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newsrelease



Superior Court of Ontario Appoints Judicial Inquiry Commissioner

MISSISSAUGA, November 13, 2009 – The Chief Justice of the Superior Court of Ontario has appointed The Honourable Justice John Douglas Cunningham as the Commissioner of the Judicial Inquiry following Mississauga Council's decision to have a judicial inquiry conducted into the conflicts of interest with respect to the City's purchase of lands within the City Centre.

“Justice Cunningham will determine the timing and set all the rules and parameters surrounding the judicial inquiry including how information will be gathered and be released publicly,” said City Solicitor Mary Ellen Bench. She added: “A judicial inquiry has two key parts to it. First, the gathering of relevant information, and secondly to hold a public hearing into issues defined by the Commissioner that will allow the Commissioner to make findings of fact and recommendations based on those findings.”

The Honourable Justice John Douglas Cunningham is the Associate Chief Justice of the Superior Court of Justice of Ontario. He is a former director of the Advocates' Society of Ontario and was a Specialist in Civil Litigation. Justice Cunningham was appointed as Queen's Counsel in 1980, and appointed as a Justice of the Ontario Court of Justice, General Division, in Ottawa in 1991. In June 2000, he was appointed as Regional Senior Justice for the East Region, and has served as the Associate Chief Justice of the Superior Court of Justice of Ontario since December 2002.

William C. McDowell has been appointed as Commission Counsel. Mr. McDowell was formerly the Associate Deputy Minister of Justice of Canada responsible for civil litigation, national security and central agencies issues. Mr. McDowell was responsible for the design and oversight of a number of major public inquiries, and for the implementation of the recommendations which came from them. He is the joint recipient of a Department of Justice National Award for his work in resolving the Maher Arar vs. Canada case. Mr. McDowell also acted as counsel to a corporate party in the 2002-2003 Waterloo judicial inquiry. Mr. McDowell practises civil and commercial litigation, including professional discipline, defamation and human rights. Mr. McDowell is a partner at Lenczner Slaght Royce Smith Griffin LLP in Toronto.

Naomi Loewith has been named Associate Commission Counsel. She is a graduate of Harvard Law School and a former law clerk at both the Supreme Court of Canada and the International Criminal Tribunal in Rwanda. Ms. Loewith also practices civil litigation at Lenczner Slaght Royce Smith Griffin LLP in Toronto.

Clifford Lax has been retained as to represent the City in this matter. Mr. Lax practices civil and commercial litigation and is also called upon to act as a mediator and arbitrator. He has been featured as one of Canada's top 25 corporate/commercial counsel by Lexpert and Chambers Global had featured him as one of the World's Leading Lawyers 2002-2009. Mr. Lax acted as counsel to the Inquiry by Mr. Justice Archie Campbell in the Police Investigation of Paul Bernardo and Karla Homolka, and has participated in a number of major public inquiries including Walkerton and the Toronto MFP Inquiry. Mr. Lax is a partner at Lax O'Sullivan Scott LLP, in Toronto. He will be assisted by Tracey Wynne, an experienced litigator who also practices at this firm.

As Canada's sixth largest city, Mississauga is home to 730,000 residents and 55,000 businesses, including 61 Fortune 500 companies with Canadian head offices or major divisional head offices. A diverse, progressive and award-winning municipality located on the shores of Lake Ontario in the heart of the Greater Toronto Area, Mississauga is one of Greater Toronto's Top 90 Employers for 2010. Enhancing its citizens' quality of life by providing superior services, revitalizing its infrastructure and conserving the environment, Mississauga is committed to innovation, operational excellence and fiscal responsibility which is reflected in its motto: "Leading Today for Tomorrow."

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