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Canada·United States
LAW INSTITUTE

Canada- United States Law Journal

Volume 48
2024



SCHOOL OF LAW

CASE WESTERN RESERVE
UNIVERSITY

Western  Law

Western University Land Acknowledgement

We acknowledge that Western University is located on the traditional lands of the Anishinaabek, Haudenosaunee, Lūnaapéewak, and Chonnonton Nations, on lands connected with the London Township and Sombra Treaties of 1796 and the Dish with One Spoon Covenant Wampum.

With this, we respect the longstanding relationships that Indigenous Nations have to this land, as they are the original caretakers. We acknowledge historical and ongoing injustices that Indigenous Peoples (First Nations, Métis and Inuit) endure in Canada, and we accept responsibility as a public institution to contribute toward revealing and correcting miseducation as well as renewing respectful relationships with Indigenous communities through our teaching, research and community service.

Case Western Reserve University Land Acknowledgement

In recognizing the land upon which we reside, we express our gratitude and appreciation to those who lived and worked here before us; those whose stewardship and resilient spirit makes our residence possible on this traditional homeland of the Lenape (Delaware), Shawnee, Wyandot Miami, Ottawa, Potawatomi, and other Great Lakes tribes (Chippewa, Kickapoo, Wea, Piankishaw, and Kaskaskia). We also acknowledge the thousands of Native Americans who now call Northeast Ohio home.

Case Western Reserve University and the greater Cleveland area occupy land officially ceded by 1100 chiefs and warriors signing the Treaty of Greenville in 1795.

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In addition to articles and discussions compiled from the transcripts of the Canada-United States Law Institute's Annual Conference, the *Journal* also welcomes the submission of articles on topics in international and comparative law, especially those that relate to Canada-United States legal issues and relations.

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J. Michael Robinson, Q.C. – A Tribute to a Dear Colleague

The following is the text of a tribute given by CUSLI Executive Committee member Lawrence Herman in memory of the late Michael Robinson, a former CUSLI Executive Committee member, who passed away peacefully at home in Toronto on 25 March 2024. The tribute was given by Herman at the opening dinner of 48th CUSLI Annual Conference in Cleveland on 18 April 2024.

* * *

J. Michael Robinson, Q.C., a devoted member of CUSLI, died last month.

Those who knew Michael are extremely saddened and mourn his passing.

Michael was a personal friend for over 40 years. Among other things, for two decades, we shared the drive from Toronto to Cleveland for these annual conferences.

A well-known and extremely respected international commercial lawyer and an expert in international project finance, Michael was prominent in Canadian and international circles, a leading member of the International Bar Association.

But it is Michael's long-standing devotion to and involvement in CUSLI and its objectives in furthering bilateral understanding between our two countries that he is to be remembered and praised for tonight. He was a member of the CUSLI Advisory Council as well as the Executive Committee for years.

A long-standing friend of Henry T. King Jr. and Sidney Picker, two persons that were responsible for the founding of this Institute, Michael was by far the most consistent participant at our conferences for over four decades.

Well-known as well for his commentaries and panel presentations – including a famous one debating the softwood lumber dispute - Michael could always be counted on to offer sharp, pertinent and often amusing questions and observations as a member of the audience.

A fine Canadian, a highly respected lawyer and a great supporter and friend of our organization has left us. We mourn his passing but celebrate his achievements for CUSLI over these many years.

Michael, you will always be remembered both by your many friends and colleagues and in the annals of our Institute.

* * *

In Memoriam: James Scott Peterson, P.C. (1941-2024)

The Canada-United States Law Institute notes with deep regret the passing of the Hon. James Scott Peterson, P.C., on May 10, 2024.

Jim served as Co-Chair of the Canada-United States Law Institute from 2011 until his death. He was a consistent and vigorous supporter of the Institute and its many endeavors, a firm believer in the role of CUSLI in promoting cooperation and interchange between neighbours that share so much in common. He was a mentor to many young people, an exemplar of devoted public service, always dignified, civil in temperament and greatly appreciated for his keen insight and acumen.

Jim was a Liberal member of the House of Commons of Canada (1980-1984, 1988-2007) representing the Toronto riding of Willowdale. He served in the federal Cabinet as Secretary of State (International Financial Institutions) and later as Minister of International Trade.

In 2007 Jim retired from politics and joined the law firm of Fasken Martineau DuMoulin as counsel. During that time Jim also served as Ontario's chief negotiator in interprovincial negotiations with Québec on trade, investment and labor mobility, and separately, as the province's chief negotiator in the softwood lumber dispute between Canada and the United States.

Jim Peterson will be greatly missed on both sides of the Canada-US border.

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VOLUME 48

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