

Court of Appeal for British Columbia

Appellate Cases Argued by Active McCarthy Tétrault Lawyers

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
1.	BCCA	<i>Lululemon athletica Canada inc. v. Industrial Color Productions Inc.</i>	11/12/21	[2021] B.C.J. No. 2429, 2021 BCCA 428	Feder, Michael	Appellant	BC	Appeal		Binding arbitration – Jurisdiction – Practice and procedure – Appeals and judicial review
2.	BCCA	<i>Kaban Resources Inc. v. Goldcorp Inc.</i>	10/15/21	[2021] B.C.J. No. 2417, 2021 BCCA 427	Cocks, Alexandra	Respondents	BC	Appeal		Contracts – Terms – Implied Terms
3.	BCCA	<i>LeRoy v. TimberWest Forest Corp.</i>	09/03/21	[2021] B.C.J. No.	Yates, Jill Gray, Andrea	Respondents	BC	Appeal		Tort law – Conspiracy - Evidence
4.	BCCA	<i>H.M.B. Holdings Ltd. V. Replay Resorts Inc.</i>	04/07/21	[2021] B.C.J. No. 683, 2021 BCCA 142	Griffin, Scott A.	Respondent	BC	Appeal		Tort law – Conspiracy - Pleadings
5.	BCCA	<i>Council of Canadians with Disabilities v British Columbia (Attorney General)</i>	08/26/20	[2020] B.C.J. No. 1326, 2020 BCCA 241	Feder, Michael Booth, Katherine	Appellant	BC	Appeal		Civil litigation – Civil procedure – Parties – Standing – Public interest
6.	BCCA	<i>Sherry v. CIBC Mortgage Inc.</i>	05/01/20	[2020] B.C.J. No. 827, 2020 BCCA 139, 30 B.C.L.R. (6 th) 1, 2020 CarswellBC 1256	Yates, Jill Cocks, Alexandra	Appellant	BC	Appeal		Real property law – Mortgages - Prepayment
7.	BCCA	<i>Wang v. Wang</i>	1/16/20	[2020] B.C.J. No. 47	Griffin, Scott A.	Appellant	BC	Appeal		Power of attorney – fiduciary duty – remedy for breach of fiduciary duty
8.	BCCA	<i>De Cotiis v. Hothi</i>	12/23/19	[2019] B.C.J. No. 2486, 2019 BCCA 472	Griffin, Scott A. Burgess, Lindsay E.	Respondent	BC	Appeal		Specific performance – real estate

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9.	BCCA	<i>Reference re Environmental Management Act (British Columbia)</i>	05/24/19	[2019] B.C.J. No. 925, 2019 BCCA 181, 434 D.L.R. (4 th) 213, 2019 CarswellBC 1429	Hughes, Nicholas R.	Interested Person	BC	Appeal		Constitutional law – Constitutional validity of legislation – Level of government – Division of powers – Natural resources law – Oil and gas – Pipelines – Inter-provincial
10.	BCCA	<i>N&C Transportation Ltd. v. Navistar International Corp.</i>	08/01/18	[2018] B.C.J. No. 2889, 2018 BCCA 312, 425 D.L.R. (4 th) 393, 294 A.C.W.S. (3d) 474, 14 B.C.L.R. (6 th) 217, 2018 CarswellBC 2023	Yates, Jill Williams, Patrick	Appellants	BC	Appeal		Civil litigation – Civil procedure – Class or representative actions – Certification – Common interests and issues – suppliers of goods – product liability – warranties
11.	BCCA	<i>H.M.B. Holdings Ltd. v. Antigua and Barbuda (Attorney General)</i>	06/25/18	[2018] B.C.J. No. 1219, 2018 BCCA 263, 11 B.C.L.R. (6 th) 365, 293 A.C.W.S. (3d) 716, 20 C.P.C. (8 th) 234, 2018 CarswellBC 1611	Griffin, Scott	Respondents	BC	Appeal		Civil litigation – Discovery – Production and Inspection of document – Privileged documents – Solicitor-client privilege
12.	BCCA	<i>8640025 Canada Inc. (Re)</i>	08/17/17	[2017] B.C.J. No. 1633, 2017 BCCA 303, 2017 CarswellBC 2250, 282 A.C.W.S. (3d) 13, 51 C.B.R. (6 th) 171, 100 B.C.L.R. (5 th) 256	Collins, Sean	Respondent	BC	Appeal		Bankruptcy and insolvency law – Companies' Creditors Arrangement Act matters – Powers, duties and functions – Sanction by court
13.	BCCA	<i>Poonian v. British Columbia Securities Commission</i>	05/31/17	[2017] B.C.J. No. 1029, 2017 BCCA 207, 280 A.C.W.S. (3d) 204, 98 B.C.L.R. (5 th) 319, 2017 CarswellBC 1433, [2017] 10 W.W.R. 91, 413 D.L.R. (4 th) 594	Doust, Leonard	Respondent	BC	Appeal		Securities regulation – Offences and enforcement – Commission orders in the public interest – Powers of Commission - Disgorgement

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14.	BCCA	<i>Coburn and Watson's Metropolitan Home (c.o.b. Metropolitan Home) v. Bank of America Corp.</i>	05/25/17	[2017] B.C.J. No. 999, 2017 BCCA 202, [2017] 10 W.W.R. 295, 279 A.C.W.S. (3d) 49, 99 B.C.L.R. (5 th) 86, 413 D.L.R. (4 th) 573, 2017 CarswellBC 1372	Yates, Jill	Respondent	BC	Appeal		Commercial law – Competition – Conspiracy – Elements – Restrictive trade practices – Price maintenance – Creditors and debtors law – Credit cards
15.	BCCA	<i>British Columbia v. Philip Morris International Inc.</i>	02/14/17	[2017] B.C.J. No. 257, 2017 BCCA 69, 2017 CarswellBC 69, 275 A.C.W.S. (3d) 513, 95 B.C.L.R. (5 th) 116, [2017] W.W.R. 451, 412 D.L.R. (4 th) 310	Feder, Michael	Respondents	BC	Appeal		Civil litigation – civil procedure – discovery – electronic discovery and production – privacy issues – Freedom of information and privacy legislation
16.	BCCA	<i>Birch v. Brenner</i>	01/16/17	[2017] B.C.J. No. 54, 2017 BCCA 22	Griffin, Scott Williams, Patrick	Respondents	BC	Appeal		Real property law – interests in land – easements – rights of way – appeal by defendant from trial judgment interpreting an easement over her property in favor of respondents dismissed
17.	BCCA	<i>LeRoy v TimerWest Forest Corp.</i>	11/03/16	[2016] B.C.J. No. 2591, 2016 BCCA 448	Macdonald, Kate	Appellants	BC	Appeal		Assignment of rights – scope and validity of release - Motion to dismiss
18.	BCCA	<i>B.P. v. British Columbia Securities Commission</i>	06/15/16	[2016] B.C.J. No. 2845	Doust, Leonard	Respondent	BC	Application		Securities – manipulated market
19.	BCCA	<i>Sherry v. CIBC Mortgages Inc.</i>	06/07/16	[2016] B.C.J. No. 1153, 2016 BCCA 240, 389 B.C.A.C. 24, 269 A.C.W.S. (3d) 27, 88 B.C.L.R. (5 th) 105, 2016 CarswellBC 1510	Steep, Paul Zayid, Caroline	Appellant	BC	Appeal		Banking and finance law – mortgages or hypothecs – appeal by defendant from certification of class proceeding allowed in part

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20.	BCCA	<i>British Columbia v. Imperial Tobacco Canada Ltd.</i>	05/12/16	[2016] B.C.J. No. 955, 2016 BCCA, 387 B.C.A.C. 49, 266 A.C.W.S. (3d) 330, 2016 CarswellBC 1275	Feder, Michael	Respondents	BC	Application		Civil litigation – civil procedure – parties – intervenors – requirement of interest – Application by Information and Privacy Commissioner for leave to intervene and adduce evidence in appeal from order directing Province to produce certain health care records allowed in part
21.	BCCA	<i>Jaguar Financial Corp. v. Alternative Earth Resources Inc.</i>	05/05/16	[2016] B.C.J. No. 908, 2016 BCCA 193, 267 A.C.W.S. (3d) 101, 386 B.C.A.C. 224, 2016 CarswellBC 1209, [2016] 9 W.W.R. 660, 86 B.C.L.R. (5 th) 317, 56 B.L.R. (5 th) 8	Feder, Michael D'Souza, Shane Williams, Patrick	Respondent	BC	Appeal		Banking and financial law – employment benefits not disclosable
22.	BCCA	<i>Sihota v. British Columbia (Securities Commission)</i>	03/04/16	[2016] B.C.J. No. 086	Doust, Leonard	Respondents	BC	Appeal		Securities regulation – offences and enforcement – fraud and market manipulation – leave to appeal Securities Commission sanctions decision allowed in part
23.	BCCA	<i>Poonian v British Columbia (Securities Commission)</i>	03/04/16	[2016] B.C.J. No. 1045	Doust, Leonard	Respondent	BC	Appeal		Administrative law – judicial review and statutory appeal – application for leave to appeal liability and sanctions decision of Securities Commission allowed in part

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24.	BCCA	<i>Lathigee v. British Columbia (Securities Commission)</i>	03/04/16	[2016] B.C.J. No. 1044	Doust, Leonard	Respondent	BC	Appeal		Securities regulation – Offences and enforcement – offences – penalties – procedure
25.	BCCA	<i>Equustek Solutions Inc. v Jack</i>	06/11/15	[2015] B.C.J. No. 1193, 2015 BCCA 265	Sookman, Barry	Intervenor	BC	Appeal		Civil litigation – conflict of laws – jurisdiction - Appeal by Google from interim injunctive relief granted in favour of plaintiffs dismissed
26.	BCCA	<i>Charlton v Abbott Laboratories Ltd.</i>	01/22/15	[2015] B.C.J. No. 88, 2015 BCCA 26	Zayid, Caroline Kain, Brandon	Appellant	BC	Appeal		Civil litigation – class or representative actions – certification – common interests and issues – appeal by defendants from certification of action as class proceeding allowed
27.	BCCA	<i>Greg Dowling Architect Inc. v. Raymond Griffin Architect Inc.</i>	03/06/14	[2014] B.C.J. No 384, 2014 BCCA 85	McHardy, C.M	Respondents	BC	Appeal		Alternative dispute resolution – binding arbitration – appeals and judicial review – appeal by partners of architecture firm from dismissal of application for leave to appeal commercial arbitration damages award dismissed – civil procedure
28.	BCCA	<i>Sutton v Alaska Air Group, Inc.</i>	02/05/14	[2014] B.C.J. No. 266, 2014 BCCA 59	Plomp, Donovan	Respondents	BC	Appeal		Employment law – wrongful dismissal – reasonable notice period or wages in lieu – duration of employment – notice period
29.	BCCA	<i>Pacifica Mortgage Investment Corp. v. Laus Holdings Ltd.</i>	03/06/13	[2013] B.C.J. No. 409, 2013 BCCA 95	Hall, Geoff Feder, Michael	Intervenor	BC	Appeal		Real property law – mortgages – mortgage agreement – terms – mortgagee's rights – right to

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										redemption – limits – order nisi of foreclosure – appeal by mortgagors from chambers judge's decision granting respondent order nisi of foreclosure on basis appellants had not raised any defences requiring trial dismissed
30.	BCCA	<i>Florkow v. British Columbia (Police Complaint Commissioner)</i>	03/04/13	[2013] B.C.J. No. 354, 2013 BCCA 92	Feder, Michael	Appellants	BC	Appeal		Professional responsibility – regulated professions – administration – investigation – limitation periods – investigation of complaints – inquiries and hearings - occupations
31.	BCCA	<i>Neskonlith Indian Band v. Salmon Arm (City)</i>	09/24/12	[2012] B.C.J. No. 1959, 2012 BCCA 379	Hughes, Nicholas Cameron, Aidan	Respondent	BC	Appeal		Aboriginal law – Communities and governance – Duties of the Crown – Fair dealing and reconciliation – Consultation and accommodation
32.	BCCA	<i>Greg Dowling Architects Inc. v. J. Raymond Griffin Architect</i>	09/11/12	[2012] B.C.J. No. 1862, 2012 BCCA 366	McHardy, Christopher	Respondent	BC	Appeal		Civil litigation – Arbitration - Appeal
33.	BCCA	<i>R. v. Reyat</i>	07/19/12	[2012] B.C.J. No. 1507, 2012 BCCA 311	Doust, Leonard	Respondent	BC	Appeal		Criminal law – Criminal Code offences – Offences against the administration of law and justice – Misleading justice – Perjury – Appeal by Reyat from his conviction for perjury dismissed

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34.	BCCA	<i>Mayer v. Osborne Contracting Ltd.</i>	02/17/12	[2012] B.C.J. No. 315, 2012 BCCA 77	Griffin, Scott	Respondents	BC	Appeal		Civil litigation – civil procedure – pleadings – amendment of – Statement of Claim – Judgments and Orders – Summary judgments – availability – to dismiss action
35.	BCCA	<i>Le Soleil Hospitality Inc. v. Louie</i>	06/30/11	[2011] B.C.J. No. 1220	Griffin, Scott	Respondents	BC	Appeal		Contracts — remedies — breach of contract — loss of profit
36.	BCCA	<i>588526 British Columbia v. Shell Canada Ltd.</i>	06/24/11	[2011] B.C.J. No. 1357, 2011 BCCA 306	Griffin, Scott Yates, Jill	Respondent	BC	Appeal		Corporations, partnerships and associations law — corporations — evidence — proof of facts
37.	BCCA	<i>British Columbia v. Imperial Tobacco Canada Ltd.</i>	12/08/09	[2009] B.C.J. No. 2444, 2009 BCCA 540, 313 D.L.R. (4th) 651, [2010] 2 W.W.R. 385, 280 B.C.A.C. 100, 98 B.C.L.R. (4th) 201, 2009 CarswellBC 3307	Feder, Michael	Appellant	BC	Appeal	SCC Leave to appeal granted, SCC ([2010] S.C.C.A. No. 43, 05/20/2010)	Health law — torts by the Crown — actions against the Crown — immunity
38.	BCCA	<i>R. v. Breeden</i>	10/27/09	[2009] B.C.J. No. 2106, 2009 BCCA 463, 277 B.C.A.C. 164, 248 C.C.C. (3d) 317, 198 C.R.R. (2d) 258	Feder, Michael	Appellant	BC	Appeal	Application for Leave to Appeal Dismissed, [2009] S.C.C.A. No. 527	Criminal law — constitutional issues — <i>Canadian Charter of Rights and Freedoms</i> — fundamental freedoms — freedom of expression
39.	BCCA	<i>Picha v. Lee Inquest (Coroner of)</i>	04/03/09	[2009] B.C.J. No. 1461, 2009 BCCA 336, 308 D.L.R. (4th) 614, [2009] 10 W.W.R. 579, 274 B.C.A.C.	Doust, Leonard	Respondent	BC	Significant Interlocutory Appeal		Criminal law — prosecutorial discretion — coroner's inquest or inquiry — powers of coroners

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				108, 96 B.C.L.R. (4th) 199, 91 Admin. L.R. (4th) 221, 179 A.C.W.S. (3d) 1100, 2009 CarswellBC 1921						
40.	BCCA	<i>Adbusters Media Foundation v. Canadian Broadcasting Corp.</i>	04/03/09	[2009] B.C.J. No. 658, 2009 BCCA 148, 269 B.C.A.C. 95, 92 B.C.L.R. (4th) 9, 192 C.R.R. (2d) 280, 2009 CarswellBC 831	Lonsdale, Christine L. Feder, Michael	Respondent	BC	Significant Interlocutory Appeal	Application for Leave to Appeal Dismissed, [2009] S.C.C.A. No. 227	Constitutional law — <i>Canadian Charter of Rights and Freedoms</i> — scope of application — entities subject to <i>Canadian Charter of Rights and Freedoms</i>
41.	BCCA	<i>MacKinnon v. National Money Mart Co.</i>	03/12/09	[2009] B.C.J. No. 468, 2009 BCCA 103, 304 D.L.R. (4th) 331, [2009] 5 W.W.R. 418, 267 B.C.A.C. 276, 89 B.C.L.R. (4th) 1, 68 C.P.C. (6th) 241, 176 A.C.W.S. (3d) 324, 2009 CarswellBC 635	Yates, Jill	Respondent	BC	Significant Interlocutory Appeal		Alternative dispute resolution — binding arbitration — validity and enforceability — class actions — certification — estoppel by record (<i>res judicata</i>)
42.	BCCA	<i>Thow v. British Columbia (Securities Commission)</i>	02/12/09	[2009] B.C.J. No. 211, 2009 BCCA 46, 307 D.L.R. (4th) 121, [2009] 6 W.W.R. 21, 266 B.C.A.C. 140, 90 B.C.L.R. (4th) 36, 2009 CarswellBC 294, 3 Admin. L.R. (5th) 33	Feder, Michael	Respondent	BC	Appeal		Securities law and regulation — offences and enforcement — professional responsibility — investment professionals and advisors
43.	BCCA	<i>KPMG v. IMO Industries (Canada) Inc.</i>	07/10/08	[2008] B.C.J. No. 1465, 2008 BCCA 317, [2008] 9 W.W.R. 385, 259 B.C.A.C. 26,	Cameron, Aidan	Respondent	BC	Significant Interlocutory Appeal		Bankruptcy and insolvency law — limitation of actions — general principles — effect of legislation on

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				83 B.C.L.R. (4th) 138, 56 C.P.C. (6th) 199, 169 A.C.W.S. (3d) 308, 2008 CarswellBC 1625						additional cause of action
44.	BCCA	<i>Smith v. Vancouver City Savings Credit Union</i>	07/10/08	[2008] B.C.J. No. 1299, 2008 BCCA 279, 41 E.T.R. (3d) 165, 83 B.C.L.R. (4th) 209, 2008 CarswellBC 1420, 168 A.C.W.S. (3d) 633	Yates, Jill	Appellant	BC	Significant Interlocutory Appeal	Application for Leave to Appeal Dismissed, [2008] S.C.C.A. No. 401	Wills, estates and trusts law — trusts — constructive trusts — limitation periods
45.	BCCA	<i>Le Soleil Hospitality Inc. v. Louie</i>	05/07/08	[2008] B.C.J. No. 1228, 2008 BCCA 206, 169 A.C.W.S. (3d) 101	Griffin, Scott	Respondent	BC	Significant Interlocutory Appeal		Real property law — formation of contracts and non-contracts — letters of intent
46.	BCCA	<i>R. v. Wolsey</i>	04/17/08	[2008] B.C.J. No. 647, 2008 BCCA 159, 254 B.C.A.C. 135, 233 C.C.C. (3d) 205, 78 W.C.B. (2d) 338	Doust, Leonard Feder, Michael	Respondent	BC	Appeal		Criminal law — fraudulent transactions related to contracts and trade — Crown appeal — trial judge imported subjective element into <i>actus reus</i> of fraud
47.	BCCA	<i>Le Soleil Hospitality Inc. v. Louie</i>	04/01/08	[2008] B.C.J. No. 537, 2008 BCCA 142, 53 C.P.C. (6th) 9, 82 B.C.L.R. (4th) 260, 2008 CarswellBC 620, 166 A.C.W.S. (3d) 419, 254 B.C.A.C. 51	Griffin, Scott	Respondent	BC	Appeal		Civil litigation — striking out pleadings or allegations
48.	BCCA	<i>Gardiner v. 857 Beatty Street Project</i>	02/21/08	[2008] B.C.J. No. 268, 2008 BCCA 82, 64 R.P.R. (4th) 232, 290 D.L.R. (4th) 267,	Griffin, Scott	Respondent	BC	Appeal		Landlord and tenant law — landlord and tenant relationship

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				164 A.C.W.S. (3d) 329, 2008 CarswellBC 310, 77 B.C.L.R. (4th) 264, 251 B.C.A.C. 273						
49.	BCCA	<i>British Columbia (Securities Commission) v. Seifert</i>	10/09/07	[2007] B.C.J. No. 2186, 2007 BCCA 484, 286 D.L.R. (4th) 283, [2008] 1 W.W.R. 649, 247 B.C.A.C. 125, 72 B.C.L.R. (4th) 72, 161 A.C.W.S. (3d) 165, 2007 CarswellBC 2398	Doust, Leonard	Respondent	BC	Appeal		Securities law and regulation — regulatory commissions — director or chairperson — powers or jurisdiction — practice — public interest — enforceability of settlements
50.	BCCA	<i>Minera Aquiline Argentina SA v. IMA Exploration Inc.</i>	06/07/07	[2007] B.C.J. No. 1232, 2007 BCCA 319, [2007] 10 W.W.R. 648, 246 B.C.A.C. 1, 68 B.C.L.R. (4th) 242, 32 B.L.R. (4th) 242, 43 C.P.C. (6th) 45, 158 A.C.W.S. (3d) 404, 2007 CarswellBC 1291	Doust, Leonard Feder, Michael	Appellant	BC	Appeal	Application for Leave to Appeal Dismissed, [2007] S.C.C.A. No. 424	Mining law — breach of contract — conditions and warranties — equitable remedies — injunction
51.	BCCA	<i>Dockside Brewing Co. v. Strata Plan LMS 3837</i>	03/27/07	[2007] B.C.J. No. 583, 2007 BCCA 183, 239 B.C.A.C. 33, 59 R.P.R. (4th) 12, 156 A.C.W.S. (3d) 1195, 2007 CarswellBC 1618	Griffin, Scott	Respondent	BC	Significant Interlocutory Appeal	Application for Leave to Appeal Dismissed with costs (without reasons), [2007] S.C.C.A. No. 262	Real property law — condominium corporation — statutory fiduciary duty and duty of care — remedy for breaches

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52.	BCCA	<i>Aurizon Mines Ltd. v. Northgate Minerals Corp.</i>	07/14/06	[2006] B.C.J. No. 1584, 2006 BCCA 340, 229 B.C.A.C. 16, 55 B.C.L.R. (4th) 203, 19 B.L.R. (4th) 171, 151 A.C.W.S. (3d) 589, 2006 CarswellBC 1734	Griffin, Scott	Appellant	BC	Appeal		Commercial law — breach of contract — equitable remedies — injunction
53.	BCCA	<i>Guinea Golden Mines "G.G.M."-S.A.R.L v. Cassidy Gold Corp.</i>	05/01/06	[2006] B.C.J. No. 942, 2006 BCCA 200, 225 B.C.A.C. 99, 148 A.C.W.S. (3d) 702	Feder, Michael	Appellant	BC	Significant Interlocutory Appeal		Civil procedure — security for costs — where plaintiff is resident outside of jurisdiction
54.	BCCA	<i>MacKinnon v. National Money Mart Co.</i>	03/27/06	[2006] B.C.J. No. 635, 2006 BCCA 148, 265 D.L.R. (4th) 214, [2006] 5 W.W.R. 601, 224 B.C.A.C. 137, 26 C.P.C. (6th) 1, 2006 CarswellBC 697	Yates, Jill	Appellant	BC	Significant Interlocutory Appeal		Class actions — certification — common interests — statutory interpretation — construction — legislative intent
55.	BCCA	<i>Remington Energy Ltd. v. British Columbia (Hydro and Power Authority)</i>	04/04/05	[2005] B.C.J. No. 695, 2005 BCCA 191, 210 B.C.A.C. 293, 42 B.C.L.R. (4th) 31, 13 C.E.L.R. (3d) 67, 138 A.C.W.S. (3d) 381, 2005 CarswellBC 754	Doust, Leonard	Appellant	BC	Appeal		Energy law — estoppel and construction of the Crown grant — contract formation
56.	BCCA	<i>Tri-Sil Minerals Inc. v. Mineral Hill Industries Ltd.</i>	01/12/05	[2005] B.C.J. No. 688, 2005 BCCA 180, 211 B.C.A.C. 84, 39 B.C.L.R. (4th) 381, 138 A.C.W.S. (3d) 357	Hughes, Nick	Respondent	BC	Appeal		Mining and natural resources law — injunctions — irreparable injury — sufficiency of damages in lieu of injunction — licensing — mining agreements

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57.	BCCA	<i>MacKinnon v. National Money Mart Co.</i>	09/24/04	[2004] B.C.J. No. 1961, 2004 BCCA 473, 203 B.C.A.C. 103, 50 B.L.R. (3d) 291	Brown, John P. Yates, Jill	Appellant	BC	Appeal		Administrative law — arbitration — jurisdiction of the court — stay of court proceedings — civil procedure — parties — class actions
58.	BCCA	<i>R. v. Sandover-Sly</i>	01/31/02	[2002] B.C.J. No. 153, 2002 BCCA 56, 163 B.C.A.C. 312, 47 C.E.L.R. (N.S.) 163, 52 W.C.B. (2d) 489	Doust, Leonard	Appellant	BC	Appeal		Criminal law — fish and game — offences, sentences, fines and penalties — fishing in closed season — offences, forfeitures
59.	BCCA	<i>R. v. Dempsey</i>	03/23/01	[2001] B.C.J. No. 561, 2001 BCCA 122, 151 B.C.A.C. 272, 153 C.C.C. (3d) 311, 49 W.C.B. (2d) 381	Doust, Leonard	Respondent	BC	Appeal		Criminal law — interim release or detention of accused pending trial or appeal
60.	BCCA	<i>R. v. Guess</i>	10/12/00	[2000] B.C.J. No. 2023, 2000 BCCA 547, 143 B.C.A.C. 51, 148 C.C.C. (3d) 321, 47 W.C.B. (2d) 503	Doust, Leonard	Intervenor	BC	Appeal	Application for Leave to Appeal Dismissed, [2000] S.C.C.A. No. 628	Criminal law — offences against the administration of law and justice — obstructing or perverting course of justice
61.	BCCA	<i>R. v. Stewart</i>	09/12/00	[2000] B.C.J. No. 1815, 2000 BCCA 498, 142 B.C.A.C. 97, 148 C.C.C. (3d) 68, 78 C.R.R. (2d) 306, 47 W.C.B. (2d) 358	Doust, Leonard	Appellant	BC	Appeal		Criminal law and procedure — special duties of Crown — duty to disclose evidence prior to trial — sexual offences, public morals and disorderly conduct
62.	BCCA	<i>R. v. Sandover-Sly</i>	08/02/00	[2000] B.C.J. No. 1593, 2000 BCCA 445, 142 B.C.A.C. 198, 47 W.C.B. (2d) 148	Doust, Leonard	Appellant	BC	Appeal	<i>R. v. Sandover-Sly</i> , [2000] S.C.C.A. No. 493 (Case	Criminal law — fish and game — offences, sentence, fines and penalties — forfeiture

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
									remanded to Court of Appeal of British Columbia for reconsideration.)	
63.	BCCA	<i>Langley Lo-Cost Builders Ltd. v. 474835 B.C. Ltd.</i>	06/13/00	[2000] B.C.J. No. 1187, 2000 BCCA 365, [2000] 7 W.W.R. 46, 140 B.C.A.C. 182, 76 B.C.L.R. (3d) 278, 5 B.L.R. (3d) 31, 34 R.P.R. (3d) 56, 97 A.C.W.S. (3d) 1115	Griffin, Scott	Appellant	BC	Appeal		Real property law — mortgages — validity of interest clause
64.	BCCA	<i>R. v. F.E.</i>	06/29/99	[1999] B.C.J. No. 1546, 1999 BCCA 414, 126 B.C.A.C. 161, 43 W.C.B. (2d) 54	Doust, Leonard	Appellant	BC	Appeal		Criminal law — sexual offences, public morals and disorderly conduct — evidence and proof of indictable offences
65.	BCCA	<i>Trinity Western University v. British Columbia College of Teachers</i>	12/18/98	[1998] B.C.J. No. 3029, 169 D.L.R. (4th) 234, [1999] 7 W.W.R. 71, 116 B.C.A.C. 1, 59 B.C.L.R. (3d) 241, 58 C.R.R. (2d) 189, 84 A.C.W.S. (3d) 1101	Doust, Leonard	Respondent	BC	Appeal	<i>Trinity Western University v. British Columbia College of Teachers</i> , [2001] S.C.J. No. 32; SCC Appeal dismissed: [2001] S.C.J. No. 32	Education law — teachers qualifications and certification — education authorities and power respecting school courses or programs

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
66.	BCCA	<i>R. v. Skalbania</i>	12/10/98	[1998] B.C.J. No. 2872, 116 B.C.A.C. 117, 131 C.C.C. (3d) 166, 40 W.C.B. (2d) 377	Doust, Leonard	Appellant	BC	Appeal		Criminal law — sentencing — theft — considerations on imposing sentence
67.	BCCA	<i>Doman v. British Columbia (Superintendent of Brokers)</i>	06/01/98	[1998] B.C.J. No. 2378, 113 B.C.A.C. 91, 59 B.C.L.R. (3d) 217, 9 Admin. L.R. (3d) 200, 40 W.C.B. (2d) 26	Doust, Leonard	Appellant	BC	Appeal	Application for Leave to Appeal Dismissed, [1998] S.C.C.A. No. 601	Securities law and regulation — insider trading, liability of insider — administrative decisions or findings — ruling in advance of submissions
68.	BCCA	<i>Toronto-Dominion Bank v. Cariboo Trail Hotel Ltd.</i>	06/01/98	[1998] B.C.J. No. 1520, 1998 CarswellBC 1422	Doust, Leonard	Respondent	BC	Appeal		Property law — agreement of purchase and sale — ambiguity of vesting provision
69.	BCCA	<i>R. v. Lee</i>	04/09/98	[1998] B.C.J. No. 812, 106 B.C.A.C. 161, 124 C.C.C. (3d) 301, 38 W.C.B. (2d) 125	Doust, Leonard	Appellant	BC	Appeal		Criminal law and procedure — charge or directions to jury — directions regarding pleas and credibility of witnesses
70.	BCCA	<i>Chace v. Crane Canada Inc.</i>	12/22/97	[1997] B.C.J. No. 2862, 101 B.C.A.C. 32, 44 B.C.L.R. (3d) 264, 14 C.P.C. (4th) 197, 76 A.C.W.S. (3d) 30	Griffin, Scott	Appellant	BC	Appeal		Class action — appeal from certification — status and standing of individuals and corporations
71.	BCCA	<i>R. v. Simonyi-Gindele</i>	03/20/97	[1997] B.C.J. No. 664, 88 B.C.A.C. 280, 34 W.C.B. (2d) 204	Doust, Leonard	Respondent	BC	Significant Interlocutory Appeal	Application for Leave to Appeal Dismissed, [1997] S.C.C.A. No. 281	Criminal law — preliminary inquiry — excess of jurisdiction — improper consideration of evidence

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
72.	BCCA	<i>Brown v. Oberle</i>	09/26/96	[1996] B.C.J. No. 2033, 139 D.L.R. (4th) 645, 81 B.C.A.C. 179, 6 C.P.C. (4th) 308, 5 R.P.R. (3d) 82, 65 A.C.W.S. (3d) 1030	Griffin, Scott	Appellant	BC	Appeal		Real property law — easements, licences and prescriptive rights — revocation
73.	BCCA	<i>Preston, Gates & Ellis v. NRS Block Bros. Realty Ltd.</i>	06/25/96	[1996] B.C.J. No. 1397	Griffin, Scott	Respondent	BC	Significant Interlocutory Appeal		Civil procedure — appeal from summary judgement — evidence and affidavits by lawyer, limitations
74.	BCCA	<i>Dupras v. Mason</i>	06/17/94	[1994] B.C.J. No. 2456, 120 D.L.R. (4th) 127, 52 B.C.A.C. 59, 99 B.C.L.R. (2d) 266, 32 C.P.C. (3d) 126, 51 A.C.W.S. (3d) 350	Hughes, Nick	Appellant	BC	Significant Interlocutory Appeal		Mining law and minerals — appeal from provincial gold commissioner — nature of appeal — trial <i>de novo</i>
75.	BCCA	<i>Bennett v. Superintendent of Brokers</i>	11/08/93	[1993] B.C.J. No. 2519, 109 D.L.R. (4th) 717, [1994] 3 W.W.R. 687, 37 B.C.A.C. 313, 87 B.C.L.R. (2d) 22, 17 Admin. L.R. (2d) 222, 2 C.C.L.S. 14, 44 A.C.W.S. (3d) 195	Doust, Leonard	Appellant	BC	Significant Interlocutory Appeal		Securities law — disqualification of commissioner for reasonable apprehension of bias
76.	BCCA	<i>Bennett v. Superintendent of Brokers</i>	11/04/93	[1993] B.C.J. No. 2644, 87 B.C.L.R. (2d) 11, 2 C.C.L.S. 1, 44 A.C.W.S. (3d) 822	Doust, Leonard	Appellant	BC	Appeal	Leave to appeal dismissed: [1994] S.C.C.A. No. 52	Administrative law — standard of review for decisions and proceedings before the Securities Commission — apprehension of bias
77.	BCCA	<i>Bennett v. British Columbia (Securities Commission)</i>	05/28/92	[1992] B.C.J. No. 1655, 94 D.L.R. (4th) 339 p, [1992] 5 W.W.R. 481, 18	Doust, Leonard	Appellant	BC	Significant Interlocutory Appeal	Application for Leave to Appeal Dismissed,	Securities law — insider trading — constitution law and division of powers

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
				B.C.A.C. 191, 69 B.C.L.R. (2d) 171, 34 A.C.W.S. (3d) 891					[1992] S.C.C.A. No. 321	
78.	BCCA	<i>R. v. Gill</i>	05/28/92	[1992] B.C.J. No. 1307, 14 B.C.A.C. 132, 16 W.C.B. (2d) 381, 26 W.A.C. 132	Doust, Leonard	Appellant	BC	Appeal	Application for Leave to Appeal Dismissed, [1993] S.C.C.A. No. 535	Criminal law — second degree murder conviction appeal — instructions to the jury — provocation
79.	BCCA	<i>Law Society of British Columbia v. Lawrie</i>	05/01/91	[1991] B.C.J. No. 2653, 84 D.L.R. (4th) 540, [1991] 6 W.W.R. 619, 3 B.C.A.C. 142, 59 B.C.L.R. (2d) 1, 67 C.C.C. (3d) 461	Doust, Leonard	Respondent	BC	Appeal		Law of professionals — barristers and solicitors — use of non-lawyers in fee for service business of providing legal advice
80.	BCCA	<i>R. v. A. (B.A.)</i>	03/25/91	[1991] B.C.J. No. 753	DeJong, Ariel	Appellant	BC	Appeal		Criminal law — young offenders — sentencing
81.	BCCA	<i>McGauley v. Jennings</i>	02/26/91	[1991] B.C.J. No. 2010, 56 B.C.L.R. (2d) 1, 26 A.C.W.S. (3d) 1240	DeJong, Ariel	Respondent	BC	Significant Interlocutory Appeal		Civil procedure — striking out pleadings — shareholder's and trustee's action
82.	BCCA	<i>Reed v. McDermid St. Lawrence Ltd.</i>	12/07/90	[1990] B.C.J. No. 2703, [1991] 2 W.W.R. 617, 52 B.C.L.R. (2d) 265, 24 A.C.W.S. (3d) 441	Doust, Leonard	Appellant	BC	Appeal		Securities — duty of brokers and agents to client — stock purchase and agent and principal relationship
83.	BCCA	<i>Rak v. British Columbia (Superintendent of Brokers)</i>	10/29/90	[1990] B.C.J. No. 2383, 74 D.L.R. (4th) 725, 51 B.C.L.R. (2d) 27, 47 Admin. L.R. 243,	Doust, Leonard	Appellant	BC	Appeal		Securities law and regulation — judicial review of Securities Commission's standard of proof

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
				24 A.C.W.S. (3d) 100						
84.	BCCA	<i>Baykey v. North West Office Furniture Ltd.</i>	10/20/90	[1990] B.C.J. No. 2542	Griffin, Scott	Intervenor	BC	Appeal		Real property law — right of first refusal under lease — summary judgment
85.	BCCA	<i>R. v. B.P.B.</i>	10/08/90	[1990] B.C.J. No. 2977, 11 W.C.B. (2d) 348	Doust, Leonard	Respondent	BC	Appeal		Criminal law — young offenders — transfer into youth court
86.	BCCA	<i>R. v. M.(D.M.)</i>	08/16/90	[1990] B.C.J. No. 1945	DeJong, Ariel	Appellant	BC	Appeal		Criminal law — young offenders — sentencing
87.	BCCA	<i>Hagerman v. United States of America</i>	04/05/90	[1990] B.C.J. No. 2058, 50 B.C.L.R. (2d) 169, 60 C.C.C. (3d) 144, 11 W.C.B. (2d) 43	Doust, Leonard	Appellant	BC	Appeal	Application for Leave to Appeal Dismissed, [1990] S.C.C.A. No. 469	Criminal law — extradition — drug offences — continuing criminal enterprise.
88.	BCCA	<i>British Columbia (Attorney General) v. Infomap Services Inc.</i>	09/22/89	[1990] B.C.J. No. 780, 68 D.L.R. (4th) 1, 20 A.C.W.S. (3d) 579	Doust, Leonard	Appellant	BC	Appeal		Regulation of professions — land surveyors — building location certificates for mortgage lenders and surveyors
89.	BCCA	<i>Caplan Builders Ltd. v. Royal Bank of Canada</i>	06/08/89	[1989] B.C.J. No. 1074	Griffin, Scott	Appellant	BC	Appeal		Real property law — breach of financing agreement — purchase and development of residential housing subdivision
90.	BCCA	<i>R. v. Marchant</i>	09/01/88	[1988] B.C.J. No. 1608	Doust, Leonard	Appellant	BC	Appeal		Criminal law — appeal to introduce fresh evidence — sexual assault and indecent assault

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
91.	BCCA	<i>R. v. Yip</i>	09/23/87	[1987] B.C.J. No. 1873	Doust, Leonard	Appellant	BC	Appeal		Criminal law — appeal from sentence — indecent assault and sexual assault
92.	BCCA	<i>American Pyramid Resources Inc. v. Royal Bank of Canada</i>	02/12/87	[1987] B.C.J. No. 196	Griffin, Scott	Appellant	BC	Appeal		Mining law — loan agreement — discovery and cross-examination on affidavits
93.	BCCA	<i>R. v. Hughes</i>	02/09/87	[1987] B.C.J. No. 290	Doust, Leonard	Appellant	BC	Appeal		Criminal law — sentence appeal — sexual assault with weapon
94.	BCCA	<i>R. v. Meltzer</i>	06/18/86	[1986] B.C.J. No. 483, 29 C.C.C. (3d) 266, 17 W.C.B. 1	Doust, Leonard	Appellant	BC	Appeal	SCC Appeal dismissed: [1986] S.C.J. No. 75	Criminal law — wiretap authorization — <i>Canadian Charter of Rights and Freedoms</i>
95.	BCCA	<i>R. v. Gladstone</i>	06/26/84	[1984] B.C.J. No. 1826	Doust, Leonard	Appellant	BC	Appeal		Criminal law — release following conviction
96.	BCCA	<i>R. v. Basarabas</i>	04/26/84	[1984] B.C.J. No. 1756	Doust, Leonard	Respondent	BC	Appeal		Criminal law — appeal of conviction — trial judge usurping fact finding of jury
97.	BCCA	<i>R. v. Goulet</i>	04/06/84	[1984] B.C.J. No. 1592	Doust, Leonard	Appellant	BC	Appeal		Criminal law — Crown sentence appeal — manslaughter
98.	BCCA	<i>Cunliffe v. Law Society of British Columbia</i>	11/16/83	[1984] B.C.J. No. 1514, 11 D.L.R. (4th) 280, [1984] 4 W.W.R. 451, 13 C.C.C. (3d) 560, 40 C.R. (3d) 67, 25 A.C.W.S. (2d) 12	Doust, Leonard	Appellant	BC	Appeal		Criminal law and procedure — disclosure and conduct of prosecution counsel
99.	BCCA	<i>R. v. Murray</i>	10/16/82	[1983] B.C.J. No. 2202	Doust, Leonard	Respondent	BC	Appeal		Criminal law — appeal of sentence — barristers and solicitors — conviction of perjury

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
100	BCCA	<i>Chong v. Lee</i>	05/21/82	[1982] B.C.J. No. 1937	Doust, Leonard	Respondent	BC	Appeal		Church law — bylaws of church — sacrament of baptism, membership, and property
101	BCCA	<i>R. v. Murphy</i>	04/21/82	[1982] B.C.J. No. 1914, 69 C.C.C. (2d) 152	Doust, Leonard	Appellant	BC	Appeal	Leave to appeal dismissed: [1982] S.C.C.A. No. 185	Criminal law — appeal of conviction — conspiracy to bribe government official
102	BCCA	<i>R. v. Chittaro</i>	12/07/81	[1981] B.C.J. No. 1530	Doust, Leonard	Respondent	BC	Appeal		Criminal law — Crown appeal of sentence for theft
103	BCCA	<i>R. v. Basarabas</i>	04/28/81	[1981] B.C.J. No. 1057, 62 C.C.C. (2d) 13	Doust, Leonard	Respondent	BC	Appeal	SCC Appeal allowed: [1982] S.C.J. No. 96	Criminal law — appeal of convictions — errors in charge to jury — defence of provocation — self-defence
104	BCCA	<i>R. v. Shannon</i>	04/28/81	[1981] B.C.J. No. 618, 59 C.C.C. (2d) 229, 6 W.C.B. 63	Doust, Leonard	Respondent	BC	Appeal		Criminal law — appeal from conviction — second degree murder
105	BCCA	<i>R. v. Sanita</i>	03/04/81	[1981] B.C.J. No. 345, 60 C.C.C. (2d) 184, 6 W.C.B. 215	Doust, Leonard	Respondent	BC	Judicial Review		Criminal law — review of order to release from custody
106	BCCA	<i>R. v. Pelletier</i>	02/11/81	[1981] B.C.J. No. 1676	Doust, Leonard	Respondent	BC	Appeal		Criminal law — appeal from conviction — robbery of a bank
107	BCCA	<i>R. v. Robertson</i>	10/01/80	[1980] B.C.J. No. 939	Doust, Leonard	Respondent	BC	Appeal		Criminal law — appeal from refusal of probation — persons jointly charged
108	BCCA	<i>Rusin v. Selman</i>	05/01/80	[1980] B.C.J. No. 584, 21 B.C.L.R. 299, 35 C.B.R. (N.S.) 141	Doust, Leonard	Appellant	BC	Appeal		Bankruptcy and insolvency law — refusal to grant injunction — provisions concerning examination and incrimination

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
109	BCCA	<i>R. v. Coons</i>	10/23/78	[1980] B.C.J. No. 1602, 51 C.C.C. (2d) 388, 4 W.C.B. 227	Doust, Leonard	Respondent	BC	Appeal		Criminal law — appeal of conviction for first degree murder
110	BCCA	<i>R. v. Hayward</i>	03/23/78	[1978] B.C.J. No. 1026, 8 B.C.L.R. 294	Doust, Leonard	Respondent	BC	Appeal		Criminal law — conviction appeal — directions and instructions to jury
111	BCCA	<i>R. v. Philliponi</i>	03/23/78	[1978] B.C.J. No. 953, [1978] 4 W.W.R. 173, 2 W.C.B. 285	Doust, Leonard	Respondent	BC	Appeal		Criminal law — appeal from conviction — bribing a judicial officer
112	BCCA	<i>Sisko v. British Columbia (Attorney General)</i>	07/12/77	[1977] B.C.J. No. 1003, 8 C.R. (3d) 372	Doust, Leonard	Respondent	BC	Appeal		Landlord and tenant law — rent control — summary conviction and quashing of information
113	BCCA	<i>R. v. Patreau</i>	06/16/77	[1977] B.C.J. No. 784	Doust, Leonard	Respondent	BC	Appeal		Criminal law — appeal from conviction for murder — defence of drunkenness
114	BCCA	<i>Hartwell v. Glavin</i>	02/25/77	[1977] B.C.J. No. 744	Doust, Leonard	Respondent	BC	Appeal		Real property law — agreement for sale of lands and chattels — purchase and sale of agricultural lands
115	BCCA	<i>R. v. Cassidy</i>	02/25/77	[1977] B.C.J. No. 200	Doust, Leonard	Respondent	BC	Appeal		Criminal law — appeal of sentence — conviction on charge of armed robbery
116	BCCA	<i>R. v. Materi</i>	01/19/77	[1977] B.C.J. No. 929, [1977] 2 W.W.R. 728, 1 W.C.B. 159	Doust, Leonard	Respondent	BC	Appeal		Criminal law — conviction appeal — theft
117	BCCA	<i>R. v. Nichols</i>	12/14/76	[1976] B.C.J. No. 907	Doust, Leonard	Respondent	BC	Appeal		Criminal law — appeal of conviction — intent to wound, causing bodily harm
118	BCCA	<i>R. v. Hay</i>	12/13/76	[1976] B.C.J. No. 1172	Doust, Leonard	Respondent	BC	Appeal		Criminal law — appeal from sentence for conviction of escape from lawful custody

NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
										— trafficking in drugs
119	BCCA	<i>R. v. Hockin</i>	12/13/76	[1976] B.C.J. No. 1171	Doust, Leonard	Respondent	BC	Appeal		Criminal law — conviction appeal — wilfully setting fire to structure
120	BCCA	<i>R. v. Fisher</i>	09/21/76	[1976] B.C.J. No. 1089	Doust, Leonard	Respondent	BC	Appeal		Criminal law — appeal of dismissal of application to commence private prosecution
121	BCCA	<i>R. v. Thompson</i>	06/26/74	[1974] B.C.J. No. 75	Doust, Leonard	Appellant	BC	Appeal		Criminal law — appeal from conviction — theft by failure to account
122	BCCA	<i>Regina v. McGauley</i>	04/10/74	[1974] B.C.J. No. 856, [1974] 5 W.W.R. 577, 16 C.C.C. (2d) 419	Doust, Leonard	Appellant	BC	Appeal		Criminal law — appeal from summary conviction — reasonable and probable grounds objective — voluntary breath sample
123	BCCA	<i>Regina v. Darwin</i>	07/16/73	[1973] B.C.J. No. 771, 13 C.C.C. (2d) 432	Doust, Leonard	Respondent	BC	Appeal		Criminal law — Crown appeal from acquittal — inadmissible evidence
124	BCCA	<i>Regina v. Stearns-Roger Engineering Co. Ltd.</i>	06/22/73	[1973] B.C.J. No. 805, 37 D.L.R. (3d) 753, [1974] 3 W.W.R. 285, 12 C.C.C. (2d) 260	Doust, Leonard	Appellant	BC	Appeal		Criminal law — Crown appeal from acquittal — offences under the fisheries act
BCCA Total Appeals: 124										