

Ontario Superior Court of Justice

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.	ONSC	Blake v. Blake	11/01/21	[2021] O.J. No. 6155, 2021 ONSC 7189	Batner, Sarit Graham, Moya Forest, Adriana	Intervenor	ON	Appeal		Costs – appeal of costs decision
2.	ONSC	Kirsh v. Bristol-Myers Squibb	09/21/21	[2021] O.J. No. 4825, 2021 ONSC 6190	McLaughlin, Frank J. Kain, Brandon	Appellants	ON	Appeal		Civil procedure – Class actions – two actions seeking same or similar relief
3.	ONSC	Cheung (Litigation Guardian of) v. Samra	08/27/20	[2020] O.J. No. 3716, 2020 ONSC 4904	Cruz, Darryl Kerr, Gillian Bridges, Meghan	Respondent	ON	Appeal		Civil procedure – Trials – Judge's powers and duties – Jury trials – Functions or powers of jury
4.	ONSC	Kram v. Oestreicher	04/07/20	[2020] O.J. No. 1475, 2020 ONSC 2102	Graham, Moya	Respondent	ON	Appeal		Medical malpractice – negligence and lack of informed consent
5.	ONSC	Price v. H. Lundbeck A/S	02/11/20	[2020] O.J. No. 589, 2020 ONSC 913, 51 C.P.C. (8 th) 351, 2020 CarswellOnt 1645	McLaughlin, Frank Kain, Brandon Charach, Dorothy	Respondent	ON	Appeal		Civil Litigation – Civil procedure – Parties – Certification
6.	ONSC	Tanase v. College of Dental Hygienists of Ontario	09/09/19	[2019] O.J. No. 4553, 2019 ONSC 5153	McKechney, Robin	Respondent	ON	Appeal		Constitutional law – Canadian Charter of Rights and Freedoms – Legal rights – Life, liberty and security of person
7.	ONSC	Ball v. Mcaulay	06/18/19	2019 ONSC 3775, 2019 CarswellOnt 9679, 146 O.R. (3d) 557, 306 A.C.W.S.	Batner, Sarit	Respondent	ON	Judicial Review		Administrative law – Judicial review – Availability of other remedy



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Г				(3d) 455						
8.	ONSC	De Santis v. Ontario College of Teachers	02/26/19	2019 ONSC 1344, 2019 CarswellOnt 2692, 303 A.C.W.S. (3d) 93	Templer, Deborah	Respondent	ON	Judicial Review		Education law – Teachers – Professional regulation – Discipline of teachers
9.	ONSC	College of Veterinarians of Ontario v. Choong	02/20/19	[2019] O.J. No. 837, 2019 ONSC 946	McKechney, Robin	Appellant	ON	Judicial Review		Administrative law – Judicial review – Standard of review
10.	ONSC	Fikry v. College of Physicians and Surgeons of Ontario	12/28/18	2018 ONSC 7744, 2018 CarswellOnt 22024, 301 A.C.W.S. (3d) 649	Kalogiros, Kosta	Applicant	ON	Judicial Review		Health law – Provincial matters – Regulation of health professionals – Physicians – Relationship with patient
11.	ONSC	Balasuriya v. College of Physicians and Surgeons	12/28/18	2018 ONSC 7743, 2018 CarswellOnt 22023, 144 O.R. (3d) 314, 300 A.C.W.S. (3d) 154	Stephenson, Jenny McKendry, Jennifer Goldenberg, Adam	Applicant	ON	Judicial Review		Privacy and freedom of information – Provincial health records legislation
12.	ONSC	R.G. v. Hospital for Sick Children	11/26/18	[2018] O.J. No. 6183, 2018 ONSC 7058	Cruz, Darryl Baron, Erica	Respondent	ON	Appeal		Certification – medical malpractice - Appeal
13.	ONSC	Bouragba v. Ontario College of Teachers	11/22/18	2018 ONSC 6935, 2018 CarswellOnt 19419, 299 A.C.W.S. (3d) 329	Lonsdale, Christine Malischewski, Charlotte-Anne	Respondent	ON	Judicial Review		Education law – Teachers – Professional regulation – Discipline of teachers – Discipline committee
14.	ONSC	Bouragba v. Ontario College of Teachers	11/22/18	2018 ONSC 6940, 2018 CarswellOnt 19418, 299 A.C.W.S. (3d) 230	Lonsdale, Christine Malischewski, Charlotte-Anne	Respondent	ON	Judicial Review		Administrative law – Natural justice – Duty of fairness – Procedural fairness



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15.	ONSC	Houle v. St. Jude Medical Inc.	10/25/18	[2018] O.J. No. 5540, 2018 ONSC 6352	Block, Eric Lizius, Richard	Respondent	ON	Appeal		Civil litigation – Class or representative actions
16.	ONSC	Hamilton Beach Brands Canada Inc. v. Ontario (Ministry of the Environment and Climate Change)	09/04/18	[2018] O.J. No. 4500, 2018 ONSC 5010, 19 C.E.L.R. (4 th) 336, 296 A.C.W.S. (3d) 112, 2018 CarswellOnt 14488	Laham, Jessica	Respondent	ON	Appeal		Environmental Law – Pollution control legislation
17.	ONSC	Spence v. Ontario College of Teachers	05/30/18	[2018] O.J. No. 2861, 2018 ONSC 3335	Zayid, Caroline Malischewski, Charlotte-Anne	Respondent	ON	Appeal		Professional responsibility – Discipline of members
18.	ONSC	Mancinelli v. Royal Bank of Canada	4/16/18	[2018] O.J. No. 2015, 2018 ONSC 1844, 141 O.R. (3d) 119	Houston, Donald	Respondent	ON	Appeal		Class or representative actions – Discovery – Production and inspection of documents – Conflict of laws -
19.	ONSC	Sullivan v. Ontario College of Teachers	2/9/18	2018 ONSC 942, 2018 CarswellOnt 1898, 288 A.C.W.S. (3d) 274	Wadsworth, Christine	Respondent	ON	Judicial Review		Education law – Teachers – Professional regulation – Discipline of teachers – Misconduct or criminal activity – Involving students
20.	ONSC	Basegmez v. Akman	2/6/18	[2018] O.J. No. 617, 2018 ONSC 812	Hall, Geoff Goldenberg, Adam	Appellants	ON	Appeal		Bankruptcy and Insolvency – Appeal -
21.	ONSC	R. v. Lindner-Henry	11/17/17	[2017] O.J. No. 5978, 2017 ONSC 6898	Rosenberg, Michael	Appellant	ON	Appeal		Criminal law – Assault simpliciter
22.	ONSC	Shah v. LG Chem, Ltd.	4/26/17	[2017] O.J. No. 2077, 2017 ONSC 2586, 100 C.P.C. (7 th) 165, 278 A.C.W.S. (3d) 529, 413 D.L.R. (4 th) 546,	Peebles, Dana	Respondent	ON	Appeal		Civil litigation – Certification – Common interest and issues – competition - conspiracy



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Г				2017 CarswellOnt 6145						
23.	ONSC	Toronto-Dominion Bank v. Ryerson University	3/17/17	2017 ONSC 1507, 2017 CarswellOnt 4022, 278 A.C.W.S. (3d) 2	Lonsdale, Christine	Appellant	ON	Judicial Review		Privacy and freedom of information – Provincial legislation – Grounds for refusal – Confidential information
24.	ONSC	Arora v. College of Occupational Therapists of Ontario	03/06/17	[2017] O.J. No. 1193, 2017 ONSC 1535	McKechney, Robin	Respondent	ON	Judicial Review		Administration law – Judicial review
25.	ONSC	Grogan v. Ontario College of Teachers	10/20/16	[2016] O.J. No. 5396, 2016 ONSC 6545	D'Souza, Shane	Respondent	ON	Appeal		Professional liability – Discipline Committee of the Ontario College of Teachers
26.	ONSC	Shah v. LG Chem Ltd.	08/10/16	[2016] O.J. No. 4170, 2016 ONSC 4670	Peebles, Dana Lam, Miranda	Defendant	ON	Leave to Appeal		Class action – alleged global price-fixing conspiracy – unlawful means conspiracy – umbrella purchasers
27.	ONSC	Noriega v. College of Physicians and Surgeon of Ontario	03/08/16	[2016] O.J. No. 1186, 2016 ONSC 924, 264 A.C.W.S. (3d) 242, 346 O.A.C. 135, 2016 CarswellOnt 3449	Wadsworth, Christine	Appellant	ON	Appeal		Medical malpractice – sexual impropriety – Discipline Committee of the College of Physicians and Surgeons
28.	ONSC	Novick v Ontario College of Teachers	03/07/16	[2016] O.J. No. 1207, 2016 ONSC 508, 265 A.C.W.S. (3d) 387, 346 O.A.C. 69, 2016 CarswellOnt 4987	Mogil, Eli	Respondent	ON	Appeal		Professional liability - Ontario College of Teachers Discipline Committee appeal
29.	ONSC	College of Physicians and Surgeons of Ontario v Minnes	02/19/16	[2016] O.J. No. 866, 2016 ONSC 1186	Matheson, Andrew	Appellant	ON	Appeal		Health law – discipline – grounds for overturning or modifying penalty – penalty



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Г										unfair – sexual impropriety -
30.	ONSC	Dua v. Ontario College of Teachers	09/28/15	[2015] O.J. No. 4981, 2015 ONSC 5969, 341 O.A.C. 1, 258 A.C.W.S. (3d) 302, 2015 CarswellOnt 14665	D'Souza, Shane	Appellants	ON	Appeal		Civil litigation – disposition without trial – dismissal of action – delay or failure to prosecute – appeal by the defendants from the decision that set aside the dismissal of the action for delay allowed
31.	ONSC	Ontario (Ministry of Community Safety and Correctional Services) v De Lottinville	05/27/15	[2015] O.J. No. 2684, 2015 ONSC 3085	Parla, Julie	Applicant	ON	Judicial Review		Human rights law – applications by respondents in two human rights complaints for judicial review of interim decisions by Tribunal dismissed
32.	ONSC	Takashima v Ontario College of Teachers	05/15/15	[2015] O.J. No. 2500, 2015 ONSC 3125	Leonard, David	Respondent	ON	Appeal		Ontario College of Teachers Discipline Committee appeal
33.	ONSC	Cyriac v Bernstein	02/13/15	[2015] O.J. No. 678, 2015 ONSC 592	Grace, Keary	Applicant	ON	Judicial Review		Health law – Application by two surgeons from decision of respondent Board confirming decision of Inquiries, Complaints and Reports Committee cautioning applicants regarding use of their names in advertising contrary to regulations dismissed
34.	ONSC	Groia v. Law Society of Upper Canada	02/02/15	[2015] O.J. No. 444, 2015 ONSC 686, 2015 CarswellOnt 1238, 249 A.C.W.S. (3d) 455, 382 D.L.R.	Templer, Deborah	Intervener	ON	Appeal		Legal profession – regulation of profession – disciplinary proceedings – proceedings before the law society – what constitutes



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				(4 th) 337, 124 O.R. (3d) 1, 330 O.A.C. 202						misconduct
35.	ONSC	Dixon v. Ontario (Director, Ministry of the Environment)	12/29/14	[2014] O.J. No. 6170, 2014 ONSC 7404	Cruz, Darryl Pellegrino, Eric	Respondent	ON	Appeal		Constitutional law – Canadian Charter of Rights and Freedoms – Legal rights – life, liberty and security of person – personal autonomy – appellants sought review of issuance of renewal energy approvals for three commercial wind turbine projects
36.	ONSC	Wabauskang First Nation v. Ontario (Minister of Northern Development and Mines)	08/24/14	[2014] O.J. No. 3994, 2014 ONSC 4424	Hall, Geoff	Respondent	ON	Judicial Review		Judicial Review – Director of Mine Rehabilitation – appeal to suspend or quash decision
37.	ONSC	Nutakki v. Health Professions Appeal and Review Board	08/19/14	[2014] O.J. No. 4391	Cruz, Darryl Charach, Dorothy	Respondent	ON	Judicial Review		Health Professions Appeal and Review Board – judicial review -
38.	ONSC	Security National Insurance Co. v. Hodges	07/14/14/	[2014] O.J. No. 3328, 2014 ONSC 3627	Flisfeder, Marc	Respondent	ON	Judicial Review		Insurance law – accident benefits – application by insurer for judicial review of Delegate's decision upholding arbitrator's decision that insured suffered catastrophic impairment dismissed
39.	ONSC	Ontario College of Teachers v. Mullins	04/24/14	[2014] O.J. No. 1929, 2014 ONSC 2502	Leonard, David D'Souza, Shane	Respondent	ON	Appeal		Appeal of Discipline Committee – burden of proof – assessment of credibility



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40.	ONSC	Keatley Surveying Ltd. v Teranet Inc.	03/26/14	[2014] O.J. No. 1450, 2014 ONSC 1677	Sookman, Barry Parla, Julie	Respondent	ON	Appeal		Civil litigation – class or representative actions – common interests and issues – appeal by Keatley Surveying from judgment denying motion for certification of class proceeding allowed
41.	ONSC	Scene Holding Inc. v. Moos	03/04/14	[2014] O.J. No. 1046, 201 ONSC 1378	Hall, Geoff Lewis, Atrisha	Respondent	ON	Appeal		Business Corporations Act -
42.	ONSC	Ostrander Point GP Inc. v. Prince Edward County Field Naturalists	02/20/14	[2014] O.J. No. 772, 2014 ONSC 974	Cruz, Darryl Pellegrino, Eric	Respondent	ON	Appeal		Administrative law – judicial review and statutory appeal – reasonableness – appeal by three parties from Environmental Review Tribunal decisions allowed in part
43.	ONSC	Muskoka Lakes (Township) v. Ontario (Minister of Natural Resources)	08/22/13	[2013] O.J. No. 3856, 2013 ONSC 5380	Block, Eric D'Souza, Shane	Respondents	ON	Judicial Review		Judicial review - Lease crown lands
44.	ONSC	Liberman v. College of Physicians and Surgeons of Ontario	06/13/13	[2013] O.J. No. 2717, 2013 ONSC 4066	Hubbard, Chris	Appellant	ON	Appeal		Health law – Health care professionals – government of – regulatory colleges or governing councils – Disciplinary proceedings
45.	ONSC	Martin v. AstraZeneca Pharmaceuticals PLC	03/08/13	[2013] O.J. No. 1182, 2013 ONSC 1169	McLaughlin, Frank Kain, Brandon	Respondents	ON	Appeal		Civil litigation – civil procedure – parties – class or representative actions – certification – costs – assessment or fixing of costs – appeal – appeal by plaintiffs from order denying certification of class action and awarding costs to



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Г										defendants dismissed
46.	ONSC	Hefzi-Yekta v. Health Professions Appeal and Review Board	12/19/12	[2012] O.J. No. 6141, 2012 ONSC 6981	Burt, Glynnis P. Ship, Adam	Respondent	ON	Judicial Review		Judicial Review – Health Professions Appeal and Review Board – standard of review - reasonableness
47.	ONSC	McIntyre v. Ontario College of Teachers	11/09/12	[2012] O.J. No. 5313, 2012 ONSC 5957	Zayid, Caroline D'Souza, Shane	Respondent	ON	Appeal		Employment law – Discipline and termination of employment – Civil procedure – Appeal by McIntyre from a decision of the Discipline Committee of the Ontario College of Teachers dismissed
48.	ONSC	Wilcock v. Ontario (Health Professions Appeal and Review Board)	02/21/12	[2012] O.J. No. 961, 2012 ONSC 1249	Leonard, David A. Graham, Moya J.	Applicant	ON	Judicial Review		Judicial Review – Health Professions Appeal and Review Board – jurisdiction – Complaints Committee of the College of Physicians and Surgeons
49.	ONSC	Ellis v. Ontario College of Teachers	06/30/11	[2011] O.J. No. 3020, 2011 ONSC 4134	Leonard, David E.	Respondent	ON	Judicial Review		Judicial review — fitness to practice
50.	ONSC	Aris v. Ontario College of Teachers	03/18/11	[2011] O.J. No. 1400, 2011 ONSC 1202	Leonard, David E. D'Souza, Shane	Respondent	ON	Judicial Review		Judicial review — suspension of certificate of qualification and registration
51.	ONSC	Martin v. Astrazeneca PLC	12/07/09	2009 CanLII 68476, [2009] O.J. No. 5265, 259 O.A.C. 155	McLaughlin, Frank J.	Appellant	ON	Appeal		Class action — priority — certification motion — class — summary judgment motion
52.	ONSC	1413910 Ontario Inc. (c.o.b. as Bulls Eye Steakhouse & Grill) v.	04/30/09	[2009] O.J. No. 1828, 309 D.L.R. (4th) 756, 58 B.L.R.	Hall, Geoff R. Parla, Julie K.	Respondent	ON	Appeal		Corporations, partnerships and associations law — corporations — oppression



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		McLennan		(4th) 183, 249 O.A.C. 333, 2009 CarswellOnt 2444, 178 A.C.W.S. (3d) 120						remedy — grounds — oppressive or unfairly prejudicial conduct
53.	ONSC	Dionne v. Workplace Safety and Insurance Appeals Tribunal	10/29/08	[2008] O.J. No. 4337, 93 O.R. (3d) 61, 88 Admin. L.R. (4th) 62, 247 O.A.C. 32, 2008 CanLII 56004, 172 A.C.W.S. (3d) 125	Scott, William G.	Respondent	ON	Judicial Review		Employment law — workers' compensation — right to sue
54.	ONSC	Ontario College of Teachers v. Leger- Legault	10/21/08	[2008] O.J. No. 4155, 242 O.A.C. 126, 172 A.C.W.S. (3d) 117	Zayid, Caroline	Respondent	ON	Judicial Review		Judicial review — discipline committee
55.	ONSC	Gore v. College of Physicians and Surgeons of Ontario	09/26/08	[2008] O.J. No. 3757, 299 D.L.R. (4th) 670, 242 O.A.C. 18, 92 O.R. (3d) 195, 169 A.C.W.S. (3d) 898, 85 Admin. L.R. (4th) 58, 2008 CarswellOnt 5654	Matheson, Andrew B.	Applicant	ON	Judicial Review	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 — judicial review — government of — particular professions — doctors — three applications for judicial review of decisions of College of Physicians and Surgeons of Ontario — common to all three applications was the interpretation of ss. 75 and 76 of the health professions procedural code — applications dismissed



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56.	ONSC	Greenlight Capital, Inc. v. Stronach	07/10/08	2008 CanLII 34359 (ON S.C.D.C.), 91 O.R. (3d) 241, 47 B.L.R. (4th) 215, 240 O.A.C. 86, [2008] O.J. No. 2749, 168 A.C.W.S. (3d) 91, 2008 CarswellOnt 4093	Steep, R. Paul	Appellant	ON	Appeal		Oppression remedy — reasonable expectations — application — shareholders — privatization
57.	ONSC	Cotton v. College of Nurses of Ontario	06/03/08	2008 CanLII 26674, 87 Admin. L.R. (4th) 171, 238 O.A.C. 270, [2008] O.J. No. 2172, 168 A.C.W.S. (3d) 650, 2008 CarswellOnt 3256	Burt, Glynnis P.	Respondent	ON	Judicial Review		Health law — professional responsibility — discipline
58.	ONSC	Ontario (Alcohol and Gaming Commission) v. Arena Entertainment Inc. (c.o.b. Circa)		[2008] O.J. No. 1167, 167 A.C.W.S. (3d) 131	Mogil, Eli	Respondent	ON	Administrative Appeal		Administrative law — liquor control — licensing — liquor control boards
59.	ONSC	Pieters v. Ontario College of Teachers	02/11/08	[2008] O.J. No. 527, 164 A.C.W.S. (3d) 552	Leonard, David E.	Respondent	ON	Judicial Review		Professional responsibility — discipline — teachers — standing
60.	ONSC	Ontario (Ministry of Correctional Services) v. Goodis	01/29/08	[2008] O.J. No. 289, 89 O.R. (3d) 457, 290 D.L.R. (4th) 102, 233 O.A.C. 245, 77 Admin. L.R. (4th) 133, 2008 CanLII 2603, 163 A.C.W.S. (3d) 643, 2008 CarswellOnt 365	Lonsdale, Christine L.	Applicant	ON	Judicial Review		Government law — freedom of information — legislation — provincial — bars — confidential information — solicitor- client privilege



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61.	ONSC	Rosenhek v. Windsor Regional Hospital,	01/28/08	2008 CanLII 2614, [2008] O.J. No. 300, 232 O.A.C. 325, 164 A.C.W.S. (3d) 553	Steep, R. Paul Hubbard, Christopher M.	Applicant	ON	Judicial Review		Professional responsibility — health care — doctors — administrative law — jurisdiction of the court to review — public hospitals — health law — health care professionals — discipline — hospital investigation into physician conduct
62.	ONSC	McLaine v. London Life Insurance Company	12/18/07	[2007] O.J. No. 5035, 233 O.A.C. 275, 53 C.P.C. (6th) 135, 2007 CarswellOnt 8294, 162 A.C.W.S. (3d) 888	Steep, R. Paul Leonard, David	Respondent	ON	Appeal	[2008] O.J. No. 2360; 239 O.A.C. 293; 168 A.C.W.S. (3d) 41; 59 C.P.C. (6th) 235; 2008 CarswellOnt 3579	Civil procedure — class actions — certification — preferable procedure — common interests — financial institutions — real property law — mortgages — mortgage agreement — terms
63.	ONSC	Duval v. College of Nurses of Ontario	10/19/07	[2007] O.J. No. 3992, 230 O.A.C. 193, 161 A.C.W.S. (3d) 159	Zayid, Caroline R.	Respondent	ON	Administrative Appeal		Health law — discipline committee — penalty — professional misconduct
64.	ONSC	Mulligan v. Laurentian University	08/17/07	2007 CanLII 33761, [2007] O.J. No. 3135, 159 A.C.W.S. (3d) 525	Sutton, Thomas N.T.	Respondent	ON	Judicial Review	Affirmed by Mulligan v. L aurentian University, 2008 ONCA 523; 302 D.L.R. (4th) 546, 241 O.A.C. 11	University admission — procedural fairness — flagrant violation of the rules — policy — research — universities
65.	ONSC	Smith v. National Money Mart Co.	04/02/07	[2007] O.J. No. 2160, 30 E.T.R. (3d) 163, 2007 CarswellOnt 2177	Zayid, Caroline R. Hubbard, Christopher M.	Appellant	ON	Appeal		Class action — certification



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66.	ONSC	Flora v. Ontario (Health Insurance Plan, General Manager)	01/15/07	[2007] O.J. No. 91, 83 O.R. (3d) 721, 278 D.L.R. (4th) 45, 219 O.A.C. 142, 56 Admin. L.R. (4th) 206, 2007 CarswellOnt 103, 168 A.C.W.S. (3d) 230	McKendry, Jennifer A.	Appellant	ON	Administrative Appeal		Constitutional law — Canadian Charter of Rights and Freedoms — legal rights — life, liberty and security of person — principles of fundamental justice — health law — health insurance, government — claims — entitlement — insured services — cadaveric — liver — transplant — treatment
67.	ONSC	Siadat v. Ontario College of Teachers	01/10/07	[2007] O.J. No. 65, 83 O.R. (3d) 401, 278 D.L.R. (4th) 130, 219 O.A.C. 283, 154 A.C.W.S. (3d) 383	Zayid, Caroline R. Grace, Keary	Respondent	ON	Administrative Appeal		Administrative law — the hearing — procedure — particulars — production — human rights law — discrimination — context — exceptions — duty to accommodate — scope
68.	ONSC	Sears Holdings Corporation v. Ontario Securities Commission	10/11/06	[2006] O.J. No. 4296, 84 O.R. (3d) 61, 216 O.A.C. 179, 21 B.L.R. (4th) 311, 152 A.C.W.S. (3d) 429, 2006 CarswellOnt 6272	Steep, R. Paul Sutton, Thomas N.T.	Intervenor	ON	Administrative Appeal		Securities regulation — mergers and acquisitions — takeover bids
69.	ONSC	Serhan Estate v. Johnson & Johnson	06/15/06	[2006] O.J. No. 2421, 85 O.R. (3d) 665, 269 D.L.R. (4th) 279, 213 O.A.C. 298, 28 C.P.C. (6th) 83, 24 E.T.R. (3d) 265, 149 A.C.W.S. (3d) 197, 2006	Zayid, Caroline R.	Appellant	ON	Appeal	SCC refused leave to appeal: [2006] S.C.C.A. No. 494	Civil procedure — parties — class or representative actions — certification — common interests — tort law — suppliers of goods — product liability — distributors — manufacturers



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				CarswellOnt 3705						
70.	ONSC	Williams v. Wai-Ping	12/21/05	[2005] O.J. No. 6186, 27 C.P.C. (6th) 83, 144 A.C.W.S. (3d) 751, 2005 CarswellOnt 7573	Leonard, David E.	Appellant	ON	Appeal		Medical malpractice — negligence — pleadings
71.	ONSC	Kalin v. Ontario College of Teachers	05/24/05	[2005] O.J. No. 2097, 75 O.R. (3d) 523 254 D.L.R. (4th) 503, 198 O.A.C. 201, 30 Admin. L.R. (4th) 289, 139 A.C.W.S. (3d) 682, 2005 CarswellOnt 2095	Leonard, David E.	Respondent	ON	Administrative Appeal		Administrative law — boards and tribunals — evidence — professions — teachers — professional discipline
72.	ONSC	College of Physicians and Surgeons of Ontario v. Shi-Yuen	01/26/05	2005 CanLII 2037, 194 O.A.C. 145, [2005] O.J. No. 234, 136 A.C.W.S. (3d) 760	McKendry, Jennifer A.	Respondent	ON	Judicial Review		Administrative law — the hearing — procedure — production — judicial review and statutory appeal — standard of review — reasonableness — boards and tribunals — disclosure by — professional responsibility — discipline — appeals and judicial review — standard of review — professions — health care — doctors
73.	ONSC	Cressman v. Ontario College of Teachers	01/25/05	[2005] O.J. No. 565, 249 D.L.R. (4th) 749, 194 O.A.C. 262, 2005 CanLII 1406, 136 A.C.W.S. (3d)	Zayid, Caroline R.	Respondent	ON	Judicial Review		Professional misconduct — teaching — certificate of qualification



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				665						
74.	ONSC	Ontario College of Teachers v. Bhadauria	06/09/04	2004 CanLII 16867, [2004] O.J. No. 2468, 187 O.A.C. 296, 131 A.C.W.S. (3d) 875	Leonard, David E.	Respondent	ON	Administrative Appeal		Professional responsibility — discipline — teachers — misconduct
75.	ONSC	George v. College of Nurses of Ontario	05/11/04	2004 CanLII 8616, [2004] O.J. No. 2694, 131 A.C.W.S. (3d) 993	Zayid, Caroline R.	Respondent	ON	Administrative Appeal		Medicine — nurses — discipline — judicial review
76.	ONSC	Li v. College of Physicians and Surgeons of Ontario	04/30/04	2004 CanLII 18528, 2004 CanLII 27472, [2004] O.J. No. 1828, 130 A.C.W.S. (3d) 1217	Meredith, Heather L.	Applicant	ON	Administrative Appeal		Medicine — discipline for professional misconduct — judicial review, appeals — practice — stay of proceedings
77.	ONSC	Ontario College of Teachers v. Webb	03/08/04	2004 CanLII 10689 [2004] O.J. No. 1134 130 A.C.W.S. (3d) 99	Leonard, David E.	Appellant	ON	Administrative Appeal		Education — teachers — discipline — suspension — discipline, judicial review — when available — standard of review
78.	ONSC	Ontario (Ministry of Correctional Services) v. Ontario (Information and Privacy Commissioner)		[2004] O.J. No. 894	Lonsdale, Christine L.	Respondent	ON	Appeal	Affirmed by the ONCA ([2005] O.J. No. 66); reversed by the SCC ([2006] S.C.J. No. 31; [2006] A.C.S. no 31; 2006 SCC 31; 2006 CSC	Access to information — access to records — exemption — solicitor-client privilege



NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
									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)	
79.	ONSC	Wilson v. The College of Physicians and Surgeons of Ontario	11/05/03	2003 CanLII 18154, [2003] O.J. No. 4236, 178 O.A.C. 258, 126 A.C.W.S. (3d) 716	Hubbard, Christopher	Appellant	ON	Administrative Appeal		Professional responsibility — discipline — negligence — misconduct
80.	ONSC	Ontario (Children's Lawyer) v. Ontario (Information and Privacy Commissioner)		[2003] O.J. No. 3522, 66 O.R. (3d) 692, 231 D.L.R. (4th) 727, 177 O.A.C. 1, 8 Admin. L.R. (4th) 251, 45 R.F.L. (5th) 285, 125 A.C.W.S. (3d) 193	Lonsdale, Christine L.	Friend of the Court	ON	Judicial Review	Affirmed by the ONCA ([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;	Barristers and solicitors — duty to client — disclosure of client's file upon request — Crown — examination of public documents



NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
									2005 CarswellOnt 1419)	
81.	ONSC	Mussani v. College of Physicians and Surgeons of Ontario	05/20/03	[2003] O.J. No. 1956, 64 O.R. (3d) 641, 226 D.L.R. (4th) 511, 172 O.A.C. 1, 2 Admin. L.R. (4th) 123, 106 C.R.R. (2d) 281, 123 A.C.W.S. (3d) 380	Matheson, Andrew B.	Appellant	ON	Administrative Appeal	Affirmed by CA [2004] O.J. No. 5176; 74 O.R. (3d) 1; 248 D.L.R. (4th) 632; 193 O.A.C. 23; 22 Admin. L.R. (4th) 53; 125 C.R.R. (2d) 340; 136 A.C.W.S. (3d) 156; 2004 CarswellOnt 5433	Medicine — discipline for professional misconduct — punishments — revocation of licence — civil rights — liberty — limitations on — choice of work — security of the person — professional occupations — right to practice — freedom of association — regulation of professionals — cruel and unusual treatment or punishment — application — disciplinary proceedings — Canadian Charter of Rights and Freedoms — practice — who may raise Canadian Charter of Rights and Freedoms issues — time for deciding Canadian Charter of Rights and Freedoms issues
82.	ONSC	Humber Heights of Etobicoke Ratepayers Inc. v. Toronto District School Board	04/17/03	2003 CanLII 37678 (ON S.C.D.C.), 171 O.A.C. 21, [2003] O.J. No. 1381, 122 A.C.W.S. (3d) 198	Baron, Erica J.	Respondent	ON	Judicial review		Education law — duty to act fairly — school commissions and boards
83.	ONSC	Markson v. Ontario College of Teachers	01/20/03	2003 CanLII 9308, [2003] O.J. No. 278, 186 O.A.C. 339, 119 A.C.W.S. (3d) 770	Sinha, Awanish	Respondent	ON	Administrative Appeal		Education — teachers — discipline of — appeals



NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
84.	ONSC	Toronto District School Board v. Ontario (Information and Privacy Commissioner)	10/15/02	[2002] O.J. No. 4631	Lonsdale, Christine L.	Applicant	ON	Judicial Review		Crown — examination of public documents — disclosure of parties' representation to commissioner — freedom of information
85.	ONSC	D.P. v. Wagg	10/04/02	[2002] O.J. No. 3808, 61 O.R. (3d) 746, 222 D.L.R. (4th) 97, 165 O.A.C. 209, 26 C.P.C. (5th) 377, 97 C.R.R. (2d) 324, 2002 CanLII 23611, 117 A.C.W.S. (3d) 45, 2002 CarswellOnt 3288	Batner, Sarit E.	Appellant	ON	Appeal	Varied by <i>D. P. v. Wagg,</i> [2004] O.J. <i>No.</i> 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	Evidence — disclosure and production of documents — health law — health care professional — civil discovery
86.	ONSC	J.G. v. Ontario College of Teachers	06/13/02	[2002] O.J. No. 2329, 1 Admin. L.R. (4th) 285	Leonard, David E.	Respondent	ON	Administrative Appeal		Administrative law — professional misconduct — teachers — decisions of the tribunal
87.	ONSC	Vitapharm Canada Ltd. v. F. Hoffmann-La Roche Ltd.	04/10/02	[2002] O.J. No. 1400, 212 D.L.R. (4th) 563, 159 O.A.C. 204, 20 C.P.C. (5th) 65, 18 C.P.R. (4th) 267, 113 A.C.W.S. (3d) 966	Houston, Donald	Appellant	ON	Appeal	Appealed to the ONCA ([2003] O.J. No. 868; 223 D.L.R. (4th) 445; 30 C.P.C. (5th) 107; 23	Procedural law — pre-trial procedure — discovery — class proceedings



NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
									C.P.R. (4th) 454; 121 A.C.W.S. (3d) 425). Leave to appeal to the Supreme Court of Canada dismissed ([2003] S.C.C.A. No. 245, 11/27/2003)	
88.	ONSC	Westeinde Construction Ltd. v. Murlee Holdings Ltd.	02/18/02	[2002] O.J. No. 934	Hall, Geoff R.	Appellant	ON	Appeal		Civil procedure — appeals — construction law — building contracts — terms — price — damages — general damages
89.	ONSC	Henderson v. College of Physicians and Surgeons of Ontario	12/21/01	[2001] O.J. No. 5137, 155 O.A.C. 72, 110 A.C.W.S. (3d) 1151	Steep, R. Paul	Applicant	ON	Judicial Review	Affirmed, 65 O.R. (3d) 146, 172 O.A.C. 337, 228 D.L.R. (4th) 598, (Ont. C.A., June 5, 2003)	Regulated health professions — medicine — discipline for professional misconduct — conduct unbecoming a member — sexual improprieties — procedure, notice — contents and sufficiency of notice — curing of defects
90.	ONSC	Williams v. Mutual Life Assurance Co.; Zicherman v. Equitable Life Insurance Co. of Canada		[2001] O.J. No. 4952, 152 O.A.C. 344, 34 C.C.L.I. (3d) 316, 17 C.P.C. (5th) 103, [2002] I.L.R. I-4052, 110 A.C.W.S. (3d) 427	Peebles, Dana M.	Respondent	ON	Appeal	Affirmed by ONCA: [2003] O.J. No. 1160 and 1161; Application for leave to appeal to the Supreme	Class actions — life insurance policies — negligent — appeal from dismissal of certification motion — misrepresentation



NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
									Court of Canada dismissed, January 22, 2004 ([2003] S.C.C.A. No. 280 and 283.	
91.	ONSC	Zemelman v. Feder	04/30/01	[2001] O.J. No. 1857, 54 O.R. (3d) 15, 148 O.A.C. 356, 13 C.L.R. (3d) 84, 11 C.P.C. (5th) 170, 105 A.C.W.S. (3d) 372		Appellant	ON	Appeal		Mechanics' liens — practice — evidence — affidavits — jurat
92.	ONSC	Divinec v. 526799 Ontario Itd. (c.o.b. Europa Catering)	03/15/01	[2001] O.J. No. 925, 104 A.C.W.S. (3d) 180	Hall, Geoff R.	Respondent	ON	Appeal		Landlord and tenant — the lease — breach by tenant — rent
93.	ONSC	Musson v. College of Physicians and Surgeons of Ontario	10/27/00	[2000] O.J. No. 4013, 140 O.A.C. 132	Leonard, David E.	Appellant	ON	Judicial Review		Health law — professional discipline — administrative law — jurisdiction of executive committee of College of Physicians and Surgeons of Ontario to make interim order
94.	ONSC	Toronto (City) v. C.U.P.E., Local 79	05/05/00	[2000] O.J. No. 1570, 187 D.L.R. (4th) 323, 134 O.A.C. 48, 23 Admin. L.R. (3d) 72, 96 A.C.W.S. (3d) 985, 46 W.C.B. (2d) 232	Kapur, Sunil	Respondent	ON	Judicial Review	Affirmed by the ONCA ([2001] O.J. No. 3239; 55 O.R. (3d) 541; 205 D.L.R. (4th) 280; 149 O.A.C. 213; 37 Admin. L.R. (3d) 40; 45 C.R. (5th)	Labour law — public service labour relations — grievances — evidence and proof



NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
									354; 2001 CanLII 24114; 107 A.C.W.S. (3d) 426; 51 W.C.B. (2d) 16) and the SCC ([2003] S.C.J. No. 65; [2003] A.C.S. no 65; 2003 SCC 64; 2003 CSC 64; [2003] 3 S.C.R. 149; [2003] 3 R.C.S. 149; 232 D.L.R. (4th) 443; J.E. 2003- 2109; 179 O.A.C. 201; 59 W.C.B. (2d) 333; 120 L.A.C. (4th) 284)	
95.	ONSC	Sclater v. Ontario College of Teachers	02/21/00	2000 CanLII 26989, [2000] O.J. No. 1428, 132 O.A.C. 322, 96 A.C.W.S. (3d) 615	Zayid, Caroline R.	Respondent	ON	Administrative Appeal		Administrative law — College of Teachers — fitness to practice decision
96.	ONSC	Patel v. Ontario College of Pharmacists	02/03/00	[2000] O.J. No. 256, 130 O.A.C. 291, 94 A.C.W.S. (3d) 1012	Matheson, Andrew B.	Appellant	ON	Administrative Appeal		Professional occupations — pharmacists — discipline — punishments, suspension.



NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
97.	ONSC	Ontario (Attorney General) v. Ontario Public Service Employees Union	10/08/99	[1999] O.J. No. 3779, 180 D.L.R. (4th) 549, 57 C.L.R.B.R. (2d) 145, 127 O.A.C. 78, 19 Admin. L.R. (3d) 317, 91 A.C.W.S. (3d) 757	Kapur, Sunil	Applicant	ON	Judicial Review	Reversed by the ONCA ([2000] O.J. No. 4602; 52 O.R. (3d) 77; 195 D.L.R. (4th) 376; 66 C.L.R.B.R. (2d) 92; 26 Admin. L.R. (3d) 15; 101 A.C.W.S. (3d) 753)	Employment — labour relations — standard of review — bargaining unit
98.	ONSC	STB Air Terminals Ltd. v. Greater Toronto Airports Authority	09/21/99	[1999] O.J. No. 3552	Cruz, Darryl A.	Appellant	ON	Appeal		Injunctions — variation of interim or interlocutory injunction
99.	ONSC	Paskie (Public Trustee of) v. Canadian Amateur Boxing Assn.	08/29/99	[1999] O.J. No. 3264, 45 O.R. (3d) 765, 126 O.A.C. 244, 90 A.C.W.S. (3d) 853	Peebles, Dana M.	Appellant	ON	Appeal		Medical law — negligence — appeal from master decision permitting late delivery of jury notice
100.	ONSC	Ontario Public Service Employees' Union v. Ontario (Attorney General)	09/17/98	[1998] O.J. No. 4304	Kapur, Sunil	Respondent	ON	Judicial Review		Labour and employment — arbitration — jurisdiction — factual findings
101.	ONSC	Girard v. General Hospital of Port Arthur	06/17/98	[1998] O.J. No. 6137	Cruz, Darryl A.	Appellant	ON	Appeal	Leave to appeal to the Ontario Court of Appeal refused ([1998] O.J. No. 4091, 10/13/1998)	Medicine — liability of practitioners — negligence or fault



NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
102.	ONSC	Assn. of Professional Engineers of Ontario v. Karmash	05/27/98	[1998] O.J. No. 2161, 109 O.A.C. 334, 39 C.L.R. (2d) 165, 79 A.C.W.S. (3d) 1266	Steep, R. Paul	Respondent	ON	Administrative Appeal		Professional responsibility — engineers — discipline — what constitutes professional misconduct — harassment and discriminatory conduct — punishments, suspension — disciplinary proceedings — appeals
103.	ONSC	Hudson's Bay Co. v. White	04/15/98	[1998] O.J. No. 2383, 1 C.P.C. (5th) 333	Vegh, George	Appellant	ON	Appeal		Damages — exemplary or punitive damages — entitlement
104.	ONSC	Anderson v. Wilson	02/20/98	[1998] O.J. No. 671, 37 O.R. (3d) 235, 156 D.L.R. (4th) 735, 107 O.A.C. 274, 18 C.P.C. (4th) 208, 77 A.C.W.S. (3d) 1142	Leonard, David E.	Respondent	ON	Appeal	Reversed by the ONCA ([1999] O.J. No. 2494; 44 O.R. (3d) 673; 175 D.L.R. (4th) 409; 122 O.A.C. 69; 36 C.P.C. (4th) 17; 89 A.C.W.S. (3d) 441)	Practice — persons who can sue and be sued — individuals and corporations, status or standing — class actions, members of class
105.	ONCA	Ellis-Don Ltd. v. Ontario (Labour Relations Board)	12/20/95	[1995] O.J. No. 3924, 66 C.L.R.B.R. (2d) 302, 89 O.A.C. 45, 96 CLLC para. 210-006, 59 A.C.W.S. (3d) 1121, [1995] OLRB Rep. December 1506	Wortzman, Susan	Applicant	ON	Judicial Review		Labour law – Labour relations and judicial review – Powers of board – to determine issues of policy – Natural justice, denial of – Hearing, opportunity to be heard
106.	ONSC	Masters v. Ontario	05/30/94	[1994] O.J. No. 1135, 18 O.R. (3d) 551, 115 D.L.R. (4th)	Stephenson, Jenny P.	Intervenor	ON	Judicial Review		Administrative law — Ontario government ministers — prerogative



NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
				319, 72 O.A.C. 1, 27 Admin. L.R. (2d) 152, 48 A.C.W.S. (3d) 252						power of premier — nature of premier's decision — investigation — employment relationship — harassment — resignation — release from confidentiality
107.	ONSC	Ellis-Don Ltd. v. Ontario Labour Relations Board	01/14/94	[1994] O.J. No. 32, 16 O.R. (3d) 698, 110 D.L.R. (4 th) 731, 68 O.A.C. 216, 24 Admin. L.R. (2d) 122, 94 CLLC 12054, 94 CLLC para 14,012 at 12054, 45 A.C.W.S. (3d) 1, 1994 CarswellOnt 1014	Wortzman, Susan	Respondent	ON	Appeal		Ontario Relations Board – Compelling attendance of Chair to give evidence
108.	ONSC	Chippewas of Kettle and Stoney Point v. Ontario (Ministry of Indian Affairs)	10/18/93	[1993] O.J. No. 2692, [1994] 2 C.N.L.R. 33, 44 A.C.W.S. (3d) 170	Steep, R. Paul	Respondent	ON	Appeal		Professions — barristers and solicitors — investigation of land claims — legal representation — conflicts of interests — Chinese walls — breach of confidentiality
109.	ONSC	Arthur v. Signum Communications Ltd.	08/25/93	[1993] O.J. No. 1928	McLaughlin, Frank J.	Appellant	ON	Appeal		Company law — oppression — shareholders' rights — double recovery — where shareholders granted relief from oppression and granted an appraisal
110.	ONSC	Ellis-Don Ltd. V. Ontario (Labour Relations Boar)	01/08/93	[1993] O.J. No. 27, 98 D.L.R. (4 th) 762, 64 O.A.C. 321	Wortzman, Susan	Applicant	ON	Appeal		Appeal – Apprehended bias



NO.	COURT	CASE	DATE	CITATIONS	LAWYER	ACTED FOR	REGION	TYPE OF APPEAL	FURTHER HISTORY	LEGAL AND INDUSTRY FOCUS
111.	ONSC	Canadian Union of Public Employees (CUPE) v. Ontario Hospital Assn.	02/18/91	[1991] O.J. No. 207, 44 O.A.C. 30, 35 C.C.E.L. 43, 25 A.C.W.S. (3d) 555	McLaughlin, Frank J.	Appellant	ON	Appeal		Administrative law — pension committee — appeals — appeals from interlocutory rulings — jurisdiction of court
112.	ONSC	Weram Investments Ltd. v. Ontario (Securities Commission)	06/04/90	[1990] O.J. No. 918, 39 O.A.C. 52, 21 A.C.W.S. (3d) 439	Houston, Donald	Appellant	ON	Administrative Appeal		Administrative law — Ontario Securities Commission — investigation — disclosure of information — exercise of discretion
113.	ONSC	Lemar Apartments Ltd. v. Ontario (Fire Marshal)	05/16/88	[1988] O.J. No. 642, 65 O.R. (2d) 148, 30 O.A.C. 2, 10 A.C.W.S. (3d) 253	Houston, Donald	Appellant	ON	Administrative Appeal		Fire safety — defect notice
114.	ONSC	Pickard v. College of Nurses of Ontario	06/22/87	[1987] O.J. No. 603, 25 O.A.C. 141	Steep, R. Paul	Respondent	ON	Administrative Appeal		Professional responsibility — regulated health professions — College of Nurses — acts of professional misconduct — discipline committee — hearing and appeal — delivery and afterbirth care of child
115.	ONSC	Hodgkinson v. Hitch House Ltd.	04/23/87	60 O.R. (2d) 793	Scott, William G.	Respondent	ON	Appeal		Contract law — sale of goods — implied terms
116.	ONSC	Pell v. Farber	01/22/85	[1985] O.J. No. 960	Steep, R. Paul	Respondent	ON	Appeal		Small claims — adjournment of trial to obtain legal representation — tort law — medical malpractice — negligence

The French version will be available soon.

