications for reporting issuers with the objective of facilitating business without compromising investor protection or market integrity.
- Assisted market participants in understanding their regulatory obligations by answering public inquiries.

Senior Investigator / Investigator

2002 to 2009

The British Columbia Securities Commission

- Conducted detailed investigations into breaches of the *Securities Act*, including allegations of fraud and misconduct in the securities markets.
- Interviewed complainants/witnesses and respondents who had committed breaches.
- Prepared comprehensive briefs for hearings and made recommendations for outcomes.
- Collected and analyzed various business and financial records, including bank and brokerage statements and financial statements.
- Liaised with other regulators when investigations involved multiple jurisdictions, such as the United States and Bermuda, and/or breaches of other Canadian legislation.

Associate

- Morton LLP (2000 to 2002): Securities: public and private companies.
- Goldman Mathiesen (1999 to 2000): Corporate/commercial, civil litigation and collections.
- Mouzourakis & Company (1998 to 1999): Primarily plaintiff personal injury and commercial litigation.
- Lemer Kambas Galbraith (1996 to 1998): Primarily ICBC defence and construction.
- Derpak & White (1995 to 1996): Articled Student.

COMMUNITY / PRO BONO ACTIVITIES

- Sponsor and volunteer arbitrator for the International Football Arbitration Moot. Assess and provide feedback on submissions prepared by law students worldwide on a football (soccer) moot problem. (2022 (inaugural year) to present)
- Presented a webinar called "Locking Down the Basics: A Securities Law Primer" offered by the Canadian Bar Association – BC Branch. (April 2018)
- Participated as a member of the Bylaws & Rules Revision Subcommittee for a Vancouver sports and recreational facility. One of three lawyers rewriting the bylaws and rules for this 8,000 member club. Drafted detailed disciplinary procedures, which will now survive a court challenge. (2008 - 2012)
- Appointed to serve on the Advisory Committee to the Judicial Council of BC of the Canadian Bar Association (BC Branch). Responsible for assessing the suitability of applicants for the Provincial Court Bench and influencing the Judicial Council's decision to grant interviews to potential candidates. (2009 - 2011)
- Provide free legal advice on behalf of Access Pro Bono Society of BC to those persons who cannot obtain legal aid or afford a lawyer. Recognized for providing practical and strategic solutions. (2009 – 2022)

EDUCATION

Legal Education

- **Juris Doctor:** University of Western Ontario (1995)
- **Bachelor of Civil Law:** Laval University (1994)
- **Bachelor of Commerce:** University of British Columbia (1989)

Designations and Certifications

- **Certified Arbitrator:** ADR Institute of Canada
- **Certificates:** Derivatives Fundamentals Course (2008), Going Public and Continuous Disclosure (2000), Canadian Securities Course (1997), and French as a Second Language (1990)
- **Sports Certificates:** The Academy of Leadership Sciences Switzerland: Sports Law in Canada (March 2022) and Sports Law in the USA (October 2022)

PROFESSIONAL ASSOCIATIONS

- Member of the Law Society of British Columbia
- Member of the Canadian Bar Association (BC Branch)
- Member of Women in Sports Law
- Member of the ADR Institute of Canada
- Member of the Women's White Collar Defense Association