

V2 Appendix E - Sample Procedural Order

Sample Procedural Order

ARBITRATION PROCEDURAL ORDER NO. 1

File Number: ____

Participants:

and

Arbitrator:

Date of Procedural Order:

1. Purpose of This Procedural Order

This Procedural Order is intended to establish hearing structure, clarify procedural expectations, organize timelines, and support fair and efficient management of the arbitration process.

All participants are expected to comply with the procedures outlined below, communicate respectfully, and participate in good faith throughout the arbitration process.

2. Scope of Arbitration

The following issues remain subject to arbitration:

Issues previously resolved through mediation or agreement are not subject to determination within this arbitration unless otherwise agreed in writing.

3. Hearing Format

The arbitration hearing shall proceed as follows:

- In Person
- Virtual
- Hybrid

Hearing Date(s):

Hearing Time(s):

Virtual Platform (if applicable):

Hearing Location (if applicable):

4. Communication Protocol

All procedural communication shall occur through the arbitrator, designated administrative process, or agreed communication channels.

Participants shall avoid direct hostile communication, maintain respectful correspondence, and comply with procedural directions throughout the process.

Any procedural concerns should be raised promptly, clearly, and professionally.

5. Disclosure Requirements

Each participant shall provide all documents intended to be relied upon during the hearing no later than:

Disclosure materials shall include relevant records, documentary evidence, photographs, electronic communication, financial materials, or other evidence intended to be introduced during the hearing.

Participants shall organize disclosure materials clearly, sequentially, and in a manner reasonably accessible to all participants.

6. Exhibit Management

All exhibits shall be numbered, labelled, and organized consistently prior to the hearing.

A master exhibit list shall be prepared where appropriate.

Participants are encouraged to avoid duplication, eliminate unnecessary materials, and focus on relevant evidence connected to the issues in dispute.

7. Witness Procedure

Participants intending to call witnesses shall provide witness information no later than:

Witnesses shall participate respectfully, honestly, and in accordance with hearing procedure established by the arbitrator.

The arbitrator may manage questioning order, limit repetitive evidence, and maintain orderly hearing structure where necessary.

8. Hearing Conduct

Participants shall conduct themselves respectfully, avoid interruption, comply with procedural directions, and maintain appropriate hearing behaviour throughout the proceeding.

The arbitrator may intervene where necessary to maintain fairness, procedural order, communication structure, and meaningful participation.

Abusive, threatening, intimidating, or disruptive behaviour may result in procedural limitation, adjournment, or other appropriate procedural response.

9. Confidentiality

Participants shall maintain confidentiality regarding mediation communication, confidential disclosure, private information, and hearing materials except as otherwise required by law, authorized, or addressed within procedural rulings.

No recording of the hearing shall occur unless specifically authorized by the arbitrator.

10. Technology and Virtual Participation

Where virtual participation occurs, participants shall ensure stable internet access, appropriate hearing environment, confidentiality, and technological readiness.

Participants shall not permit unauthorized individuals to participate, coach witnesses improperly, or record proceedings without authorization.

Any technological difficulties should be reported immediately.

11. Procedural Flexibility

The arbitrator may modify hearing procedure, adjust timelines, issue supplementary procedural directions, or make procedural rulings where necessary to maintain fairness, efficiency, and orderly hearing management.

Procedural flexibility shall be exercised consistently with fairness, participant participation, and procedural integrity.

12. Adjournments and Scheduling Changes

Requests for adjournment, extension, or scheduling modification shall be made promptly, in writing where appropriate, and with explanation supporting the request.

The arbitrator may grant, deny, or modify such requests after considering fairness, hearing efficiency, participant circumstances, and procedural integrity.

13. Post-Hearing Submissions

Where applicable, post-hearing submissions shall be provided no later than:

Post-hearing submissions should remain concise, relevant, and focused upon issues properly before the arbitrator.

14. Arbitration Award

Following completion of the hearing and receipt of all submissions, the arbitrator shall prepare a written arbitration award.

The anticipated timeline for issuance of the award is:

The arbitrator may extend this timeline where reasonably necessary.

15. Procedural Questions

Questions regarding scheduling, procedure, disclosure, or hearing structure should be directed through appropriate procedural communication channels established for this arbitration.

Arbitrator Signature

Date: