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EMPLOYMENT

- 2022 – Downing Professor of the Laws of England
Faculty of Law, University of Cambridge
Fellow, Gonville and Caius College, Cambridge
Director, Cambridge Private Law Centre
Courses taught: Equity (undergraduate level); Restitution,
Advanced Private Law, English, Comparative and Transnational
Secured Transactions Law (postgraduate level).
- 2017-2023 Visiting Professor, Faculty of Law, University of Oxford.
Courses taught: Trusts, Land Law (undergraduate level);
Advanced Property and Trusts, Restitution (postgraduate level).
- 2000-2022 Professor, Faculty of Law, McGill University.
Full Professor (2007-2022); Sir William C. Macdonald Professor
of Law (2014-2022); James McGill Professor of Law (2004-2014);
Associate Professor (2000-2007); William Dawson Scholar in
Law (2003-2004).
2007-2014: Director, Paul-André Crépeau Centre for Private and
Comparative Law (until 2012, the Quebec Research Centre of
Private and Comparative Law).
2001-2004: Associate Dean, Graduate Studies and Research.
Courses taught: Advanced Civil Law Obligations, Advanced
Common Law Obligations, Business Associations, Civil Law
Perspectives, Civil Law Property, Common Law Perspectives,
Common Law Property, Comparative Trust Law, Equity and
Trusts, Property/*Les biens*, Remedies, Restitution.
- 2013-2016 Professor of Private Law, Dickson Poon School of Law, King's
College London. Partial appointment.

- 1996-2000 Ann Smart Fellow and Tutor in Law, St. Hugh's College, Oxford University, and Lecturer in Law, Oxford University.
Courses taught: Commercial Law, Criminal Law, Trusts (undergraduate level); Restitution (postgraduate level).
- 1994-1996 Assistant Professor, Faculty of Law, University of Alberta.
Courses taught: Agency, Company Law, Personal Property Security, Restitution, Trusts.
- 1991-1992 Assistant Professor, Faculty of Law, University of Alberta.
Courses taught: Contracts, Restitution, Sale of Goods.
- 1990-1991 Law Clerk to the Hon. Mr. Justice John Sopinka, Supreme Court of Canada.

EDUCATION

☐ **Faculté de droit, Université de Montréal: LL. B. (in civil law) (part time, 2001–2006).**

Mention d'excellence. Granted advanced standing because of my previous qualifications; in this degree, my studies focused entirely on Quebec civil law.

☐ **Lincoln College, Oxford: D. Phil. (1992–94).**

Title of Thesis: “Tracing, Property and Restitution”. Commonwealth Scholar and Social Sciences and Humanities Research Council of Canada Doctoral Fellow. Elected to Lord Crewe’s Scholarship, Lincoln College, 1993-94. Supervisor: Professor Peter Birks, Q.C., F.B.A., Regius Professor of Civil Law, All Souls College.

☐ **Gonville and Caius College, Cambridge: LL. M. (1989–90).**

First Class Honours. Awarded Sir William McNair Prize for Law (best LL. M. result at Gonville and Caius College) and Honorary Senior Scholarship. Holder of W.M. Tapp Studentship in Law. Courses: European Community Law, History of English Law 1154-1485, Private Law and Political Theory. Dissertation in Restitution was awarded a Distinction.

☐ **Faculty of Law, University of Western Ontario, London, Canada: LL. B. (1986–89).**

Graduated with honour. Ranked 2nd of 143 students. Awarded Middlesex Law Association Silver Medal, Ontario Law Foundation Graduate Scholarship, membership in Dean Ivan C. Rand Honour Society, Faculty Prize for Legal Writing.

Other prizes and awards:

Third Year: Aylesworth, Thompson Prize (Secured Transactions); CCH Canadian Prize (Trial Process); Dean’s Honour List.

Second Year: Harold G. Fox Education Fund Award (exceptional promise); Blake Cassels and Graydon Prize (Company Law); Dean’s Honour List.

First Year: Campbell, Godfrey and Lewtas Prize (highest average in First Year); Michael C. McInerney Award (Property); Lang, Michener, Lash, Johnston Prize (Property); Canada Law Book Ltd. Prize (Torts); Dean’s Honour List.

☐ **Faculty of Arts and Science, Trinity College, University of Toronto: B. Sc. (1983–86).**

Graduated with distinction. Completed Major programmes in Zoology and Philosophy. Offered Thomas Henderson Wood Memorial Scholarship (Philosophy, 1986; declined to commence law studies).

ACADEMIC DISTINCTIONS

□ Honours and Prizes

In 2021, I was admitted to Oxford University's higher doctorate in law, the Doctor of Civil Law (D.C.L.). This degree is awarded on the basis of a record of scholarship judged by independent referees to be substantial, sustained, authoritative, of international importance, and 'of the absolute highest quality'. In 2023 I was granted the equivalent degree at the University of Cambridge (LL.D.).

In 2014, I was awarded a Killam Research Fellowship for my research project *Conflicts of Interest and Fiduciary Obligations*. This is a national competition across all university disciplines; in 2014, five Fellows were selected from 98 applicants. The Fellowship gave a full release from teaching and administrative duties for two years (2014-2016).

In 2011-2012, I held a Visiting Fellowship at All Souls College, Oxford. Visiting Fellows are selected through a highly competitive process that is open to scholars in all disciplines from all over the world.

In 2010, I received the Widdifield Award, for the best article published in the *Estates, Trusts and Pensions Journal* in 2009, for my paper "Trust and Patrimony".

In 1999, I was the joint winner of the Society of Public Teachers of Law Prize for Outstanding Legal Scholarship by a Younger Scholar, for my book *The Law of Tracing*.

□ Visiting and Distinguished Appointments

2017-2023	Visiting Professor, Faculty of Law, University of Oxford.
September 2023	Cheng Yu Tung Distinguished Visiting Professor, Faculty of Law, University of Hong Kong.
April-May 2022	Visiting Professor, Faculty of Law, University of Florence.
February 2020	Visiting Research Fellow, T.C. Beirne School of Law, University of Queensland, Brisbane.
February-March 2019	Visiting Professor, Faculty of Law, University of Rome 3.
November-December 2017; September-October 2018	Distinguished Visitor in Private Law, Faculty of Law, University of Edinburgh.
May 2014	Visiting Chair, Faculty of Law, Suor Orsola Benincasa University, Naples.
March 2013	Distinguished Visitor, Faculty of Law, University of New South Wales, Sydney, Australia.
January 2013	Distinguished Visitor, Faculty of Law, University of Toronto.
August 2004-June 2005	Visiting Researcher, Swiss Institute of Comparative Law, Lausanne, Switzerland.
April-May 1999	Visiting Research Fellow, Faculty of Law, University of Stellenbosch, Republic of South Africa.

❑ Invited Public Lectures

Common Law Lecture Series, Faculty of Law, University of Hong Kong, 7 September 2023:
“Unselfish Private Law”.

Inaugural Lecture as fifteenth Downing Professor of the Laws of England, Faculty of Law,
University of Cambridge, 19 May 2023: “Private Law’s Two Bodies”.

Madam Justice Mary Southin Lecture 2022, Faculty of Law, University of Victoria, 27 June 2022:
“Confusion, Illusion, or Delusion: The Irreducible Core of the Common Law Trust”.

Current Legal Issues Seminar, Supreme Court of Queensland, Brisbane, 17 May 2018: “Prescriptive
Fiduciary Duties”.

Tamisiea Lecture in Wealth Transfer Law, College of Law, University of Iowa, 8 September 2017:
“Give the People What They Want? The Onshoring of the Offshore”.

Les grands classiques du droit civil – Les grands textes, Faculty of Law, *Université de Montréal*, 2 November
2016: “Pierre-Basile Mignault, « L’enrichissement sans cause » ” (lecture in French).

Current Legal Problems Lecture, University College London, 21 May 2015: “Legal Risk in Trust
Drafting”.

Private Law in Conversation, Dickson Poon School of Law, King’s College London, 6 February
2013: “Fiduciary Obligations: Ensuring the Loyal Exercise of Judgment”.

Osler, Hoskin & Harcourt LLP Distinguished Lectures in Business Law, Faculty of Law, Queen’s
University, 19 October 2012: “The Structure of Fiduciary Obligations”.

W.A. Wilson Memorial Lecture, Faculty of Law, University of Edinburgh, 7 December 2010:
“Scottish Trusts in the Common Law”.

Peter Willoughby Memorial Lecture, Faculty of Law, University of Hong Kong, 9 March 2010:
“Mistaking the Trust”.

PUBLICATIONS

❑ Books

The Law of Loyalty (New York: Oxford University Press, 2023). This monograph of about 180,000 words elucidates common legal principles underlying the use of powers in public law and private law, looking at the common law and the civil law. It aims to provide a theory of how Western law regulates the situations in which we hold legal powers, not for ourselves, but for and on behalf of others.

Waters' Law of Trusts in Canada, 5th edition; with Donovan Waters and Mark Gillen (Toronto: Carswell, 2021). As in the 3rd edition (2005) and 4th edition (2012), I was responsible for chapters 10-11, 17-21, 23-30, and the Appendices.

Canadian Corporate Law: Cases, Notes and Materials, 4th edition; with Bruce Welling and Leonard Rotman (Toronto: LexisNexis Canada, 2010). In this edition, I was responsible for chapters 5, 6, and 7. I also participated, with different responsibilities and co-authors, in the first (1996), second (2001) and third (2006) editions.

Oosterhoff on Trusts: Text, Commentary and Materials, 7th edition; with Albert Oosterhoff, Robert Chambers, and Mitchell McInnes (Toronto: Carswell, 2009). In this edition, I was responsible for chapters 1, 10 and 15. I also participated, with different responsibilities, in the 6th edition (2004).

Commercial Trusts in European Private Law; with Michele Graziadei and Ugo Mattei (Cambridge: Cambridge University Press, 2005; paperback edition, 2009). The three co-authors wrote together sections 1 and 2 in Part I, and Part III, and edited the book, to which there were 22 other contributors. I am the sole author of the sections on English law. Reviews: (2006), 31 *European Law Review* 608; (2006), 20 *Trust Law International* 284; (2007), 11 *Edinburgh Law Review* 135. Translation into Chinese is in press, to be published by Cambridge University Press and Law Press China.

The Law of Restitution in Canada: Cases, Notes and Materials; with Robert Chambers, Mitchell McInnes, Jason Neyers and Stephen Pitel (Toronto: Emond Montgomery, 2004). I was responsible for chapters 1, 2, 3, 6, 7 and 8.

The Law of Tracing (Oxford: Clarendon Press, 1997). Reviews: (1997), 11 *Trust Law International* 116; (1998), 114 *Law Quarterly Review* 331; (1998), 57 *Cambridge Law Journal* 218; (1998), 36 *Alberta Law Review* 810; (1999), 13 *Banking and Finance Law Review* 625; review article: (1999), 21 *Dublin University Law Journal* 131.

❑ Editing

The McGill Companion to Law; with Alexandra Popovici: special issue of the *McGill Law Journal* (2021), 66 *McGill Law Journal* 1-172, a collection of short essays (with editors' introduction (1-4) and two essays listed separately below under Notes and Reviews).

Equity and Trusts; with Alexandra Popovici (Cheltenham: Edward Elgar, 2019), a curated collection of 35 published essays (with editors' introduction, xi-xxiv) in the series *International Library of Private Law*.

Law and the New Logics; with H. Patrick Glenn (Cambridge: Cambridge University Press, 2017; paperback edition, 2018), a collection of essays (with my preface (xi-xiv) and a chapter, listed separately below). Review: (2017), 76 *Cambridge Law Journal* 678.

Comparative Property Law: Global Perspectives; with Michele Graziadei (Cheltenham: Edward Elgar, 2017; paperback edition, 2018), a collection of 21 essays (with editors' preface, x-xiii). Reviews: 2018 *Revue trimestrielle de droit civil* 759; (2019) 135 *Law Quarterly Review* 691.

Les apparences en droit civil; with Anne-Sophie Hulin and Robert Leckey (Montreal: Les Éditions Yvon Blais, 2015), a collection of essays (with editors' introduction, ix-xii) arising out of the Civil Law Workshops for 2012-2014.

[Archives of the Civil Code Revision Office of Quebec / *Les archives de l'Office de révision du Code civil du Québec*](#), online resource with open access. As Director of the Paul-André Crépeau Centre for Private and Comparative Law, I organized the digitization of the roughly 4,000 documents in this archive, and in collaboration with McGill's Library Technology Services, the creation of a freely accessible and searchable web site.

L'affectation; with Alexandra Popovici: special issue of the *Revue juridique Thémis* (2014), 48 *Revue juridique Thémis* 531-656, a collection of essays (with an editors' introduction (533-536)) arising out of a workshop on *l'affectation en droit*, Faculty of Law, McGill University, 1 October 2012.

Les intraduisibles en droit civil; with Alexandra Popovici and Régine Tremblay (Montreal: Les Éditions Thémis, 2014), a collection of essays (with editors' introduction, ix-xii) arising out of the Civil Law Workshops for 2010-2012.

The Civil Law Trust / La fiducie en droit civil: special issue of the *McGill Law Journal* (2013), 58 *McGill Law Journal* 793-966 (with editor's introduction (793), and an article listed separately below).

The Worlds of the Trust (Cambridge: Cambridge University Press, 2013), a collection of 22 essays (with editor's preface (xi-xiii) and note on translation (xiv-xvi), and a chapter listed separately below) arising out of the conference "The Worlds of the Trust/*La fiducie dans tous ses États*", Faculty of Law, McGill University, 23-25 September 2010.

Re-imagining the Trust: Trusts in Civil Law (Cambridge: Cambridge University Press, 2012), a collection of six essays (with editor's introduction (1-6) and a chapter, listed separately below), arising out of the Civil Law Workshops for 2008-2009; published in Chinese translation (trans. Li Wenhua), *重塑信托：大陆法系中的信托法* (Beijing: Cambridge University Press and Law Press China, 2021).

Le droit civil et ses codes : parcours à travers les Amériques; with Jean-Frédéric Ménard and Jimena Andino Dorato (Montreal: Les Éditions Thémis, 2011), a collection of essays (with editors' introduction, ix-xiv) arising out of the Civil Law Workshops for 2009-2010.

Restitution (Burlington: Ashgate, 2001; ebook edition: Routledge, 2018), a curated collection of published essays (with editor's introduction, xi-xix) in the series *International Library of Essays in Law and Legal Theory, Second Series*.

Ruled by Law [.] *Essays in Memory of Mr. Justice John Sopinka*, a collection of essays (with editor's introduction, vii-x, and a chapter listed separately below) issued as a special edition of the *Supreme Court Law Review* ((2000), 12 S.C.L.R. (2d)); reprinted as a freestanding book (Toronto: Butterworths Canada, 2003).

“An Essay on the Action for Money Had and Received” by Sir William Evans, published 1802; edited reprint, with Peter Birks and Francis Rose, in [1998] *Restitution Law Review* 1-33.

❑ Articles and Chapters

With Alexandra Popovici, “equity is not Equity”, ch. 16 in B. McFarlane and S. Elliott, eds., *Equity Today* (Oxford: Hart, 2023) 303-317. This paper was presented at a conference on “Equity: 150 Years After the Judicature Reforms”, St. John's College, Oxford University, 1-2 April 2022.

“Property Meeting the Challenge of the Commons in Common Law Canada”, in U. Mattei, A. Quarta, F. Valguarnera, and R.J. Fisher, eds., *Property Meeting the Challenge of the Commons* (Cham: Springer, 2023) 91-124. This paper was presented at the Twentieth Congress of the International Academy of Comparative Law, Fukuoka, 22-27 July 2018.

“A Tale of Two Patrimonies: Limits on the Flexibility of Trust Law” (2021), 40 *Estates, Trusts & Pensions Journal* 139-165.

“Sources of Private Rights”, ch. 7 in S. Degeling, M. Crawford, and N. Tiverios, eds., *Justifying Private Rights* (Oxford: Hart, 2021) 129-152. This paper was presented at a workshop on “Justifying Private Rights”, University of New South Wales, Sydney, Australia, 19-20 July 2019.

“Parenthood is a Fiduciary Relationship” (2020), 70 *University of Toronto Law Journal* 395-452. Versions of this paper were presented at the Law and Society Association Annual Conference and the law faculties of the Universities of Toronto, Cambridge and Oxford.

With Alexandra Popovici, “Freedom of Testation and Family Claims in Canada”, ch. 17 in K.G.C. Reid, M.J. de Waal, and R. Zimmermann, eds., *Comparative Succession Law vol. III: Mandatory Family Protection* (Oxford: Oxford University Press, 2020) 507-533. This paper was presented at a conference on Family Provision in Succession Law, University of Stellenbosch, 24-25 March 2017.

- “Civil and Common Law”, ch. 14 in A.S. Gold *et al.*, eds., *Oxford Handbook of the New Private Law* (Oxford: Oxford University Press, 2020) 228-240.
- “Conflict, Profit, Bias, Misuse of Power: Dimensions of Governance”, ch. 8 in P.B. Miller and M. Harding, eds., *Fiduciaries and Trust: Ethics, Politics, Economics and Law* (Cambridge: Cambridge University Press, 2020) 149-171. This paper was presented at a workshop on “Fiduciaries and Trust”, University of Melbourne, 17-18 December 2018.
- “Equity is Not a Single Thing”, ch. 7 in D. Klimchuk, I. Samet, and H.E. Smith, eds., *Philosophical Foundations of the Law of Equity* (Oxford: Oxford University Press, 2020) 145-167. This paper was presented at a Conference on “Philosophical Foundations of the Law of Equity”, King’s College London, 29-30 June 2017.
- “Restitution: A New Start?”, ch. 5 in P. Devonshire and R. Havelock, eds., *The Impact of Equity and Restitution in Commerce* (Oxford: Hart, 2018) 91-117. This paper was presented as a keynote address at a colloquium at the University of Auckland, 18-19 September 2017.
- “Prescriptive Fiduciary Duties” (2018), 37 *University of Queensland Law Journal* 261-287. This paper was presented as a Current Legal Issues Seminar, Supreme Court of Queensland, Brisbane, 17 May 2018.
- “Give the People What They Want? The Onshoring of the Offshore” (2018), 103 *Iowa L. Rev.* 2155-2174, with [open access](#). This is the revised text of the Tamisiea Lecture in Wealth Transfer Law, given at the College of Law, University of Iowa, 8 September 2017.
- “Pierre-Basile Mignault, « L’enrichissement sans cause »”, in B. Lefebvre and B. Moore, eds., *Les grands classiques du droit civil : Les grands textes* (Montreal : Les Éditions Thémis, 2018) 219-249 (text in French). This is the revised text of a lecture given at the Faculty of Law, *Université de Montréal*, 2 November 2016.
- “Powership and its Objects”, in A.J.M. Steven, R.G. Anderson, and J. MacLeod, eds., *Nothing So Practical As A Good Theory: Festschrift for George L. Gretton* (Edinburgh: Avizandum Publishing, 2017) 223-234. This paper was presented at a Conference in Honour of Professor George Gretton, University of Edinburgh, 1 December 2017.
- “Massively Discretionary Trusts” (2017), 70 *Current Legal Problems* 17-54, with [open access](#); reprinted as ch. 5 in R.C. Nolan, K.F.K. Low, and T.H. Wu, eds., *Trusts and Modern Wealth Management* (Cambridge: Cambridge University Press, 2018) 130-168; reprinted (2019), 25 *Trusts & Trustees* 397-421, with [open access](#). This paper was presented as a Current Legal Problems lecture, University College London, 21 May 2015, and also at a Conference on “Modern Studies in the Law of Trusts and Wealth Management”, Singapore, 30-31 July 2015.
- “Droit et pouvoir”, ch. 5 in A.-S. Hulin and R. Leckey, eds., *L’abnégation en droit civil* (Montreal: Les Éditions Yvon Blais, 2017) 109-131 (text in French). This paper was given as an *Atelier de droit civil*, McGill University, 24 November 2014.

- “Law and Equity: Chunk and Permeate?”, ch. 9 in L. Smith and H. Patrick Glenn, eds., *Law and the New Logics* (Cambridge: Cambridge University Press, 2017) 181-195. This paper was presented at a workshop on “Law and the New Logics”, Netherlands Institute of Advanced Study, Wassenaar, Netherlands, 17-18 June 2011.
- “Contract, Consent, and Fiduciary Relationships”, ch. 5 in P.B. Miller and A.S. Gold, eds., *Contract, Status and Fiduciary Law* (Oxford: Oxford University Press, 2016) 117-138. This paper was presented at a workshop on “Contract, Status and Fiduciary Law”, Faculty of Law, McGill University, 6-7 November 2015 and at a workshop on “Contract and Fiduciary Duty: Two Things or Just One?”, University College London, 9 July 2015.
- “The Duties of Trustees in Comparative Perspective” (2016), 24 *European Review of Private Law* 1031-1052; also published in Czech (translation by the editor) as “Povinnosti Správců – Srovnávací Analýza” in L. Tichý, ed., *Svěřenský fond a trust – jejich fungování v mezinárodním srovnání [The Czech Trust Fund and the Trust: Comparative Perspectives on their Operation]* 81-100 (Prague: Charles University Press, 2016). This paper was presented at a conference on “The Functioning of the Trust”, Charles University, Prague, 15-16 May 2015.
- “What is Left of the Non-Delegation Principle?”, ch. 9 in B. Häcker and C. Mitchell, eds., *Current Issues in Succession Law* (Oxford: Hart, 2016) 209-229. This paper was presented at a conference on “Current Issues in Succession Law”, All Souls College, Oxford, 10-11 July 2015.
- “Will-Substitutes and Creditors: Canada and the US”, ch. 12 in A. Braun and A. Röthel, eds., *Passing Wealth on Death: Will-Substitutes in Comparative Perspective* (Oxford: Hart, 2016) 251-265. This paper was presented at a conference on “Will-Substitutes from a Comparative Perspective”, Oxford, 27-28 March 2015.
- “Defences and the Disunity of Unjust Enrichment”, ch. 2 in A. Dyson, J. Goudkamp and F. Wilmot-Smith, eds., *Defences in Unjust Enrichment* (Oxford: Hart, 2016) 27-51. This paper was presented at a conference on “Defences in Unjust Enrichment”, All Souls College, Oxford, 9-10 January 2015.
- “Intestate Succession in Quebec”, ch. 3 in K.G.C. Reid, M.J. de Waal, and R. Zimmermann, eds., *Comparative Succession Law vol. II: Intestate Succession* (Oxford: Oxford University Press, 2015) 52-66. This paper was presented at a conference on Intestate Succession, Faculty of Law, Edinburgh University, 12-13 July 2013.
- “Loyalty and Politics: From Case Law to Statute Law” (2015), 9 *Journal of Equity* 130-149. This paper was presented (by teleconference) at a workshop on “Equity in the Age of Statutes”, Faculty of Law, University of Melbourne, 27 February 2015.
- “The State of the Law of Unjust Enrichment in Common Law Canada” (2015), 57 *Canadian Business Law Journal* 39-57.

With Jeff Berryman, “Disgorgement of Profits in Canada”, ch. 16 in E. Hondius and A. Janssen, eds., *Disgorgement of Profits: Gain-Based Remedies Throughout the World* (Cham, Switzerland: Springer, 2015) 281-297.

With Alexandra Popovici, “Lepaulle Appropriated”, ch. 2 in R. Valsan, ed., *Trusts and Patrimoines* (Edinburgh: Edinburgh University Press, 2015) 13-41. This text comprises an English translation (18-41) of the first chapter of Pierre Lepaulle’s *Traité théorique et pratique des trusts* (1932), along with a translators’ introduction (13-17).

“Canada: The Rise of Judgments with Suspended Effect”, ch. 11 in E. Steiner, ed., *Comparing the Prospective Effect of Judicial Rulings Across Jurisdictions* (Cham, Switzerland: Springer, 2015) 247-259.

“Fiduciary Relationships: Ensuring the Loyal Exercise of Judgement on Behalf of Another” (2014), 130 *Law Quarterly Review* 608-634.

“Can We Be Obligated to be Selfless?”, ch. 6 in A.S. Gold and P.B. Miller, eds., *Philosophical Foundations of Fiduciary Law* (Oxford: Oxford University Press, 2014) 141-158. This paper was presented at a conference on “Philosophical Foundations of Fiduciary Law”, Faculty of Law, De Paul University, Chicago, 19-20 July 2013.

“Peter Birks and Comparative Law” (2013), 43 *Revue de droit de l’Université de Sherbrooke* 193-208. This paper was presented at a conference for the 50th Anniversary of the Québec Society of Comparative Law, Faculty of Law, University of Sherbrooke, 27-29 October 2011.

“Deterrence, Prophylaxis and Punishment in Fiduciary Obligations” (2013), 7 *Journal of Equity* 87-104.

“Unauthorized Dispositions of Trust Property: Tracing in Quebec Law” (2013), 58 *McGill Law Journal* 795-809.

“Scottish Trusts in the Common Law” (2013), 17 *Edinburgh Law Review* 283-313, reprinted as ch. 7 in R. Valsan, ed., *Trusts and Patrimoines* (Edinburgh: Edinburgh University Press, 2015) 127-159 and at (2021), 40 *Estates, Trusts & Pensions Journal* 309-346. This is the revised text of the W.A. Wilson Memorial Lecture given at the Faculty of Law, University of Edinburgh, 7 December 2010.

“Security”, ch. 5 in A. Burrows, ed., *English Private Law*, 3rd edition (Oxford: Oxford University Press, 2013) 307-377. I wrote the same chapter in the 1st edition (P.B.H. Birks, ed.; 2000) and the 2nd edition (2007).

“Stateless Trusts”, ch. 5 in L. Smith, ed., *The Worlds of the Trust* (Cambridge: Cambridge University Press, 2013) 89-100. This paper was presented at a conference on “The Worlds of the Trust/*La fiducie dans tous ses États*”, Faculty of Law, McGill University, 23-25 September 2010.

- “*North-West Transportation Co. Ltd. v. Beatty*”, ch. 13 in C. Mitchell and P. Mitchell, eds., *Landmark Cases in Equity* (Oxford: Hart Publishing, 2012) 393-422. This paper was presented at a conference on “Landmark Cases in Equity”, Faculty of Law, University College London, 8-9 April 2011.
- “Legal Epistemology in the *Restatement (Third) of Restitution and Unjust Enrichment*” (2012), 92 *Boston University Law Review* 899-917. This paper was presented at a conference to mark the publication of the *Restatement Third, Restitution and Unjust Enrichment*, Faculty of Law, Boston University, 16-17 September 2011.
- “The Re-imagined Trust”, ch. 7 in L. Smith, ed., *Re-imagining the Trust: Trusts in Civil Law* (Cambridge: Cambridge University Press, 2012) 258-273; published in Chinese translation (trans. Li Wenhua) as 信托法的重塑 in 重塑信托：大陆法系中的信托法 (Beijing: Cambridge University Press and Law Press China, 2021).
- “Common Law and Equity in *Restatement (3d) of Restitution and Unjust Enrichment*” (2011), 68 *Washington and Lee Law Review* 1185-1202.
- “Mistaking the Trust” (2010), 40 *Hong Kong Law Journal* 787-804. This is the revised text of the Peter Willoughby Memorial Lecture given at the Faculty of Law, University of Hong Kong, on 9 March 2010.
- “The Measurement of Compensation Claims Against Trustees and Fiduciaries”, ch. 16 in E. Bant and M. Harding, eds., *Exploring Private Law* (Cambridge: Cambridge University Press, 2010) 363-376.
- “Simplifying Claims to Traceable Proceeds” (2009), 125 *Law Quarterly Review* 338-348. This paper was presented to the Oxford Private Law Discussion Group, Oxford, 23 February 2009.
- “Philosophical Foundations of Proprietary Remedies”, ch. 10 in R. Chambers, C. Mitchell and J. Penner, eds., *Philosophical Foundations of Unjust Enrichment* (Oxford: Oxford University Press, 2009) 281-305. This paper was presented at a conference on “Philosophical Foundations of Unjust Enrichment”, King’s College, London, 11-12 April 2008.
- “Trust and Patrimony” (2008), 38 *Revue générale de droit* 379-403; reprinted with minor changes at (2009), 28 *Estates, Trusts and Pensions Journal* 332-354 and as ch. 3 in R. Valsan, ed., *Trusts and Patrimonies* (Edinburgh: Edinburgh University Press, 2015) 42-61; published in Japanese translation (trans. H. Watanabe) as 信託と財産 (2011), 86 早稲田法學 [*Waseda Law Review*] 257-282 (Waseda University, Japan). This paper was presented at the Workshop on Terminology and Property Models in the 21st Century, McGill University, 21 September 2006, and the 2nd Congress of the World Society of Mixed Jurisdiction Jurists, University of Edinburgh, 30 June 2007.
- “Unjust Enrichment: Big or Small?”, ch. 2 in S. Degeling and J. Edelman, eds., *Unjust Enrichment in Commercial Law* (Pyrmont, N.S.W.: Lawbook Co., 2008) 35-52. This paper was presented at a conference on “Restitution in Commercial Law”, Sydney, 3-5 August 2007.

- With Remus Valsan, “The Loyalty of Lawyers: A Comment on *3464920 Canada Inc. v. Strother*” (2008), 87 *Canadian Bar Review* 247-269.
- “Can I Change My Mind? Undoing Trustee Decisions” (2008), 27 *Estates, Trusts and Pensions Journal* 284-305. This paper was presented at an Ontario Bar Association conference on “Trusts, Trustees and Trusteeships”, Toronto, 24 September 2007 and also to meetings of the Society of Trust and Estate Practitioners in Halifax, 18 September 2008, and Moncton, 19 September 2008.
- “Public Justice and Private Justice: Restitution after *Kingstreet*” (2008), 46 *Canadian Business Law Journal* 11-35. This paper was presented at the Thirty-seventh Annual Workshop on Commercial and Consumer Law, Toronto, 19-20 October 2007.
- “Demystifying Juristic Reasons” (2007), 45 *Canadian Business Law Journal* 281-304. This paper was presented at the Thirty-sixth Annual Workshop on Commercial and Consumer Law, Banff, 27-28 October 2006.
- “Tracing”, ch. 7 in Lord Rodger of Earlsferry and A. Burrows, eds., *Mapping the Law [:] Essays in Memory of Peter Birks* (Oxford: Oxford University Press, 2006) 119-139.
- “The Rationality of Tradition”, ch. 14 in T. Endicott, J. Getzler, and E. Peel, eds., *Properties of Law [:] Essays in Honour of James Harris* (Oxford: Oxford University Press, 2006) 297-313.
- “Fusion and Tradition”, ch. 2 in S. Degeling and J. Edelman, eds., *Equity in Commercial Law* (Sydney: Thomson/Lawbook Co., 2005) 19-39. This paper was presented at a conference on “Fusion: The Interaction of Common Law & Equity in Commercial Law”, Sydney, 16-18 December 2004.
- “The Trust Between Common Core and Common Law”, in *Le trust en droit international privé : perspectives suisses et étrangères*, vol. 52 of the publications of the Swiss Institute of Comparative Law (Geneva: Schulthess, 2005) 29-40. This paper was presented at the *17ème Journée de droit international privé de l’Institut suisse de droit comparé : « Le trust en droit international privé »*, Lausanne, 18 March 2005.
- Report for England and Wales in M. Graziadei, U. Mattei, and Lionel Smith, eds., *Commercial Trusts in European Private Law* (Cambridge: Cambridge University Press, 2005; paperback edition, 2009). In addition to being one of the editors of this book, I am the sole author of the sections dealing with English law.
- “The Timing of Injustice”, in D. Dyzenhaus and M. Moran, eds., *Calling Power to Account: Law, Reparations and the Chinese Canadian Head Tax Case* (Toronto: University of Toronto Press, 2005) 287-306. This paper was presented at a conference on “Achieving Human Rights in a Multicultural Society: Reparations, Human Rights and the Limits of Law”, Faculty of Law, University of Toronto, 12-13 April 2003.
- “Understanding Specific Performance”, ch. 10 in E. McKendrick and N. Cohen, eds., *Comparative Remedies for Breach of Contract* (Oxford: Hart Publishing, 2005) 221-233.

“Unravelling Proprietary Restitution” (2004), 40 *Canadian Business Law Journal* 317-338. This paper was presented at the Thirty-third Annual Workshop on Commercial and Consumer Law, Toronto, 17-18 October 2003.

“Understanding the Power”, ch. 4 in W. Swadling, ed., *The Quistclose Trust: Critical Essays* (Oxford: Hart Publishing, 2004) 67-76. This paper was presented at a symposium on *Quistclose* Trusts, All Souls College, Oxford, 30 November 2002.

Canadian Editor of the *Restitution Law Review*, 1993–2003. This involved a detailed analysis of developments in Canadian restitution law in each annual volume of the *Review*.

“The Motive, Not the Deed”, ch. 4 in J. Getzler, ed., *Rationalizing Property, Equity and Trusts [:] Essays in Honour of Edward Burn* (London: Butterworths, 2003; reprinted Oxford: Oxford University Press, 2005) 53-81.

“Restitution”, ch. 3 in P. Cane and M. Tushnet, eds., *Oxford Handbook of Legal Studies* (Oxford: Oxford University Press, 2003) 48-61.

“Transfers”, ch. 5 in P. Birks and A. Pretto, eds., *Breach of Trust* (Oxford: Hart Publishing, 2002) 111-138. Also published in *Global Jurist Advances*, vol. 1, no. 1, article 3. This paper was presented at a Symposium on “Breach of Trust” at All Souls College, Oxford, 19 April 2001.

“Unjust Enrichment, Property and Subsidiarity”, ch. 21 in D. Johnston and R. Zimmermann, eds., *Unjustified Enrichment: Key Issues in Comparative Perspective* (Cambridge: Cambridge University Press, 2002; paperback edition, 2010) 588-623. This paper was presented at a conference on “Comparative Law of Unjustified Enrichment”, Christ’s College, Cambridge, 7-9 April 1999.

“Restitution: The Heart of Corrective Justice” (2001), 79 *Texas Law Review* 2115-2175. This paper was presented at a Symposium on Restitution at the Faculty of Law, University of Texas, 12-13 January 2001.

“Relief Against Forfeiture: A Restatement” (2001), 60 *Cambridge Law Journal* 178-199. This paper was presented at a Workshop on “19th Century Commercial Law in 21st Century Asia”, Faculty of Law, University of Hong Kong, 1-2 June 2000.

“Unjust Enrichment, Property and the Structure of Trusts” (2000), 116 *Law Quarterly Review* 412-444.

With Kit Barker, “Unjust Enrichment”, ch. 21 in D. Hayton, ed., *Law’s Future(s)* (Oxford: Hart Publishing, 2000) 411-432.

With Robert Stevens, “La acción pauliana en Derecho inglés” [“*Actio Pauliana* in English Law”] ch. 5 in J.J. Forner Delaygua, ed., *La Protección del Crédito en Europa: La Acción Pauliana [The Protection of Creditors in Europe: The Actio Pauliana]* (Barcelona: Bosch, 2000) 95-111 [Spanish translation by the editor], 195-208 [original English version]. This paper was presented at a Workshop on the *Actio Pauliana* in European Law, Faculty of Law, University of Barcelona, 17 September 1999.

- “The Mystery of ‘Juristic Reason’ ” (2000), 12 *Supreme Court Law Review* (2d) 211-244; reprinted in L. Smith, ed., *Ruled by Law [:] Essays in Memory of Mr. Justice John Sopinka* (Toronto: Butterworths Canada, 2003) 211-244.
- “Lessons of the Swaps Litigation: Tracing”, ch. 8 in P.B.H. Birks and F.D. Rose, eds., *Lessons of the Swaps Litigation* (London: Lloyd’s of London Press, 2000) 233-241. This paper was presented at a Mansfield Symposium, All Souls College, Oxford, 29 November 1997.
- “Tracing in Bank Accounts: The Lowest Intermediate Balance Rule on Trial” (2000), 33 *Canadian Business Law Journal* 75-91.
- With C.G. van der Merwe, “Financing the Purchase of Stock by the Transfer of Ownership as Security” (1999), 10 *Stellenbosch Law Review* 303-327.
- “Constructive Trusts and Constructive Trustees” (1999), 58 *Cambridge Law Journal* 294-302. This paper was presented at a Workshop on the “New Equity”, Faculty of Law, University of Hong Kong, 10-12 September 1998.
- “Tracing and Electronic Funds Transfers”, ch. 8 in F.D. Rose, ed., *Restitution and Banking Law* (Oxford: Mansfield Press, 1998) 120-134. This paper was presented to the Restitution Section of the Society of Public Teachers of Law, Warwick University, Coventry, 19 September 1997.
- “Constructive Fiduciaries?” ch. 9 in P.B.H. Birks, ed., *Privacy and Loyalty* (Oxford: Clarendon Press, 1997) 249-268. This paper was presented at a seminar of the Society of Public Teachers of Law, All Souls College, Oxford, 28 September 1996.
- With Kirk W. Munroe, “Canada”, ch. Q5 in M. Ashe and B. Rider, eds., *International Tracing of Assets*, vol. 1 (London: Sweet and Maxwell, 1997-2004 (looseleaf)) Q5/1- Q5/14.
- “Tracing into the Payment of a Debt” (1995), 54 *Cambridge Law Journal* 290-305. This paper was presented to the Restitution Section of the Society of Public Teachers of Law, University of East Anglia, Norwich, 15 September 1994.
- “Tracing in *Taylor v. Plumer*: Equity in the Court of King’s Bench”, [1995] *Lloyd’s Maritime and Commercial Law Quarterly* 240-268.
- “Disgorgement of the Profits of Breach of Contract: Property, Contract and ‘Efficient Breach’ ” (1994), 24 *Canadian Business Law Journal* 121-140.
- “The Stockbroker and the Solicitor-General: The Story Behind *Taylor v. Plumer*” (1994), 15 *Journal of Legal History* 1-22; reprinted, with a new Postscript, as ch. 3 in C. Mitchell and P. Mitchell, eds., *Landmark Cases in the Law of Restitution* (Oxford: Hart Publishing, 2006) 39-63.
- “The Province of the Law of Restitution” (1992), 71 *Canadian Bar Review* 672-699.

“Three-Party Restitution: A Critique of Birks’s Theory of Interceptive Subtraction” (1991), 11 *Oxford Journal of Legal Studies* 481-519.

❑ Notes and Reviews

“Loyalty” and “Unjust Enrichment”, two essays in *The McGill Companion to Law*, published as a special issue of the *McGill Law Journal* (2021), 66 *McGill Law Journal* 121-125 and 165-168.

Review: A. Schiavone, *The Invention of Law in the West* (Cambridge: Harvard University Press, 2012) (2013), 48 *Canadian Journal of History* 479-481.

“Constructive Trusts and the No-Profit Rule: *FHR European Ventures LLP v. Mankarious*” (2013), 72 *Cambridge Law Journal* 260-263.

“Execution Against a Power of Revocation: *Tasarruf Mevduati Sigorta Fonu v. Merrill Lynch Bank and Trust Company (Cayman) Ltd.*” (2013), 129 *Law Quarterly Review* 332-334.

Review: American Law Institute, *Restatement of the Law Third: Restitution and Unjust Enrichment* (St. Paul: A.L.I., 2011) (2012), 57 *McGill Law Journal* 629-638.

Review: F. Giglio, *The Foundations of Restitution for Wrongs* (Oxford: Hart Publishing, 2007) (2008), 47 *Canadian Business Law Journal* 158-164.

“*Allcard v. Skinner*”, “Fiduciaries”, “Injunction”, “Remedies”, “Restitution” and “Specific Performance” in P. Cane and J. Conaghan, eds., *The New Oxford Companion to Law* (Oxford: Oxford University Press, 2008).

“In Memoriam: Peter Birks, 1941-2004” (2005), 41 *Canadian Business Law Journal* 161-165.

Review: J. Kessler, *Drafting Trusts and Will Trusts*, 6th edition (London: Sweet & Maxwell, 1998); J. Kessler and F. Hunter, *Drafting Trusts and Will Trusts in Canada* (Toronto: LexisNexis Butterworths, 2003) (2005), 50 *McGill Law Journal* 183-186.

“Access to Trust Information: *Schmidt v. Rosewood Trust Ltd.*” (2003), 23 *Estates, Trusts & Pensions Journal* 1-8.

Review: G. Jones, *Goff and Jones: The Law of Restitution*, 5th edition (London: Sweet & Maxwell, 1998), [2000] *Restitution Law Review* 591-592.

“Restitution for Mistake of Law: *Kleinwort Benson Ltd. v. Lincoln City Council*”, [1999] *Restitution Law Review* 148-158.

Review: G. Thomas, *Powers* (London: Sweet & Maxwell, 1998) (1999), 13 *Trust Law International* 142.

“Tracing Deposits: *Box v. Barclays Bank plc*” (1999), 14 *Banking and Finance Law Review* 613-619.

“[Restitution](#)” and, with G. Starr, “[Bankruptcy](#)” in *The Canadian Encyclopedia* (Toronto: McLellan and Stewart, 1999); also online with open access.

“W(h)ither Knowing Receipt?: *Gold v. Rosenberg* and *Citadel General Assurance Co. v. Lloyd’s Bank of Canada*” (1998), 114 *Law Quarterly Review* 394-398.

“Constructive Trust for Breach of Fiduciary Obligation: *Soulos v. Korkontzilas*” (1997) 76 *Canadian Bar Review* 539-550; also, more briefly (1998), 114 *Law Quarterly Review* 14-17.

“Tracing Into Life Assurance Proceeds: *Foskett v. McKeown*” (1997), 113 *Law Quarterly Review* 552-557.

“Canada: Money Laundering Update” (1997), 4 *Journal of Financial Crime* 265-268.

Review Article, with multiple co-authors: K. Mason and J. Carter, *Restitution Law in Australia* (Sydney: Butterworths Australia, 1995), [1997] *Restitution Law Review* 229-248.

Review: W.C. Gilmore, *Dirty Money [:] The Evolution of Money-Laundering Counter-Measures* (Strasbourg: Council of Europe Press, 1995) (1996), 75 *Canadian Bar Review* 628-631.

“*In Rem* Forfeiture Proceedings and Extraterritorial Jurisdiction: *U.S. v. All Funds on Deposit in Any Accounts Maintained in the Names of Meza or de Castro*” (1996), 45 *International and Comparative Law Quarterly* 902-909.

Review: P.M. McDermott, *Equitable Damages* (Sydney: Butterworths, 1995); M. Cope, ed., *Equity [:] Issues and Trends* (Annandale, N.S.W.: The Federation Press, 1995); J. Glover, *Commercial Equity [:] Fiduciary Relationships* (Sydney: Butterworths, 1995) (1996), 75 *Canadian Bar Review* 388-397.

“Fiduciary Relationships — Arising in Commercial Contexts — Investment Advisor: *Hodgkinson v. Simms*” (1995), 74 *Canadian Bar Review* 714-732.

Review: C. Mitchell, *The Law of Subrogation* (Oxford: Clarendon Press, 1994) (1995), 9 *Trust Law International* 32-34.

“Mistaken Certification of Cheques: *LePage Real Estate Services Ltd. v. Rattray Publications Ltd.*” (1995), 11 *Banking and Finance Law Review* 127-139.

“Tracing the Proceeds of Collateral Under the Personal Property Security Act: *Flexi-Coil Ltd. v. Kindersley District Credit Union Ltd.*” (1995), 25 *Canadian Business Law Journal* 460-477.

“Bailment With Authority to Mix — And Substitute: *Mercer v. Craven Grain Storage Ltd.*” (1995), 111 *Law Quarterly Review* 10-18.

“Tracing, ‘Swollen Assets’ and the Lowest Intermediate Balance: *Bishopsgate Investment Management Ltd. v. Homan*” (1994), 8 *Trust Law International* 102-105; also (1995), 14 *Estates and Trusts Journal* 298-305.

“Breach of Confidence — Constructive Trusts — Punitive Damages — Disgorgement of the Profits of Wrongdoing: *Ontex Resources Ltd. v. Metalore Resources Ltd.*” (1994), 73 *Canadian Bar Review* 259-273.

“Mistaken Payments and Theft by an Owner: *R. v. Milne*” (1992), 21 *Canadian Business Law Journal* 103-114.

Review: Law Reform Commission of Canada, Working Paper No. 63: Double Jeopardy, Pleas and Verdicts (1992), 71 *Canadian Bar Review* 186-194.

❑ Forewords and Prefaces

“Foreword” to M. Mac Aodha, ed., *Legal Lexicography: A Comparative Perspective* (Farnham: Ashgate, 2014) xix-xx.

“Préface” to M. Cantin Cumyn and M. Cumyn, *L’Administration du bien d’autrui*, 2nd edition (Montreal: Yvon Blais, 2014) xiii-xiv (text in French).

❑ In-House Teaching Materials

Cases on Advanced Common Law Obligations. In-house production of McGill University, 2005. Revised edition, 2007. Revised online versions, 2009, 2010.

Cases and Materials on Advanced Civil Law Obligations. In-house production of McGill University, 2005. Revised edition, 2006.

Cases and Statutes on the Law of Restitution. In-house production of McGill University, 2000. Revised edition, 2001. Revised edition, 2003. Converted to a commercial casebook in 2004 (see above under Books).

Cases on Commercial Law. In-house production of the Faculty of Law, Oxford University, 1997. Revised edition, 1998. Revised edition, 1999.

Cases and Statutes on the Law of Restitution. In-house production of the Faculty of Law, University of Alberta, 1995.

Cases, Materials and Statutes on the Law of Trusts; with Moe Litman. In-house production of the Faculty of Law, University of Alberta, 1995.

Cases and Statutes on the Law of Agency. In-house production of the Faculty of Law, University of Alberta, 1995.

COMPETITIVE RESEARCH FUNDING

❑ Social Sciences and Humanities Research Council of Canada (peer-reviewed)

During 2013-2019, a research team of which I was the principal investigator held an Insight Grant for the research proposal “The transsystemic destiny of unjust enrichment”. The funding was \$200,782. The application was ranked first out of 58 applications considered by the committee for law and criminology.

During 2008-2012 I held a Standard Research Grant for my research proposal “Enrichment, loyalty and gift”. The funding was \$43,407.

In 2012 I was awarded a Workshop Grant for a workshop on *L’affectation*, 1 October 2012. The funding was \$10,297.

In 2010 I was awarded a Conference Grant for the conference *The Worlds of the Trust/La fiducie dans tous ses États*, 23-25 September 2010. The funding was \$22,003.

During 2001-2005 I held a Standard Research Grant for my research proposal “The Idea of Trust and the Law of Trusts”. The funding was \$71,000.

❑ Fonds de recherche du Québec—Société et culture (peer-reviewed)

For 2009-2014, a research team of which I was the principal investigator, based in the Paul-André Crépeau Centre for Private and Comparative Law, was successful in the program *Soutien aux équipes de recherche* with a research project entitled *Vers une nouvelle juridicité québécoise*. The funding was \$402,311.

❑ Programme de soutien à la recherche of the Ministère du Développement économique, de l’Innovation et de l’Exportation, gouvernement du Québec

In 2009-2012, an international research network of which I was the principal investigator, and which was based in the Quebec Research Centre of Private and Comparative Law, was successful in the program *Soutien à des initiatives internationales de recherche et d’innovation* with a research project relating to the trust as it is understood in civil law. Other members were from China, France, Israel, Italy, the United Kingdom and the United States. The funding was \$146,261.

❑ Access to Justice in Both Official Languages Support Fund, Department of Justice, Canada

For 2014-15, in my capacity as Director of the Crépeau Centre for Private and Comparative Law, I was granted \$183,865 for scholarly activities relating to jurilinguistic research in Quebec civil law.

For 2013-14, in the same capacity, I was granted \$191,032.

For 2012-13, in the same capacity, I was granted \$194,322.

For 2011-12, in the same capacity (then Quebec Research Centre of Private and Comparative Law), I was granted \$177,008.

For 2010-11, in the same capacity, I was granted \$179,300.

For 2009-10, in the same capacity, I was granted \$151,000.

For 2008-9, in the same capacity, I was granted \$128,000.

☐ *Chambre des notaires du Québec*

In 2017, I was awarded \$2,000 from the *Programme de subventions à la recherche* for research in an international comparative law project on the law of succession.

In 2014, in my capacity as Director of the Crépeau Centre for Private and Comparative Law, I was granted \$19,880 for the launch of a new Dictionary project on the law of successions.

☐ McGill Collaborative Research Development Fund, McGill University

In 2011, I was awarded \$15,000 to develop a grant application to the Social Sciences and Humanities Research Council of Canada, under the title “The transsystemic destiny of unjust enrichment”. This application was successful (\$200,782) and is listed above.

☐ Wainwright Fund in Civil Law, Faculty of Law, McGill University

I was granted funding for student assistance with the jurilinguistic research of the Quebec Research Centre of Private and Comparative Law: 2012: \$3,449; 2011: \$2,000; 2010, \$3,864; 2009, \$8,338; 2008, \$8,338.

In 2008 I was granted \$19,323 for the digitization of the archives of the [Civil Code Revision Office](#), which are held by the Crépeau Centre for Private and Comparative Law. The project is now complete and is a searchable, open access database.

☐ American College of Trust and Estate Counsel Foundation (U.S.)

In 2010 I was awarded a grant for the conference *The Worlds of the Trust/La fiducie dans tous ses États*, 21-23 September 2010. The funding was US\$9,200.

☐ Canadian Bar Association Law for the Future Fund

In 2009 I was granted \$15,000 by the Law for the Future Fund in support of the jurilinguistic research of the Quebec Research Centre of Private and Comparative Law.

☐ Arts and Humanities Research Board (U.K.) (peer-reviewed)

For 1998-99, on the basis of a detailed research proposal, I was allocated funding by the U.K. Arts and Humanities Research Board under their Research Leave Scheme. This scheme is open to those taking a term of research leave. It provides funding to allow successful applicants to take a second, contiguous term of research leave. The award in my case was £11,849.

☐ Faculty of Law, University of Oxford

In each of 1997-98 and 1998-99, on the basis of a research proposal and a competitive process, I was allocated funding by the Faculty to reduce my teaching load and so facilitate my research.

PROFESSIONAL QUALIFICATIONS AND ELECTED MEMBERSHIPS

Titular Member, International Academy of Comparative Law. I was elected an Associate Member in 2011 and a Titular Member in 2017.

Member, American Law Institute (elected 2007). The Institute is an independent organization devoted to improving American law. Of over 4,000 members, about 20 are Canadian.

Member, European Law Institute (elected 2011). The Institute is an independent organization devoted to improving European law.

Member, International Academy of Estate and Trust Law (elected 2007).

Vice-President, World Society of Mixed Jurisdiction Jurists.

Barrister and Solicitor, Province of Alberta, Canada (1997; non-practising).

OTHER MEMBERSHIPS

Selden Society; Osgoode Society for Canadian Legal History; Society of Legal Scholars.

EDITORIAL BOARD MEMBERSHIPS

Current Legal Problems, published by Oxford University Press.

Journal of Equity, published by LexisNexis Butterworths, Australia.

Revue de Droit de l'Université de Sherbrooke, published by *Les Éditions RDUS*, Canada.

ADVISORY BOARD MEMBERSHIPS

Edinburgh Law Review, published by the Faculty of Law, University of Edinburgh.

Journal of Civil Law Studies and the Center of Civil Law Studies, Paul M. Hebert Law Center, Louisiana State University.

Fiduciary Law, eJournal on the Social Sciences and Humanities Research Network.

LANGUAGES

English and French. Beginning Italian (A2).

GRADUATE STUDENT SUPERVISION—COMPLETED

<i>Student</i>	<i>Topic</i>	<i>Degree</i>	<i>Year of Completion</i>
Panagopoulos, George	Restitution in private international law*	D. Phil.	1999
Inal, Burcu	Comparative corporate governance	LL. M.	2001
Bannerjee, Asmita	Public/private partnerships in Mexican law	LL. M.	2002
Burger, Jan-Hendrik	The oppression remedy in corporate law	LL. M.	2002
Suppan, Susanne	Comparative corporate governance	LL. M.	2002
Hanisch, Alexandra	Comparative corporate takeover law	LL. M.	2002
He, Weiguo	Remedies in Chinese corporate law	LL. M.	2004
Schlag, Jenny	Comparative directors' liability	LL. M.	2004
Kreymborg, Dora	Comparative private corporations law	LL. M.	2004
Namubiru, Hadija	Tax evasion in Rwanda*	LL. M.	2004
Georgescu, Ana-Luiza	Taxation of corporate reorganizations*	LL. M.	2004
Alessandrini, Mandy	Comparative contract remedies*†	LL. M.	2004
Osam-Duodu, Monica	Reforming retention of title in sales law	LL. M.**	2006
Carrera, Élise	<i>Action en concert</i> in takeover regulation†	LL. M.**	2007
Marchal, Lise	Exclusion clauses in international contracts	LL. M.**	2007
Parleani, Olivier	The nature of share ownership	LL. M.**	2008
Sayn-Urpar, Sébastien	Securitisation in leveraged buyouts†	LL. M.**	2009
Tantikul, Kiattipon	Competition law in the airline industry	LL. M.	2009
Tudsri, Pattarapas	Unjust enrichment and the conflict of laws	LL. M.**	2010
Tsuchida, Yasuhiro	Conditional payments and trusts	LL. M.**	2010
Clarry, Daniel	Irreducible core of the trust‡	LL. M.	2011
Wolfe, Nicholas	Comparative study of chequing fraud*	LL. M.**	2011
Valsan, Remus	Comparative fiduciary obligations§	D.C.L.	2012
Jach, Aleksandra	Comparative corporate governance	LL. M.**	2012
Cassagnabère, Caroline	Personality and patrimony	Postdoc	2013
Hulin, Anne-Sophie	Comparative public ownership	GRT¶	2014
Zhang, Ruiqiao	Comparative trust law	D.C.L.	2014
Judd, Daniel	Fiduciary duties of care and skill	LL. M.**	2017
Fariña Fariña, Rebeca	Unjust enrichment and family property	Postdoc	2019
Denis, Jean Carl	Hybridization of corporate and labour law†	LL.M.	2022

GRADUATE STUDENT SUPERVISION—CURRENT

<i>Student</i>	<i>Topic</i>	<i>Degree</i>	<i>Starting Year</i>
Jack Alexander	<i>Quantum meruit</i> in restitution	Ph.D.	2023
Jonathan Chu	Money orders in Equity	Ph.D.	2023

* Co-supervised.

† Thesis written in French.

** Non-thesis LL.M. (supervision of a Supervised Research Project).

‡ Winner, *Prix d'excellence Mémoires, Association des professeures et professeurs de droit du Québec*.

§ Winner, Comparative law prize (postgraduate level), Quebec Society of Comparative Law.

¶ Graduate research trainee (supervised researcher pursuing a degree at another university)

GOVERNANCE

This summary includes activities only since 2000.

☐ University of Cambridge, Faculty of Law

2022-2024 Director, Cambridge Private Law Centre
Member, Degree Committee

☐ McGill University

2020-2022 Senate Pool for University Tenure Committees. Service on University Tenure Committee for the Desautels Faculty of Management, 2020-2021

2017 Internal reviewer for applications for Vanier Canada Graduate Scholarships falling within the disciplines of the social sciences and humanities

2007-2014 Director, Paul-André Crépeau Centre for Private and Comparative Law (until 2012, the Quebec Research Centre of Private and Comparative Law)

2013-2014;
2010-2012 Member, Advisory Committee on the McGill Medal

2012-2013 Member, University Appeals Committee

2010-2011 Member of three Statutory Selection Committees (Full Professorships)

2009-2010 Member of two Statutory Selection Committees (Full Professorships)

2008-2009 Evaluation and ranking of doctoral applicants to SSHRC funding programs, for the Graduate and Postdoctoral Studies Office

2007-2008 Member appointed by Senate, Advisory Committee for the Selection of a Dean of Education
Advised the Provost, in writing, on a confidential matter concerning a former postgraduate student

2006-2007 Ad hoc advisory committee (confidential, with Mr. H. Arnold Steinberg) regarding certain research funding applications at McGill

2005-2007 Member, University Tenure Committee, McGill University

2005-2006 Member appointed by Senate, Advisory Committee for the Selection of a Dean of Medicine

2001-2004 Associate Dean, Graduate Studies and Research, Faculty of Law

Member, Prizes and Awards Committee
 Member, Council of Graduate and Postdoctoral Studies (until 2002, the Executive Committee of the Faculty of Graduate Studies)

2003-2004 Member of the ad hoc group formulating University response to SSHRC “Transformation” consultation

☐ McGill University, Faculty of Law

2021-2022 Co-ordinator, Supreme Court of Canada clerkship applications
 Member, Research Grants Committee
 Member, Core Competencies Ad Hoc Working Group

2020-2021 Co-ordinator, Supreme Court of Canada clerkship applications
 Member, Curriculum Committee
 Liaison, *Association Henri-Capitant des amis de la culture juridique française*

2019-2020 Member, Curriculum Committee
 Member, Grant Application Review Committee
 Member and Acting Chair, Examination and Evaluation Committee

2017-2018 Chair, Examination and Evaluation Committee

2016-2017 Member, Admissions Committee
 Member, working group on the design of a new course on Property

2013-2014 Member, Advisory Committee to the Dean of Law regarding application to Full Professorship

2011-2013 Member, Graduate Studies Committee

2010-2011 Chair, Promotions, Renewal and Tenure Committee

2008-2010 Member, working group on transsystemic teaching

2009-2010 Member, Promotions, Renewal and Tenure Committee

2005-2007 Chair, Committee for the Coordination and Publicity of the Intellectual Life of the Faculty
 Director, Law/MBA program

2006-2007 Member, Appointments Committee

2005-2006 Member, Research Coordination and Research Internship Committee

2001-2004 Chair, Graduate Studies Committee

- 2000-2003 Member, Meredith Lectures Committee
- 2001-2003 Member, Student Exchange Committee
- 2002-2003 Member, ad hoc Committee for the Review of the Faculty of Law
Member, organizing Committee, “Professing to Educate and Educating to Profess”, a symposium on Graduate Legal Education, July 2003
- 2000-2002 Member, Space Allocation Committee
Member, IT Committee
- 2001-2002 Member, Strategic Planning Committee
- 2000-2001 Member, Prizes and Scholarships Committee
Member, Library Committee.

ACADEMIC PRESENTATIONS

Seminar on “Duties without Rights”, Centre for Private Law, University of Edinburgh, 12 May 2023. Presented work on undirected duties, incorporated into *The Law of Loyalty*.

Conference “Law at the Cutting Edge: Difficult Problems and Interesting Solutions in the Common Law”, in honour of Dame Sarah Worthington, Newnham College, Cambridge, 29 July 2022. Co-presented a paper (with Simone Degeling) on “Exporting Equitable Concepts: The Case of Advisers”, under revision for publication.

Conference on the Administration of Estates, Max Planck Institute for Comparative and International Private Law, Hamburg, University of Stellenbosch, 15-16 July, 2022. Co-presented a paper (with Alexandra Popovici) on “Administration of Estates in Canada”, under revision for publication.

Third Canadian Law of Obligations Conference on “The Power and Limits of Private Law”, University of British Columbia, 23-24 June 2022. Gave a keynote address on “Confusion, Illusion, or Delusion: The Irreducible Core of the Common Law Trust”.

Webinar series of the *Groupe de réflexion en droit privé* and the *Groupe de recherche sur les humanités juridiques*, on « Émancip(ens)e : penser l’émancipation en droit privé », 8 April 2022. Presented on “From *mancipatio* to emancipation in Roman law”, under revision for publication.

Webinar series of the *Association québécoise de droit comparé* on « Le droit comparé dans l’action », 7 April 2022. Member of a panel on comparative law in postgraduate legal education.

Conference on “Equity: 150 Years After the Judicature Reforms”, St. John’s College, Oxford University, 1-2 April 2022. Co-presented (with Alexandra Popovici) on “equity is not Equity”, published as ch. 16 in B. McFarlane and S. Elliott, eds., *Equity Today* (Oxford: Hart, 2023) 303-317.

Fourth International Fiduciary Workshop, online, 15-16 December 2021. Presented on “Undirected Fiduciary Duties”.

Joint session, Oxford Obligations Discussion Group and Public Law Discussion Group, All Souls College, Oxford, 25 November 2021. Presented in a hybrid format on “Undirected (Fiduciary) Duties”.

Continuing Legal Education Society of British Columbia, Webinar on “Restitution”, Vancouver, 29 September 2021. Co-presented (with Samuel Beswick) on “Unjust Enrichment: Principle or Cause of Action?”

Webinar on Will Substitutes in Comparative Perspective, Society of Trusts and Estates Practitioners, 1 December 2020. Presented on will substitutes in the common law.

- Oxford Property Discussion Group, University of Oxford, 6 March 2020. Presented on “Parenthood is a Fiduciary Relationship”, published at (2020), 70 *University of Toronto Law Journal* 395-452.
- Visiting Research Fellow’s Seminar, T.C. Beirne School of Law, University of Queensland, Brisbane, 14 February 2020. Presented on “The Enforcement of Norms Governing Public Powers”, incorporated into *The Law of Loyalty*.
- Third International Fiduciary Workshop, Trinity College, University of Cambridge, 16-17 December 2019. Presented on “Parenthood is a Fiduciary Relationship”, published at (2020), 70 *University of Toronto Law Journal* 395-452.
- Conference on “State Accountability Under Private, Public and International Law”, Faculty of Law, London School of Economics and Political Science, 9 November 2019. Presented on “The Enforcement of Norms Governing Public Powers”, incorporated into *The Law of Loyalty*.
- Workshop on “Justifying Private Rights”, University of New South Wales, Sydney, Australia, 19-20 July 2019. Presented on “Sources of Private Rights”, published as ch. 7 in S. Degeling, M. Crawford, and N. Tiverios, eds., *Justifying Private Rights* (Oxford: Hart, 2021) 129-152.
- Conference on “The Place of Restitution in the Modern Law”, School of Law, University of Leeds, 11 June 2019. Gave a keynote address on the Canadian law of restitution.
- Oxford Obligations Discussion Group, University of Oxford, 7 June 2019. Presented on “Conflict, Profit, Bias, Misuse of Power: Dimensions of Governance”, published as ch. 8 in P.B. Miller and M. Harding, eds., *Fiduciaries and Trust: Ethics, Politics, Economics and Law* (Cambridge: Cambridge University Press, 2020) 149-171.
- Visiting Professor’s Seminar, Faculty of Law, University of Rome 3, 27 March 2019. Presented work in progress related to how we act for others in law, incorporated into *The Law of Loyalty*.
- Visiting Professor’s Seminar, International Institute for the Unification of Private Law (UNIDROIT), Rome, 22 February 2019. Presented work in progress related to how we act for others in law, incorporated into *The Law of Loyalty*.
- Symposium on Stephen A. Smith, *Rights, Wrongs, and Injustices: The Structure of Remedial Law*, University of Toronto, 26 January 2019. I was the co-organizer of this symposium and commented on one chapter of the draft book.
- Workshop on “Fiduciaries and Trust”, University of Melbourne, 17-18 December 2018. Presented on “Conflict, Profit, Bias, Misuse of Power: Dimensions of Governance”, published as ch. 8 in P.B. Miller and M. Harding, eds., *Fiduciaries and Trust: Ethics, Politics, Economics and Law* (Cambridge: Cambridge University Press, 2020) 149-171.
- Symposium on “Rethinking Unjust Enrichment”, McGill University, 30 November 2018. I was the organizer of this workshop, which was the fourth event in a multi-year project on

comparative unjust enrichment. The event was focussed on two recent papers including my paper “Restitution: A New Start?”

Distinguished Visitor’s Seminar, University of Edinburgh, 18 October 2018. Presented work in progress related to how we act for others in law, incorporated into *The Law of Loyalty*.

Faculty Seminar, Newcastle University, Newcastle-Upon-Tyne, 12 October 2018. Presented work in progress related to how we act for others in law, incorporated into *The Law of Loyalty*.

Distinguished Visitor’s Seminar, University of Edinburgh, 10 October 2018. Presented work in progress on the law of restitution.

Twentieth Congress of the International Academy of Comparative Law, Fukuoka, 22-27 July 2018. Presented as national reporter for common law Canada in relation to the project on “Property Meeting the Challenge of the Commons”, published as “Property Meeting the Challenge of the Commons in Common Law Canada”, in U. Mattei, A. Quarta, F. Valguarnera, and R.J. Fisher, eds., *Property Meeting the Challenge of the Commons* (Cham: Springer, 2023) 91-124.

Oxford Comparative Law Discussion Group, University of Oxford, 11 June 2018. Presented work in progress related to how we act for others in law, incorporated into *The Law of Loyalty*.

Australian Centre for Private Law Seminar, University of Queensland, Brisbane, 18 May 2018. Presented work in progress on the law of restitution.

Current Legal Issues Seminar, Supreme Court of Queensland, Brisbane, 17 May 2018. Presented on “Prescriptive Fiduciary Duties”, published at (2018), 37 *University of Queensland Law Review* 261.

Conference in Honour of Professor George Gretton, University of Edinburgh, 1 December 2017. Presented on “Powership and its Objects”, published in A.J.M. Steven, R.G. Anderson, and J. MacLeod, eds., *Nothing So Practical As a Good Theory: Festschrift for George L. Gretton* (Edinburgh: Avizandum Publishing, 2017) 223-234.

Conférence en regard: La propriété fondée sur la possession en droit civil et en common law canadienne, Université de Sherbrooke, 10 November 2017. Presented on the common law of adverse possession.

Critical Analysis of Law Workshop, University of Toronto, 24 October 2017. Presented on “Parenthood is a Fiduciary Relationship”, published at (2020), 70 *University of Toronto Law Journal* 395-452.

Colloquium on “The Impact of Equity and Restitution in Commerce”, University of Auckland, 18-19 September 2017. Gave a keynote address on “The Plurality of the Common Law of Restitution”, published as “Restitution: A New Start?”, ch. 5 in P. Devonshire and R. Havelock, eds., *The Impact of Equity and Restitution in Commerce* (Oxford: Hart, 2018) 91-117.

Symposium on “Current Issues in Private Law”, University of Hong Kong, 11-12 September 2017.
Presented on “Restitution: A New Start?” (see previous listing).

Conference on “Philosophical Foundations of the Law of Equity”, King’s College London, 29-30 June 2017. Presented on “Equity is Not a Single Thing”, published as ch. 7 in D. Klimchuk, I. Samet, and H.E. Smith, eds., *Philosophical Foundations of the Law of Equity* (Oxford: Oxford University Press, 2020) 145-167.

Workshop on “Diffusion and Transformation of Trusts”, Harvard University, 27 April 2017.
Commented by invitation on a series of presented papers.

Conference on Family Provision in Succession Law, University of Stellenbosch, 24-25 March 2017.
Presented a paper (co-authored with Alexandra Popovici) on “Freedom of Testation and Family Claims in Canada”, published as ch. 17 in K.G.C. Reid, M.J. de Waal, and R. Zimmermann, eds., *Comparative Succession Law vol. III: Mandatory Family Protection* (Oxford: Oxford University Press, 2020) 507-533.

Workshop on Private Law Theory, Universitat Pompeu Fabra, Barcelona, 24 February 2017.
Presented on the structure of unjust enrichment.

Workshop on Things, Rights and Animals: *La situation juridique de l’animal au Québec*, McGill University, 8 March 2016. Presented on the private law consequences of recent amendments to the Civil Code of Québec related to animals.

Workshop on “Contract, Status and Fiduciary Law”, McGill University, 6-7 November 2015.
Presented “Contract, Consent, and Fiduciary Relationships”, published as ch. 5 in P.B. Miller and A.S. Gold, eds., *Contract, Status and Fiduciary Law* (Oxford: Oxford University Press, 2016) 117-138.

Colloquium on “*La Magna Carta et son impact ici*”, Quebec Court of Appeal, Montreal, 5 November 2015. Presented (in French and English) on “*La grande charte et le droit privé : La gestion du bien d’autrui*”.

Workshop on Comparative Unjust Enrichment, Gault Estate, McGill University, 9 October 2015. I was the organizer of this workshop, which was the third event in a multi-year project on comparative unjust enrichment, and also presented on the scope of the law of unjust enrichment.

Conference on “Modern Studies in the Law of Trusts and Wealth Management”, Singapore, 30-31 July 2015. Presented “Legal Risk in Trust Drafting”, published as “Massively Discretionary Trusts” (2017), 70 *Current Legal Problems* 17-54, with [open access](#) and as ch. 5 in R.C. Nolan, K.F.K. Law, and T.H. Wu, eds., *Trusts and Modern Wealth Management* (Cambridge: Cambridge University Press, 2018) 130-168 and reprinted at (2019), 25 *Trusts & Trustees* 397-421, with [open access](#).

- Conference on “Current Issues in Succession Law”, All Souls College, Oxford, 10-11 July 2015. Presented on “What is Left of the Non-Delegation Principle?”, published as ch. 9 in B. Häcker and C. Mitchell, eds., *Current Issues in Succession Law* (Oxford: Hart, 2016) 209-229.
- Workshop on “Contract and Fiduciary Duty: Two Things or Just One?”, University College London, 9 July 2015. Presented on “Contract, Consent, and Fiduciary Relationships”, published as ch. 5 in P.B. Miller and A.S. Gold, eds., *Contract, Status and Fiduciary Law* (Oxford: Oxford University Press, 2016) 117-138.
- Law and Society Association Annual Conference, “Law’s Promise and Law’s Pathos in the Global North and Global South”, Seattle, 28-31 May 2015. Presented on “Parents as Fiduciaries”, published in (2020), 70 *University of Toronto Law Journal* 395-452.
- Conference on “The Functioning of the Trust”, Charles University, Prague, 15-16 May 2015. Presented on “The Duties of Trustees in Comparative Perspective”, published at (2016), 24 *European Review of Private Law* 1031-1052 and in Czech (translation by the editor) as “Povinnosti Správců – Srovnávací Analýza” in L. Tichý, ed., *Svěřenský fond a trust – jejich fungování v mezinárodním srovnání [The Czech Trust Fund and the Trust: Comparative Perspectives on their Operation]* (Prague: Charles University Press, 2016).
- Conference on “Will-Substitutes from a Comparative Perspective”, Oxford, 27-28 March 2015. Presented on “The Perspective of Creditors in the US and Canada”, published as ch. 12 in A. Braun and A. Röthel, eds., *Passing Wealth on Death: Will-Substitutes in Comparative Perspective* (Oxford: Hart, 2016) 251-265.
- Workshop on “Equity in the Age of Statutes”, University of Melbourne, 27 February 2015. Presented (by teleconference) on “Loyalty and Politics: From Case Law to Statute Law”, published at (2015), 9 *Journal of Equity* 130-149.
- Workshop on Comparative Unjust Enrichment, Dickson Poon School of Law, King’s College London, 12 January 2015. I was the organizer of this workshop, which was the second event in a multi-year project on comparative unjust enrichment, and also presented on the normatively plural structure of unjust enrichment.
- Conference on Defences in Unjust Enrichment, All Souls College, Oxford, 9-10 January 2015. Presented on “Defences and the Disunity of Unjust Enrichment”, published as ch. 2 in A. Dyson, J. Goudkamp and F. Wilmot-Smith, eds., *Defences in Unjust Enrichment* (Oxford: Hart, 2016) 27-51.
- Atelier de droit civil*, McGill University, 24 November 2014. In the series *L’abnégation en droit civil*, presented a workshop (in French) on “*Droit et pouvoir*”, published as ch. 5 in A.-S. Hulin and R. Leckey, eds., *L’abnégation en droit civil* (Montreal: Les Éditions Yvon Blais, 2017) 109-131.
- Workshop on Fiduciary Relationships, Western University, 14-15 November April 2014. In a workshop co-organized by the Faculty of Law and the Department of Philosophy, presented work in progress on “Aspects of Loyalty”, incorporated into *The Law of Loyalty*.

Second North American Workshop on Private Law Theory, Harvard Law School, 17-18 October 2014. Presented work in progress on “Aspects of Loyalty”, incorporated into *The Law of Loyalty*.

Nineteenth Congress of the International Academy of Comparative Law, Vienna, 20-24 July 2014. Presented as national reporter for Canada in relation to two subjects: “Disgorgement of Profits” (co-reporter with Jeff Berryman), published as “Disgorgement of Profits in Canada”, ch. 16 in E. Hondius and A. Janssen, eds., *Disgorgement of Profits* (Cham, Switzerland: Springer, 2015) 281-297; and “Judicial rulings with prospective effect”, now published as “Canada: The Rise of Judgments with Suspended Effect”, ch. 11 in E. Steiner, ed., *Comparing the Prospective Effect of Judicial Rulings Across Jurisdictions* (Cham, Switzerland: Springer, 2015) 247-259.

Continuing Legal Education Society of British Columbia, Conference on “Restitution”, Vancouver, 6 June 2014. Presented on “The State of the Law of Unjust Enrichment in Common Law Canada”, published at (2015), 57 *Canadian Business Law Journal* 39-57.

Second Annual Workshop on Fiduciary Obligations, McGill University, 6 May 2014. Presented work in progress on fiduciary obligations, incorporated into *The Law of Loyalty*.

Forty-third Annual Workshop on Commercial and Consumer Law, McGill University, 11-12 October 2013. Commented by invitation on two presented papers.

Workshop on Comparative Unjust Enrichment, Gault Estate, McGill University, 30 September 2013. I was the organizer of this workshop which was the first event in a multi-year project on comparative unjust enrichment, and led and synthesised the discussions.

Conference on “Philosophical Foundations of Fiduciary Law”, De Paul University, Chicago, 19-20 July 2013. Presented on “Can We Be Obligated to Be Selfless?”, published as ch. 6 in A.S. Gold and P.B. Miller, eds., *Philosophical Foundations of Fiduciary Law* (Oxford: Oxford University Press, 2014) 141-158.

Conference on Intestate Succession, Edinburgh University, 12-13 July 2013. Presented on the Quebec law of intestate succession, published as ch. 3 in K.G.C. Reid, M.J. de Waal, and R. Zimmermann, eds., *Comparative Succession Law vol. II: Intestate Succession* (Oxford: Oxford University Press, 2015) 52-66.

Private Law Theory Workshop, Queen’s University, 19 April 2013. Presented work in progress on “How Can we be Obligated to be Selfless?”, incorporated into *The Law of Loyalty*.

Faculty Seminar, University of New South Wales, Sydney, Australia, 26 March 2013. Presented work in progress on fiduciary obligations, incorporated into *The Law of Loyalty*.

Seminar on Fiduciary Obligations, University of New South Wales, Sydney, Australia, 22 March 2013. Presented on “Exercising Judgment on Behalf of Another”, published at (2014) 130 *Law Quarterly Review* 608-634.

Presentation to the Oxford Obligations Discussion Group, Oxford University, 8 February 2013. Presented on “Fiduciary Obligations: Ensuring the Loyal Exercise of Judgment”.

Conference on “Obligations VI: Challenging Orthodoxy”, London, Ont., 18-20 July 2012. Presented on “Policy Reasoning in Canadian Private Law”, under revision for publication.

Visiting Fellow’s Colloquium, All Souls College, Oxford, 22 May 2012. Presented on “Understanding Fiduciary Obligations”.

Presentation to the Oxford Obligations Discussion Group, Oxford University, 14 May 2012. Presented on “The Structure of Fiduciary Obligations”.

Conference on “Lord Millett’s Contribution to Equity and the Common Law”, London School of Economics and Political Science, London, 11 November 2011. Presented on Lord Millett’s contribution to equitable doctrines.

Conference for the 50th Anniversary of the Québec Society of Comparative Law, University of Sherbrooke, 27-29 October 2011. Presented on “Peter Birks and Comparative Law”, published at (2013), 43 *Revue de Droit de l’Université de Sherbrooke* 193-208.

Presentation to the Oxford Comparative Law Discussion Group, Oxford University, 20 October 2011. Presented on “Peter Birks and Comparative Law”.

Conference to mark the publication of the *Restatement Third, Restitution and Unjust Enrichment*, Boston University, 16-17 September 2011. Presented a paper on “Legal Epistemology in the *Restatement (3d) of Restitution and Unjust Enrichment*”, published at (2012), 92 *Boston University Law Review* 899-917.

Summer Seminar, Quebec Research Centre of Private and Comparative Law, McGill University, 27 July 2011. Gave a seminar on “The Encyclopedic Dictionary of the Untranslatable Vocabulary of Transsystemic Legal Education”.

Workshop on “Multi-Valued Law and Multivalent Logic”, Netherlands Institute of Advanced Study, Wassenaar, Netherlands, 17-18 June 2011. Presented on the relationship between logic and the law of trust, published as “Law and Equity: Chunk and Permeate?”, ch. 9 in L. Smith and H. Patrick Glenn, eds., *Law and the New Logics* (Cambridge: Cambridge University Press, 2017) 181-195.

Conference on “Moral Values and Private Law”, King’s College London, 16 June 2011. Presented on “The Structure of Fiduciary Obligations”.

Conference on “Landmark Cases in Equity”, University College London, 8-9 April 2011. Presented on “A Selfish Loyalty: *North-West Transportation Co. v. Beatty*”, published as ch. 13 in C. Mitchell and P. Mitchell, eds., *Landmark Cases in Equity* (Oxford: Hart Publishing, 2012) 393-422.

Annual Meeting of the American College of Trusts and Estates Counsel, Phoenix, 13-14 March 2011. Presented to the International Committee of ACTEC on the recent developments in trusts in civil law.

Seventh Annual Senior Estates and Trusts Practitioners' Forum, Cambridge, Ont., 17-19 October 2010. Presented on the evolution of taxation rules for non-resident trusts.

Conference on "The Worlds of the Trust/*La fiducie dans tous ses États*", McGill University, 23-25 September 2010. I was the principal organizer of this conference, at which thirty presentations were given on a range of topics in comparative trust law. I was also a commentator in one of the panels. The papers are now published as L. Smith, ed., *The Worlds of the Trust* (Cambridge: Cambridge University Press, 2013) and in *The Civil Law Trust / La fiducie en droit civil*: special issue of the *McGill Law Journal*, (2013) 58 *McGill Law Journal* 793-966.

Conference on "Obligations V: Rights and Private Law", Oxford, 14-16 July 2010. Presented on "Corrective Justice and Public Law", under revision for publication.

National Judicial Institute, Seminar on "Equity, Corporate Law and Insolvency", Vancouver, 12 May 2010. Presented on the nature and scope of fiduciary obligations.

Private Law Theory Workshop, University of Western Ontario, 19-20 February 2010. Led a discussion on a Kantian understanding of fiduciary obligations.

Society of Trust and Estate Practitioners panel on "Considerations With Respect to Choice of and Changes in Trustees", Calgary and Edmonton, 27 January 2010. Participated as a member of a panel of three commentators.

Society of Trust and Estate Practitioners panel on recent developments in the taxation of trusts, Calgary, 27 October 2009. Participated as a member of a panel of four commentators. This panel was webcast internationally.

Property Theory Workshop, McGill University, 10-11 July 2009. This event was co-sponsored by the Quebec Research Centre of Private and Comparative Law. Presented on the judicial review of legal powers.

International Association of Legal Science and World Society of Mixed Jurisdiction Jurists, Colloquium on "Mixed Jurisdictions as Models? Perspectives from Southern Africa and Beyond", Stellenbosch, South Africa, 14-15 May 2009. Presented on "Teaching Mixity".

Canadian Bar Association Colloquium on « *L'heure juste sur l'affaire BCE à la suite du jugement motivé de la Cour suprême du Canada* », McGill University, 30 April 2009. Presented on the oppression remedy in Canadian corporate law.

Association québécoise de droit comparé, Colloquium on « *La circulation des modèles juridiques : thème classique, réalités contemporaines* », McGill University, 24 April 2009. Presented on legal transplants in the law of unjust enrichment.

Continuing Legal Education Society of British Columbia, Conference on “Restitution”, Vancouver, 8 April 2009. Presented on “Restitution to Vindicate Property Rights”.

Presentation to the Oxford Private Law Discussion Group, Oxford University, 23 February 2009. Presented on “Simplifying Claims to Traceable Proceeds”, published at (2009), 125 *Law Quarterly Review* 338-348.

Society of Trust and Estate Practitioners meetings, Halifax, 18 September 2008, and Moncton, 19 September 2008. Presented on “Can I Change My Mind? Undoing Trustee Decisions”, published at (2008), 27 *Estates, Trusts and Pensions Journal* 284-305.

Conference on “Obligations IV: The Goals of Private Law”, Singapore, 23-25 July 2008. Presented at the closing plenary session on “Finding the Limits of Private Law”, under revision for publication.

National Judicial Institute, Seminar on “Emerging Issues in Tort/Civil Liability”, Ottawa, 11 June 2008. Presented on the foundations of fiduciary obligations.

Conference on “Philosophical Foundations of Unjust Enrichment”, King’s College, London, 11-12 April 2008. Presented on “Philosophical Foundations of Proprietary Remedies”, published as ch. 10 in R. Chambers, C. Mitchell and J. Penner, eds., *Philosophical Foundations of Unjust Enrichment* (Oxford: Oxford University Press, 2009) 281-305.

Society of Trust and Estate Practitioners Symposium on Trust Law Reform in Canada, Toronto, 6 November 2007. Presented on “Planning for Reform”.

Law Society of Upper Canada 10th Annual Estates and Trusts Summit, Toronto, 5 November 2007. Co-presented (with Kimberly Whaley) on “The Measurement of Compensation Claims Against Trustees and Fiduciaries”, published as ch. 16 in E. Bant and M. Harding, eds., *Exploring Private Law* (Cambridge: Cambridge University Press, 2010) 363-376.

Fourth Annual Senior Estates and Trusts Practitioners’ Forum, Cambridge, Ont., 22-23 October 2007. Presented on trustee discretions and on international developments in trust law.

Thirty-seventh Annual Workshop on Commercial and Consumer Law, Toronto, 19-20 October 2007. Presented on “Public Justice and Private Justice: Restitution after *Kingstreet*”, published at (2008), 46 *Canadian Business Law Journal* 11-35.

Ontario Bar Association conference on “Trusts, Trustees and Trusteeships”, Toronto, 24 September 2007. Presented on “Undoing Trustee Decisions”, published at (2008), 27 *Estates, Trusts and Pensions Journal* 284-305.

Conference on “Restitution in Commercial Law”, Sydney, 3-5 August 2007. Presented on “Unjust Enrichment: Big or Small?”, published as ch. 2 in S. Degeling and J. Edelman, eds., *Unjust Enrichment in Commercial Law* (Pyrmont, N.S.W.: Lawbook Co., 2008) 35-52.

- Second Congress, World Society of Mixed Jurisdiction Jurists, Edinburgh, 27-30 June 2007. Presented on “Trust and Patrimony”, published at (2008), 38 *Revue générale de droit* 379-403, reprinted with minor changes at (2009) 28 *Estates, Trusts and Pensions Journal* 332-354 and as ch. 3 in R. Valsan, ed., *Trusts and Patrimonies* (Edinburgh: Edinburgh University Press, 2015) 42; published in Japanese translation (trans. H. Watanabe) as 信託と財産 (2011), 86 早稲田法學 [*Waseda Law Review*] 257-282 (Waseda University, Japan).
- Eighteenth Annual International Trust and Tax Planning Summit, Miami, 30 October-1 November 2006. Presented on recent developments concerning the Hague Convention on the Law Applicable to Trusts and on their Recognition.
- Thirty-sixth Annual Workshop on Commercial and Consumer Law, Banff, 27-28 October 2006. Presented on “Demystifying Juristic Reasons”, published at (2007), 45 *Canadian Business Law Journal* 281-304.
- Third Annual Senior Estates and Trusts Practitioners’ Forum, Cambridge, Ont., 23-24 October 2006. Presented on private international law as it applies to trusts.
- Seminar on “Terminology and Property Models in the 21st Century”, 21-22 September 2006, McGill University. Presented on “Is the Common Law Trust a Patrimony?”
- Round Table on Transsystemic Legal Education, McGill University, 8 September 2006. Presented a sample transsystemic class.
- Conference on “Obligations III: Justifying Remedies in the Law of Obligations”, T.C. Beirne School of Law, University of Queensland, Brisbane, 13-14 July 2006. Presented on “Remedying Disloyalty”.
- Conference on “Emerging Issues in Tort Law”, University of Western Ontario, 9-10 June 2006. Presented on the justification for fiduciary obligations.
- Second Annual Senior Estates and Trusts Practitioners’ Forum, Cambridge, Ont., 20-21 October 2005. Presented on trustee discretions.
- Symposium on the Historical Foundations of the Law of Unjust Enrichment, King’s College London, 14 April 2005. Commented by invitation on a presented paper.
- 17ème Journée de droit international privé de l’Institut suisse de droit comparé : « Le trust en droit international privé »*, Lausanne, 18 March 2005. Presented on “The Trust Between Common Core and Common Law”, published at *Le trust en droit international privé : perspectives suisses et étrangères*, vol. 52 of the publications of the Swiss Institute of Comparative Law (Geneva: Schulthess, 2005) 29-40.
- Conference on “Fusion: The Interaction of Common Law & Equity in Commercial Law”, Sydney, 16-18 December 2004. Presented on “Fusion and Tradition”, published as ch. 2 in S. Degeling and J. Edelman, eds., *Equity in Commercial Law* (Sydney: Thomson/Lawbook Co., 2005) 19-29.

- Thirty-third Annual Workshop on Commercial and Consumer Law, Toronto, 17-18 October 2003. Presented on “Unravelling Proprietary Restitution”, published at (2004), 40 *Canadian Business Law Journal* 317-338.
- Conference on “Achieving Human Rights in a Multicultural Society: Reparations, Human Rights and the Limits of Law”, Toronto, 12-13 April 2003. Presented on “The Timing of Injustice”, published in D. Dyzenhaus and M. Moran, eds., *Calling Power to Account: Law, Reparations and the Chinese Canadian Head Tax Case* (Toronto: University of Toronto Press, 2005) 287-306.
- Symposium on “Understanding Unjust Enrichment”, London, Ont., 25 January 2003. Commented by invitation on a presented paper.
- Symposium on *Quistclose* Trusts, All Souls College, Oxford, 30 November 2002. Presented on “Understanding the Power”, published as ch. 4 in W. Swadling, ed., *The Quistclose Trust: Critical Essays* (Oxford: Hart Publishing, 2004) 67-76.
- Thirty-first Annual Workshop on Commercial and Consumer Law, Toronto, 19-20 October 2001. Presented a work-in-progress report on the Common Core project on *Commercial Trusts in European Private Law*.
- Symposium on Breach of Trust, Oxford, 19 April 2001. Presented on “Property Transferred in Breach of Trust”, published as ch. 5 in P. Birks and A. Pretto, eds., *Breach of Trust* (Oxford: Hart Publishing) 111-138.
- Symposium on Restitution, Austin, Texas, 12-13 January 2001. Presented on “Restitution: The Heart of Corrective Justice”, published at (2001), 79 *Texas Law Review* 2115-2175.
- Workshop on “Nineteenth Century Commercial Law in Twenty-First Century Asia”, University of Hong Kong, 1-2 June 2000. Presented on “Relief Against Forfeiture: A Restatement”, published at (2001), 60 *Cambridge Law Journal* 178-199.
- Workshop on the Actio Pauliana in European Law, Barcelona, 17 September 1999. Co-presented (with Robert Stevens) on “Actio Pauliana in English Law”, published as ch. 5 in J.J. Forner Delaygua, ed., *La Protección del Crédito en Europa: La Acción Pauliana [The Protection of Creditors in Europe: The Actio Pauliana]* (Barcelona: Bosch, 2000) 195-208.
- Conference on “Comparative Law of Unjustified Enrichment”, Christ’s College, Cambridge, 7-9 April 1999. Presented on “Unjust Enrichment, Property and Subsidiarity”, published as ch. 21 in R. Zimmermann and D. Johnston, eds., *Comparative Law of Unjust Enrichment* (Cambridge University Press, 2002) 588-623.
- Workshop on the “New Equity”, University of Hong Kong, 10-12 September 1998. Presented a paper on “Constructive Trusts and Constructive Trustees”, published at (1999), 58 *Cambridge Law Journal* 294-302.

Mansfield Symposium on Lessons of the Swaps Litigation, Oxford: 29 November 1997. Presented on “Tracing”, published as ch. 8 of P. Birks and F. Rose, eds., *Lessons of the Swaps Litigation* (London: Lloyd’s of London Press, 2000) 233-241.

Society of Public Teachers of Law Annual Conference, Coventry: 19-20 September 1997. Presented on “Tracing and Electronic Funds Transfers”, published as ch. 8 in F. Rose, ed., *Restitution and Banking Law* (Oxford: Mansfield Press, 1998) 120-134.

Society of Public Teachers of Law Seminar on Fiduciaries in Context, Oxford: 28 September 1996. Presented on “Constructive Fiduciaries?” published as ch. 9 in P. Birks, ed., *Privacy and Loyalty* (Oxford: Clarendon Press, 1997) 249-268.

Society of Public Teachers of Law Annual Conference, Norwich: 13-17 September 1994. Presented on “Tracing into the Payment of a Debt”, published at (1995), 54 *Cambridge Law Journal* 290-305.

OTHER CONFERENCES ATTENDED

Fifth Congress of the World Society of Mixed Jurisdiction Jurists, “Mixity in Private and/or Public Law”, University of Malta, 15-16 June 2023. Member of the organizing committee and chaired two sessions. Accepted nomination as President of the World Society of Mixed Jurisdiction Jurists.

Twenty-eighth Conference of “The Common Core of European Private Law”, University of Groningen, 25-26 May 2023.

Co-ordinator, Global Seminar on Private Law Theory. In the light of conference cancellations caused by the novel coronavirus, I launched and hosted a series of online seminars in April 2020 that continued into 2022. Seminars took place every two to four weeks, and speakers and participants have been from jurisdictions all over the world.

Conference on *Réforme du droit de la famille : quelles filiations et quels droits pour les enfants d'aujourd'hui?*, Faculty of Law, University of Sherbrooke, 25 May 2022.

Twenty-seventh Conference of “The Common Core of European Private Law”, University of Stockholm, 3-4 March 2022.

Edinburgh-Oxford Roundtable on Private Law, Faculty of Law, Oxford University, 28 February 2020.

Twenty-fifth Conference of “The Common Core of European Private Law”, University of Trent, 6-7 December 2019.

Workshop on Equity, Notre Dame Law School, Chicago, 13-14 September 2019. Invited commentator and chaired a session.

Atelier Tribonien: workshop on unjust enrichment in French law, Collège Sainte-Barbe, Paris, 14 June 2019. Invited commentator.

Eighth Annual Conference of the Young Comparativists Committee of the American Society of Comparative Law, Paul-André Crépeau Centre for Private and Comparative Law, McGill University, 10-11 May 2019. Chaired a session.

Second International Fiduciary Workshop, University of Hong Kong, 14-15 December 2018. Invited commentator.

Edinburgh-Oxford Roundtable on Obligations, Edinburgh Centre for Private Law, University of Edinburgh, 5 October 2018.

Fifth Annual Fiduciary Law Workshop, UCLA School of Law, 9-10 June 2017. Chaired a session.

Conference on “The Global Futures of Unjust Enrichment”, University College London, 21-22 April 2017. Chaired a session.

Fourth North American Workshop on Private Law Theory, Fordham University, New York, 4-5 November 2016.

Conference on *Enriquecimiento injustificado en la encrucijada* (Unjust Enrichment at the Crossroads), Universidad Carlos III, Madrid, 23 September 2016.

2016 Annual Conference of the European Law Institute, Ferrara, 7-9 September 2016.

Fourth Private Law Consortium, University of Oslo, 16-17 June 2016.

Third North American Workshop on Private Law Theory, University of Toronto, 23-24 October 2015.

Fourth Congress of the World Society of Mixed Jurisdiction Jurists, “The Scholar, Teacher, Judge, and Jurist in a Mixed Jurisdiction”, McGill University, 24-26 June 2015.

Round Table on *Démoulanges : du carcan de l’enseignement du droit vers une éducation juridique* (“Breaking the mould: from the straitjacket of teaching the law towards a juridical education”), Université Paris 1 (Panthéon-Sorbonne), 27-28 June 2014. Presented a synthesis of the proceedings at the end.

Nineteenth Conference of “The Common Core of European Private Law”, University of Turin, 15-16 November 2013.

Tenth Annual Senior Estates and Trusts Practitioners’ Forum, Cambridge, Ont., 21-22 October 2013.

First North American Workshop on Private Law Theory, McGill University, 4-5 October 2013.

Seventh Summer Institute of Jurilinguistics, McGill University, 30 August 2013. This event was organized under my direction, as part of the activities of the Paul-André Crépeau Centre for Private and Comparative Law.

Conference on “Insights Into Trust Law: The Channel Islands and Beyond”, Institute of Law, Jersey, 26 October 2012.

Workshop on *L’affectation*, McGill University, 1 October 2012. This was organized under my guidance by my postdoctoral supervisee, Caroline Cassagnabère; selected proceedings are now published in (2014) 48 *Revue juridique Thémis* 531-656.

Conference on “Stateless Law? The future of the discipline / *Le droit hors d’État ? L’avenir de la discipline*”, McGill University, 28-29 September 2012. I was the principal organizer of this conference, at which thirty-nine presentations were given on a range of topics relating to the evolution of law and the discipline of law. The papers were published as H. Dedek and S. Van Praagh (eds.), *Stateless Law: Evolving Boundaries of a Discipline* (Farnham: Ashgate, 2015).

Sixth Summer Institute of Jurilinguistics, McGill University, 27 August 2012. This event was organized under my direction, as part of the activities of the Paul-André Crépeau Centre for Private and Comparative Law.

Third Congress of the World Society of Mixed Jurisdiction Jurists, “Innovation and Methodology in Mixed Legal Systems”, Hebrew University of Jerusalem, 20-23 June 2011. Member of the organizing committee.

Conference on « *Les livres du Code civil du Québec* », University of Sherbrooke, 10-11 June 2011.

Founding Congress of the European Law Institute, Paris, 1 June 2011.

Private Law Theory Workshop, McGill University, 25-26 March 2011.

Fortieth Annual Workshop on Commercial and Consumer Law, Toronto, 15-16 October 2010.

Fourth Summer Institute of Jurilinguistics, University of Moncton, 13 August 2010. This event was organized under my direction, as part of the activities of the Quebec Research Centre of Private and Comparative Law.

American Law Institute, Meeting of the Members’ Consultative Group for the *Restatement (Third) of Restitution and Unjust Enrichment*, Philadelphia, 9 October 2009.

Swiss Institute of Comparative Law, Conference on Hybrid Legal Systems, Lausanne, 10-11 September 2009.

Third Summer Institute of Jurilinguistics, McGill University, 31 August 2009. This event was organized under my direction, as part of the activities of the Quebec Research Centre of Private and Comparative Law.

Canadian Bar Association Colloquium on « *Le Code civil du Québec 15 ans après : constats, perspectives et influences* », Montreal, 3 April 2009.

Fourteenth Conference of “The Common Core of European Private Law”, University of Turin, 11-12 July 2008.

Conference on “The Foundations of a Cosmopolitan Legal Education in Europe and in North America”, McGill University, 27-28 September 2007.

Twelfth Conference of “The Common Core of European Private Law”, University of Trent, 30 June-1 July 2006. Chaired the Property Section of the conference.

Thirty-fifth Annual Workshop on Commercial and Consumer Law, Toronto, 21-22 October 2005.

Symposium on “Bijuralism in Legal Education”, Toronto, 16-17 October 2003.

Conference on “Intellectual Property and Biotechnology in the Age of Globalization”, Vancouver, 19-20 September 2003.

Symposium on “Professing to Educate and Educating to Profess”, on graduate legal education, McGill University, 3-4 July 2003. Member of the organizing committee, and moderated a panel on “The Pressures and Rewards of Institutional Life”.

Thirty-second Annual Workshop on Commercial and Consumer Law, Toronto, 18-19 October 2002.

Meredith Lectures, “Dirty Money: Civil and Criminal Aspects”, McGill University, 4-5 October 2002. Chaired a session and was a member of the organizing committee.

Eighth Conference of “The Common Core of European Private Law”, University of Trent, 4-6 July 2002.

Conference on “Commercial Trust and Fiduciary Management”, Stresa, Italy, 26-27 October 2001. Chaired the working sessions on the text of *Commercial Trusts in European Private Law*.

Seventh Conference of “The Common Core of European Private Law”, University of Trent, 12-14 July 2001.

Thirtieth Annual Workshop on Commercial and Consumer Law, Toronto, 20-21 October 2000. Chaired a session on “Equitable Subordination”.

Sixth Conference of “The Common Core of European Private Law”, University of Trent, 13-15 July 2000.

Conference on “Legal Aspects of Investment Management”, Insubria University, Como, Italy, 19-20 May 2000.

Twenty-ninth Annual Workshop on Commercial and Consumer Law, Montreal, 15-16 October 1999.

Fifth Conference of “The Common Core of European Private Law”, University of Trent, 15-17 July 1999.

Conference on “Principles of European Trust Law”, The Hague, 15 January 1999.

Fourth Conference of “The Common Core of European Private Law”, University of Trent, 16-18 July 1998. Chaired the Property Section of the conference.

Conference on “The Common Core of European Private Law: Creditors’ Rights and Movable Assets”, University of Turin, 7-9 May 1998.

Mansfield Symposium on Resulting Trusts, St. John’s College, Cambridge, 20 April 1998.

Conference on “Restitution: Past, Present and Future,” Cambridge, 8-10 January 1998.

Society of Public Teachers of Law Annual Conference, Cambridge: 9-13 September 1996.

Conference on Money Laundering and Asset Forfeiture, Windsor, Ont.: 2-3 May 1996.

Fourth International Conference on Money Laundering, Forfeiture, Asset Recovery and International Financial Crime, San Francisco: 5-6 October 1995.

Canadian Association of Law Teachers Annual Conference, Montreal: 3-7 June 1995.

Society of Public Teachers of Law Seminar on Tracing and Money Laundering, Oxford: 17 December 1994.

Twenty-fourth Annual Workshop on Commercial and Consumer Law, Toronto: 21-22 October 1994.

Society of Public Teachers of Law Annual Conference, London: 6-8 September 1993.

Seminar on Misdirected Money and Mareva Injunctions, Oxford: 19 March 1993.

Society of Public Teachers of Law Seminar on Bribes and Secret Commissions, Oxford: 28 November 1992.

Canadian Association of Law Teachers Conference, Charlottetown: 3-6 June 1992.

Thirteenth Annual Law Teaching Clinic, Banff, Alta.: 25 May-2 June 1992.

Symposium on Police Powers in Democratic Societies, Edmonton: 18-19 October 1991.