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Same Arbitrator, Multiple Arbitrations: Guidance from Ontario

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You have a dispute with a counterparty. You appoint an arbitrator to decide it and the arbitrator does. You have another dispute with the same counterparty and propose to re-appoint the same arbitrator. The counterparty objects. What now?

In *Aquanta Group Inc. v. Lightbox Enterprises Ltd.*, [2022 ONSC 3036](#), Ontario's Superior Court concluded that an arbitrator who had previously arbitrated a dispute between two parties should not be appointed to arbitrate another dispute between the same parties. The court's reasons offer guidance on why, in certain circumstances, a court may decline to re-appoint the same arbitrator in serial disputes.

What happened?

Aquanta involved an application to the court to appoint an arbitrator

