

Court of Appeal for Ontario

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. | ONCA | <i>Chippewas of Saugeen First Nation v. South Bruce Peninsula (Town)</i> | 12/09/24 | [2024] O.J. No. 5607, 2024 ONCA 884 | Kain, Brandon Gray, Bryn | Intervener | ON | Appeal | | Treaty Interpretation – Pre-Confederation Crown Liability – Fiduciary Duty – Doctrine of Dedication and Proprietary Estoppel |
| 2. | ONCA | <i>Fehr v. Sun Life Assurance Co. of Canada</i> | 11/21/24 | [2024] O.J. No. 5316, 2024 ONCA 847 | Burt, Glynnis P. | Respondent | ON | Appeal | | Civil litigation – Class Proceedings Act – amend pleadings – new common issue – Limitation period |
| 3. | ONCA | <i>Lewis v. Uber Canada Inc.</i> | 09/19/24 | [2024] O.J. No. 4293, 2024 ONCA 702 | Peebles, Dana Kerr, Gillian Bruneau, Emilie | Respondents | ON | Appeal | | Taxation — Goods and Services Tax (GST) — Interpretation — Passenger vehicle — Rebates — Tax paid in error — Appeals — Tax Court of Canada — Limitation period |
| 4. | ONCA | <i>Canada Forgings Inc. v. Atomic Energy of Canada Ltd.</i> | 09/12/24 | [2024] O.J. 4054, 2024 ONCA 677 | Hall, Geoff R. | Appellant | ON | Appeal | | Procurement Law – Duty of Fairness - Limitations Act Evidence - admissibility Defamation – Civil Conspiracy – Criminal Conspiracy – Tortious conduct |
| 5. | ONCA | <i>SS&C Technologies Canada Corp. v. The Bank of New York</i> | 09/12/24 | 2024 ONCA 675 | Kain, Brandon Mogil, Eli Chesney, Erin | Appellant / Respondent by Cross-Appeal | ON | Appeal | | Contracts – Custodial entities – limitations-barred – liability - |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|--|----------|--|---|-------------|--------|----------------|-----------------|--|
| | | <i>Mellon Corporation</i> | | | | | | | | damages |
| 6. | ONCA | <i>Henry v. Zaitlen</i> | 08/15/24 | [2024] O.J. 3732, 2024 ONCA 614 | McLaughlin, Frank Sugar, Stephanie | Respondent | ON | Appeal | | Courts of Justice Act - Prejudgment interest – non-pecuniary damages for personal injury |
| 7. | ONCA | <i>Lilleyman v. Bumble Bee Foods LLC</i> | 08/09/24 | [2024] O.J. No. 3555 | Hubbard, Christopher Iatrou, Nikiforos Rooney, Will | Respondent | ON | Appeal | | Civil litigation – Class Proceedings Act – dismissal of certification motion - Competition Act |
| 8. | ONCA | <i>Muslim Assn. of Canada v. Canada (Attorney General)</i> | 07/08/24 | [2024] O.J. No. 3059, 2024 ONCA 541, 172 O.R. (3d) 552, [2024] 6 C.T.C. 71, 2024 A.C.W.S. 3548, 2024 CarswellOnt 10074 | Hall, Geoff R. Koshal, Anu MacDonald, Almut | Appellant | ON | Appeal | | Charter rights – Income Tax Act – Audit process - jurisdiction |
| 9. | ONCA | <i>Hemmings (Litigation guardian of) v. Peng</i> | 04/30/24 | [2024] O.J. No. 1918, 2024 ONCA 318 | Cruz, Darryl Charach, Dorothy Spiegel, Allison | Appellants | ON | Appeal | | Civil litigation — Civil procedure — Appeals — Grounds for review Health law — Health care professionals — Liability (malpractice) — Negligence — Causation — Duty of care — Existence of duty — Doctor-patient relationship |
| 10. | ONCA | <i>Johnson v. Lakeridge Health Corp.</i> | 04/19/24 | [2024] O.J. No. 1914, 2024 ONCA 291 | Cruz, Darryl Willsey, Stephanie | Respondents | ON | Appeal | | Civil litigation — Civil procedure — Appeals — Grounds for review Health law — Health care professionals — Liability (malpractice) — Negligence — |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|---|----------|---|---------------------------------------|--------------|--------|----------------|-----------------|---|
| | | | | | | | | | | Causation — Duty of care — Existence of duty |
| 11. | ONCA | <i>Henry v. Zaitlen</i> | 04/05/24 | [2024] O.J. No. 1514, 2024 ONCA 243 | McLaughlin, Frank Sugar, Stephanie | Appellant | ON | Appeal | | Damages — Proceedings — Appeals and judicial review — Standard of review Tort law — Negligence — Duty and standard of care — Standard of care Health law — Health care professionals — Liability (malpractice)— Negligence — Standard of care |
| 12. | ONCA | <i>Bouragba v. Conseil des écoles publiques de l'est de l'Ontario</i> | 02/26/24 | [2024] O.J. No. 915, 2024 ONCA 140 | Mogil, Eli | Moving Party | ON | Motion | | Civil litigation — Civil procedure — Appeals — Notice of appeal — Amendment of |
| 13. | ONCA | <i>Governing Council of the Salvation Army in Canada v. Patient Ombudsman</i> | 01/18/24 | [2024] O.J. No. 211, 2024 ONCA 40 | Sampson, Marina | Respondents | ON | Appeal | | Health law — Health insurance, private — Permitted private health insurance coverage — Costs of long-term care home services not paid by provincial health plan |
| 14. | ONCA | <i>Willick v. Willard</i> | 11/30/23 | [2023] O.J. No. 5394, 2023 ONCA 792, 2023 A.C.W.S. 5992, 492 D.L.R. (4 th) 109, 2023 CarswellOnt 18783 | Batner, Sarit Chesney, Erin | Respondents | ON | Appeal | | Civil Procedure - law of causation – standard of care - credibility |
| 15. | ONCA | <i>Brewers Retail Inc. v. Campbell</i> | 08/10/23 | [2023] O.J. No. 3574, 2023 ONCA 534, 35 C.C.L.I. (6 th) 189, 485 D.L.R. (4 th) 479, 76 C.C.P.B. | Peebles, Dana Ostler, Leah | Respondent | ON | Appeal | | Labour law — Labour relations boards — Jurisdiction — Overlapping — Appeals and judicial review — |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|--|----------|--|---|-------------------------|--------|----------------|---|--|
| | | | | (2d) 197, 2023 A.C.W.S. 4024, 2023 CarswellOnt 12256 | | | | | | Standard of review — Correctness |
| 16. | ONCA | <i>Ferraro v. Neilas</i> | 05/01/23 | [2023] O.J. No. 1881 | Koshal, Anu Kallmeyer, Holly | Appellants | ON | Appeal | | Appeal from summary judgment – contract interpretation – trust law – damages |
| 17. | ONCA | <i>Libfeld et al. v. Libfeld et al.</i> | 02/28/23 | 166 O.R. (3d) 655, 2023 ONCA 128 | Steep, Paul Kallmeyer, Holly | Appellants/ Respondents | ON | Appeal | Leave to the SCC dismissed 2024 CanLII 529 | Judgments and orders — Setting aside Partnership — Dissolution — Fiduciary duties |
| 18. | ONCA | <i>Levac v. James</i> | 02/03/23 | [2023] O.J. No. 471, 2023 ONCA 73 | Cruz, Darryl Baron, Erica Pellegrino, Eric | Appellant | ON | Appeal | | Civil procedure – Class Proceedings Act – Common Issues Trial - Negligence – fiduciary duty – limitation period – punitive damages |
| 19. | ONCA | <i>BCIMC Construction Fund Corp. v. 33 Yorkville Residences Inc.</i> | 01/03/23 | [2023] O.J. No. 1, 2023 ONCA 1 | Hall, Geoff Steele, Alexander | Respondent | ON | Appeal | | Construction law – Liens – Lienable interests – Condominiums – Holdback – Determining the amount |
| 20. | ONCA | <i>Jonas v. Jonas</i> | 12/05/22 | [2022] O.J. No. 5340, 2022 ONCA 845 | Baron, Erica | Appellant | ON | Appeal | Leave to the SCC dismissed, 2023 ONCA 54511 | Civil litigation - Appeal – Application – Interpreting Last Will and Testament |
| 21. | ONCA | <i>McDonald v Toronto-Dominion Bank</i> | 11/17/22 | [2022] O.J. No. 4992, 2022 ONCA 788 | Hall, Geoff Wadsworth, Christine Bond, Alison Chesney, Erin | Respondent | ON | Appeal | Leave to the SCC dismissed, 2023 CanLII 64851 | Civil litigation – Appeal - Ponzi scheme – Negligence claim |
| 22. | ONCA | <i>Barker v. Barker</i> | 07/29/22 | [2022] O.J. No. 3526, 2022 ONCA 567, 162 O.R. (3d) | McLaughlin, Frank Rogers, Sam | Appellants | ON | Appeal | Leave to the SCC dismissed, 2023 CanLII 24517 | Civil litigation – Breach of fiduciary duty - Battery |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|--|----------|--|---|-------------|--------|----------------|-----------------|--|
| | | | | 337 | | | | | | |
| 23. | ONCA | <i>Stevenhaagen Estate v. Kingston General Hospital</i> | 07/28/22 | [2022] O.J. No. 3395, 2022 ONCA 560 | Cruz, Darryl Lewis, Atrisha Robert, Alana | Appellants | ON | Appeal | | Civil litigation - Appeal – Medial Malpractice - |
| 24. | ONCA | <i>Wong v. Pretium Resources Inc.</i> | 07/22/22 | [2022] O.J. No. 3311, 2022 ONCA 549, 163 O.R. (3d) 14 | Rosenberg, Michael Iaruso, Amanda | Respondents | ON | Appeal | | Securities litigation – Class Action – Common law and Statutory Secondary Market Misrepresentation – Failure to publicly disclose concerns |
| 25. | ONCA | <i>Echelon Environmental Inc. v. Glassdoor Inc.</i> | 05/16/22 | [2022] O.J. No. 2232, 2022 ONCA 391 | Lonsdale, Christine | Respondents | ON | Appeal | | Civil litigation – Civil procedure – Appeals – Quashing or dismissal of |
| 26. | ONCA | <i>Poirier v. Logan</i> | 05/04/22 | [2022] O.J. No. 2101, 2022 ONCA 350, 161 O.R. (3d) 511 | Steep, Paul Ostler, Leah | Appellant | ON | Appeal | | Retainer contract – Conflict of Interest |
| 27. | ONCA | <i>Ontario (Securities) Commission v. Go-To Developments Holdings Inc.</i> | 04/28/22 | [2022] O.J. No. 1999, 2022 ONCA 328 | Steep, Paul D'Souza, Shane | Respondent | ON | Appeal | | Securities regulation – Offences and enforcement – Offences – Fraud and market manipulation |
| 28. | ONCA | <i>Cheung (Litigation guardian of) v. Samra</i> | 03/09/22 | [2022] O.J. No. 1095, 2022 ONCA 195, 2022 CarswellOnt 2817, 467 D.L.R. (4 th) 708, 80 C.P.C. (8 th) 1, 2022 A.C.W.S. 259 | Cruz, Darryl | Respondents | ON | Appeal | | Civil litigation – Civil procedure – Trials – Jury trials – Verdicts – Appeal by plaintiffs from Divisional Court decision upholding trial judge's decision refusing to grant judgment allowed |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|---|----------|--|---|-------------|--------|----------------|-----------------|--|
| 29. | ONCA | <i>R. v. N.S.</i> | 02/24/22 | [2022] O.J. No. 934, 2022 ONCA 160, 2022 CarswellOnt 2400, 179 W.C.B. (2d) 1, 78 C.R. (7 th) 1, 160 O.R. (3d) 401, 504 C.R.R. (2d) 47, 413 C.C.S. (3d) 5 | Rosenberg, Michael Robert, Alana Kallmeyer, Holly | Interveners | ON | Appeal | | Criminal law – Constitutional issues – Canada Charter of Rights and Freedoms – Legal rights – Life, liberty and security of person |
| 30. | ONCA | <i>McLean v. Wolfson</i> | 12/23/21 | [2021] O.J. No. 7170, 2021 ONCA 928 | Mogil, Eli | Respondent | ON | Appeal | | Health law – Liability (malpractice) |
| 31. | ONCA | <i>Stericycle ULC v. HealthPRO Procurement Services Inc.</i> | 12/10/21 | [2021] O.J. No. 6936, 2021 ONCA 878 | Parla, Julie Butler, Andrew | Respondent | ON | Appeal | | Contract law - Public tendering |
| 32. | ONCA | <i>Wakeling v. Desjardins General Insurance Group Inc.</i> | 09/29/21 | [2021] O.J. No. 4990, 2021 ONCA 672 | Kerr, Gillian Main, William | Respondents | ON | Appeal | | Insurance law – Tort law – Invasion of privacy – Breach of confidence |
| 33. | ONCA | <i>Smith v. Kane</i> | 09/21/21 | [2021] O.J. No. 4814, 2021 ONCA 634 | Rogers, Sam | Respondent | ON | Appeal | | Health law – Liability (malpractice) – standard of care |
| 34. | ONCA | <i>Ontario First Nations (2008) Limited Partnership v. Ontario Lottery and Gaming Corp.</i> | 09/01/21 | [2021] O.J. No. 4534, 2021 ONCA 592 | Steep, Paul Gray, Bryn Sugar, Stephanie | Appellant | ON | Appeal | | Contracts – Interpretation – Relevance of negotiations |
| 35. | ONCA | <i>Hacopian-Armen Estate v. Mahmoud</i> | 07/29/21 | [2021] O.J. No. 4069, 2021 ONCA 545 | Kalogiros, Kosta | Appellant | ON | Appeal | | Health law – Liability (malpractice) |
| 36. | ONCA | <i>Gorman v. Sadja</i> | 06/16/21 | [2021] O.J. No. 3301, 2021 ONCA 430 | Hall, Geoff | Appellant | ON | Appeal | | Contract law – marriage contract |
| 37. | ONCA | <i>Uribe v. Tsandelis</i> | 06/03/21 | [2021] O.J. No. 3056, 2021 ONCA 377 | Cruz, Darryl Wadworth, Christine | Appellant | ON | Appeal | | Health law – Liability (malpractice) |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|--|----------|--|--|---|--------|----------------|-----------------|--|
| 38. | ONCA | <i>Dorman v. Economical Mutual Insurance Co</i> | 05/13/21 | 155 O.R. (3d) 338, 2021 ONCA 314 | Lonsdale, Christine Bond, Alison | Respondent/Appellant by way of cross-appeal | ON | Appeal | | Administrative law – Jurisdiction - Class proceedings – Approval of settlement - Insurance |
| 39. | ONCA | <i>Parliament, by his Litigation Guardian York et al v. Conley et al</i> | 04/26/21 | 155 O.R. (3d) 161, 2021 ONCA 261 | Cruz, Darryl Charach, Dorothy | Respondents | ON | Appeal | | Civil procedure – Medical negligence – Jury trial – Expert evidence |
| 40. | ONCA | <i>Fram Elgin Mills 90 Inc. v. Romandale Farms Ltd.</i> | 04/01/21 | [2021] O.J. No. 1703, 2021 ONCA 201 | Batner, Sarit Kalogiros, Kosta | Respondent | ON | Appeal | | Contracts – Specific performance – Estoppel |
| 41. | ONCA | <i>Subway Franchise Systems of Canada, Inc. v. Canadian Broadcasting Corp.</i> | 01/18/21 | [2021] O.J. No. 229, 2021 ONCA 26 | Lonsdale, Christine Kerr, Gillian | Respondent | ON | Appeal | | Defamation – no valid defence |
| 42. | ONCA | <i>Zoutman v. Graham</i> | 12/03/20 | [2020] O.J. No. 5287, 2020 ONCA 767 | McLaughlin, Frank Charach, Dorothy Chesney, Erin | Respondent | ON | Appeal | | Civil procedure – Disposition without trial – Dismissal of action – Tort law – Defamation - Evidence |
| 43. | ONCA | <i>Jog v. Bank of Montreal</i> | 11/12/20 | [2020] O.J. No. 4923, 2020 ONCA 721 | McNeill-Keller, Kate Lindner, Justine | Respondent | ON | Appeal | | Applications and motion – Conduct of hearing – Judgments and orders – Summary judgments |
| 44. | ONCA | <i>Grasshopper Sollar Corp. v. Independent Electricity System Operator</i> | 08/07/20 | [2020] O.J. No. 3356, 2020 ONCA 499 | Batner, Sarit Kain, Brandon | Appellants | ON | Appeal | | Contracts – Express terms – Time of the essence – Term and termination – Contracts – Remedies – Estoppel |
| 45. | ONCA | <i>R.G. v. Hospital for Sick Children</i> | 06/25/20 | [2020] O.J. No. 3239, 2020 ONCA 414, 448 D.L.R. (4 th) 114, 2020 CarswellOnt 10619 | Cruz, Darryl Baron, Erica | Appellant | ON | Appeal | | Civil procedure – Class or representative actions – Limitation of actions |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|--|----------|--|---|------------|--------|----------------|-----------------|--|
| 46. | ONCA | <i>Ball v. McAulay</i> | 07/24/20 | [2020] O.J. No. 3185, 2020 ONCA 481, 2020 CLC para. 200-052, 2020 CarswellOnt 10517 | Batner, Sarit Kain, Brandon Bruneau, Emilie | Appellant | ON | Appeal | | Education law – Universities and colleges – Regulation of conduct – Labour arbitration |
| 47. | ONCA | <i>Khan v. Law Society of Ontario</i> | 05/26/20 | [2020] O.J. No. 2287, 2020 ONCA 320, 446 D.L.R. (4 th) 575, 2020 CarswellOnt 7352 | Kerr, Gillian Stanic, Ljiljana | Respondent | ON | Appeal | | Civil procedure – Pleadings – Striking out pleadings or allegations – Law societies and governing bodies |
| 48. | ONCA | <i>Stirrett v. Cheema</i> | 05/06/20 | [2020] O.J. No. 2000, 2020 ONCA 288, 150 O.R. (3d) 561, 448 D.L.R. (4 th) 363, 67 C.C.L.T. (4 th) 136, 2020 CarswellOnt 6192 | Wadsworth, Christine | Appellant | ON | Appeal | | Damages – For torts – Direct casual connection or link – Breach of fiduciary duty |
| 49. | ONCA | <i>Montrose Hammond & Co. v. CIBC World Markets Inc.</i> | 03/17/20 | [2020] O.J. No. 1165, 2020 ONCA 219, 445 D.L.R. (4 th) 515, 2020 CarswellOnt 3697 | Hall, Geoff R. Koshal, Anu | Appellant | ON | Appeal | | Contacts – Express terms – Exclusion clauses – Commercial law – Agency – Relationship of principal and third person |
| 50. | ONCA | <i>Brazeau v. Canada (Attorney General)</i> | 03/09/20 | [2020] O.J. No. 1062, 2020 ONCA 184, 454 C.R.R. (2d) 178, 149 O.R. (3d) 705, 445 D.L.R. (4 th) 363, 2020 CarswellOnt 3393 | Rosenberg, Michael | Respondent | ON | Appeal | | Constitutional law – Canadian Chart of Rights and Freedoms – Life, liberty and security of persons – Protection against cruel and unusual punishment |
| 51. | ONCA | <i>Austin v. Bell Canada</i> | 02/21/20 | [2020] O.J. No. 750, 2020 ONCA 142, 150 O.R. (3d) 21, 52 C.C.P.B. (2d) 180, 55 E.T.R. (4 th) 26, 2020 CarswellOnt 2394 | Peebles, Dana | Respondent | ON | Appeal | | Contracts – Interpretation – General principles – pensions and benefits law – private pension plans |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|--|----------|--|--|-------------|--------|----------------|-----------------|---|
| 52. | ONCA | <i>Ontario College of Teachers v. Bouragba</i> | 12/31/19 | [2019] O.J. No. 6654 | Lonsdale, Christine | Respondent | ON | Appeal | | Anti-SLAPP motion – Defamation lawsuit |
| 53. | ONCA | <i>O'Reilly v. IMAX Corp.</i> | 12/17/19 | [2019] O.J. No. 6369 | Lawson, Trevor Kain, Brandon | Appellant | ON | Appeal | | Employment law – Wrongful dismissal damages – Employee's stock options |
| 54. | ONCA | <i>McKitty (Litigation Guardian of) v. Hayani</i> | 10/09/19 | [2019] O.J. No. 5134 | Baron, Erica Wadsworth, Christine Ostler, Leah | Respondent | ON | Appeal | | Constitutional law – Canadian Charter of Rights and freedoms – Fundamental freedoms – Freedom of conscience and religion |
| 55. | ONCA | <i>Darmar Farms Inc. v. Syngenta Canada Inc.</i> | 10/04/19 | [2019] O.J. No. 5025, 2019 ONCA 789 | Kain, Brandon Block, Eric Sugar, Stephanie | Respondents | ON | Appeal | | Civil litigation – Civil procedures – Tort law – Negligence – Duty and Standard of care |
| 56. | ONCA | <i>Rumsam v. Pakes</i> | 09/24/10 | 2020 CHFL para. 15, 882, [2019] O.J. No. 4798, 2019 ONCA 748 | Kalamut, Andrew | Appellant | ON | Appeal | | Negligence – Limitation periods |
| 57. | ONCA | <i>Toronto (City) v. Ontario (Attorney General)</i> | 09/19/19 | [2019] O.J. No. 4741, 2019 ONCA 732, 146 O.R. (3d) 705 | Goldenberg, Adam Iarusso, Amanda | Intervenor | ON | Appeal | | Constitutional law – Canadian Charter of Rights and Freedoms – Fundamental freedoms |
| 58. | ONCA | <i>Solea International BVBA v. Bassett & Walker International Inc.</i> | 07/25/19 | 2019 ONCA 617, 2019 CarswellOnt 11816, 308 A.C.W.S. (3d) 80 | Hall, Geoff Iarusso, Amanda | Appellant | ON | Appeal | | Remedies – Damages – Valuation of damages – Mitigation – Replacement or return of goods |
| 59. | ONCA | <i>Service Mold + Aerospace Inc. v. Khalaf</i> | 05/07/19 | 2019 ONCA 369, 2019 CarswellOnt 6869, 146 O.R. (3d) 135, 308 A.C.W.S. (3d) 193 | Hall, Geoff Fitz, Nicholas | Appellant | ON | Appeal | | Bills of exchange and negotiable instruments – Cheques – forged or unauthorized cheques – Forged cheques – General principles |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|--|----------|---|----------------------------------|-------------|--------|----------------|-----------------|---|
| 60. | ONCA | <i>Growthworks Commercialization Fund Ltd. v. Growthworks WV Management Ltd.</i> | 05/03/19 | [2019] O.J. 2358, 2019 ONCA 371 | Hall, Geoff | Respondent | ON | Appeal | | Corporations, Partnerships and Associations Law – Corporations – Liquidation and dissolution |
| 61. | ONCA | <i>The Catalyst Capital Group Inc. v. VimpelCom Ltd.</i> | 05/02/19 | 2019 ONCA 354, 2019 CarswellOnt 6611, [2019] O.J. No. 2286, 145 O.R. (3d) 759, 306 A.C.W.S. (3d) 770 | Hall, Geoff | Respondent | ON | Appeal | | Civil practice and procedure – Judgments and orders – Res judicata and issue estoppel – Issue estoppel – General principles |
| 62. | ONCA | <i>Canadian National Railway Company v Crosslink Bridge Corp.</i> | 04/30/19 | 2019 ONCA 349, 2019 CarswellOnt 6382, 2 R.P.R. (6 th) 50, 304 A.C.W.S. (3d) 230 | Hall, Geoff Goldenberg, Adam | Appellants | ON | Appeal | | Civil practice and procedure – Summary judgment – general principles |
| 63. | ONCA | <i>Hughes v. Liquor Control Board of Ontario</i> | 04/17/19 | 2019 ONCA 305, 2019 CarswellOnt 5818, 145 O.R. (3d) 401, 304 A.C.W.S. (3d) 151 | Ship, Adam | Respondents | ON | Appeal | | Public law – Liquor control – Legislation – Provincial legislation – Interpretation |
| 64. | ONCA | <i>Canadian Civil Liberties Assn. v. Canada (Attorney General)</i> | 03/28/19 | [2019] O.J. No. 1537, 2019 ONCA 243, 144 O.R. (3d) 641, 374 C.C.C. (2d) 387, 433 D.L.R. (4 th) 157, 2019 CarswellOnt 4573 | Rosenberg, Michael | Appellant | ON | Appeal | | Criminal law – Constitutional issues – Canadian Chart of Rights and Freedoms – Prison administration – Segregation of prisoners |
| 65. | ONCA | <i>Samms Estate v. Moolla</i> | 03/20/19 | 2019 ONCA 220, 2019 CarswellOnt 4216, 304 A.C.W.S. (3d) 525 | Baron, Erica D'Souza Shane | Respondent | ON | Appeal | | Civil practice and procedure – Trials – Jury trial – Functions of judge and jury – Charge to jury |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|---|----------|--|--------------------------------------|---------------------------------------|--------|----------------|-----------------|---|
| 66. | ONCA | <i>Cheung v. Samra</i> | 11/19/18 | 2018 ONCA 923, 2018 CarswellOnt 19188 | Cruz, Darryl | Respondents | ON | Appeal | | Civil practice and procedure – Practice on appeal – Interlocutory or final orders – Interlocutory orders |
| 67. | ONCA | <i>Fehr v. Sun Life Assurance Company of Canada</i> | 10/31/18 | 2018 ONCA 874, 2018 CarswellOnt 18080, 299 A.C.W.S. (3d) 472, 84 C.C.L.I. (5 th) 176 | Peebles, Dana Burt, Glynnis | Respondent/ Appellant by Cross-Appeal | ON | Appeal | | Civil practice and procedure – Class and representative proceedings – Representative or class proceedings under proceedings legislation – Costs, fees and disbursements |
| 68. | ONCA | <i>Fehr v. Sun Life Assurance Co. of Canada</i> | 09/05/18 | [2018] O.J. No. 4513, 2018 ONCA 718 | Peebles, Dana Burt, Glynnis | Respondent/ Appellant by Cross-Appeal | ON | Appeal | | Insurance law - Certification – Common interests and issues |
| 69. | ONCA | <i>1173928 Ontario Inc. v. 1463096</i> | 07/27/18 | [2018] O.J. No. 3979, 2018 ONCA 669, 295 A.C.W.S. (3d) 180, 92 R.P.R. (5 th) 173, 142 O.R. (3d) 1, 2018 CarswellOnt 12216 | Hall, Geoff Koshal, Anu | Appellants | ON | Appeal | | Real property law – Mortgagee's Remedies – Power of sale - |
| 70. | ONCA | <i>Yip v. HSBC Holdings plc</i> | 07/11/18 | [2018] O.J. No. 3681, 2018 ONCA 626, 141 O.R. (3d) 641, 295 A.C.W.S. (3d) 885, 425 D.L.R. (4 th) 594, 82 B.L.R. (5 th) 1, 2018 CarswellOnt 11405 | Steep, Paul Kain, Brandon Gray, Bryn | Respondents | ON | Appeal | | Securities law – Jurisdiction – Forum conveniens – Secondary market disclosure |
| 71. | ONCA | <i>Mancinelli v. Royal Bank of Canada</i> | 06/13/18 | [2018] O.J. No. 3129, 2018 ONCA 544 | Berman, Wendy | Respondents | ON | Appeal | | Class actions – Limitations Act - Competition Act |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|--|----------|---|----------------------------------|-------------|--------|----------------|-----------------|--|
| 72. | ONCA | <i>Brozmanova v. Tarshis</i> | 06/08/18 | 2018 ONCA 523, 2018 CarswellOnt 9275, 203 A.C.W.S. (3d) 626, 81 C.C.L.I. (5 th) 1 | Kalamut, Andrew | Respondents | ON | Appeal | | Civil practice and procedure – Limitation of actions – Actions in tort – Specific actions – Actions against particular parties – Doctors and hospitals |
| 73. | ONCA | <i>Crump v. Fiture</i> | 05/09/18 | [2018] O.J. No 2450, 2018 ONCA 439 | Batner, Sarit | Appellant | ON | Appeal | | Health law – Liability (malpractice) – Negligence – Standard of Care |
| 74. | ONCA | <i>Apotex Inc. v. Abbott Laboratories Ltd.</i> | 04/05/18 | [2018] O.J. No. 1795, 2018 ONCA 332 | Mason, Steven Tait, David | Appellant | ON | Appeal | | Intellectual property law (patents) – Summary judgment |
| 75. | ONCA | <i>Cosolo v. Geo. A. Kelson Ltd.</i> | 03/28/18 | [2018] O.J. No. 1668, 2018 ONCA 318 | Hall, Geoff Pengelly, Patrick | Appellant | ON | Appeal | | Employment law – Implied duties of employee – summary judgment |
| 76. | ONCA | <i>Barker v Barker</i> | 03/20/18 | [2018] O.J. No. 1463, 2018 ONCA 255, 290 A.C.W.S. (3d) 418, 47 C.C.L.T. (4 th) 109, 2018 CarswellOnt 4179 | Rogers, Sam | Appellants | ON | Appeal | | Health Law – Liability (malpractice) – Breach of fiduciary duty – Limitation periods |
| 77. | ONCA | <i>Ferreira v. St. Mary's General Hospital</i> | 03/14/18 | [2018] O.J. No. 1355, 2018 ONCA 247, 18 C.P.C. (8 th) 337, 422 D.L.R. (4 th) 100, 290 A.C.W.S. (3d) 648, 422 D.L.R. (4 th) 100, 2018 CarswellOnt 3692 | Batner, Sarit | Respondent | ON | Appeal | | Wills, estates and trusts law – Mental incompetency - Costs |
| 78. | ONCA | <i>Growthworks Commercialization Fund Ltd. v. Growthworks WV</i> | 03/09/18 | [2018] O.J. No. 1271, 2018 ONCA 233 | Hall, Geoff | Respondent | ON | Appeal | | Securities – Investment fund - Management agreement |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|--|----------|--|---|-------------|--------|----------------|-----------------|---|
| | | <i>Management Ltd.</i> | | | | | | | | |
| 79. | ONCA | <i>Aird & Berlis LLP v. Oravital Inc.</i> | 02/20/18 | [2018] O.J. No. 865, 2018 ONCA 164 | Hall, Geoff Koshal, Anu | Appellants | ON | Appeal | | Civil litigation - Summary judgment |
| 80. | ONCA | <i>Reece v. Toronto (Police Services Board)</i> | 01/31/18 | 2018 ONCA 91, 2018 CarswellOnt 1286, 289 A.C.W.S. (3d) 407 | Kolos, Natalie | Respondent | ON | Appeal | | Civil practice and procedure – Limitation of actions – Actions in tort – Specific actions |
| 81. | ONCA | <i>Van Sluytman v. Orillia Soldiers' Memorial Hospital</i> | 01/16/18 | [2018] O.J. No. 204, 2018 ONCA 32 | Kalogiros, Kosta | Respondent | ON | Appeal | | Civil litigation – Vexatious litigations – Disposition without trial – Dismissal of action |
| 82. | ONCA | <i>Solea International BVBA v. Bassett & Walker International Inc.</i> | 11/20/17 | [2017] O.J. No. 5987, 2017 ONCA 886 | Hall, Geoff Lewis, Atrisha | Appellant | ON | Appeal | | Commercial law – Sale of goods – Contract – Appeal of Summary Judgment |
| 83. | ONCA | <i>Levac v. James</i> | 11/03/17 | [2017] O.J. No. 5704, 2017 ONCA 842 | Cruz, Darryl Baron, Erica | Appellant | ON | Appeal | | Civil litigation – Class or representative actions – Common interests and issues – Summary Judgments – Health Law – Liability (malpractice) – Negligence – Duty of care |
| 84. | ONCA | <i>Sacks v. Ross</i> | 10/5/17 | [2017] O.J. No. 5171, 2017 ONCA 773 | McLaughlin, Frank Charach, Dorothy Stanic, Ljiljana | Respondents | ON | Appeal | | Health law – negligence – failure to diagnose – charge to jury - |
| 85. | ONCA | <i>Slate Management Corp. v. Canada (Attorney General)</i> | 10/4/17 | [2017] O.J. No. 5148, 2017 ONCA 763 | Hall, Geoff R. | Respondent | ON | Appeal | | Civil litigation – Appeals – Moot issues – Rectification order quashed |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|--|----------|--|----------------------------------|-------------|--------|----------------|-----------------|--|
| 86. | ONCA | <i>Keatley Surveying Ltd. v. Teranet Inc.</i> | 9/28/17 | [2017] O.J. No. 5023, 2017 ONCA 748 | Parla, Julie | Respondent | ON | Appeal | | Intellectual property law – Copyright – Protected subject matter – Artistic works – Summary Judgment |
| 87. | ONCA | <i>Brompton Corp. v. Tuckamore Holdings LP et al.</i> | 07/10/17 | 136 O.R. (3d) 465, 2017 ONCA 594 | Nanji, Al-Nawaz | Respondent | ON | Appeal | | Contracts — Interpretation – appeal of summary judgment |
| 88. | ONCA | <i>Canadian Northern Shield Insurance Co. v. 2421593 Canada Inc.</i> | 07/05/17 | [2017] O.J. No. 3666, 2017 ONCA 570, 280 A.C.W.S. (3d) 751, 70 C.C.L.I. (5 th) 1, 2017 CarswellOnt 10616, 67 B.L.R (5 th) 1, | Hall, Geoff R. | Respondent | ON | Appeal | | Contracts – Nature of contract – What constitutes – Intention to create legal obligations – Appeal of summary judgment |
| 89. | ONCA | <i>Patel v Harriott</i> | 6/27/17 | 2017 ONCA 538, 2017 CarswellOnt 9726, 280 A.C.W.S. (3d) 655 | Courtis, Trevor | Respondents | ON | Appeal | | Real property – Sale of land – Agreement of purchase and sale – Interpretation of contract – General principles |
| 90. | ONCA | <i>R. v. Reilly</i> | 6/6/17 | 2017 ONCA 465, 2017 CarswellOnt 8322, 139 W.C.B. (2d) 334, | Lewis, Atrisha | Appellant | ON | Appeal | | Criminal law – post-trial procedure – Appeal from conviction or acquittal – Right of appeal of accused – Conviction, order or dismissal |
| 91. | ONCA | <i>Castrillo v. Ontario (Workplace Safety and Insurance Board)</i> | 2/13/17 | [2017] O.J. No. 744, 2017 ONCA 121, 2017 CarswellOnt 1765, 275 A.C.W.S. (3d) 733, 136 O.R. (3d) 654, 37 C.C.L.R. (4 th) 217 | Zayid, Caroline Stanic, Ljiljana | Respondent | ON | Appeal | | Workplace health, safety and compensation law – Workers' compensation – payment of benefits – reduction of usual benefits – compensability of injuries |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|-----|-------|--|----------|--|-----------------------------|-------------|--------|----------------|-----------------|---|
| 92. | ONCA | <i>U.S. Steel Canada Inc. (Re)</i> | 2/8/17 | 2017 ONCA 99, 2017 CarswellOnt 1346, 275 A.C.W.S. (3d) 249, 45 C.B.R. (6 th) 41 | Steep, Paul Gage, Jamey | Respondents | ON | Appeal | | Bankruptcy and insolvency – Companies' Creditors Arrangement Act |
| 93. | ONCA | <i>Hirschberg v. Branson Drug Store</i> | 1/20/17 | [2017] O.J. No. 383, 2017 ONCA 62, 274 A.C.W.S. (3d) 520, 36 C.C.L.T. (4 th) 166, 2017 CarswellOnt 835 | Hubbard, Christopher | Respondents | ON | Appeal | | Civil litigation – Summary judgments – Health law – liability (malpractice) – negligence – standard of care – informed consent - |
| 94. | ONCA | <i>Surujdeo v. Melady</i> | 1/18/17 | [2017] O.J. No. 242, 2017 ONCA 41, 274 A.C.W.S. (3d) 780, 410 D.L.R. (4 th) 538, 2017 CarswellOnt 376 | Hubbard, Christopher | Appellants | ON | Appeal | | Civil litigation – Jury trials – charge to jury – cross-examinations – negligence – duty and standard of care – causal connection |
| 95. | ONCA | <i>Bancroft-Snell v. Visa Canada Corp.</i> | 11/28/16 | [2016] O.J. No. 6109, 2016 ONCA 896 | Lonsdale, Christine | Respondent | ON | Appeal | | Civil litigation – civil procedure – class or representative actions – class counsel - fees – appeal by class action plaintiffs from order regarding fee sharing agreement dismissed with limited exception |
| 96. | ONCA | <i>Barber v. Humber River Regional Hospital</i> | 11/18/16 | [2016] O.J. No. 6107, 2016 ONCA 897 | Baron, Erica Rogers, Sam | Appellant | ON | Appeal | | Health law – Health care professionals – Liability (malpractice) – Negligence – Failure to diagnose – Standard of Care - |
| 97. | ONCA | <i>Khosroabadi v. TD Canada Trust Branch 241</i> | 10/06/16 | [2016] O.J. No. 5156, 2016 ONCA 733 | D'Souza, Shane | Respondent | ON | Appeal | | Banking and finance law – Negotiable instruments and bills of exchange – Negotiation – Appeal by plaintiff |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|--|---------------------------------|--------------|--------|----------------|-----------------|--|
| | | | | | | | | | | from trial judgment dismissing her claim for damages resulting from cheque allegedly negligently negotiated by respondent bank dismissed |
| 98. | ONCA | <i>Mask v. Silvercorp Metals Inc.</i> | 08/24/16 | [2016] O.J. No. 4436, 2016 ONCA 641, 132 O.R. (3d) 161, 269 A.C.W.S. (3d) 579, 352 O.A.C. 380, 2016 CarswellOnt 13364 | Peebles, Dana | Respondents | ON | Appeal | | Civil litigation – class or representative actions – procedure - Appeal by Mask from decision dismissing Mask's motion for leave to bring class action for secondary market misrepresentation, and dismissing motion to certify action as class action dismissed |
| 99. | ONCA | <i>Covata Durham York Renewable Energy Limited Partnership v. Barton-Malow Canada Inc.</i> | 07/11/16 | [2016] O.J. No. 3747, 2016 ONCA 558, 2016 CarswellOnt 10844, 368 A.C.W.S. (3d) 16, 53 C.L.R. (4 th) 18, 91 C.P.C. (7 th) 332, 351 O.A.C. 177, 56 B.L.R. (5 th) 1 | Parla, Julie Kalamut, Andrew | Moving Party | ON | Moving Party | | Alternative dispute resolution – binding arbitration – practice and procedure – motion by respondent to quash appeal allowed |
| 100. | ONCA | <i>Groia v. Law Society of Upper Canada</i> | 06/14/16 | [2016] O.J. No. 3094, 2016 ONCA 471, 1 Admin. L.R. (6 th) 175, 266 A.C.W.S. (3d) 991, 358 C.R.R. (2d) 1, 131 O.R. (3d) 1, 352 O.A.C. 210, 2016 CarswellOnt 9453 | Templer, Deborah | Intervener | ON | Appeal | | Legal profession – law societies and governing bodies – Disciplinary proceedings – what constitutes misconduct – professional and ethical standards |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|---|--------------------------------|--|--------|-----------------|-----------------|---|
| 101. | ONCA | <i>Fram Elgin Mills 90 Inc. v. Romandale Farms Ltd.</i> | 05/26/16 | [2016] O.J. No. 2791, 2016 ONCA 404, 131 O.R. (3d) 455 | Batner, Sarit | Moving Party | ON | Motion to Quash | | Civil litigation – civil procedure – appeals – motion to quash – judicial review |
| 102. | ONCA | <i>Teva Canada Ltd. V. Bank of Montreal</i> | 02/02/16 | [2016] O.J. No. 581, 2016 ONCA 94, 344 O.A.C. 344, 52 B.L.R. (5 th) 171, 2016 CarswellOnt 1483, 262 A.C.W.S. (3d) 176, 394 D.L.R. (4 th) 298, 129 O.R. (3d) 1 | McLaughlin, Frank | Appellant | ON | Appeal | | Banking and finance law – negotiable instruments and bills of exchange – presentment for payment – liabilities of parties - |
| 103. | ONCA | <i>Goldsmith v. National Bank of Canada</i> | 01/13/16 | [2016] O.J. No. 146, 2016 ONCA 22, 2016 CarswellOnt 249, 128 O.R. (3d) 481, 344 O.A.C. 204, 261 A.C.W.S. (3d) 481, 394 D.L.R. (4 th) 212 | Steep, Paul Shaw, Byron | Respondent | ON | Appeal | | Securities regulation – Civil liability – public statements or release of documents by influential persons – plaintiff's burden of proof |
| 104. | ONCA | <i>König v. Hobza</i> | 12/15/15 | [2015] O.J. No. 6632, 2015 ONCA 885, 84 C.P.C. (7 th) 24, 129 O.R. (3d) 57, 2015 CarswellOnt 19169, 261 A.C.W.S. (3d) 542, 343 O.A.C. 331 | Batner, Sarit | Respondents | ON | Appeal | | Civil litigation – civil procedure – costs – offer to settle – amount of offer v award – time of offer – appeal by plaintiff from costs award dismissed |
| 105. | ONCA | <i>Leong v. Ryabikhina</i> | 12/11/15 | [2015] O.J. No. 6955, 2015 ONCA 886 | Hubbard, Christopher | Respondent | ON | Appeal | | Civil litigation – civil procedure – vexatious litigants – appeals - |
| 106. | ONCA | <i>Carriere Industrial Supply Ltd. V. Toronto-Dominion Bank</i> | 12/07/15 | [2015] O.J. No. 6416, 2015 ONCA 852, 2015 CarswellOnt 18517, 14 E.T.R. (4 th) 201, 261 A.C.W.S. (3d) | Hall, Geoff Lizius, Richard | Appellant Respondent for cross-appeal | ON | Appeal | | Banking and finance law – accounts – obligations of bank – trust accounts – appeal by bank from finding of liability to client's customers for |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|--|--|-------------|--------|----------------|-----------------|---|
| | | | | 767 | | | | | | knowingly assisting in client's breach of trust dismissed |
| 107. | ONCA | <i>Whiteman v. lamkhong</i> | 07/29/15 | [2015] O.J. No. 4017, 2015 ONCA 564 | Hubbard, Christopher | Respondent | ON | Appeal | | Civil litigation – appeal by plaintiff from summary judgment dismissed – plaintiff alleged former wife infected him with HIV in 2003 and failed to disclose condition to obtain immigration sponsorship in 1995 |
| 108. | ONCA | <i>Glasford v CIBC</i> | 07/09/15 | [2015] O.J. No 3622, 2015 ONCA 523 | Shaw, Byron | Respondent | ON | Appeal | | Conflict of laws – forum conveniens – appeal by plaintiffs from finding that Ontario had no jurisdiction to try her misrepresentation action dismissed |
| 109. | ONCA | <i>Fairmont Hotels Inc. v. Canada (Attorney General)</i> | 06/17/15 | [2015] O.J. No. 3172, 2015 ONCA 441 | Chua, Chia-yi Hall, Geoff | Respondents | ON | Appeal | | Corporations, partnerships and associations law – Rectification of records – appeal by Crown from judgment granting rectification of corporate records dismissed |
| 110. | ONCA | <i>Bulk Estate v Canasia Power Corp.</i> | 05/15/15 | [2015] O.J. No. 2511, 2015 ONCA 352, 9 E.T.R. (4 th) 1, 73 C.P.C. (7 th) 235, 253 A.C.W.S. (3d) 826, 2015 CarswellOnt 7061 | Rosenberg, Michael Wadsworth, Christine | Respondent | ON | Appeal | | Civil litigation – extension, interruption, suspension and inapplicability – acknowledgement or part payment – appeal by defendant debtor from judgment in favour of plaintiff creditor for repayment of debt |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|--|---------------------------------------|------------|--------|----------------|-----------------|--|
| | | | | | | | | | | dismissed |
| 111. | ONCA | <i>Ostrander Point GP Inc. v. Prince Edward County Field Naturalists</i> | 04/20/15 | [2015] O.J. No. 1988, 2015 ONCA 269 | Kain, Brandon | Respondent | ON | Appeal | | Environmental law – approvals licences and orders – amendment, revocation or suspension – appeal and cross-appeal by parties from Divisional Court ruling allowed in part |
| 112. | ONCA | <i>Keatley Surveying Ltd. v Teranet Inc.</i> | 04/14/15 | [2015] O.J. No. 1828, 2015 ONCA 248 | Parla, Julie D'Souza, Shane | Appellant | ON | Appeal | | Civil litigation – common interests and issues – appeal by land registry manager from certification of action as class proceeding dismissed |
| 113. | ONCA | <i>H.B. Fuller Co. v. Rogers (c.o.b. Rogers Law Office)</i> | 03/16/15 | [2015] O.J. No. 1260, 2015 ONCA 173, 2015 CarswellOnt 3337, 250 A.C.W.S. (3d) 591, 330 O.A.C. 378, 386 D.L.R. (4 th) 262 | Templer, Deborah | Appellants | ON | Appeal | | Civil litigation – disposition without trial – delay or failure to prosecute – prejudice to defendant – appeal by plaintiff from dismissal of claim for delay allowed |
| 114. | ONCA | <i>Parsons v Canadian Red Cross Society</i> | 03/13/15 | [2015] O.J. No 1257, 2015 ONCA 158 | Zayid, Caroline Rosenberg, Michael | Intervenor | ON | Appeal | | Civil litigation – appeal by Attorney General of Ontario from ruling permitting Ontario supervising judge for Canada-wide class action to sit outside Ontario with two other supervising judges in considering issues relating to pan- |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|-------------------------------------|--|------------|--------|----------------|-----------------|---|
| | | | | | | | | | | Canadian settlement allowed in part |
| 115. | ONCA | <i>Dynasty Furniture Manufacturing Ltd. v Toronto-Dominion Bank</i> | 03/02/15 | [2015] O.J. No. 945, 2015 ONCA 137 | Hall, Geoff | Respondent | ON | Appeal | | Civil litigation – appeal by TD from order granting Dynasty leave to amend statement of claim quashed |
| 116. | ONCA | <i>Salasel v. Cuthbertson</i> | 02/20/15 | [2015] O.J. No. 772 | Baron, Erica | Respondent | ON | Appeal | | Civil litigation – disposition without trial – dismissal of action – action unfounded in law – estoppel by record (res judicata) – issue estoppel - |
| 117. | ONCA | <i>Larman v. Mount Sinai Hospital</i> | 12/24/14 | [2014] O.J. No. 6167, 2014 ONCA 923 | Grace, Kerry | Respondent | ON | Appeal | | Civil litigation – summary judgments – no triable issue – appeal by plaintiff from summary judgment dismissing medical negligence action dismissed |
| 118. | ONCA | <i>Cash Store Financial Services (Re)</i> | 11/25/14 | [2014] O.J. No. 5624, 2014 ONCA 834 | Meredith, Heather | Monitor | ON | Appeal | | Bankruptcy and Insolvency law – Companies' Creditors Arrangement Act matters – Compromises and arrangements – appellants advanced funds to payday lending company now under creditor protection |
| 119. | ONCA | <i>Holley v. Northern Trust Co. Canada</i> | 10/21/14 | [2014] O.J. No. 4908, 2014 ONCA 719 | Lonsdale, Christine Lizius, Richard | Respondent | ON | Appeal | | Bankruptcy and insolvency law – Companies' Creditors Arrangement Act matters – Appeal by |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|---|--------------------------|------------|--------|----------------|-----------------|--|
| | | | | | | | | | | Holley from summary dismissal of claim against trust companies involved with Nortel prior to CCAA proceedings dismissed |
| 120. | ONCA | <i>Konig v. Hobza</i> | 10/09/14 | [2014] O.J. NO. 4791, 2014 ONCA 691 | Batner, Sarit | Appellants | ON | Appeal | | Corporations, partnerships and associations law – oppression remedy – oppressive or unfairly prejudicial conduct – payment to security holder |
| 121. | ONCA | <i>Muskoka Lakes (Township) v. Ontario (Minister of Natural Resources)</i> | 07/21/14 | [2014] O.J. No. 3434, 2014 ONCA 557 | D'Souza, Shane | Respondent | ON | Appeal | | Natural resources law – navigable water – appeal by Township of Muskoka Lakes from dismissal of application for judicial review dismissed – Minister prohibited access to Crown lands adjacent to waterfall site |
| 122. | ONCA | <i>Crosslink Bridge Corp. v. Canadian National Railway Co.</i> | 04/01/14 | [2014] O.J. No. 1504, 2014 ONCA 247, 82 C.E.L.R. (3d) 190, 238 A.C.W.S. (3d) 897, 2014 CarswellOnt 3944 | Sampson, Marina | Respondent | ON | Appeal | | Environmental law — Environmental liability — Contaminated land — Dispositions of land — Due diligence before closing Real property law — Sale of land — Agreement of purchase and sale — Vendor — Duties and obligations |
| 123. | ONCA | <i>Fowlow v Southlake Regional Health Centre</i> | 03/14/14 | [2014] O.J. No. 1196, 2014 ONCA 193 | Baron, Erica Shaw, Byron | Respondent | ON | Appeal | | Health law – appeal by plaintiffs from dismissal of medical malpractice |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|-------------------------------------|---------------------------|------------|--------|----------------|-----------------|---|
| | | | | | | | | | | claim dismissed |
| 124. | ONCA | <i>Fowlow v. Southlake Regional Health Centre</i> | 03/04/14 | [2014] O.J. no. 1196, 2014 ONCA 193 | Baron, Erica Shaw, Byron | Respondent | ON | Appeal | | Health law – liability (malpractice) – negligence – causation – appeal by plaintiffs from dismissal of medial malpractice claim dismissed |
| 125. | ONCA | <i>Green v CIBC</i> | 02/03/14 | [2014] O.J. No. 419, 2014 ONCA 90 | Steep, Paul Peebles, Dana | Appellants | ON | Appeal | | Civil litigation – extension, interruption, suspension and inapplicability - three appeals by plaintiffs and defendants from rulings in separate class proceedings – in each action plaintiffs failed to obtain leave to commence statutory action within limitation period |
| 126. | ONCA | <i>Central Sun Mining v Vector Engineering Inc.</i> | 10/02/13 | [2013] O.J. No. 4506, 2013 ONCA 601 | Hubbard, Christopher | Appellant | ON | Appeal | | Conflict of laws – jurisdiction – where cause of action arose – appeal by plaintiff from order staying action because Ontario court had not jurisdiction over respondents allowed |
| 127. | ONCA | <i>Apotex Inc. v. Abbott Laboratories Ltd.</i> | 09/12/13 | [2013] O.J. No. 4144, 2013 ONCA 555 | Mason, Steven Tait, David | Respondent | ON | Appeal | | Intellectual property law – appeal by plaintiff from partial summary judgment dismissed – judgment under appeal dismissed unjust enrichment claim for |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|--|------------------|------------|--------|----------------|-----------------|---|
| | | | | | | | | | | disgorgement of respondents' profits or revenues |
| 128. | ONCA | <i>Assn. of Justices of the Peace of Ontario v. Ontario</i> | 08/30/13 | [2013] O.J. No. 3911, 2013 ONCA 532 | Kapur, Sunil | Respondent | ON | Appeal | | Administrative law – judicial review and statutory appeal – matters not subject to review – justices of the peace – Appeal by Association from dismissal of application for review of regulation implementing salary increase for justices of the peace dismissed |
| 129. | ONCA | <i>Anten v. Bhalerao</i> | 07/29/13 | [2013] O.J. No. 3459, 2013 ONCA 499 | Taylor, Kiersten | Respondent | ON | Appeal | | Wills, estates and trusts law – mental incompetency – committal – involuntary – treatment – appeal by the plaintiff from the dismissal of her appeal from a Consent and Capacity Board decision upholding a finding of incapacity made by the respondent doctor allowed |
| 130. | ONCA | <i>Goodyear Canada Inc. v. American International Companies</i> | 06/13/13 | [2013] O.J. No. 2746, 2013 ONCA 395, 306 O.A.C. 235, 115 O.R. (3d) 728 | Mogil, Eli D. | Appellant | ON | Appeal | | Conflict of laws – foreign laws – laws of foreign state or territory – application – exceptions – appeal by insured from refusal to adopt Stonewall principle or prorate deductibles dismissed |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|-------------------------------------|------------------------------------|------------|--------|----------------|-----------------|---|
| 131. | ONCA | <i>Kang v. Sun Life Assurance Co. of Canada</i> | 06/11/13 | [2013] O.J. No. 2676, 2013 ONCA 387 | Burt, Glynnis Meredith, Heather L. | Respondent | ON | Appeal | | Civil litigation – Costs procedure |
| 132. | ONCA | <i>Manary v. Strban</i> | 05/14/13 | [2013] O.J. No. 2196, 2013 ONCA 319 | Batner, Sarit E. Mogil, Eli D. | Appellant | ON | Appeal | | Civil litigation – civil procedure – costs – appeal by defendant Halmo from costs award of \$400,000 against him dismissed |
| 133. | ONCA | <i>Mauldin v. Cassels Brock & Blackwell LLP</i> | 05/08/13 | [2013] O.J. No. 2045, 2013 ONCA 307 | Batner, Sarit E. Graham, Moya | Appellant | ON | Appeal | | Civil litigation – civil procedure – costs – assessment of fixing of costs – considerations – particular orders – party and party or partial indemnity – appeal costs |
| 134. | ONCA | <i>Stevens v. Stevens</i> | 04/29/13 | [2013] O.J. No. 1912, 2013 ONCA 267 | Kerr, Gillian | Respondent | ON | Appeal | | Family law – domestic contracts and separate agreements – types – prenuptial and marriage contracts – consensus, lack of – mistake – unconscionable transactions |
| 135. | ONCA | <i>Kang v. Sun Life Assurance Co. of Canada</i> | 02/25/13 | [2013] O.J. No. 768, 2013 ONCA 118 | Burt, Glynnis Meredith, Heather L. | Respondent | ON | Appeal | | Civil litigation – civil procedure – parties – class or representative actions – pleadings – striking out pleadings or allegations – grounds – failure to disclose a cause of action or defence |
| 136. | ONCA | <i>Direk v. Kryshchak</i> | 01/11/13 | [2013] O.J. No. 97, 2013 ONCA 14 | Parla, Julie | Respondent | ON | Appeal | | Civil litigation – civil procedure – pleadings – striking out pleadings or allegations – grounds – |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|-------------------------------------|-------------------------------|-------------|--------|----------------|-----------------|--|
| | | | | | | | | | | failure to disclose a cause of action or defence |
| 137. | ONCA | <i>Ryabikhina v. St. Michael's Hospital</i> | 05/01/12 | [2012] O.J. No. 1870, 2012 ONCA 278 | Hubbard, Christopher | Respondents | ON | Appeal | | Civil litigation – Security for Costs |
| 138. | ONCA | <i>MacGregor v. Potts</i> | 04/11/12 | [2012] O.J. No. 1580, 2012 ONCA 226 | McLaughlin, Frank J. | Appellant | ON | Appeal | | Tort law – Negligence – Duty and standard of care – Emergencies – Causation – Appeal by obstetrician from successful action by infant plaintiff against him for medical negligence dismissed |
| 139. | ONCA | <i>Tarlo Lyons v. Gauthier (c.o.b. Gauthier & Associates)</i> | 01/19/12 | [2012] O.J. No 181, 2012 ONCA 39 | Templer, Deborah | Respondent | ON | Appeal | | Appeal - Denial of natural justice |
| 140. | ONCA | <i>Langenecker v. Sauvé</i> | 12/19/11 | [2011] O.J. No. 5777, 2011 ONCA 803 | Parla, Julie K. Kerr, Gillian | Respondents | ON | Appeal | | Civil litigation — civil procedure — disposition without trial — dismissal of action — delay or failure to prosecute — prejudice to defendant |
| 141. | ONCA | <i>Combined Air Mechanical Services v. Flesch</i> | 12/05/11 | [2011] O.J. No. 5431, 2011 ONCA 764 | Batner, Sarit E. Graham, Moya | Appellant | ON | Appeal | | Civil litigation — civil procedure — summary judgments — uncertainty over interpretation and use of powers under amended Rule 20 |
| 142. | ONCA | <i>Sabre Inc. v. International Air Transport Assn.</i> | 11/30/11 | [2011] O.J. No. 5364, 2011 ONCA 747 | Mason, Steven Graham, Moya | Appellants | ON | Appeal | | Information technology — trade secrets and confidential information — breach of confidence — nature of confidential information — rights |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|-------------------------------------|-------------------------------|------------|--------|----------------|---|---|
| | | | | | | | | | | and obligations |
| 143. | ONCA | <i>Suway (Litigation guardian of) v. Women's College Hospital</i> | 10/31/11 | [2011] O.J. No. 4780, 2011 ONCA 676 | McLaughlin, Frank | Respondent | | Appeal | | Health law — health care professionals — liability (malpractice) — professional responsibility — negligence — causation — standard of care |
| 144. | ONCA | <i>Salter v. Hirst</i> | 09/23/11 | [2011] O.J. No. 4207, 2011 ONCA 609 | Hubbard, Christopher | Respondent | ON | Appeal | Leave to the SCC dismissed, 2012 CanLII 41193 (SCC) | Health law — liability (malpractice) negligence — causation — failure to meet standard of care |
| 145. | ONCA | <i>Labatt Brewing Co. v. NHL Enterprises Canada and Molson Coors and MillerCoors</i> | 07/12/11 | [2011] O.J. No. 3207, 2011 ONCA 511 | Steep, Paul Sutton, Thomas | Appellant | ON | Appeal | | Contracts — proceedings in contract |
| 146. | ONCA | <i>Ryabikhina v. Leong</i> | 03/22/11 | [2011] O.J. No. 1212, 2011 ONCA 221 | Hubbard, Christopher | Respondent | ON | Appeal | | Defamation — civil procedure — standing |
| 147. | ONCA | <i>Lawless v. Anderson</i> | 02/08/11 | [2011] O.J. No. 519, 2011 ONCA 102 | Sutton, Thomas N.T. | Respondent | ON | Appeal | | Civil litigation — limitation of actions — time — discoverability — health law — health care professionals — liability (malpractice) — tort law — negligence — professional responsibility — self-governing professions — plastic surgery |
| 148. | ONCA | <i>In Motion Investments Limited v. Theravita Inc.</i> | 12/21/10 | 2010 ONCA 892, [2010] O.J. No. 5574 | McLaughlin, Frank J. | Respondent | ON | Appeal | | Civil litigation — civil evidence — documentary evidence |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|---|------------------------|------------|--------|----------------|--|---|
| | | | | | | | | | | — affidavits — sufficiency or validity |
| 149. | ONCA | <i>Liu v. Silver</i> | 11/02/10 | [2010] O.J. No. 4636, 2010 ONCA 731 | Lonsdale, Christine L. | Respondent | ON | Appeal | | Medical malpractice — negligence — civil procedure — summary judgment |
| 150. | ONCA | <i>Strassle Informationssysteme Holdings GmbH (Trustee of) v. Sieber</i> | 09/20/10 | [2010] O.J. No. 3926, 2010 ONCA 604 | Hall, Geoff R. | Appellant | ON | Appeal | | Civil litigation — settlements — civil procedure — conflict of laws — foreign jurisdiction — enforcement |
| 151. | ONCA | <i>Miranda v. Lake Shore Gold Corp.</i> | 09/17/10 | [2010] O.J. No. 3886, 2010 ONCA 597, 324 D.L.R. (4th) 36, 268 O.A.C. 162, 75 B.L.R. (4th) 88, 193 A.C.W.S. (3d) 1154, 2010 CarswellOnt 6887 | Lawson, Trevor | Respondent | ON | Appeal | | Labour and employment — contracts — interpretation — general principles — ordinary meaning — business efficacy |
| 152. | ONCA | <i>Dynasty Furniture Manufacturing Ltd. v. Toronto-Dominion Bank</i> | 07/20/10 | [2010] O.J. No. 3101, 2010 ONCA 514, 321 D.L.R. (4th) 334 | Hall, Geoff R. | Respondent | ON | Appeal | | Banking — finance law — tort law — negligence — duty of care — civil litigation — adding or striking a claim |
| 153. | ONCA | <i>Dhaliwal v. Lindsay</i> | 07/09/10 | [2010] O.J. No. 2907, 2010 ONCA 493 | Grace, Keary F. | Respondent | ON | Appeal | Leave to appeal to the SCC dismissed ([2010] S.C.C.A. No. 401, 03/10/2011) | Limitation of actions — equity — discoverability — fraudulent concealment |
| 154. | ONCA | <i>Vandergiesen v. Mississauga Hospital</i> | 05/26/10 | 2010 ONCA 379, [2010] O.J. No. 2187 | Mogil, Eli | Respondent | ON | Appeal | | Health law — health care professionals — liability (malpractice) — negligence — standard |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|--|----------------------|------------|--------|----------------|--|---|
| | | | | | | | | | | of care — practice and procedure |
| 155. | ONCA | <i>Grant Forest Products Inc. (Re)</i> | 05/14/10 | [2010] O.J. No. 1993, 2010 ONCA 355, 101 O.R. (3d) 383, 318 D.L.R. (4th) 598, 67 C.B.R. (5th) 23, 2010 CarswellOnt 3001 | Hall, Geoff R. | Appellant | ON | Appeal | | Contracts — remedies — equity — taxation |
| 156. | ONCA | <i>Bafaro v. Dowd</i> | 03/12/10 | 2010 ONCA 188, [2010] O.J. No. 979, 260 O.A.C. 70 | Batner, Sarit E. | Respondent | ON | Appeal | | Medical — health law — negligence — health care professionals |
| 157. | ONCA | <i>Kipfinch Developments Ltd. v. Westwood Mall (Mississauga) Ltd.</i> | 01/22/10 | [2010] O.J. No. 211, 2010 ONCA 45, 260 O.A.C. 110, 65 B.L.R. (4th) 198, 48 C.E.L.R. (3d) 1, 87 R.P.R. (4th) 161, 2010 CarswellOnt 297 | Hall, Geoff R. | Respondent | ON | Appeal | | Real property — sale of land — breach of contract — damages |
| 158. | ONCA | <i>Kurdina v. Toronto Police Services Board</i> | 12/18/09 | 2009 ONCA 906, [2009] O.J. No. 5421 | Shaw, Byron | Respondent | ON | Appeal | Leave to appeal to the SCC dismissed, 2010 CanLII 20530 (S.C.C.) | Civil procedure — amendment of pleadings — statement of claim — failure to disclose a reasonable cause of action — failure to comply with rules — physicians and surgeons |
| 159. | ONCA | <i>Inforica Inc. v. CGI Information Systems and Management Consultants Inc.</i> | 09/11/09 | [2009] O.J. No. 3747, 2009 ONCA 642, 97 O.R. (3d) 161, 311 D.L.R. (4th) 728, 254 O.A.C. 117, 97 Admin. L.R. (4th) 159, 80 C.P.C. (6th) | Hubbard, Christopher | Appellant | ON | Appeal | | Security for costs — jurisdiction to entertain the application — procedural — award — agreement |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|--|---------------------|-----------|--------|----------------|--|--|
| | | | | 197, 2009 CarswellOnt 5276 | | | | | | |
| 160. | ONCA | <i>Gore v. College of Physicians and Surgeons of Ontario</i> | 07/07/09 | [2009] O.J. No. 2833, 2009 ONCA 546, 96 O.R. (3d) 241, 310 D.L.R. (4th) 354, 251 O.A.C. 49, 95 Admin. L.R. (4th) 99, 2009 CarswellOnt 3887 | Matheson, Andrew B. | Appellant | ON | Appeal | | Health law — health care professionals — discipline — investigation — investigatory powers of governing body — to inspect premises, equipment, materials — appeal or judicial review — particular professions — doctors — appeals by three physicians from the dismissal of their applications for judicial review of decisions of College of Physicians and Surgeons of Ontario |
| 161. | ONCA | <i>6436145 Canada Limited v. Rockwest Property Inc.</i> | 06/18/09 | 2009 ONCA 496 | Hall, Geoff R. | Appellant | ON | Appeal | | Landlord and tenant — lease — termination and renewal — commercial tenancy |
| 162. | ONCA | <i>Gore v. College of Physicians and Surgeons of Ontario</i> | 04/08/09 | [2009] O.J. No. 1400, 2009 ONCA 294, 176 A.C.W.S. (3d) 1178 | Matheson, Andrew B. | Appellant | ON | Appeal | Affirmed by Court of Appeal [2009] O.J. No. 2833; 2009 ONCA 546; 96 O.R. (3d) 241; 310 D.L.R. (4th) 354; 251 O.A.C. 49; 95 Admin. L.R. (4th) 99; 2009 CarswellOnt 3887 | Health law — health care professionals — discipline — investigation — investigatory powers of governing body — motion by three cosmetic surgeons for a stay precluding college's investigator from observing them in surgery pending their appeal from judicial |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|---|---------------------------------|------------|--------|----------------|--|---|
| | | | | | | | | | | review decision allowed — appellants were investigated for professional misconduct |
| 163. | ONCA | <i>MacKinnon v. Grand River Hospital</i> | 03/27/09 | 2009 ONCA 265, 247 O.A.C. 167, [2009] O.J. No. 1255, 247 O.A.C. 167, 64 C.C.L.T. (3d) 173, 176 A.C.W.S. (3d) 261, 2009 CarswellOnt 1741 | Cruz, Darryl A. Baron, Erica J. | Appellant | ON | Appeal | | Medical — negligence — professional responsibility — tort law |
| 164. | ONCA | <i>R. v. Stucky</i> | 02/17/09 | [2009] O.J. No. 600, 2009 ONCA 151, 71 C.P.R. (4th) 402, 256 O.A.C. 4, 240 C.C.C. (3d) 141, 303 D.L.R. (4th) 1, 65 C.R. (6th) 46, 2009 CarswellOnt 745, 56 B.L.R. (4th) 1 | Lonsdale, Christine L. | Respondent | ON | Appeal | Application for leave to appeal to the SCC discontinued (<i>R. v. Stucky</i> , [2009] S.C.C.A. No. 186, 09/02/2009) | Criminal law — statutory interpretation — <i>Competition Act</i> |
| 165. | ONCA | <i>Metropolitan Toronto Police Widows and Orphans Fund v. Telus Communications Inc.</i> | 02/02/09 | [2009] O.J. No. 455, 2009 ONCA 111, 55 B.L.R. (4th) 12, 2009 CarswellOnt 577 | Parla, Julie K. | Respondent | ON | Appeal | | Civil litigation — civil procedure — interest — calculation of — post-judgment interest — pre-judgment interest — appeal by defendant from award of pre and post judgment interest on a compounded basis for breach of contract — appeal dismissed — trial judge's finding that the appellant knew that the funds in question would be reinvested by the respondent |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|---|----------------------------------|------------|--------|----------------|--|--|
| | | | | | | | | | | bondholders to earn compound return was open to him |
| 166. | ONCA | <i>Franklin v. Tymianski</i> | 12/15/08 | [2008] O.J. No. 5083, 2008 ONCA 850, 173 A.C.W.S. (3d) 435 | Baron, Erica J. | Respondent | ON | Appeal | | Medical — professional responsibility — civil procedure |
| 167. | ONCA | <i>St. Jean (Litigation guardian of) v. Cheung</i> | 12/03/08 | 2008 ONCA 815, [2008] O.J. No. 4862, 94 O.R. (3d) 359, 304 D.L.R. (4th) 619, 244 O.A.C. 160 | Batner, Sarit E. | Respondent | ON | Appeal | | Medical malpractice — limitations — negligence — civil litigation — health care professionals |
| 168. | ONCA | <i>Smith Estate v. National Money Mart Co.</i> | 11/03/08 | [2008] O.J. No. 4327, 2008 ONCA 746, 61 C.P.C. (6th) 72, 243 O.A.C. 173, 2008 CarswellOnt 6415, 170 A.C.W.S. (3d) 452, 92 O.R. (3d) 641, 303 D.L.R. (4th) 175 | Hubbard, Christopher | Appellant | ON | Appeal | | Civil litigation — civil procedure — parties — class or representative actions — certification — decertification — estoppel — estoppel by record (<i>res judicata</i>) — issue estoppel — <i>res judicata</i> as bar to subsequent proceedings |
| 169. | ONCA | <i>Apotex Inc. v. Sanofi-aventis</i> | 10/23/08 | [2008] O.J. No. 4140, 2008 ONCA 724, 60 C.P.C. (6th) 1, 2008 CarswellOnt 6344, 170 A.C.W.S. (3d) 741 | Burt, Glynnis P. | Respondent | ON | Appeal | | <i>Forum non conveniens</i> |
| 170. | ONCA | <i>Paxton v. Ramji</i> | 10/14/08 | 2008 ONCA 697, 92 O.R. (3d) 401, 299 D.L.R. (4th) 614, 242 O.A.C. 34, [2008] O.J. No. 3964, 59 C.C.L.T. (3d) 179, 170 A.C.W.S. (3d) 649, | Cruz, Darryl A. Batner, Sarit E. | Respondent | ON | Appeal | Application for leave to appeal to the SCC dismissed (<i>Paxton v. Ramji</i> , [2008] S.C.C.A. No. 508, 23/04/2009) | Medical malpractice — health law — professional responsibility — negligence — tort law — duty of care |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|--|---------------------|------------|--------|----------------|---------------------------------|---|
| | | | | 2008 CarswellOnt 5983 | | | | | | |
| 171. | ONCA | <i>Beth v. Advanced Micro Devices, Inc.</i> | 10/09/08 | [2008] O.J. No. 3911, 2008 ONCA 686, 242 O.A.C. 136, 69 C.C.E.L. (3d) 100, 169 A.C.W.S. (3d) 1023, 2008 CarswellOnt 5917 | Lawson, Trevor | Appellant | ON | Appeal | | Employment law — wrongful dismissal — reasonable notice period or wages in lieu — inducement in hiring |
| 172. | ONCA | <i>Metcalfe & Mansfield Alternative Investments II Corp. (Re)</i> | 08/18/08 | 92 O.R. (3d) 513 | Meredith, Heather | Respondent | ON | Appeal | | Debtor and creditor — <i>Companies' Creditors Arrangement Act</i> — inclusion of third party releases |
| 173. | ONCA | <i>Mulligan v. Laurentian University</i> | 06/30/08 | [2008] O.J. No. 2570, 2008 ONCA 523, 241 O.A.C. 11, 302 D.L.R. (4th) 546, 174 A.C.W.S. (3d) 139 | Sutton, Thomas N.T. | Respondent | ON | Appeal | 2007 CanLII 33761 (ON S.C.D.C.) | Education law — universities and colleges — admission standards — appeals and judicial review — deference to expertise of decision maker — funding policy — students — admission — graduate — research grants |
| 174. | ONCA | <i>York Bremner Developments Limited v. FHR Properties Inc.</i> | 04/21/08 | [2008] O.J. No. 1527, 2008 ONCA 308, 2008 CarswellOnt 2248, 165 A.C.W.S. (3d) 837, 67 R.P.R. (4th) 194 | Sinha, Awanish | Respondent | ON | Appeal | | Prepayment — shoring — permit — payable — amount |
| 175. | ONCA | <i>Quick Motion Ltd. v. New United Group Co. (c.o.b. All 99 Cents Centre)</i> | 04/08/08 | [2008] O.J. No. 1331, 2008 ONCA 262 | Matheson, Andrew B. | Appellant | ON | Appeal | | Viva voce evidence — procedural unfairness |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|---|-----------------|------------|--------|----------------|---|--|
| 176. | ONCA | <i>IBM Canada Ltd. v. Ontario (Minister of Finance)</i> | 04/01/08 | [2008] O.J. No. 1168, 2008 ONCA 216, 89 O.R. (3d) 641, 235 O.A.C. 161, 165 A.C.W.S. (3d) 182 | Chua, Chia-yi | Respondent | ON | Appeal | Leave to appeal to the SCC dismissed (<i>IBM Canada Ltd. v. Ontario (Minister of Finance)</i> , [2008] S.C.C.A. No. 255, 10/09/2008) | Taxation — business tax — exemptions |
| 177. | ONCA | <i>Workgroup Designs Inc. (Re)</i> | 03/31/08 | [2008] O.J. No. 1147, 2008 ONCA 214, 90 O.R. (3d) 26, 292 D.L.R. (4th) 185, 234 O.A.C. 166, 40 C.B.R. (5th) 1, 164 A.C.W.S. (3d) 741, 2008 CarswellOnt 1656 | Hall, Geoff R. | Respondent | ON | Appeal | | Bankruptcy and insolvency — proposal trustee |
| 178. | ONCA | <i>365 Bay New Holdings Ltd. v. McQuillan Life Insurance Agencies Ltd.</i> | 02/13/08 | [2008] O.J. No. 472, 2008 ONCA 100, 64 R.P.R. (4th) 44,233 O.A.C. 299, 164 A.C.W.S. (3d) 328, 2008 CarswellOnt 688 | Hall, Geoff R. | Respondent | ON | Appeal | | Landlord and tenant law — the lease — agreement to lease — terms — variation or alteration |
| 179. | ONCA | <i>Proctor & Gamble Inc. v. Ontario (Minister of Finance)</i> | 11/16/07 | [2007] O.J. No. 4441, 2007 ONCA 784, 230 O.A.C. 246, [2008] 2 C.T.C. 187, 2008 G.T.C. 1367, 161 A.C.W.S. (3d) 1020 | Chua, Chia-yi | Respondent | ON | Appeal | Leave to appeal to the SCC discontinued ([2008] S.C.C.A. No. 7, 01/11/2008) | Taxation — sales and service taxes — assessments — exemptions |
| 180. | ONCA | <i>Grass (Litigation guardian of) v. Women's College Hospital</i> | 07/26/07 | 2007 ONCA 542, [2007] O.J. No. 2918, 159 A.C.W.S. (3d) 201, 2007 CarswellOnt 4804 | Baron, Erica J. | Appellant | ON | Appeal | | Medical — evidence — civil procedure |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|--|-------------------------------------|------------|--------|----------------|---|---|
| 181. | ONCA | <i>R. v. H.A.</i> | 06/17/07 | 2007 ONCA 530, [2007] O.J. No. 2764, 74 W.C.B. (2d) 710 | McKendry, Jennifer A. | Respondent | ON | Appeal | | Criminal law — information that could identify — published in any document — witness — broadcast — transmitted |
| 182. | ONCA | <i>Huisman v. MacDonald</i> | 05/25/07 | [2007] O.J. No. 2037, 2007 ONCA 391, 280 D.L.R. (4th) 1, 224 O.A.C. 176, 37 B.L.R. (4th) 198, 158 A.C.W.S. (3d) 323, 2007 CarswellOnt 3315 | Sinha, Awanish | Appellant | ON | Appeal | Leave to appeal to the SCC dismissed ([2007] S.C.C.A. No. 428, 12/06/2007). | Health law — professions — malpractice — negligence |
| 183. | ONCA | <i>Silber v. DDJ High Yield Fund</i> | 04/26/07 | [2007] O.J. No. 1581, 2007 ONCA 315, 27 B.L.R. (4th) 171, 157 A.C.W.S. (3d) 201, 2007 CarswellOnt 2541 | Peebles, Dana M. | Respondent | ON | Appeal | | Corporate law — shareholders — appeal from Rule 21 Motion — statement of claim did not disclose a reasonable cause of action |
| 184. | ONCA | <i>McDonald-Wright (Litigation Guardian of) v. O'Herlihy</i> | 02/13/07 | [2007] O.J. No. 478, 2007 ONCA 89, 220 O.A.C. 110, 155 A.C.W.S. (3d) 379 | McLaughlin, Frank J. | Respondent | ON | Appeal | | Tort law — negligence — professional — medical liability — wrongful life claim |
| 185. | ONCA | <i>Panapers Inc. v. 1260539 Ontario Ltd.</i> | 01/19/17 | [2007] O.J. No. 204, 2007 ONCA 3, 219 O.A.C. 338, 154 A.C.W.S. (3d) 849 | Templer, Deborah | Appellant | ON | Appeal | | Real property law - Faudulent misrepresentations |
| 186. | ONCA | <i>Royal Bank of Canada v. Société Générale (Canada)</i> | 12/21/06 | 2006 CanLII 42545, [2006] O.J. No. 5081, 219 O.A.C. 83, 31 B.L.R. (4th) 63, 154 A.C.W.S. (3d) 72, 2006 CarswellOnt 8091, | Steep, R. Paul Meredith, Heather L. | Respondent | ON | Appeal | Leave to appeal dismissed, September 6, 20 ([2007] S.C.C.A. No. 87; [2007] S.C.C.A. No. 88) | Civil procedure — judgments and orders — summary judgments — for part of claim — appeal from the dismissal of some of the appellant's claims in a |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|--|-----------------------|--------------------------------------|--------|----------------|--|--|
| | | | | [2007] O.J. No. 1496, 2007 ONCA 302, 31 B.L.R. (4th) 83, 157 A.C.W.S. (3d) 40, 2007 CarswellOnt 2370 | | | | | | complex fraud case — banks — financial institutions |
| 187. | ONCA | <i>Debora v. Debora</i> | 12/06/06 | [2006] O.J. No. 4826, 83 O.R. (3d) 81, 275 D.L.R. (4th) 698, 218 O.A.C. 237, 33 R.F.L. (6th) 252, 52 R.P.R. (4th) 191, 153 A.C.W.S. (3d) 648 | McKendry, Jennifer A. | Respondent/Appellant in cross-appeal | ON | Appeal | | Family law — marital property — equalization — valuation of assets — appreciation or depreciation — matrimonial home — what constitutes — piercing corporate veil — maintenance and support — child support — income over \$150,000 — monthly award of \$10,000 plus — quantum — payor's annual income — retroactive award — costs |
| 188. | ONCA | <i>C. and M. Holdings Ltd. v. Tiffany Gate Ltd.</i> | 11/22/06 | 2006 CanLII 39453, [2006] O.J. No. 4696, 153 A.C.W.S. (3d) 443 | Batner, Sarit E. | Respondent | ON | Appeal | | Real estate — landlord and tenant law — repairs and improvements |
| 189. | ONCA | <i>Ahmed v. Stefaniu</i> | 10/20/06 | 2006 CanLII 34973, [2006] O.J. No. 4185, 275 D.L.R. (4th) 101, 216 O.A.C. 323, 155 A.C.W.S. (3d) 457 | Parla, Julie K. | Appellant | ON | Appeal | Application for leave to appeal to the SCC dismissed (<i>Ahmed v. Stefaniu</i> , [2006] S.C.C.A. No. 498, 05/04/2007) | Health law — medical malpractice — negligence — causation |
| 190. | ONCA | <i>Ivaco Inc. (Re)</i> | 10/17/06 | [2006] O.J. No. 4152, 83 O.R. (3d) 108, 275 D.L.R. (4th) 132, 26 B.L.R. (4th) | Hall, Geoff R. | Respondent | ON | Appeal | Leave to appeal to SCC discontinued (<i>Ontario (Superintendent of</i> | Commercial law — bankruptcy and insolvency — creditor — debtor — pension |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|---|----------------------|------------|--------|----------------|---|--|
| | | | | 43, 25 C.B.R. (5th) 176, 56 C.C.P.B. 1, 151 A.C.W.S. (3d) 1004, 2006 CarswellOnt 6292 | | | | | <i>Financial Services) v. National Bank of Canada, [2006] S.C.C.A. No. 490, 10/31/2007)</i> | |
| 191. | ONCA | <i>Smith v. National Money Mart Co.</i> | 05/05/06 | [2006] O.J. No. 1807, 80 O.R. (3d) 81, 266 D.L.R. (4th) 275, 209 O.A.C. 190, 18 B.L.R. (4th) 22, 28 C.P.C. (6th) 34, 147 A.C.W.S. (3d) 748, 2006 CarswellOnt 2774 | Hubbard, Christopher | Appellant | ON | Appeal | Leave to appeal dismissed, October 12, 2006 ([2006] S.C.C.A. No. 267) | Civil procedure — appeals — class action — commercial law — banking — loans — interest — international law and conflict of laws — conflict of laws — service out of jurisdiction (<i>ex juris</i>) |
| 192. | ONCA | <i>Stelco Inc. (Re)</i> | 01/26/06 | [2006] O.J. No. 249, 14 B.L.R. (4th) 15, 17 C.B.R. (5th) 101, 145 A.C.W.S. (3d) 368, 2006 CarswellOnt 335 | Hall, Geoff R. | Respondent | ON | Appeal | | Civil procedure — pleadings — striking out pleadings or allegations — grounds |
| 193. | ONCA | <i>Stelco Inc. (Re)</i> | 11/17/05 | [2005] O.J. No. 4883, 78 O.R. (3d) 241, 261 D.L.R. (4th) 368, 204 O.A.C. 205, 11 B.L.R. (4th) 185, 15 C.B.R. (5th) 307, 144 A.C.W.S. (3d) 15, 2005 CarswellOnt 6818 | Hall, Geoff R. | Respondent | ON | Appeal | | Creditor and debtor — insolvency — <i>Companies' Creditors Arrangement Act</i> — class |
| 194. | ONCA | <i>Stelco Inc. (Re)</i> | 11/04/05 | [2005] O.J. No. 4733, 78 O.R. (3d) 254, 204 O.A.C. 216, 15 C.B.R. (5th) 288, 2005 CanLII 40140, 143 A.C.W.S. (3d) 419, | Hall, Geoff R. | Respondent | ON | Appeal | | Creditor and debtor — insolvency — court approval |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|--|----------------------|------------|--------|----------------|--|---|
| | | | | 2005 CarswellOnt 6283 | | | | | | |
| 195. | ONCA | <i>McDougald Estate v. Gooderham</i> | 06/15/05 | 2005 CanLII 21091, 255 D.L.R. (4th) 435, 199 O.A.C. 203, [2005] O.J. No. 2432, 17 E.T.R. (3d) 36, 140 A.C.W.S. (3d) 220, 2005 CarswellOnt 2407 | Baron, Erica J. | Respondent | ON | Appeal | | Will, estates and trusts law |
| 196. | ONCA | <i>Van Dyke v. Grey Bruce Regional Health Centre</i> | 06/03/05 | [2005] O.J. No. 2219, 255 D.L.R. (4th) 397, 197 O.A.C. 336, 33 C.C.L.T. (3d) 1, 139 A.C.W.S. (3d) 1102 | Sutton, Thomas N.T. | Appellant | ON | Appeal | Leave to Appeal to SCC refused, [2005] S.C.C.A. No. 335 (S.C.C., August 9, 2005) | Professional responsibility — tort law — health law — health care professionals — medical malpractice — negligence — causation — failure to inform — administration and prescription of drugs — treatment, authorization for — consent — informed consent — civil procedure |
| 197. | ONCA | <i>Stelco Inc. (Re)</i> | 04/26/05 | [2005] O.J. No. 1575, 253 D.L.R. (4th) 524, 197 O.A.C. 1, 9 C.B.R. (5th) 307, 21 C.C.L.I. (4th) 1, [2005] I.L.R. I-4430, 7 P.P.S.A.C. (3d) 281, 138 A.C.W.S. (3d) 949, 2005 CarswellOnt 1537 | Hall, Geoff R. | Respondent | ON | Appeal | | Commercial law — personal property — security interests — registration — insurance law |
| 198. | ONCA | <i>Shams v. Rotstein</i> | 04/20/05 | [2005] O.J. No. 1482, 138 A.C.W.S. (3d) 751 | McLaughlin, Frank J. | Respondent | ON | Appeal | | Health law — health care professionals — liability (malpractice) — |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|--|------------------------|--------------------------------------|--------|----------------|--|---|
| | | | | | | | | | | negligence |
| 199. | ONCA | <i>Ontario (Children's Lawyer) v. Ontario (Information and Privacy Commissioner)</i> | 04/18/05 | [2005] O.J. No. 1426, 75 O.R. (3d) 309, 253 D.L.R. (4th) 489, 196 O.A.C. 350, 29 Admin. L.R. (4th) 86, 17 R.F.L. (6th) 32, 2005 CanLII 11786, 138 A.C.W.S. (3d) 778, 2005 CarswellOnt 1419 | Lonsdale, Christine L. | Friend of the Court | ON | Appeal | | Administrative law — boards and tribunals — reasons — privacy law — solicitor-client privilege |
| 200. | ONCA | <i>Grass (Litigation guardian) v. Women's College Hospital</i> | 04/15/05 | [2005] O.J. No. 1403, 75 O.R. (3d) 85, 196 O.A.C. 201, 30 C.C.L.T. (3d) 100, 138 A.C.W.S. (3d) 752 | McLaughlin, Frank J. | Appellant/Respondent in cross-appeal | ON | Appeal | SCC refused leave to appeal: 196 O.A.C. 201; additional reasons: 2005 CarswellOnt 1701 | Civil procedure — appeals — grounds for review — misapprehension of or failure to consider evidence — ordering new trial — health law — health care professionals — particular professions — doctors — liability (malpractice) — negligence — failure to provide care — causation — professional responsibility — professions — health care — doctors — tort law — negligence — causation — causal connection |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|---|------------------------|------------|--------|----------------|---|---|
| 201. | ONCA | <i>Celanese Canada Inc. v. Canadian National Railway Co.</i> | 03/30/05 | [2005] O.J. No. 1122, 196 O.A.C. 60 2005 CanLII 8663, 138 A.C.W.S. (3d) 23 | Hubbard, Christopher | Respondent | ON | Appeal | Leave to appeal denied: [2005] S.C.C.A. No. 245 | Civil procedure — costs appeal |
| 202. | ONCA | <i>BNY Capital Corp. v. Katotakis</i> | 02/23/05 | 2005 CanLII 3979, [2005] O.J. No. 640, 194 O.A.C. 353, 1 B.L.R. (4th) 168, 137 A.C.W.S. (3d) 744 | Steep, R. Paul | Respondent | ON | Appeal | | Corporations and associations law — corporations — shareholder agreements — lockup or tender agreement — rights — purchase option and right of first refusal — financial services |
| 203. | ONCA | <i>Toronto Blue Jays Baseball Club v. Ontario (Minister of Finance)</i> | 02/15/05 | [2005] O.J. No. 485, 250 D.L.R. (4th) 63, 194 O.A.C. 312, 2005 D.T.C. 5360, 137 A.C.W.S. (3d) 446 | Chua, Chia-yi | Respondent | ON | Appeal | Leave to appeal to the SCC dismissed ([2005] S.C.C.A. No. 181, 09/22/2005) | Civil procedure — appeals — statutory interpretation — statutes — construction — legislative intent |
| 204. | ONCA | <i>Ontario (Ministry of Correctional Services) v. Ontario (Information and Privacy Commissioner)</i> | 01/14/05 | [2005] O.J. No. 66 | Lonsdale, Christine L. | Respondent | ON | Appeal | Reversed by the SCC ([2006] S.C.J. No. 31; [2006] A.C.S. no 31; 2006 SCC 31; 2006 CSC 31; [2006] 2 S.C.R. 32; [2006] 2 R.C.S. 32; 271 D.L.R. (4th) 407; 350 N.R. 154; J.E. 2006-1357; 148 A.C.W.S. (3d) 832; EYB 2006-107360) | Access to information — access to records — exemption — solicitor-client privilege |
| 205. | ONCA | <i>J.B. Printing Ltd. v. 829085 Ontario Ltd.,</i> | 12/09/04 | 2004 CanLII 46220 (ON C.A.), [2004] O.J. No. 5014, 192 | Steep, R. Paul | Appellant | ON | Appeal | | Tort law — negligent misrepresentation — printing business — |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|---|----------------------------------|------------|--------|----------------|---|--|
| | | | | O.A.C. 313, 135 A.C.W.S. (3d) 957 | | | | | | liability |
| 206. | ONCA | <i>Kennedy v. Jackiewicz</i> | 11/26/04 | 2004 CanLII 43635, [2004] O.J. No. 4816, 135 A.C.W.S. (3d) 512 | Cruz, Darryl A. Batner, Sarit E. | Respondent | ON | Appeal | Application for leave to appeal to the SCC dismissed (<i>Kennedy v. Jackiewicz</i> , [2005] S.C.C.A. No. 27, 28/04/2005) | Medical liability — health law — civil evidence — health care professionals — negligence — causation — standard of care |
| 207. | ONCA | <i>Chippewas of Mnjikaning First Nations v. CHC Casinos Canada Ltd.</i> | 11/16/04 | 2004 CanLII 40655, [2004] O.J. No. 4707, 135 A.C.W.S. (3d) 72 | Grace, Keary | Appellant | ON | Appeal | | Contracts — terms — interpretation — gaming and betting — casinos |
| 208. | ONCA | <i>D.W. v. White</i> | 08/23/04 | [2004] O.J. No. 3441, 189 O.A.C. 256, 133 A.C.W.S. (3d) 217 | Lonsdale, Christine L. | Respondent | ON | Appeal | Leave to appeal to the SCC dismissed ([2004] S.C.C.A. No. 486, 03/24/2005) | Appeals — new trials — lack of or incompetence of counsel at trial — bars — settlements — barristers and solicitors — negligence |
| 209. | ONCA | <i>Shaw v. BCE Inc</i> | 07/23/04 | 2004 CanLII 4327, [2004] O.J. No. 3109, 189 O.A.C. 9, 49 B.L.R. (3d) 1, 132 A.C.W.S. (3d) 478 | Peebles, Dana M. | Appellant | ON | Appeal | Application for leave to appeal to the SCC dismissed, March 3, 2005 (<i>Shaw v. B.C.E. Inc.</i> , [2004] S.C.C.A. No. 419, 03/03/2005) | Civil procedure — pleadings — striking out pleadings or allegations — grounds — failure to disclose a cause of action or defence — corporations and associations law — corporations — actions — against corporation and directors — oppressive conduct |
| 210. | ONCA | <i>Markandu (Litigation guardian of) v. Benaroch</i> | 06/21/04 | [2004] O.J. No. 2608, 71 O.R. (3d) 377, 242 D.L.R. (4th) 101, 187 O.A.C. | McLaughlin, Frank J. | Respondent | ON | Appeal | | Conflict of laws — actions — jurisdiction — <i>forum conveniens</i> — considerations |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|---|---------------------|------------|--------|----------------|-----------------|---|
| | | | | 387, 50 C.P.C. (5th) 279, 131 A.C.W.S. (3d) 1060 | | | | | | |
| 211. | ONCA | <i>Canada Cash Advance Inc. (Re)</i> | 06/11/04 | [2004] O.J. No. 2476, 187 O.A.C. 332, 131 A.C.W.S. (3d) 585 | Hall, Geoff R. | Appellant | ON | Appeal | | Bankruptcy — receiving order — evidence |
| 212. | ONCA | <i>D. P. v. Wagg</i> | 05/18/04 | [2004] O.J. No. 2053, 71 O.R. (3d) 229, 239 D.L.R. (4th) 501, 187 O.A.C. 26, 184 C.C.C. (3d) 321, 46 C.P.C. (5th) 13, 120 C.R.R. (2d) 52, 2004 CanLII 39048, 130 A.C.W.S. (3d) 1098 | Batner, Sarit E. | Respondent | ON | Appeal | | Evidence — disclosure and production of documents — medical law — health care professionals |
| 213. | ONCA | <i>UPM-Kymmene Corp. v. UPM-Kymmene Miramichi Inc.,</i> | 02/20/04 | 2004 CanLII 9479, [2004] O.J. No. 636, 250 D.L.R. (4th) 526, 183 O.A.C. 310, 42 B.L.R. (3d) 34, 32 C.C.E.L. (3d) 68, 40 C.C.P.B. 114, 137 A.C.W.S. (3d) 742, 2004 CarswellOnt 691 | Steep, R. Paul | Respondent | ON | Appeal | | Oppression remedy — shareholders — contract — allegations of fraud — reasonableness |
| 214. | ONCA | <i>Mirembe v. Tarshis</i> | 12/08/03 | [2003] O.J. No. 4753, 179 O.A.C. 260, 127 A.C.W.S. (3d) 559 | Sutton, Thomas N.T. | Respondent | ON | Appeal | | Professional responsibility — tort law — negligence — medical malpractice — causation — practice — evidence and proof |
| 215. | ONCA | <i>Nichols v. Young</i> | 11/20/03 | 2003 CanLII 2917, [2003] O.J. No. 4376, 126 A.C.W.S. (3d) 1033 | Cruz, Darryl A. | Respondent | ON | Appeal | | Torts — negligence — standard of care — causation — medical — health professional |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|---|------------------------------------|------------|--------|----------------|--|--|
| 216. | ONCA | <i>1497777 Ontario Inc. v. Leon's Furniture Ltd.</i> | 09/24/03 | [2003] O.J. No. 3708, 67 O.R. (3d) 206, 232 D.L.R. (4th) 552, 176 O.A.C. 380, 13 R.P.R. (4th) 1, 125 A.C.W.S. (3d) 504 | Hall, Geoff R. | Respondent | ON | Appeal | Leave to appeal dismissed (<i>1497777 Ontario Inc. v. Leon's Furniture Ltd.</i> , [2003] S.C.C.A. No. 506, 07/08/2004) | Landlord and tenant — sublease — termination — landlord's consent |
| 217. | ONCA | <i>Compugen Systems Ltd. v. MFP Technology Services Ltd.</i> | 06/27/03 | 2003 CanLII 4203, [2003] O.J. No. 2590, 123 A.C.W.S. (3d) 473 | Steep, R. Paul Awanish, Sinha | Appellant | ON | Appeal | | Contracts — interpretation — implied terms — performance or breach — breach — remedies and damages — appeals — computer products — cross-appeal — supply — incremental — <i>value-added</i> reseller |
| 218. | ONCA | <i>Morgis v. Thomson Kernaghan & Co.</i> | 06/24/03 | 2003 CanLII 5999, 65 O.R. (3d) 321, 35 B.L.R. (3d) 14, 174 O.A.C. 104, [2003] O.J. No. 2504, 19 C.C.L.T. (3d) 238, 123 A.C.W.S. (3d) 1166 | Cruz, Darryl A. Baron, Erica J. | Appellant | ON | Appeal | Application for leave to appeal to the SCC dismissed (<i>Morgis v. Thomson Kernaghan & Co.</i> , [2003] S.C.C.A. No. 400, 08/04/2004) | Civil liability — negligence — tort law — associations — economic interests |
| 219. | ONCA | <i>Williams v. Mutual Life Assurance Co.; Zicherman v. Equitable Life Insurance Co. of Canada (appeal by Kumar)</i> | 04/08/03 | [2003] O.J. No. 1160, 226 D.L.R. (4th) 112, 170 O.A.C. 165, 47, C.C.L.I. (3d) 43, [2003] I.L.R. I-4181, 121 A.C.W.S. (3d) 1001 | Peebles, Dana M. | Respondent | ON | Appeal | Application for leave to appeal to the SCC dismissed, January 22, 2004 ([2003] S.C.C.A. No. 283) | Class actions — competition law — negligence — appeal from divisional court order dismissing appeal from failed certification motion — too many individual issues for class proceeding |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|--|----------------------|------------|--------|----------------|---|--|
| 220. | ONCA | <i>Paletta International Corp. v. Canada Life Mortgage Services Ltd.</i> | 04/02/03 | [2003] O.J. No. 1107, 170 O.A.C. 5, 9 R.P.R. (4th) 1, 121 A.C.W.S. (3d) 850 | Hall, Geoff R. | Appellant | ON | Appeal | Leave to appeal dismissed (<i>Paletta International Corp. v. Canada Life Mortgage Services Ltd.</i> , [2003] S.C.C.A. No. 260, 02/26/2004) | Commercial law — contracts — interpretation — jurisdiction |
| 221. | ONCA | <i>Rive v. Newton</i> | 02/14/03 | 2003 CanLII 48370, [2003] O.J. No. 398, [2003] G.S.T.C. 49, 120 A.C.W.S. (3d) 730 | Batner, Sarit E. | Respondent | ON | Appeal | | Practice — costs |
| 222. | ONCA | <i>Algoma Steel Inc. v. Union Gas Ltd.</i> | 01/17/03 | [2003] O.J. No. 71, 63 O.R. (3d) 78, 168 O.A.C. 89, 39 C.B.R. (4th) 5, 119 A.C.W.S. (3d) 520, 2003 CarswellOnt 115 | Hall, Geoff R. | Respondent | ON | Appeal | | Creditors and debtors — <i>Companies' Creditors Arrangement Act</i> — arrangement, set-off |
| 223. | ONCA | <i>Commisso (Litigation guardian of) v. North York Branson Hospital</i> | 01/13/03 | [2003] O.J. No. 20, 168 O.A.C. 100, 119 A.C.W.S. (3d) 491. | McLaughlin, Frank J. | Respondent | ON | Appeal | | Medicine — liability of practitioners — negligence or fault |
| 224. | ONCA | <i>Sambrook v. Altamira Management Ltd.</i> | 09/24/02 | 2002 CanLII 45077, [2002] O.J. No. 3607, 19 C.C.E.L. (3d) 184, 117 A.C.W.S. (3d) 92 | Steep, R. Paul | Appellant | ON | Appeal | | Contract interpretation — delivery and sale of shares — option agreements — contract — cross-appeal — shares — proferentum — delivery |
| 225. | ONCA | <i>Amhil Enterprises Ltd. v. Select Inc.,</i> | 04/05/02 | 2002 CanLII 41071 (ON C.A.), [2002] O.J. No. 1232, 112 A.C.W.S. (3d) 854 | Sutton, Thomas N.T. | Respondent | ON | Appeal | | Civil procedure — summary judgment — pleadings doctrine of equitable set-off — stay of execution pending — sceptical — amount — timeframes — |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|---|----------------------------|------------|--------|----------------|---|--|
| | | | | | | | | | | enforcement of judgments |
| 226. | ONCA | <i>EdperBrascan Corp. v. 177373 Canada Limited</i> | 03/04/02 | 2002 CanLII 17624 (ON C.A.), 22 B.L.R. (3d) 42, [2002] O.J. No. 759, 112 A.C.W.S. (3d) 263, 2002 CarswellOnt 698 | Steep, R. Paul Hall, Geoff | Appellant | ON | Appeal | Application for leave to appeal to the SCC discontinued (<i>EdperBrascan Corporation v. 177373 Canada Limited, et al.</i> , [2002] S.C.C.A. No. 184, 08/12/2002) | Contracts — performance or breach — practice — summary judgment — liquidated demand |
| 227. | ONCA | <i>Delrina Corp. (c.o.b. Carolian Systems) v. Triolet Systems Inc.</i> | 03/01/02 | [2002] O.J. No. 676, 58 O.R. (3d) 339, 156 O.A.C. 166, 23 B.L.R. (3d) 231, 17 C.P.R. (4th) 289, 112 A.C.W.S. (3d) 141 | Sookman, Barry | Respondent | ON | Appeal | Leave to appeal to SCC dismissed on November 28, 2002 ([2002] S.C.C.A. No. 189) | Copyright — rate — hour — copying — injunction — similarities — abstraction filtration comparison method |
| 228. | ONCA | <i>Marshall v. Watson Wyatt & Co. (c.o.b. Watson Wyatt Worldwide</i> | 01/17/02 | [2002] O.J. No. 84, 57 O.R. (3d) 813, 209 D.L.R. (4th) 411, 155 O.A.C. 103, 16 C.C.E.L. (3d) 162, 2002 CanLII 13354, 111 A.C.W.S. (3d) 75 | Hall, Geoff R. | Appellant | ON | Appeal | | Civil procedure — evidence — employment — wrongful dismissal — damages |
| 229. | ONCA | <i>Liuni (Guardian of) v. Peters,</i> | 12/04/01 | 2001 CanLII 5153, [2001] O.J. No. 4724, 151 O.A.C. 389, 8 C.C.L.T. (3d) 207, 110 A.C.W.S. (3d) 381 | Steep, R. Paul | Respondent | ON | Appeal | Leave to appeal to the SCC refused, 169 O.A.C. 196 n, 300 N.R. 195 n, [2002] 2 S.C.R. vii (S.C.C., April 18, 2002) | Tort law — medical malpractice — liability of practitioners — negligence or fault — standard of care — prenatal care — emergency caesarean — sign of foetal distress |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|--|------------------------|------------|--------|----------------|--|---|
| 230. | ONCA | <i>Rio Tinto Canadian Investments Ltd. v. Labrador Iron Ore Royalty Income Fund (Trustee of)</i> | 09/10/01 | [2001] O.J. No. 3499, 41 E.T.R. (2d) 283, 107 A.C.W.S. (3d) 1130 | Steep, R. Paul | Appellant | ON | Appeal | | Trusts — administration — powers of trustee — alteration of terms of trust — variation of trusts — grounds for variation — unit holder rights plan — shareholder rights |
| 231. | ONCA | <i>Wight Milling Ltd. v. Bloomfield (Village of)</i> | 08/28/01 | 149 O.A.C. 293, 2001 CanLII 12599, [2001] O.J. No. 3423, 21 M.P.L.R. (3d) 181, 107 A.C.W.S. (3d) 892 | Sutton, Thomas N.T. | Respondent | ON | Appeal | | Municipal law — powers of municipalities |
| 232. | ONCA | <i>P.I.A. Investments Inc. v. Deerpark Limited Partnership</i> | 08/01/01 | [2000] O.J. No. 3291, 20 C.B.R. (4th) 116 | Hall, Geoff R. | Respondent | ON | Appeal | | Receivers — property — equity trusts |
| 233. | ONCA | <i>Leenen v. Canadian Broadcasting Corp.</i> | 06/12/01 | [2001] O.J. No. 2229, 54 O.R. (3d) 612, 147 O.A.C. 317, 6 C.C.L.T. (3d) 97, 2001 CanLII 4997, 105 A.C.W.S. (3d) 977 | Lonsdale, Christine L. | Appellant | ON | Appeal | Leave to appeal to the SCC dismissed ([2001] S.C.C.A. No. 432, 02/07/2002) | Torts — libel and slander — defences — fair comment — qualified privilege — malice — damages |
| 234. | ONCA | <i>RTO Asset Management Inc. v. Brewers Retail Inc.</i> | 05/11/01 | [2001] O.J. No. 1769, 145 O.A.C. 378, 105 A.C.W.S. (3d) 845 | Hall, Geoff R. | Appellant | ON | Appeal | | Contract — option — mechanism |
| 235. | ONCA | <i>Hi-Tech Group Inc. v. Sears Canada Inc.</i> | 01/11/01 | [2001] O.J. No. 33, 52 O.R. (3d) 97, 141 O.A.C. 56, 11 B.L.R. (3d) 197, 4 C.P.C. (5 th) 35, 2001 CanLII 24049, 2001 CarswellOnt 9, 102 A.C.W.S. (3d) 79, | Wortzman, Susan | Respondent | ON | Appeal | | Civil procedure — summary judgment - |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|---|----------------------|------------|--------|----------------|--|---|
| 236. | ONCA | <i>Gryba v. Moneta Porcupine Mines Ltd.</i> | 12/20/00 | 5 C.C.E.L. (3d) 43, 139 O.A.C. 40, 2000 CanLII 16997, [2000] O.J. No. 4775, 26 C.C.P.B. 108, 101 A.C.W.S. (3d) 1128 | Cruz, Darryl A. | Appellant | ON | Appeal | Application for leave to appeal to the SCC dismissed (<i>Gryba v. Moneta Porcupine Mines Ltd.</i> , [2001] S.C.C.A. No. 92, 09/08/2001) | Mining — labour and employment — mitigation — stock options — dismissal |
| 237. | ONCA | <i>Bonfoco v. Dowd</i> | 10/17/00 | 2000 CanLII 16885, [2000] O.J. No. 3799, 136 O.A.C. 339, 100 A.C.W.S. (3d) 244 | Steep, R. Paul | Respondent | ON | Appeal | | Torts — medical malpractice — personal injury — negligence — standard of care, particular persons and relationships — medical doctors and medical personnel — damages — where special skill or competence required — ureter — sutures — ovary |
| 238. | ONCA | <i>R. v. Reeve</i> | 09/26/00 | [2000] O.J. No. 3538, 136 O.A.C. 292, 14 M.P.L.R. (3d) 256, 99 A.C.W.S. (3d) 1062, 47 W.C.B. (2d) 374 | Matheson, Andrew B. | Appellant | ON | Appeal | | Municipal law — bylaws — enforcement or prosecution — standard of proof — defences, legal nonconforming use — practice — stay of proceedings, abuse of process |
| 239. | ONCA | <i>Corporacion Transnacional de Inversiones v. Stet International</i> | 09/15/00 | 49 O.R. (3d) 414, 136 O.A.C. 113, [2000] O.J. No. 3408, 99 A.C.W.S. (3d) 537 | Sutton, Thomas N. T. | Appellant | ON | Appeal | SCC refused leave to appeal: [2000] S.C.C.A. No. 581 | International commercial arbitration — model law — principles of fundamental justice — agreements — arbitration — rogatory — confidentiality agreements |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|---|-----------------------------|------------|--------|----------------|-----------------|---|
| 240. | ONCA | <i>Wildenburg Holdings Ltd. v. Ontario (Minister of Revenue)</i> | 06/02/00 | [2000] O.J. No. 2053, 132 O.A.C. 216, [2000] 3 C.T.C. 148, 2001 D.T.C. 5145, 97 A.C.W.S. (3d) 565 | Chua, Chia-yi | Respondent | ON | Appeal | | Income tax — partnerships — losses — agreements respecting sharing of loss |
| 241. | ONCA | <i>Shah v. Xerox Canada Ltd.</i> | 03/20/00 | 49 C.C.E.L. (2d) 166, 131 O.A.C. 44, 2000 CanLII 231, [2000] O.J. No. 849, 95 A.C.W.S. (3d) 502 | Cruz, Darryl A. | Appellant | ON | Appeal | | Labour and employment — constructive dismissal |
| 242. | ONCA | <i>Robinson v. Sydenham District Hospital Corp.</i> | 03/09/00 | [2000] O.J. No. 703, 130 O.A.C. 109, 95 A.C.W.S. (3d) 392 | Hall, Geoff R. | Appellant | ON | Appeal | | Medicine — liability of practitioners — negligence or fault — standard of care — orthopaedic surgeons — burden of proof — damages — general damages — general damages for personal injury — pre-trial loss of wages or earnings |
| 243. | ONCA | <i>607648 Ontario Ltd. (c.o.b. Telecommunications International/TCI) v. Unitel Communications Inc.</i> | 02/18/00 | [2000] O.J. No. 496 | Cruz, Darryl A. | Respondent | ON | Appeal | | Breach of contract — practice — judgments and orders |
| 244. | ONCA | <i>Provincial Schools Authority v. Federation of Provincial Schools Authority Teachers</i> | 02/15/00 | [2000] O.J. No. 345 | Kapur, Sunil Ratelband, Ben | Respondent | ON | Appeal | | Labour law — industrial relations — collective agreement, enforcement — jurisdiction or powers of arbitrator or board — grievances |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|--|------------------|------------|--------|----------------|--|---|
| 245. | ONCA | <i>Extendicare International Inc. v. Ontario (Minister of Revenue)</i> | 02/08/00 | [2000] O.J. No. 274, 47 O.R. (3d) 1, 129 O.A.C. 154, 94 A.C.W.S. (3d) 1029 | Chua, Chia-yi | Respondent | ON | Appeal | | Taxation — sales tax — lessee unable to make payments |
| 246. | ONCA | <i>NBD Bank, Canada v. Dofasco Inc.</i> | 12/15/99 | 1999 CanLII 3826, 46 O.R. (3d) 514, 181 D.L.R. (4th) 37, 15 C.B.R. (4th) 67, 127 O.A.C. 338, [1999] O.J. No. 4749, 1 B.L.R. (3d) 1, 15 C.B.R. (4th) 67, 47 C.C.L.T. (2d) 213, 93 A.C.W.S. (3d) 391 | Burt, Glynnis P. | Appellant | ON | Appeal | Application for leave to appeal to the SCC dismissed (<i>NBD Bank, Canada v. Dofasco Inc.</i> , [2000] S.C.C.A. No. 96, 04/06/2000) | Commercial law — torts — liability — negligent misrepresentation |
| 247. | ONCA | <i>Wood v. Cobourg District General Hospital</i> | 10/21/99 | [1999] O.J. No. 3889, 125 O.A.C. 370, 91 A.C.W.S. (3d) 1047 | Peebles, Dana | Appellant | ON | Appeal | | Causation — medical malpractice — negligence |
| 248. | ONCA | <i>Progressive Packaging Ltd. v. Ontario (Minister of Finance)</i> | 09/27/99 | [1999] O.J. No. 3613, 131 O.A.C. 70, 95 A.C.W.S. (3d) 399 | Chua, Chia-yi | Respondent | ON | Appeal | | Income tax — computation of tax, rules for corporations — health tax |
| 249. | ONCA | <i>Heynen v. Frito Lay Canada Ltd.</i> | 09/27/99 | [1999] O.J. No. 3560, 45 O.R. (3d) 776, 179 D.L.R. (4th) 317, 124 O.A.C. 341, 46 C.C.E.L. (2d) 1, 91 A.C.W.S. (3d) 261, 199 CanLII 1386 (ON C.A.) | Cruz, Darryl A. | Respondent | ON | Appeal | Application for leave to appeal to the SCC dismissed (<i>Heynen v. Frito Lay Canada Ltd.</i> , [1999] S.C.C.A. No. 569, 03/08/2000) | Labour and employment — wrongful dismissal — termination — severance pay |
| 250. | ONCA | <i>Styres v. Ontario (Ministry of Finance)</i> | 09/24/99 | [1999] O.J. No. 3522, 43 W.C.B. (2d) 390 | Chua, Chia-yi | Appellant | ON | Appeal | | Sales and service taxes — tobacco tax — collection and enforcement — search and seizure |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|--|----------------------|-------------|--------|----------------|--|---|
| 251. | ONCA | <i>Toronto-Dominion Bank v. Leigh Instruments Ltd. (Trustee of)</i> | 09/13/99 | [1999] O.J. No. 3290, 45 O.R. (3d) 417, 178 D.L.R. (4 th) 634, 124 O.A.C. 87, 50 B.L.R. (2d) 64, 1999 CanLII 3778, 91 A.C.W.S. (3d) 125, 1999 CarswellOnt 2812 | Wortzman, Susan | Respondents | ON | Appeal | | Appeal – letters of comfort |
| 252. | ONCA | <i>Teck Corp. v. Ontario (Minister of Finance)</i> | 09/09/99 | [1999] O.J. No. 3240, 124 O.A.C. 58, 90 A.C.W.S. (3d) 806 | Chua, Chia-yi | Respondent | ON | Appeal | | Mines and minerals — taxation — exemptions — statutes — interpretation |
| 253. | ONCA | <i>Ontario Public Service Employees' Union v. Ontario (Management Board Secretariat)</i> | 08/24/99 | [1999] O.J. No. 3200 | Kapur, Sunil | Respondent | ON | Appeal | | Labour law — public service labour relations — grievances — practice and procedure |
| 254. | ONCA | <i>Tamimi v. Toronto Hospital (Western Division)</i> | 07/13/99 | [1999] O.J. No. 2632, 123 O.A.C. 182, 89 A.C.W.S. (3d) 1071 | McLaughlin, Frank J. | Respondent | ON | Appeal | Leave to appeal dismissed, May 3 - 2000 ([1999] S.C.C.A. No. 464) | Medicine — liability of practitioners — relation with patient — consent to treatment — negligence or fault, duty of the treating doctor to inform patient |
| 255. | ONCA | <i>R. v. Bingley</i> | 06/11/99 | [1999] O.J. No. 2037 | Matheson, Andrew B. | Appellant | ON | Appeal | | Criminal law — summary conviction proceedings — information — validity |
| 256. | ONCA | <i>Ontario Hydro v. Canada (Minister of National Revenue)</i> | 05/19/99 | [1999] O.J. No. 1723, 44 O.R. (3d) 1, 120 O.A.C. 184, 99 G.T.C. 7157, 88 A.C.W.S. (3d) 507 | Chua, Chia-yi | Respondent | ON | Appeal | Leave to appeal to the SCC dismissed ([1999] S.C.C.A. No. 375, 04/06/2000) | Taxation — statutes — interpretation — assessment — <i>retail sales tax act</i> |
| 257. | ONCA | <i>R. v. Genereux</i> | 04/27/99 | 1999 CanLII 1874, 44 O.R. (3d) 339, 136 C.C.C. (3d) 338, | Burt, Glynnis P. | Appellant | ON | Appeal | | Criminal law — sentencing — medical |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|--|----------------------|------------|--------|----------------|---|---|
| | | | | 119 O.A.C. 102, [1999] O.J. No. 1387, 42 W.C.B. (2d) 105 | | | | | | |
| 258. | ONCA | <i>Kitakufe v. Canada</i> | 04/06/99 | [1999] O.J. No. 5546, 135 C.C.C. (3d) 255, 65 C.R.R. (2d) 189, 42 W.C.B. (2d) 173 | Matheson, Andrew B. | Appellant | ON | Application | | Extradition — surrender to demanding country — conditions precedent — immunity respecting other crimes committed before surrender (rule of specialty) |
| 259. | ONCA | <i>Belsat Video Marketing Inc. v. Astral Communications Inc.,</i> | 02/12/99 | 1999 CanLII 1092, [1999] O.J. No. 343, 118 O.A.C. 105, 86 C.P.R. (3d) 413, 86 A.C.W.S. (3d) 65 | Steep, R. Paul | Respondent | ON | Appeal | | Civil practice — pleadings — amendment of pleadings — abuse of process — summary judgment — track jobbing — noncompetition — warehousing |
| 260. | ONCA | <i>Rashwan v. Marzouk</i> | 01/27/99 | 1999 CanLII 1450, [1999] O.J. No. 208 | Burt, Glynnis P. | Respondent | ON | Appeal | Applications for leave to appeal to the SCC dismissed (<i>Rashwan v. Marzouk</i> , [1999] S.C.C.A. No. 189, and [1999] S.C.C.A. No. 190, 12/02/1999) | Medical — practice — dismissal of action — delay |
| 261. | ONCA | <i>Gerry's Distributors Ltd. v. Itwal Ltd.</i> | 01/22/99 | [1999] O.J. No. 170, 85 A.C.W.S. (3d) 339 | McLaughlin, Frank J. | Respondent | ON | Appeal | | Sale of goods — breach — remedies of buyer — set-off, when available — equity — equitable defences — set-off |
| 262. | ONCA | <i>Lukowski v. Hatch Associates Ltd.,</i> | 12/21/98 | [1998] O.J. No. 5345, 118 O.A.C. 147, | Steep, R. Paul | Appellant | ON | Appeal | | Employment law — dismissal without cause — notice of dismissal — |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|--|---------------------|------------|--------|----------------|--|---|
| | | | | 39 C.C.E.L. (2d) 177, 84 A.C.W.S. (3d) 908, 1998 CanLII 5869 | | | | | | reasonable notice, calculation of length of service — damages — punitive damages |
| 263. | ONCA | <i>Furler v. Hagen</i> | 10/26/98 | [1998] O.J. No. 4402 | Hall, Geoff R. | Appellant | ON | Appeal | | Trial judge — reasons for judgment |
| 264. | ONCA | <i>Pente Investment Management Ltd. v. Schneider Corp.</i> | 10/20/98 | [1998] O.J. No. 4142, 42 O.R. (3d) 177, 113 O.A.C. 253, 44 B.L.R. (2d) 115, 83 A.C.W.S. (3d) 51 | Steep, R. Paul | Respondent | ON | Appeal | | Company law — fundamental changes and shareholders' rights — takeover or acquisition of control |
| 265. | ONCA | <i>AD Technologies Inc. v. Algoma Steel Inc.</i> | 09/03/98 | [1998] O.J. No. 3486 | Burt, Glynnis P. | Appellant | ON | Appeal | | Practice — software — contracts |
| 266. | ONCA | <i>Assn. of Professional Engineers of Ontario v. Hafeez</i> | 06/03/98 | [1998] O.J. No. 2270 | Peebles, Dana M. | Appellant | ON | Appeal | | Contempt — motion judge erred in failing to make contempt order |
| 267. | ONCA | <i>Lakeport Brewing Corp. v. Brewers Retail Inc.</i> | 05/15/98 | [1998] O.J. No. 1996 | Steep, R. Paul | Respondent | ON | Appeal | | Civil practice — appeals — evidence on appeal — admission of new evidence |
| 268. | ONCA | <i>R. v. Bechard</i> | 04/17/98 | [1998] O.J. No. 1591 | Matheson, Andrew B. | Appellant | ON | Appeal | | Criminal law — appeals — appeals from conviction |
| 269. | ONCA | <i>Guarantee Co. of North America v. Gordon Capital Corp.</i> | 03/23/98 | [1998] O.J. No. 1197, 38 O.R. (3d) 563, 157 D.L.R. (4th) 643, 108 O.A.C. 46, 3 C.C.L.I. (3d) 202, [1998] I.L.R. I-3555, 78 A.C.W.S. (3d) 367 | Steep, R. Paul | Appellant | ON | Appeal | Reversed by the SCC ([1999] S.C.J. No. 60; [1999] A.C.S. no 60; [1999] 3 S.C.R. 423; [1999] 3 R.C.S. 423; 178 D.L.R. (4th) 1; 247 N.R. 97; 126 O.A.C. 1; 49 B.L.R. (2d) 68; 15 | Insurance — actions against insurer — limitations — repudiation |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|---|---------------------|------------|--------|----------------|--|--|
| | | | | | | | | | C.C.L.I. (3d) 1; 39 C.P.C. (4th) 100; [2000] I.L.R. I-3741; 1999 CanLII 664; 91 A.C.W.S. (3d) 796) | |
| 270. | ONCA | <i>Palmeri v. DiPoce</i> | 03/19/98 | 1998 CanLII 2712, [1998] O.J. No. 1164 | Cruz, Darryl A. | Respondent | ON | Appeal | | Barrister and solicitor — negligence — damages |
| 271. | ONCA | <i>R. v. K.A.G.</i> | 02/20/98 | [1998] O.J. No. 731 | Matheson, Andrew B. | Appellant | ON | Appeal | | Evidence — witnesses — credibility — oath-helping |
| 272. | ONCA | <i>R. v. Kotyk</i> | 06/16/97 | [1997] O.J. No. 2432 | Matheson, Andrew B. | Appellant | ON | Appeal | | Criminal law — sentencing — appeals, variation of sentence — grounds for varying sentence |
| 273. | ONCA | <i>1088163 Ontario Ltd. v. 9014-7661 Quebec Inc.</i> | 05/16/97 | [1997] O.J. No. 2022 | Hall, Geoff R. | Respondent | ON | Appeal | | Conflict of laws — actions — <i>forum conveniens</i> |
| 274. | ONCA | <i>Committee for the Equal Treatment of Asbestors Minority Shareholders v. Ontario (Securities Commission)</i> | 5/2/97 | [1997] O.J. No. 1872, 33 O.R. (3d) 651, 146 D.L.R. (4 th) 721, 100 O.A.C. 46, 46 Admin L.R. (2d) 128, 34 B.L.R. (2d) 103, 13 C.C.L.S. 50, 70 A.S.W.S. (3d) 1109 | Berman, Wendy | Respondent | ON | Appeal | | Company law — Fundamental changes and shareholders' rights — Rights of minority or dissenting shareholders |
| 275. | ONCA | <i>Hong v. Onica</i> | 04/03/97 | [1997] O.J. No. 1331 | Hall, Geoff R. | Appellant | ON | Appeal | | Practice — appeals |
| 276. | ONCA | <i>Ordon Estate v. Grail</i> | 10/22/96 | [1996] O.J. No. 3659, 30 O.R. (3d) 643, 140 D.L.R. (4th) 52, 94 O.A.C. 241, | Hall, Geoff R. | Respondent | ON | Appeal | Affirmed by the Supreme Court of Canada ([1998] S.C.J. No. 84; [1998] A.C.S. no | Courts — jurisdiction — actions <i>in personam</i> — personal injury actions — boating accidents on provincial inland waters |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|--|----------|---|-------------------------------|------------|--------|----------------|---|---|
| | | | | 66 A.C.W.S. (3d) 273 | | | | | 84; [1998] 3 S.C.R. 437; [1998] 3 R.C.S. 437; 40 O.R. (3d) 639; 166 D.L.R. (4th) 193; 232 N.R. 201; J.E. 98-2410; 115 O.A.C. 1; 1998 CanLII 771; 83 A.C.W.S. (3d) 897; REJB 1998-09407) | — applicable legislation |
| 277. | ONCA | <i>Toronto-Dominion Bank v. Federated Foods Ltd.</i> | 08/22/96 | 1996 CanLII 2451, [1996] O.J. No. 2871 | Hall, Geoff R. | Appellant | ON | Appeal | Leave to appeal refused: [1996] S.C.C.A. No. 508 | Contract — interpretation — royalty payment |
| 278. | ONCA | <i>Bloudoff v. Dolezel</i> | 04/24/96 | [1996] O.J. No. 1447 | Burt, Glynnis P. | Respondent | ON | Appeal | | Medicine — liability — evidence and proof — causation |
| 279. | ONCA | <i>Daniel Markham Farms Ltd. v. Gentra Canada Investments Inc. (subnom. Gentra Canada Investments Inc. v. 724270 Ontario Ltd. (Receiver of))</i> | 03/25/95 | 1995 CanLII 806, [1995] O.J. No. 771 | Steep, R. Paul Hall, Geoff | Appellant | ON | Appeal | | Landlord and tenant — long term leases — leasehold mortgages — termination, forfeiture and re-entry — termination — tenant's obligations — repairs — by tenant upon termination of lease — standard of repair |
| 280. | ONCA | <i>Verdun v. Toronto-Dominion Bank</i> | 01/12/95 | [1995] O.J. No. 4288 | Steep, R. Paul | Respondent | ON | Appeal | <i>Affirmed Verdun v. Toronto-Dominion Bank [1996] S.C.J. No. 50</i> | Banks and banking — interpretation of <i>Bank Act</i> — practice |
| 281. | ONCA | <i>Kempton v. Park</i> | 11/21/94 | 1994 CanLII 627, [1994] O.J. No. 2651, 51 A.C.W.S. (3d) 735 | Cruz, Darryl A. | Respondent | ON | Appeal | | Medical — malpractice — practice — duty of appellate court |

| NO. | COURT | CASE | DATE | CITATIONS | LAWYER | ACTED FOR | REGION | TYPE OF APPEAL | FURTHER HISTORY | LEGAL AND INDUSTRY FOCUS |
|------|-------|---|----------|--|----------------------|------------|--------|----------------|---|--|
| 282. | ONCA | <i>Central Capital Corp. v. 819187 Ontario Ltd.</i> | 04/05/93 | [1993] O.J. No. 761 | Peebles, Dana M. | Respondent | ON | Appeal | | Corporate law — appeal from contempt finding — reasonable apprehension of bias |
| 283. | ONCA | <i>Jengle v. Keetch</i> | 03/09/92 | 7 O.R. (3d) 187, [1992] O.J. No. 425, 89 D.L.R. (4th) 15, 54 O.A.C. 308, 22 R.P.R. (2d) 53, 32 A.C.W.S. (3d) 494 | McLaughlin, Frank J. | Respondent | ON | Appeal | | Real property — easements — right of way |
| 284. | ONCA | <i>Askin v. Ontario Hospital Association</i> | 02/20/91 | 2 O.R. (3d) 641, [1991] O.J. No. 211, 46 O.A.C. 278, 34 C.C.E.L. 11, 25 A.C.W.S. (3d) 1004 | McLaughlin, Frank J. | Respondent | ON | Appeal | | Medicine — pensions — contributors — surplus in defined benefit plan |
| 285. | ONCA | <i>R. v. Ellis-Don Ltd.</i> | 12/03/90 | [1990] O.J. No. 2208, 1 O.R. (3d) 193, 76 D.L.R. (4th) 347, 42 O.A.C. 49, 61 C.C.C. (3d) 423, 34 C.C.E.L. 130, 2 C.R. (4th) 118, 5 C.R.R. (2d) 263, 24 A.C.W.S. (3d) 188, 11 W.C.B. (2d) 457 | Peebles, Dana M. | Appellant | ON | Appeal | Reversed by the Supreme Court of Canada (<i>R. v. Ellis-Don Ltd.</i> , [1992] S.C.J. No. 33, 03/21/1992) | <i>Occupational Health and Safety Act</i> — constitutional law — <i>Canadian Charter of Rights and Freedoms</i> s. 11(d) |
| 286. | ONCA | <i>Armoshep Properties Inc. v. Finn</i> | 10/19/90 | [1990] O.J. No. 1920 | Steep, R. Paul | Appellant | ON | Appeal | | Real estate — agreement of purchase and sale — <i>Registry Act</i> — registration — requirements — restrictive covenants — |
| 287. | ONCA | <i>Weitzman v. Hendin</i> | 08/31/89 | [1989] O.J. 1419, 69 O.R. (2d) 678, 61 D.L.R. (4th) 525, 35 O.A.C. 61, 17 A.C.W.S. (3d) 17 | Sookman, Barry B. | Appellant | ON | Appeal | | Lending — liability under loans — promissory notes — investments — mortgages — null and |

[illegible]