

## JOHN D. McCAMUS

John D. McCamus is a Professor of Law Emeritus and University Professor at Osgoode Hall Law School of York University, a faculty which he served as Dean from 1982-1987. His educational background includes degrees in philosophy from the universities of Western Ontario and Toronto and in law from the universities of Toronto and London. Prior to joining the faculty at Osgoode, he articulated with the Toronto law firm, Fasken and Calvin, and served as a law clerk at the Supreme Court of Canada for Chief Justice Laskin. At Osgoode, his principal areas of research and teaching have included private law, especially restitution and contract, commercial law and information practices law. His published work includes three texts, *An Introduction to the Canadian Law of Restitution and Unjust Enrichment* (2020), *The Law of Contracts* 3d ed. (2020) and *The Law of Restitution* 2d ed. (2004), the latter volume co-authored with P.D. Maddaugh and now available in a current Looseleaf Edition.

While Dean of Osgoode Hall, Professor McCamus served as Chair of the Committee of Ontario Law Deans and of the Committee of Canadian Law Deans. He is the recipient of the Mundell Medal for Excellence in Legal Literature (A.G. Ont.), the Walter Owen Book Prize (Can. Bar Assoc.) the Law Society Medal and an LL.D. (Hon.) from the Law Society of Upper Canada and the Justice Medal awarded by the Canadian Institute for the Administration of Justice. He was elected a Fellow of the Royal Society of Canada in 2006. He is an experienced adjudicator in human rights and labour disputes and served as a Vice-Chair of the Ontario Crown Employees Grievance Settlement Board from 1987-1996. He has served as an arbitrator in commercial disputes. He has served as a member of the Board of Directors of the Canadian Civil Liberties Association from 1986 to the present and as Chair of the Board from 1992 to 2019.

Professor McCamus served, from 1993 to 1996 as Chair of the Ontario Law Reform Commission. From 1994 to 1996, Professor McCamus also served as Co-Chair of a committee on fundamental issues for the Ontario Civil Justice Review, a joint task force of the Ministry of the Attorney General and the Ontario Court (General Division). In December of 1996, Professor McCamus was appointed by the Attorney General of Ontario to chair the Ontario Legal Aid Review, an independent task force established to examine the legal aid system in Ontario and make any recommendations considered appropriate with respect to its reform. The Review's three-volume report, *A Blueprint for Publicly Funded Legal Services* was published in September, 1997. In 2007, McCamus was appointed by the Province as Chair of the Board of Directors of Legal Aid Ontario, a position he held until May of 2019. In 1998, Professor McCamus was appointed by the American Law Institute to the Advisory Committee for the *Restatement of Restitution and Unjust Enrichment 3d* (2011). In 2007, he was elected to membership in the American Law Institute. From 2009 to 2020, McCamus served as the Ombudsperson for York University. He is currently an Associated Scholar in the Toronto office of Davies Ward Phillips & Vineberg LLP.

**Curriculum Vitae**

**JOHN DOUGLAS McCAMUS**

**PERSONAL**

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**Citizenship:** Canadian

**EDUCATION**

1963 B.A., University of Western Ontario, General Arts  
(Philosophy and History).

1965 M.A., University of Toronto (Philosophy).

1968 LL.B., University of Toronto.

1969 LL.M., University of London (London School of  
Economics and Political Science).

**PROFESSIONAL QUALIFICATION**

1973 Member of the Bar of Ontario.

**CURRENT EMPLOYMENT**

Professor of Law Emeritus and University Professor,

Osgoode Hall Law School, York University.

Consultant, Davies, Ward, Phillips and Vineberg LLP.

### **EMPLOYMENT HISTORY**

1969-1970	Student-at-law. Articled to the firm of Fasken & Calvin in Toronto.
1970-1971	Legal Secretary to The Honourable Mr. Justice Laskin, Supreme Court of Canada.
1971-	Faculty of Osgoode Hall Law School of York University, Toronto, Ontario.
1982-1987	Dean
1981-1982	Director, Graduate Programme in Law
1976-1978	Associate Dean
1975	Assistant Dean
2005-	University Professor
1985-	Professor
1974-1985	Associate Professor
1971-1974	Assistant Professor <u>Subjects Taught</u> : Contracts, Commercial and Consumer Transactions, Contract Remedies and Restitution.

### **OTHER PROFESSIONAL ACTIVITIES**

1972-1979	Member, Research Team, Sale of Goods Project of the Ontario Law Reform Commission.
1977-1980	Research Director, Ontario Commission on Freedom of Information and Individual Privacy (supervised the preparation of and edited 17 research monographs and drafted the Commission's final report, <u>Public Government for Private People</u> (1980) 3 vols., pp. 812).
1980-1985	Member, Research Team, Contract Law Amendment Project of the Ontario Law Reform Commission.

- 1974- Arbitrator – various commercial and labour arbitrations.
- 1974- Occasional appearances as counsel at both trial and appellate levels in the Ontario courts and in the Supreme Court of Canada, as an expert witness on Ontario law in judicial and arbitral proceedings in Quebec, New York, California, Maryland and Switzerland.
- 1978- Served as Board of Inquiry under the Ontario Human Rights Code and the Canadian Human Rights Act on various occasions.
- 1984-1985 Chair, Committee of Canadian Law Deans
- 1985-1987 Chair, Committee of Ontario Law Deans
- 1986- Member, 1986 - and Chair, 1992 – 2019, Board of Directors, Canadian Civil Liberties Association
- 1987-1996 Vice-Chair, Ontario Crown Employees Grievance Settlement Board.
- 1987-1992 Member, National Statistics Council.
- 1987-1988 Visiting Professor, Institut de Droit des Affaires, Université d'Aix-Marseille III, Aix-en-Provence, France
- 1990-1992 Member, Ontario Law Reform Commission (see Appendix A)
- 1992-1994 Commissioner of Freedom of Information and Privacy Protection, Council of Ontario Universities
- 1993-1996 Chair, Ontario Law Reform Commission (see Appendix A)
- 1994-1996 Chair, Fundamental Issues Group of The Ontario Civil Justice Review (established by The Ontario Court of Justice and The Ministry of The Attorney General of Ontario).
- 1996-1997 Chair, Ontario Legal Aid Review
- 1997-1998 Appointed by Department of Justice, Canada, to investigate certain allegations of anti-Semitism (260 page report released in March, 1998).

1998-2011	Member, Advisory Committee, American Law Institute, Restatement of the Law Third, Restitution and Unjust Enrichment.
1999-2000	Member, Expert Panel on Access to Historical Census Records (appointed by the Hon. John Manley, Minister responsible for Statistics Canada).
2000-	Associated Scholar, Davies Ward Phillips & Vineberg LLP
2006-	Fellow of the Royal Society of Canada
2007-2019	Chair, Legal Aid Ontario
2007-	Member, American Law Institute
2009-2020	Ombudsperson, York University

## **PUBLICATIONS**

### **Books:**

(ed.)

*Freedom of Information: Canadian Perspectives* (Butterworths, Toronto: 1981, pp. 327).

(with P. Hanks, eds.)

*National Security: Surveillance and Accountability in a Democratic Society* (Les Editions Yvon Blais, Montreal: 1989, pp. 269).

(with P.D. Maddaugh)

*The Law of Restitution*, (Canada Law Book Inc., Toronto; 1990, pp. cvii, 791), (Awarded Walter Owen Book Prize for 1990-91, David Mundell Medal for Excellence in Legal Literature).

(with P.D. Maddaugh)

*The Law of Restitution*, 2<sup>nd</sup> ed. (Canada Law Book Inc., Toronto, March 2004, pp. ccxv, 1134).

(with P.D. Maddaugh)

*The Law of Restitution*, Looseleaf Edition (Canada Law Book Inc., Toronto, March 2004, with annual supplements).

(with S.M. Waddams, M.J. Trebilcock, J. Neyers and M.A. Waldron, eds.) *Cases and Materials on Contracts* 3<sup>rd</sup> ed. (Toronto, Emond Montgomery, May, 2005).

*The Law of Contracts* (Toronto, Irwin Law, November, 2005, pp. xxiv, 1095).

(with S.M. Waddams, J.W. Neyers, M.A. Waldron and J. Girgis, eds.) *Cases and Materials on Contracts*, 4th ed. (Toronto, Emond Montgomery, 2010).

*The Law of Contracts*, 2<sup>nd</sup> ed. (Toronto, Irwin Law, November, 2012, pp. xxvi, 1183).

(with S.M. Waddams, J. Girgis, J.W. Neyers and M.A. Waldron, eds.) *Cases and Materials on Contracts*, 5th ed. (Toronto, Emond Montgomery, August, 2014).

(with S.M. Waddams, J. Girgis, B. MacDougall and J.W. Neyers, eds.) *Cases and Materials on Contracts*, 6<sup>th</sup> ed. (Toronto, Emond Montgomery, June, 2018).

*An Introduction to the Canadian Law of Restitution and Unjust Enrichment* (Toronto, Thomson Reuters, March, 2020, pp xxxi, 223).

*The Law of Contracts*, 3d ed. (Toronto, Irwin Law, October, 2020, pp. xxii, 1287).

### **Articles and Chapters in Books:**

"Restitutionary Remedies", [1975] *Special Lectures of the Law Society of Upper Canada* (Richard De Boo, Toronto), 255-299.

"The Self-Serving Intermeddler and the Law of Restitution" (1978), 16 *Osgoode Hall L.J.* 515-576.

(With L. Taman)

"*Rathwell v. Rathwell*, Matrimonial Property, Resulting and Constructive Trusts" (1978), 16 *Osgoode Hall L.J.* 741-760.

"Restitution of Benefits Conferred under Minors' Contracts" (1979), 28 *U.N.B.L.J.* 89-117.

"Necessitous Intervention: The Altruistic Intermeddler and the Law of Restitution" (1979), 11 *Ottawa Law Rev.* 297-336, (reprinted in L.D. Smith (ed.), *Restitution: The International Library of Essays in Law and Legal Theory*, 2d Series (Dartmouth, Ashgate, 2001)).

"Comment on the New Brunswick Right to Information Act", in McCamus (ed.), *Freedom of Information: Canadian Perspectives*, (*supra*) 219-229.

"Bill C-43: The Federal Canadian Proposals of 1980", in McCamus (ed.), *Freedom of Information: Canadian Perspectives*, (*supra*) 266-305.

"The Report of the Ontario Commission on Freedom of Information and Individual Privacy", in McCamus (ed.), *Freedom of Information: Canadian Perspectives*, (*supra*) 306-327.

"Infants Act – 'Absolutely Void' Agreement - Property Passage and Restitutionary Implications - *Prokopetz v. Richardson's Marina et al.*" (1980), 14 U.B.C. Law Rev. 363-375.

"Unjust Enrichment and Construction Labour Relations - The Contractors' Association as Self-Serving Intermeddler" (1981), 18 Osgoode Hall L.J. 478-493.

"The Restitutionary Remedy of Constructive Trust", [1981] *Special Lectures of the Law Society of Upper Canada* (Richard De Boo, Toronto), 85-123.

"Restitutionary Recovery of Moneys Paid to a Public Authority under a Mistake of Law: Ignorantia Juris in the Supreme Court of Canada" (1983), 17 U.B.C. Law Rev. 233-274.

"Freedom of Information in Canada" (1983), 10 Govt. Pub. Rev. 51-60, reprinted in R. Martin and G.S. Adam, *A Sourcebook of Canadian Media Law*, (Carleton U. Press, Ottawa: 1989).

(With P.D. Maddaugh)

"Some Problems in the Borderland of Tort, Contract and Restitution", [1983] *Special Lectures of the Law Society of Upper Canada* (Richard De Boo, Toronto), 273-303.

"In Memoriam: The Right Honourable Bora Laskin" (1984), 22 Osgoode Hall L.J. 1-3.

"The Delicate Balance: Reconciling Privacy Protection With the Freedom of Information Principle", in R. Wall (ed.), *Conference on Privacy, Initiatives for 1984* (Government of Ontario; 1984), 51, a revised and updated version of which is published in (1986), 3 Govt. Inf. Q. 49-61.

"The Protection of Privacy: The Judicial Role" in R. Abella and M. Rothman (eds.) *Justice Beyond Orwell*, (Editions Yvon Blais, Montreal: 1986), 163-187.

"Recovery of the Indirect Profits of Wrongful Killing: The New Constructive Trust and The Olson Case" (1986), 20 E.T.R. 165-179.

(with P.- G. Jobin)

"The Design of Courses in Contract and Contractual Obligations", in R.S. Matas and D.J. McCawley (eds.) *Legal Education in Canada* (Federation of Law Societies, 1987), pp. 370-386.

(with Sharon A. Williams)

"Civil Liberties and the Combatting of International Crime: Striking the Balance" (*Proceedings of the 8th Commonwealth Law Conference*, 1987).

"After Arthurs - A Preface to the Symposium on Canadian Legal Scholarship" (1985), 23 Osgoode Hall L.J. 395-401.

"Fiduciary Duties: Common Themes and Future Developments" in *Fiduciary Duties - A Matter of Trust* (Law Society of Upper Canada: November, 1986) revised and reprinted as "The Recent Expansion of Fiduciary Obligation: Common Themes and Future Developments" in (1987), 23 E.T.R. 301-316.

"Restitutionary Recovery of Benefits Conferred under Contracts in Conflict with Statutory Policy" (1988), 25 Osgoode Hall L.J. 787-867.

"The Role of Proprietary Relief in Modern Restitutionary Law" in F. McArdle (ed.) *The Cambridge Lectures 1987* (Les Editions Yvon Blais, Montreal: 1989), 141-157.

"Surveillance and Accountability in a Democratic Society: An Overview" in P. Hanks and J.D. McCamus (eds.), *National Security: Surveillance and Accountability in a Democratic Society* (Les Editions Yvon Blais, Montreal: 1989), 1-17.

"Remedies for Breach of Fiduciary Duty" [*1990*] *Special Lectures of the Law Society of Upper Canada* (Richard De Boo, Toronto) 57-83.

"Restitution and the Supreme Court: The Continuing Progress of the Unjust Enrichment Principle" (1991), 2 Supreme Court L. Rev. (2d) 505-543.

"Chief Justice Dickson and the Law of Restitution" (1991), 20 Manitoba L.J. 337-366.

"Access to Information Held by the State and Privacy" *General Reports of the XIIIth International Academy of Comparative Law*, (Les Editions Yvon Blais, Montreal, 1992) 719-750.

The Unjust Enrichment Principle: Its Role and its Limits, in D. Waters (ed.), *Equity, Fiduciaries and Trusts, 1993* (Carswell & Co., 1993) pp. 129-156.



Family Law Reform in Ontario [1993], *Special Lectures of the Law Society of Upper Canada* (Carswell & Co., Toronto), 451-478.

"Equitable Compensation and Restitutionary Remedies", [1995] *Special Lectures of the Law Society of Upper Canada* (Carswell & Co., Toronto) 295-340.

"Civil Justice Reform: What Do We Know"? in D. Greschner, (ed.), *Public Perceptions of the Administration of Justice* (Les Editions Thémis, Montreal, 1996) 395-421.

"Prometheus Unbound: Fiduciary Obligation in the Supreme Court of Canada" (1997), 28 *Can. Bus. L.J.* 107-140.

"Fiduciary Obligation and Commercial Law" in M. Pilkington, J. Spence and H. Dumont (eds.) *The Administration of Justice in Commercial Disputes* (Les Editions Themis, Montreal, 1999) pp. 53-76.

"The Evolving Role of Fiduciary Obligation" in *Meredith Lectures 1998-1999, The Continued Relevance of the Law of Obligations: Back to Basics* (Montreal, Les Editions Yvon Blais; 2000) pp.171-210.

"Loosening the Privity Fetters: Should Common Law Canada Recognize Contracts for the Benefit of Third Parties" (2001), 35 *Can. Bus. L.J.* 173-215 (July, 2001).

"The Common Law: Where is it Written Down?" in Y. Gendreau (ed.), *Le lisible et l'illisible* (Montreal, Les Editions Themis, 2003) pp. 19-49.

"*Caveat Emptor*: The Position at Common Law" in [2002] *Special Lectures of the Law Society of Upper Canada: Real Property Law; Conquering the Complexities* (Irwin Law, Toronto, 2003) pp. 97-119 (March, 2003).

"Disgorgement for Breach of Contract: A Comparative Perspective" (2003), 36 *Loyola of L.A.L.Rev.* 943-74 (April, 2003).

"The Policy Inquiry: An Endangered Species?" In A. Manson and D. Mullan (eds.) *Commissions of Inquiry: Praise or Reappraise?* (Toronto, Irwin Law Inc., 2003) pp. 211-227 (June, 2003).

"Restitution on Dissolution of Marital and Other Intimate Relationships" in J. Neyers, M. McInnes and S. Pitel (eds.), *Understanding Unjust Enrichment* (Oxford, Hart. Pub. Co., 2004) pp. 359-381 (April, 2004).

"Mistaken Assumptions in Equity: Sound Doctrine or Chimera" (2004), 40 *Can. Bus. L.J.* 46-86 (April, 2004).

"Abuse of Discretion, Failure to Cooperate and Evasion of Duty: Unpacking the Common Law Duty of Good Faith Contractual Performance" (2004), 29 *Adv. Q.* 72-101 (Sept. 2004).

"Prometheus Bound or Loose Cannon? Punitive Damages for Pure Breach of Contract in Canada" (2004), 41 *San Diego L. Rev.* 1491-1520 (Feb. 2005).

"Restitution as an Alternative to Damages in Contract and Tort" in [2005] *Special Lectures of the Law Society of Upper Canada: The Modern Law of Damages* (Toronto, Irwin Law, 2006) pp. 123-151. (May, 2006)

"Celebrity Newsgathering and Privacy: The Transformation of Breach of Confidence in English Law" (2006), 39 *Akron L. Rev.* 1191-1215 (March, 2007).

"The Laskin Legacy in Private Law: The Judge as Custodian of the Common Law" in C. Backhouse and N. Finkelstein (eds.), *The Laskin Legacy: Essays in Commemoration of Chief Justice Bora Laskin* (Toronto, Irwin Law Inc., 2007) pp.131-148. (June, 2007)

"Restitutionary Liability of Public Authorities in Canada" in C.E.S. Rickett and R.B. Grantham (eds.), *Structure and Justification in Private Law: Essays for Peter Birks* (Oxford, Hart Pub. Co., 2008) pp. 291-318 (April, 2008)

"Mechanisms for Restricting Recovery for Emotional Distress in Contract" (2009), 42 *Loyola of L.A. L. Rev.* 101 (April, 2009)

"Wrongful Conduct and Change of Position" in S. Degeling and J. Edelman (eds.), *Restitution in Commercial Law* (Sydney, Sweet & Maxwell, 2008) pp. 385-409 (November, 2008)

"Mistaken Bids and Unilateral Mistaken Assumptions: A New Solution for an Old Problem?" (2008), 87 *Canadian Bar Review* 1-36 (September, 2009)

"Rethinking Section 142 of the Restatement of Restitution: Fault, Bad Faith and Change of Position " (2008), *Wash. & Lee L.Rev.* 889-931 (November, 2008)

"Mistake, Forged Cheques and Unjust Enrichment: Three Cheers for *B.M.P.Global*" (2009), 48 *Can. Bus. L.J.* 76-101 (September, 2009)

"Liquidated Damages and the Criminal Rate of Interest: More Unintended Consequences of Section 347" (2009), 25 *Bank. & Fin. L.R.* 229-245 (April, 2010)

"Forty Years of Restitution: A Retrospective" (2010), 50 *Can. Bus. L. J.* 474-498 (March, 2011).

"Remedies to Prevent Unjust Enrichment" in *2010 Pitblado Lectures: Remedies: From Dollars to Sense* (Winnipeg, Law Society of Manitoba, 2011)

"Mistake, Forged Cheques and Unjust Enrichment: A Good Test Case for Law and Economics?" in R. Weaver and F. Lichere (eds.) *Remedies and Economics* (Aix-en-Provence, Presses Universitaires d'Aix-Marseille, 2011) pp. 264-309 (an earlier and extended version of the paper originally published in (2009), 48 Can. Bus. L.J. 76) (September, 2009).

"Unjust Enrichment, 'Existing Categories' and *Kerr v. Baranow*: A Reply to Professor McInnes" (2012), 52 Can. Bus. L.J. 390-415 (June, 2012).

"The Future of the Canadian Common Law of Contracts"(2014), 31 J. of Contract Law 131-150 (March, 2014).

"Waiver of Tort: Is There a Limiting Principle?" (2014), 55 Can. Bus. L.J. 333-364 (September, 2014).

"Law Reform and Distributive Justice: The Secured Transactions Scholarship of Rod Macdonald" in R. Janda, R. Jukier and D. Jutras, (eds.) *The Unbounded Level of the Mind: Rod Macdonald's Legal Imagination* (Montreal, McGill-Queen's U.P., 2015) 114-127 (May, 2015).

"The New General "Principle" of Good Faith Performance and the New "Rule" of Honesty in Performance in Canadian Contract Law" (2015), 32 JCL 103-118 (June, 2015).

"Justice Cromwell and the Law of Restitution" (2017), 80 Sup. Ct. L. Rev. 179-215 (November, 2017) .

"The Intersection of Restitution and Tort: A Comparative View" in R. Weaver, S, Friedland, S. Trianchant, and G. Gil, eds., *Twenty-First Century Remedies* (Durham, N.C., Carolina Academic Press, 2019) 61-90. July, 2019.

"Unjust Enrichment (Dis)Contented' Redux: Fridman on Unjust Enrichment" in J. Neyers, A. Botterell and Z. Sinel, eds., *Gerald Fridman and the Law of Obligations: Past, Present and Future* (Toronto, LexisNexis, 2019) 319-344, also reprinted in (2019), 93 Sup. Ct. L. Rev. 321-346 (September, 2019).

"*Moore v. Sweet*": Four Lessons in Unjust Enrichment from the Supreme Court of Canada" (2020) 98 Can. Bar. Rev. 1-35 (June, 2020).

"Restitutionary Remedies in Three-Party Cases: A Comparative Perspective" (2021), 14 Fla. Int. U. L. Rev. 65-83 (March, 2020).

“Contracts of Adhesion and Unconscionability” (2022), 28 Banking and Finance Law Review 55 – 80 (November, 2022).

“Restitution and Ponzi Schemes” (2022), 66 Can Bus. L.J. 1 – 57 (September, 2022).

“The Supreme Court of Canada and the Development of a Canadian Law of Contract” (2022), Man. L.J. (forthcoming).

“The Canadian Doctrine of Good Faith Contractual Performance: Further Clarification” (2022), 38 J. of Cont. Law 1 – 27 (October, 2022)

“The New Illegality Defence in English Restitutionary Law: A Critical Appraisal” in R. Weaver, ed., *Twenty-First Century Remedies* (Newcastle, Cambridge Scholars Publishing) (forthcoming).

### **Review Articles:**

"Three Recent Works on Contractual Interpretation: Steven J. Burton, *Elements of Contractual Interpretation*; Geoff R. Hall, *Canadian Contractual Interpretation Law*; Catherine Mitchell, *Interpretation of Contracts: Part One*" (2011), 52 Can. Bus. L.J. 136-153; "Part Two" (2011), 52 Can. Bus. L.J. 300-321.

"*The Restatement (Third) of Restitution and Unjust Enrichment*" (2011), 90 Can. Bar Rev. 439-467 (July, 2013).

"*A Restatement of the English Law of Unjust Enrichment*" by Andrew Burrows (2016), 58, Can. Bus. L.J. 208 -229.

"The Question of Fairness in Contract Law, Review Essay of Stephen Waddams, *Sanctity of Contracts in a Secular Age: Equity, Fairness and Enrichment* (Cambridge, U.K. Cambridge University Press, 2019)" (2021), 71 U. of Toronto L.J. 285-300.

### **Book Reviews:**

J.S. Williams, *Limitation of Actions in Canada*, in (1973), 23 U. of Toronto L.J. 472-479.

D.H. Flaherty, *Privacy and Government Data Banks*, in (1982), 15 Can. J. of Pol. Sci. 652-654.

### **Research Monographs:**

*Frustration and the Law of Sales*, 1974 (Ontario Law Reform Commission Research Study), 90 Pages.

*Mistake in the Law of Sales*, 1975 (Toronto, Ontario Law Reform Commission, 1975), 97 pages.

*Mistake and Frustration in the Law of Contract*, 1982 (Toronto, Ontario Law Reform Commission, 1982), 367 pages.

**Reports:**

Ontario Commission on Freedom of Information and Individual Privacy, *Public Government for Private People* (1980) 3 vols. pp. 812 (authorship unattributed).

(with D.F. Bur), *Appellate Court Reform in Ontario: A Consultation Paper* (Toronto, Ministry of the Attorney General, 1994) 74 pages.

*Report of the Ontario Legal Aid Review: A Blueprint for Publicly Funded Legal Services* (1997) (as Chair, co-authored Vol. 1, the substantive report, in collaboration with M.J. Trebilcock, L. Newton and N. Thomas).

*Report to the Deputy Minister (of Justice, Canada) concerning certain allegations of anti-Semitism* (March 1998, 260 pages)

(with Patrick Monahan and Shelley Kierstead), *A Report to the Law Society of Upper Canada: Review of Policy Options Pertaining to the Regulation of Paralegal Providers in Canada* (March, 2000, 143 pages plus appendices).

**Teaching Materials:**

*Cases and Materials on Restitution* (1976) (rev'd. annually; co-edited with P.D. Maddaugh until 1983 and from 2000).

With P.D. Maddaugh), *Equity, Restitution and Contract Remedies* (1975, 1976, 1977) (O.H.L.S. mimeo ed.).

Chapter 8, Representations and Terms: Classifications and Consequences (pp. 303-387), in Boyle and Percy (eds.), *Contracts, Cases and Commentaries* (Carswell & Co., Toronto: 1978; 2nd ed., 1981; 3rd ed., 1988; 4th ed. 1989; 5th ed. 1994; 6th ed., 1999; 7<sup>th</sup> ed., 2004; 8<sup>th</sup> ed., (edited by Ben-Ishai and Percy) 2009; 9th ed., 2014; 10<sup>th</sup> ed., 2018, (Toronto, Thomson Reuters).

**Journals Edited:**

Editor-In-Chief                      Osgoode Hall Law Journal                      1989-1996

**GRADUATE STUDENT SUPERVISIONS**

<b><u>Student</u></b>	<b><u>Degree</u></b>	<b><u>Year</u></b>	<b><u>Thesis topic</u></b>
P.J. Brenner	LL.M.	1978	Accord and Satisfaction, Consideration and the Rule in Pinnel's Case
E. Longworth	LL.M.	1986	The Access to Information Act, 1982: Its Impact on the Private Sector
T.B. Dawson	LL.M.	1987	Estoppel and Obligation
A. Troillet	LL.M.	1999	Pension Plan Governance: The Employer's Conflicting Roles as Sponsor and Administrator

December 15, 2022

## APPENDIX A

Reports and other publications of the Ontario Law Reform Commission during McCamus' Tenure as Commissioner (1991-92) and Chair (1993-96):

	<u>Title</u>	<u>Date</u>
(a)	<i>During Tenure as Commissioner:</i>	
	Report on Administration of Estates of Deceased Persons	1991
	Report on Exemplary Damages	1991
	1991 Ontario Law Reform Commission Report	1991
	Appointing Judges: Philosophy, Politics and Practice (Study Papers)	1991
	Report on Child Witnesses	1991
	Report on Testing for AIDS	1992
	Report on Public Inquiries	1992
	Summary of Recommendations	1992
	Annual Report 1991-92	1992
	Report on Drug and Alcohol Testing in the Workplace	1992
	Report on the Powers of the Ontario Film Review Board	1992
(b)	<i>During Tenure as Chair:</i>	
	Study Paper on Litigating the Relationship Between Equity and Equality	1993
	Annual Report 1992-93	1993
	Report on Family Property Law	1993
	Report on the Rights and Responsibilities of Cohabitants Under the <i>Family Law Act</i>	1993
	Consultation Paper on the Use of Jury Trials in Civil Cases	1994
	Annual Report 1993-94	1994
	Report on Pensions as Family Property: Valuation and Division	1995
	Report on Avoiding Delay and Multiple Proceedings in the Adjudication of Workplace Disputes	1995
	Study Paper on Prospects for Civil Justice	1995
	Report on the Law of Coroners	1996

<u>Title</u>	<u>Date</u>
Report on Genetic Testing	1996
Study Paper on Psychological Testing and Human Rights in Education and Employment	1996
Report on the Law of Charities	1996
Report on Basic Principles of Land Law	1996
Rethinking Civil Justice: Research Studies for the Civil Justice Review	1996
Study Paper on Legal Aspects of Long Term Disability Insurance	1996
Report on the Use of Jury Trials on Civil Cases	1996
Study Paper on Assisted Suicide, Euthanasia and Foregoing Treatment	1996
Final Report	1996