

Court of Appeal for British Columbia

Appellate Cases Argued by Active McCarthy Tétrault Lawyers

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
1.	BCCA	<i>Law Society of British Columbia v. Yen</i>	12/17/24	[2024] B.C.J. No. 2346, 2024 BCCA 416	Feder, Michael Bildfell, Connor	Appellant	BC	Appeal		Law Society – Professional Misconduct – Trust funds
2.	BCCA	<i>Canadian National Railway Co. v. British Columbia</i>	08/28/24	[2024] B.C.J. No. 1624, 2024 BCCA 309	Williams, Patrick Siracusa, Daniel	Appellant	BC	Appeal		Civil litigation – Forest Appeals Commission – Wildfire Act and Regulation
3.	BCCA	<i>Cheung v. NHK Spring Co.</i>	06/24/24	[2024] B.C.J. No. 1144, 2024 BCCA 236	Iatrou, Nikiforos Siracusa, Daniel Schultze, Erich	Appellants	BC	Appeal		Civil litigation – Class Proceedings – Competition Act
4.	BCCA	<i>Action4Canada v. British Columbia</i>	02/23/24	[2024] B.C.J. No. 301, 2024 BCCA 59	Bildfell, Connor	Respondents	BC	Appeal		Civil litigation — Civil procedure — Pleadings — Institution of proceedings — Statement of claim
5.	BCCA	<i>Prandi v. Salisbury</i>	02/22/24	[2024] B.C.J. No. 299, 2024 BCCA 57, [2024] 8 W.W.R. 377, 2024 A.C.W.S. 769, 98 R.F.L. (8 th) 1, 2024 CarswellBC 418	Cocks, Alexandra Siracusa, Daniel	Respondent	BC	Appeal		Family litigation – Norwich order – compel third party to produce documents
6.	BCCA	<i>Williams v. Audible Inc.</i>	12/19/23	[2023] B.C.J. No. 2438, 2023 BCCA 475	Sampson, Marina	Respondent	BC	Appeal		Civil litigation – Class Proceedings - dismiss application for a certification of class proceeding
7.	BCCA	<i>Darwin Construction (BC) Ltd. v. PC Urban Glenaire Holdings Ltd.</i>	11/28/23	[2023] B.C.J. No. 2275, 2023 BCCA 436	Griffin, S.A.	Respondents /Appellants on Cross-Appeal	BC	Appeal		Civil litigation – contract – Construction Law – claim for lien

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
8.	BCCA	<i>0731431 B.C. Ltd. v. Panorama Parkview Homes Ltd.</i>	10/11/23	[2023] B.C.J. No. 1943, 2023 BCCA 376, 2023 A.C.W.S. 5886, 48 B.L.R. (6 th) 24, 491 D.L.R. (4 th) 279, 2023 CarswellBC 2922	Feder, Michael Macdonald, Kate	Counsel	BC	Appeal		Civil litigation – appeals of orders following a 102-day trial – bankruptcy claims – breaches of fiduciary duties
9.	BCCA	<i>Williams v. Amazon.com Inc.</i>	08/04/23	[2023] B.C.J. No. 1546, 2023 BCCA 314, 2023 A.C.W.S. 3950, 43 B.L.R. (6 th) 173, 488 D.L.R. (4 th) 446, 82 B.C.L.R. (6 th) 199, 2023 CarswellBC 2290	Sampson, Marina	Respondents	BC	Appeal	Leave to SCC dismissed 2024 CanLII 43110	Civil litigation – Appeal – Staying majority of claims advanced in proposed class action – partial stay
10.	BCCA	<i>British Columbia v. Apotex Inc.</i>	03/27/23	[2023] B.C.J. No. 535, 2023 BCCA 136	Feder, Michael Yates, Jill Williams, P.D.H.	Appellants	BC	Appeal		Civil litigation — Civil procedure — Costs — Appeal costs
11.	BCCA	<i>ARC Digital Canada Corp. v. Amazon Alaska Development Partnership</i>	1/20/23	[2023] B.C.J. No. 95, 2023 BCCA 34	Griffin, Scott Bildfell, Conor	Appellant	BC	Appeal	Leave to SCC dismissed 2023 CanLII 80890	Landlord – Summary Trial – Breach of Duty of Honest Performance – Contract Law
12.	BCCA	<i>Callahan v Callahan</i>	11/18/22	[2022] B.C.J. No. 2221, 2022 BCCA 387	Feder, Michael	Appellants	BC	Appeal	Leave to SCC dismissed 2023 CanLII 64847	Liquidation - Oppression
13.	BCCA	<i>Treasure Bay HK Ltd. v. 1115830 B.C. Ltd.</i>	11/14/22	[2022] B.C.J. No. 2176, 2022 BCCA 380	Feder, Michael Williams, Patrick	Appellants	BC	Appeal	Leave to SCC dismissed 2023 CanLII 64850	Shareholder – Derivative Action – Fraud – Leave to Continue Action
14.	BCCA	<i>British Columbia v. Apotex Inc.</i>	11/2/22	[2022] B.C.J. No. 2089, 2022 BCCA 366	Feder, Michael Yates, Jill Williams, Patrick	Appellants	BC	Appeal	Leave to SCC dismissed 2023 CanLII 44061	Class Action – Pleadings – Striking Claim – Failure to Plead Materials Facts

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
15.	BCCA	<i>British Columbia v. Apotex Inc.</i>	11/2/22	[2022] B.C.J. No. 2088, 2022 BCCA 365	Feder, Michael Yates, Jill Williams, Patrick	Appellants	BC	Appeal		Class Action – No-Stay Declaration – Protective Declaration
16.	BCCA	<i>Moiseiwitsch v. Canadian National Railway Co.</i>	9/22/22	[2022] B.C.J. No. 1783, 2022 BCCA 321	Yates, Jill	Respondent	BC	Appeal		Civil litigation – Civil procedure – Parties – Class or representative actions – Procedure – Appeals – Grounds for review
17.	BCCA	<i>R. v. Ellis</i>	8/16/22	[2022] B.C.J. No. 1509, 2022 BCCA 278	Feder, Michael Bildfell, Conor	Intervener	BC	Appeal		Criminal law – Sentencing – Non-Criminal Code and regulatory offences – Controlled drugs and substances – Selling, trafficking and distributing
18.	BCCA	<i>Strata Plan VR 2213 (Re)</i>	7/25/22	[2022] B.C.J. No. 1359, 2022 BCCA 257	Griffin, Scott Siracusa, Daniel	Appellant	BC	Appeal		Dismissal of Petition – Special Resolution – Imposition of a Special Levy
19.	BCCA	<i>N&C Transportation Ltd. v. Navistar International Corp.</i>	5/16/22	[2022] B.C.J. No. 841, 2022 BCCA 164	Yates, Jill Williams, Patrick	Appellants	BC	Appeal		Civil litigation – Civil procedure – Parties – Class or representative actions – Certification – Appeals – Appeal by the defendants from the certification of the underlying action as a multi-jurisdictional class proceeding dismissed
20.	BCCA	<i>0116064 B.C. Ltd. v. Alio Gold Inc.</i>	03/03/22	[2022] B.C.J. No. 350, 2022 BCCA 85, 2022 A.C.W.S. 386, 28 B.L.R. (6 th) 75, 77 B.C.L.R. (6 th) 42, 2022 CarswellBC 505	Ahmed, Owais	Respondent	BC	Appeal		Civil litigation — Civil procedure — Actions — Parties — Standing — Parties — Class or representative actions — Common interests and issues

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
21.	BCCA	<i>Pirani v. Pirani</i>	2/17/22	[2022] B.C.J. No. 266, 2022 BCCA 65, [2022] 6 W.W.R. 55, 467 D.L.R. (4 th) 81, 75 E.T.R. (4 th) 30, 63 B.C.L.R. (6 th) 232, 2022 CarswellBC 367, 2022 A.C.W.S. 110	Feder, Michael Bildfell, Conor	Respondents	BC	Appeal	Leave to SCC dismissed 2023 CanLII 567	Wills, estate and trust law – Trusts – Trustee – Duties – Absolute or general fiduciary duties
22.	BCCA	<i>Concord Pacific Acquisitions Inc. v. Oei</i>	1/18/22	[2022] B.C.J. No. 74, 2022 BCCA 16, [2022] 4 W.W.R. 194, 24 B.L.R. (6 th) 1, 465 D.L.R. (4 th) 625, 59 B.C.L.R. (6 th) 1, 80 C.P.C. (8 th) 51, 2022 CarswellBC 88, 340 A.C.W.S. (3d) 402	Hall, Geoff Bildfell, Conor	Appellant	BC	Appeal	Leave to SCC dismissed 2022 CanLII 74315	Civil litigation – Civil procedure – Appeals – Standard of review – Clearly wrong or palpable and overriding error
23.	BCCA	<i>Lululemon athletica Canada inc. v. Industrial Color Productions Inc.</i>	11/12/21	[2021] B.C.J. No. 2429, 2021 BCCA 428	Feder, Michael	Appellant	BC	Appeal		Binding arbitration – Jurisdiction – Practice and procedure – Appeals and judicial review
24.	BCCA	<i>Kaban Resources Inc. v. Goldcorp Inc.</i>	10/15/21	[2021] B.C.J. No. 2417, 2021 BCCA 427	Cocks, Alexandra	Respondents	BC	Appeal	Leave to SCC dismissed 2022 CanLII 32918	Contracts – Terms – Implied Terms
25.	BCCA	<i>LeRoy v. TimberWest Forest Corp.</i>	09/03/21	[2021] B.C.J. No.	Yates, Jill	Respondents	BC	Appeal		Tort law – Conspiracy - Evidence
26.	BCCA	<i>H.M.B. Holdings Ltd. V. Replay Resorts Inc.</i>	04/07/21	[2021] B.C.J. No. 683, 2021 BCCA 142	Griffin, Scott A.	Respondent	BC	Appeal		Tort law – Conspiracy - Pleadings
27.	BCCA	<i>Eisler Estate v. GWR Resources Inc.</i>	03/16/21	[2021] B.C.J. No. 510, 2021 BCCA 113, 47 B.C.L.R. (6 th) 250, 69	Radoja, Una	Respondents	BC	Appeal		Corporations, partnerships and associations law — Corporations — Directors

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
				C.C.E.L. (4 th) 1, 2021 CarswellBC 729						and officers — Removal — Personal liability of directors to the corporation Damages — In contract Employment law — Discipline and termination of employment
28.	BCCA	<i>Council of Canadians with Disabilities v British Columbia (Attorney General)</i>	08/26/20	[2020] B.C.J. No. 1326, 2020 BCCA 241	Feder, Michael	Appellant	BC	Appeal		Civil litigation – Civil procedure – Parties – Standing – Public interest
29.	BCCA	<i>Sherry v. CIBC Mortgage Inc.</i>	05/01/20	[2020] B.C.J. No. 827, 2020 BCCA 139, 30 B.C.L.R. (6 th) 1, 2020 CarswellBC 1256	Yates, Jill Cocks, Alexandra	Appellant	BC	Appeal		Real property law – Mortgages - Prepayment
30.	BCCA	<i>Wang v. Wang</i>	1/16/20	[2020] B.C.J. No. 47	Griffin, Scott A.	Appellant	BC	Appeal		Power of attorney – fiduciary duty – remedy for breach of fiduciary duty
31.	BCCA	<i>De Cotiis v. Hothi</i>	12/23/19	[2019] B.C.J. No. 2486, 2019 BCCA 472	Griffin, Scott A.	Respondent	BC	Appeal		Specific performance – real estate
32.	BCCA	<i>Walter v. British Columbia (Attorney General)</i>	06/17/19	[2019] B.C.J. No. 1100, 2019 BCCA 221, [2020] 6 W.W.R. 1, 23 B.C.L.R. (6 th) 121, 56 C.C.E.L. (4 th) 33, 64 Admin L.R. (6 th) 264, 2019 CarswellBC 1667	Hanowski, Kevin	Intervenor	BC	Appeal		Constitutional law — Canadian Charter of Rights and Freedoms — Legal rights — Life, liberty and security of person — On being charged with an offense — Independent and impartial tribunal —
33.	BCCA	<i>Reference re Environmental Management Act (British Columbia)</i>	05/24/19	[2019] B.C.J. No. 925, 2019 BCCA 181, 434 D.L.R. (4 th) 213, 2019 CarswellBC 1429	Hughes, Nicholas R.	Interested Person	BC	Appeal		Constitutional law – Constitutional validity of legislation – Level of government – Division of powers – Natural resources

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
										law – Oil and gas – Pipelines – Inter-provincial
34.	BCCA	<i>N&C Transportation Ltd. v. Navistar International Corp.</i>	08/01/18	[2018] B.C.J. No. 2889, 2018 BCCA 312, 425 D.L.R. (4 th) 393, 294 A.C.W.S. (3d) 474, 14 B.C.L.R. (6 th) 217, 2018 CarswellBC 2023	Yates, Jill Williams, Patrick	Appellants	BC	Appeal		Civil litigation – Civil procedure – Class or representative actions – Certification – Common interests and issues – suppliers of goods – product liability – warranties
35.	BCCA	<i>H.M.B. Holdings Ltd. v. Antigua and Barbuda (Attorney General)</i>	06/25/18	[2018] B.C.J. No. 1219, 2018 BCCA 263, 11 B.C.L.R. (6 th) 365, 293 A.C.W.S. (3d) 716, 20 C.P.C. (8 th) 234, 2018 CarswellBC 1611	Griffin, Scott	Respondents	BC	Appeal		Civil litigation – Discovery – Production and Inspection of document – Privileged documents – Solicitor-client privilege
36.	BCCA	<i>Wong v. British Columbia Securities Commission</i>	04/19/18	[2018] B.C.J. No. 968, 2018 BCCA 192	Ahmed, Owais	Appellants	BC	Appeal		Securities Regulation — Offences and enforcement — Offences — Fraud and market manipulation — Penalties — Commission orders in the public interest — Powers of Commission — Administrative penalties — Disgorgement
37.	BCCA	<i>8640025 Canada Inc. (Re)</i>	08/17/17	[2017] B.C.J. No. 1633, 2017 BCCA 303, 2017 CarswellBC 2250, 282 A.C.W.S. (3d) 13, 51 C.B.R. (6 th) 171, 100 B.C.L.R. (5 th) 256	Collins, Sean	Respondent	BC	Appeal		Bankruptcy and insolvency law – Companies' Creditors Arrangement Act matters – Powers, duties and functions – Sanction by court
38.	BCCA	<i>Long v. Red Branch Investments Ltd.</i>	07/12/17	[2017] B.C.J. No. 1346, 2017 BCCA 256	Ahmed, Owais	Appellants	BC	Appeal		Wills, estates and trusts law — Gifts — Inter vivos — Proof of gift — Evidentiary

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
										requirements — Standard of proof — Inter vivos
39.	BCCA	<i>Poonian v. British Columbia Securities Commission</i>	05/31/17	[2017] B.C.J. No. 1029, 2017 BCCA 207, 280 A.C.W.S. (3d) 204, 98 B.C.L.R. (5 th) 319, 2017 CarswellBC 1433, [2017] 10 W.W.R. 91, 413 D.L.R. (4 th) 594	Ahmed, Owais	Appellants	BC	Appeal		Securities regulation — Offences and enforcement — Commission orders in the public interest — Powers of Commission — Disgorgement — Appeals by Lathigee, Poonian and Sihota from disgorgement orders on a joint and several basis of the Securities Commission under s. 161(1)(g) of Securities Act allowed in part
40.	BCCA	<i>Coburn and Watson's Metropolitan Home (c.o.b. Metropolitan Home) v. Bank of America Corp.</i>	05/25/17	[2017] B.C.J. No. 999, 2017 BCCA 202, [2017] 10 W.W.R. 295, 279 A.C.W.S. (3d) 49, 99 B.C.L.R. (5 th) 86, 413 D.L.R. (4 th) 573, 2017 CarswellBC 1372	Yates, Jill	Respondent	BC	Appeal		Commercial law – Competition – Conspiracy – Elements – Restrictive trade practices – Price maintenance – Creditors and debtors law – Credit cards
41.	BCCA	<i>British Columbia v. Philip Morris International Inc.</i>	02/14/17	[2017] B.C.J. No. 257, 2017 BCCA 69, 2017 CarswellBC 69, 275 A.C.W.S. (3d) 513, 95 B.C.L.R. (5 th) 116, [2017] W.W.R. 451, 412 D.L.R. (4 th) 310	Feder, Michael	Respondents	BC	Appeal		Civil litigation – civil procedure – discovery – electronic discovery and production – privacy issues – Freedom of information and privacy legislation
42.	BCCA	<i>Birch v. Brenner</i>	01/16/17	[2017] B.C.J. No. 54, 2017 BCCA 22	Griffin, Scott Williams, Patrick	Respondents	BC	Appeal		Real property law – interests in land – easements – rights of way – appeal by defendant from

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
										trial judgment interpreting an easement over her property in favor of respondents dismissed
43.	BCCA	<i>LeRoy v TimerWest Forest Corp.</i>	11/03/16	[2016] B.C.J. No. 2591, 2016 BCCA 448	Macdonald, Kate	Appellants	BC	Appeal		Assignment of rights – scope and validity of release - Motion to dismiss
44.	BCCA	<i>Sherry v. CIBC Mortgages Inc.</i>	06/07/16	[2016] B.C.J. No. 1153, 2016 BCCA 240, 389 B.C.A.C. 24, 269 A.C.W.S. (3d) 27, 88 B.C.L.R. (5 th) 105, 2016 CarswellBC 1510	Steep, Paul Zayid, Caroline	Appellant	BC	Appeal		Banking and finance law – mortgages or hypothecs – appeal by defendant from certification of class proceeding allowed in part
45.	BCCA	<i>British Columbia v. Imperial Tobacco Canada Ltd.</i>	05/12/16	[2016] B.C.J. No. 955, 2016 BCCA, 387 B.C.A.C. 49, 266 A.C.W.S. (3d) 330, 2016 CarswellBC 1275	Feder, Michael	Respondents	BC	Application		Civil litigation – civil procedure – parties – intervenors – requirement of interest – Application by Information and Privacy Commissioner for leave to intervene and adduce evidence in appeal from order directing Province to produce certain health care records allowed in part
46.	BCCA	<i>Jaguar Financial Corp. v. Alternative Earth Resources Inc.</i>	05/05/16	[2016] B.C.J. No. 908, 2016 BCCA 193, 267 A.C.W.S. (3d) 101, 386 B.C.A.C. 224, 2016 CarswellBC 1209, [2016] 9 W.W.R. 660, 86 B.C.L.R. (5 th) 317, 56 B.L.R. (5 th) 8	Feder, Michael D'Souza, Shane Williams, Patrick	Respondent	BC	Appeal		Banking and financial law – employment benefits not disclosable

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
47.	BCCA	<i>Equustek Solutions Inc. v Jack</i>	06/11/15	[2015] B.C.J. No. 1193, 2015 BCCA 265	Sookman, Barry	Intervenor	BC	Appeal		Civil litigation – conflict of laws – jurisdiction - Appeal by Google from interim injunctive relief granted in favour of plaintiffs dismissed
48.	BCCA	<i>Charlton v Abbott Laboratories Ltd.</i>	01/22/15	[2015] B.C.J. No. 88, 2015 BCCA 26	Zayid, Caroline Kain, Brandon	Appellant	BC	Appeal		Civil litigation – class or representative actions – certification – common interests and issues – appeal by defendants from certification of action as class proceeding allowed
49.	BCCA	<i>Greg Dowling Architect Inc. v. Raymond Griffin Architect Inc.</i>	03/06/14	[2014] B.C.J. No 384, 2014 BCCA 85	McHardy, C.M	Respondents	BC	Appeal		Alternative dispute resolution – binding arbitration – appeals and judicial review – appeal by partners of architecture firm from dismissal of application for leave to appeal commercial arbitration damages award dismissed – civil procedure
50.	BCCA	<i>Sutton v Alaska Air Group, Inc.</i>	02/05/14	[2014] B.C.J. No. 266, 2014 BCCA 59	Plomp, Donovan	Respondents	BC	Appeal		Employment law – wrongful dismissal – reasonable notice period or wages in lieu – duration of employment – notice period
51.	BCCA	<i>Pacifica Mortgage Investment Corp. v. Laus Holdings Ltd.</i>	03/06/13	[2013] B.C.J. No. 409, 2013 BCCA 95	Hall, Geoff Feder, Michael	Intervenor	BC	Appeal		Real property law – mortgages – mortgage agreement – terms – mortgagee's rights – right to redemption – limits – order nisi of foreclosure – appeal by mortgagors from chambers judge's decision

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
										granting respondent order nisi of foreclosure on basis appellants had not raised any defences requiring trial dismissed
52.	BCCA	<i>Florkow v. British Columbia (Police Complaint Commissioner)</i>	03/04/13	[2013] B.C.J. No. 354, 2013 BCCA 92	Feder, Michael	Appellants	BC	Appeal		Professional responsibility – regulated professions – administration – investigation – limitation periods – investigation of complaints – inquiries and hearings - occupations
53.	BCCA	<i>Neskonlith Indian Band v. Salmon Arm (City)</i>	09/24/12	[2012] B.C.J. No. 1959, 2012 BCCA 379	Hughes, Nicholas	Respondent	BC	Appeal		Aboriginal law – Communities and governance – Duties of the Crown – Fair dealing and reconciliation – Consultation and accommodation
54.	BCCA	<i>Greg Dowling Architects Inc. v. J. Raymond Griffin Architect</i>	09/11/12	[2012] B.C.J. No. 1862, 2012 BCCA 366	McHardy, Christopher	Respondent	BC	Appeal		Civil litigation – Arbitration - Appeal
55.	BCCA	<i>Mayer v. Osborne Contracting Ltd.</i>	02/17/12	[2012] B.C.J. No. 315, 2012 BCCA 77	Griffin, Scott	Respondents	BC	Appeal		Civil litigation – civil procedure – pleadings – amendment of – Statement of Claim – Judgments and Orders – Summary judgments – availability – to dismiss action
56.	BCCA	<i>Le Soleil Hospitality Inc. v. Louie</i>	06/30/11	[2011] B.C.J. No. 1220	Griffin, Scott	Respondents	BC	Appeal		Contracts — remedies — breach of contract — loss of profit

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
57.	BCCA	<i>588526 British Columbia v. Shell Canada Ltd.</i>	06/24/11	[2011] B.C.J. No. 1357, 2011 BCCA 306	Griffin, Scott Yates, Jill	Respondent	BC	Appeal		Corporations, partnerships and associations law — corporations — evidence — proof of facts
58.	BCCA	<i>Morgan Estate v. Morgan</i>	06/14/10	[2010] B.C.J. No. 1109, 2010 BCCA 299, 320 D.L.R. (4 th) 725, 83 R.F.L. (6 th) 235, 2010 CarswellBC 1409, 289 B.C.A.C. 60, [2010] 8 W.W.R. 30, 5 B.C.L.R. (5 th) 300, 190 A.C.W.S. (3d) 512	Radoja, Una	Respondent	BC	Appeal		Family law — Separation and divorce — Divorce — Practice and procedure — Orders — Appeal by the husband's estate from a declaration that the parties were still married at the time of his death dismissed
59.	BCCA	<i>British Columbia v. Imperial Tobacco Canada Ltd.</i>	12/08/09	[2009] B.C.J. No. 2444, 2009 BCCA 540, 313 D.L.R. (4 th) 651, [2010] 2 W.W.R. 385, 280 B.C.A.C. 100, 98 B.C.L.R. (4 th) 201, 2009 CarswellBC 3307	Feder, Michael	Appellant	BC	Appeal	SCC Leave to appeal granted, SCC ([2010] S.C.C.A. No. 43, 05/20/2010)	Health law — torts by the Crown — actions against the Crown — immunity
60.	BCCA	<i>R. v. Breeden</i>	10/27/09	[2009] B.C.J. No. 2106, 2009 BCCA 463, 277 B.C.A.C. 164, 248 C.C.C. (3d) 317, 198 C.R.R. (2d) 258	Feder, Michael	Appellant	BC	Appeal	Application for Leave to Appeal Dismissed, [2009] S.C.C.A. No. 527	Criminal law — constitutional issues — <i>Canadian Charter of Rights and Freedoms</i> — fundamental freedoms — freedom of expression
61.	BCCA	<i>Adbusters Media Foundation v. Canadian Broadcasting Corp.</i>	04/03/09	[2009] B.C.J. No. 658, 2009 BCCA 148, 269 B.C.A.C. 95, 92 B.C.L.R. (4 th) 9, 192 C.R.R. (2d) 280,	Lonsdale, Christine L. Feder, Michael	Respondent	BC	Significant Interlocutory Appeal	Application for Leave to Appeal Dismissed, [2009]	Constitutional law — <i>Canadian Charter of Rights and Freedoms</i> — scope of application — entities subject to <i>Canadian</i>

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
				2009 CarswellBC 831					S.C.C.A. No. 227	<i>Charter of Rights and Freedoms</i>
62.	BCCA	<i>MacKinnon v. National Money Mart Co.</i>	03/12/09	[2009] B.C.J. No. 468, 2009 BCCA 103, 304 D.L.R. (4th) 331, [2009] 5 W.W.R. 418, 267 B.C.A.C. 276, 89 B.C.L.R. (4th) 1, 68 C.P.C. (6th) 241, 176 A.C.W.S. (3d) 324, 2009 CarswellBC 635	Yates, Jill	Respondent	BC	Significant Interlocutory Appeal		Alternative dispute resolution — binding arbitration — validity and enforceability — class actions — certification — estoppel by record (<i>res judicata</i>)
63.	BCCA	<i>Thow v. British Columbia (Securities Commission)</i>	02/12/09	[2009] B.C.J. No. 211, 2009 BCCA 46, 307 D.L.R. (4th) 121, [2009] 6 W.W.R. 21, 266 B.C.A.C. 140, 90 B.C.L.R. (4th) 36, 2009 CarswellBC 294, 3 Admin. L.R. (5th) 33	Feder, Michael	Respondent	BC	Appeal		Securities law and regulation — offences and enforcement — professional responsibility — investment professionals and advisors
64.	BCCA	<i>Smith v. Vancouver City Savings Credit Union</i>	07/10/08	[2008] B.C.J. No. 1299, 2008 BCCA 279, 41 E.T.R. (3d) 165, 83 B.C.L.R. (4th) 209, 2008 CarswellBC 1420, 168 A.C.W.S. (3d) 633	Yates, Jill	Appellant	BC	Significant Interlocutory Appeal	Application for Leave to Appeal Dismissed, [2008] S.C.C.A. No. 401	Wills, estates and trusts law — trusts — constructive trusts — limitation periods
65.	BCCA	<i>Le Soleil Hospitality Inc. v. Louie</i>	05/07/08	[2008] B.C.J. No. 1228, 2008 BCCA 206, 169 A.C.W.S. (3d) 101	Griffin, Scott	Respondent	BC	Significant Interlocutory Appeal		Real property law — formation of contracts and non-contracts — letters of intent
66.	BCCA	<i>R. v. Wolsey</i>	04/17/08	[2008] B.C.J. No. 647, 2008 BCCA 159, 254 B.C.A.C. 135, 233	Feder, Michael	Respondent	BC	Appeal		Criminal law — fraudulent transactions related to contracts and trade —

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
				C.C.C. (3d) 205, 78 W.C.B. (2d) 338						Crown appeal — trial judge imported subjective element into <i>actus reus</i> of fraud
67.	BCCA	<i>Le Soleil Hospitality Inc. v. Louie</i>	04/01/08	[2008] B.C.J. No. 537, 2008 BCCA 142, 53 C.P.C. (6th) 9, 82 B.C.L.R. (4th) 260, 2008 CarswellBC 620, 166 A.C.W.S. (3d) 419, 254 B.C.A.C. 51	Griffin, Scott	Respondent	BC	Appeal		Civil litigation — striking out pleadings or allegations
68.	BCCA	<i>Gardiner v. 857 Beatty Street Project</i>	02/21/08	[2008] B.C.J. No. 268, 2008 BCCA 82, 64 R.P.R. (4th) 232, 290 D.L.R. (4th) 267, 164 A.C.W.S. (3d) 329, 2008 CarswellBC 310, 77 B.C.L.R. (4th) 264, 251 B.C.A.C. 273	Griffin, Scott	Respondent	BC	Appeal		Landlord and tenant law — landlord and tenant relationship
69.	BCCA	<i>Minera Aquiline Argentina SA v. IMA Exploration Inc.</i>	06/07/07	[2007] B.C.J. No. 1232, 2007 BCCA 319, [2007] 10 W.W.R. 648, 246 B.C.A.C. 1, 68 B.C.L.R. (4th) 242, 32 B.L.R. (4th) 242, 43 C.P.C. (6th) 45, 158 A.C.W.S. (3d) 404, 2007 CarswellBC 1291	Feder, Michael	Appellant	BC	Appeal	Application for Leave to Appeal Dismissed, [2007] S.C.C.A. No. 424	Mining law — breach of contract — conditions and warranties — equitable remedies — injunction
70.	BCCA	<i>Dockside Brewing Co. v. Strata Plan LMS 3837</i>	03/27/07	[2007] B.C.J. No. 583, 2007 BCCA 183, 239 B.C.A.C. 33, 59 R.P.R. (4th) 12,	Griffin, Scott	Respondent	BC	Significant Interlocutory Appeal	Application for Leave to Appeal Dismissed	Real property law — condominium corporation — statutory fiduciary duty and duty of care — remedy

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
				156 A.C.W.S. (3d) 1195, 2007 CarswellBC 1618					with costs (without reasons), [2007] S.C.C.A. No. 262	for breaches
71.	BCCA	<i>Aurizon Mines Ltd. v. Northgate Minerals Corp.</i>	07/14/06	[2006] B.C.J. No. 1584, 2006 BCCA 340, 229 B.C.A.C. 16, 55 B.C.L.R. (4th) 203, 19 B.L.R. (4th) 171, 151 A.C.W.S. (3d) 589, 2006 CarswellBC 1734	Griffin, Scott	Appellant	BC	Appeal		Commercial law — breach of contract — equitable remedies — injunction
72.	BCCA	<i>Guinea Golden Mines "G.G.M."-S.A.R.L v. Cassidy Gold Corp.</i>	05/01/06	[2006] B.C.J. No. 942, 2006 BCCA 200, 225 B.C.A.C. 99, 148 A.C.W.S. (3d) 702	Feder, Michael	Appellant	BC	Significant Interlocutory Appeal		Civil procedure — security for costs — where plaintiff is resident outside of jurisdiction
73.	BCCA	<i>MacKinnon v. National Money Mart Co.</i>	03/27/06	[2006] B.C.J. No. 635, 2006 BCCA 148, 265 D.L.R. (4th) 214, [2006] 5 W.W.R. 601, 224 B.C.A.C. 137, 26 C.P.C. (6th) 1, 2006 CarswellBC 697	Yates, Jill	Appellant	BC	Significant Interlocutory Appeal		Class actions — certification — common interests — statutory interpretation — construction — legislative intent
74.	BCCA	<i>Tri-Sil Minerals Inc. v. Mineral Hill Industries Ltd.</i>	01/12/05	[2005] B.C.J. No. 688, 2005 BCCA 180, 211 B.C.A.C. 84, 39 B.C.L.R. (4th) 381, 138 A.C.W.S. (3d) 357	Hughes, Nick	Respondent	BC	Appeal		Mining and natural resources law — injunctions — irreparable injury — sufficiency of damages in lieu of injunction — licensing — mining agreements
75.	BCCA	<i>MacKinnon v. National Money Mart Co.</i>	09/24/04	[2004] B.C.J. No. 1961, 2004 BCCA 473, 203 B.C.A.C. 103,	Yates, Jill	Appellant	BC	Appeal		Administrative law — arbitration — jurisdiction of the court — stay of court proceedings — civil

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
				50 B.L.R. (3d) 291						procedure — parties — class actions
76.	BCCA	<i>Langley Lo-Cost Builders Ltd. v. 474835 B.C. Ltd.</i>	06/13/00	[2000] B.C.J. No. 1187, 2000 BCCA 365, [2000] 7 W.W.R. 46, 140 B.C.A.C. 182, 76 B.C.L.R. (3d) 278, 5 B.L.R. (3d) 31, 34 R.P.R. (3d) 56, 97 A.C.W.S. (3d) 1115	Griffin, Scott	Appellant	BC	Appeal		Real property law — mortgages — validity of interest clause
77.	BCCA	<i>Chace v. Crane Canada Inc.</i>	12/22/97	[1997] B.C.J. No. 2862, 101 B.C.A.C. 32, 44 B.C.L.R. (3d) 264, 14 C.P.C. (4th) 197, 76 A.C.W.S. (3d) 30	Griffin, Scott	Appellant	BC	Appeal		Class action — appeal from certification — status and standing of individuals and corporations
78.	BCCA	<i>Brown v. Oberle</i>	09/26/96	[1996] B.C.J. No. 2033, 139 D.L.R. (4th) 645, 81 B.C.A.C. 179, 6 C.P.C. (4th) 308, 5 R.P.R. (3d) 82, 65 A.C.W.S. (3d) 1030	Griffin, Scott	Appellant	BC	Appeal		Real property law — easements, licences and prescriptive rights — revocation
79.	BCCA	<i>Preston, Gates & Ellis v. NRS Block Bros. Realty Ltd.</i>	06/25/96	[1996] B.C.J. No. 1397	Griffin, Scott	Respondent	BC	Significant Interlocutory Appeal		Civil procedure — appeal from summary judgement — evidence and affidavits by lawyer, limitations
80.	BCCA	<i>Dupras v. Mason</i>	06/17/94	[1994] B.C.J. No. 2456, 120 D.L.R. (4th) 127, 52 B.C.A.C. 59, 99 B.C.L.R. (2d) 266, 32 C.P.C. (3d) 126, 51 A.C.W.S. (3d) 350	Hughes, Nick	Appellant	BC	Significant Interlocutory Appeal		Mining law and minerals — appeal from provincial gold commissioner — nature of appeal — trial <i>de novo</i>

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
81.	BCCA	<i>Baykey v. North West Office Furniture Ltd.</i>	10/20/90	[1990] B.C.J. No. 2542	Griffin, Scott	Intervenor	BC	Appeal		Real property law — right of first refusal under lease — summary judgment
82.	BCCA	<i>Caplan Builders Ltd. v. Royal Bank of Canada</i>	06/08/89	[1989] B.C.J. No. 1074	Griffin, Scott	Appellant	BC	Appeal		Real property law — breach of financing agreement — purchase and development of residential housing subdivision
83.	BCCA	<i>American Pyramid Resources Inc. v. Royal Bank of Canada</i>	02/12/87	[1987] B.C.J. No. 196	Griffin, Scott	Appellant	BC	Appeal		Mining law — loan agreement — discovery and cross-examination on affidavits
BCCA Total Appeals: 83										