

**LIST OF REPORTED DECISIONS
ARGUED BY
JULIAN POLIKA
Prior to his appointment as a Case Management Master
On April 7, 1997**

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OF REPORTED DECISIONS
BY SUBJECT MATTER**

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ENVIRONMENTAL AND PLANNING

1. **Hill and Minister of Economics and Intergovernmental Affairs**

[1973] 3 O.R. 490

Ontario High Court of Justice

Divisional Court

Wells, C.J.H.C., Fraser and Wright, JJ.

May 31, 1973

J.A. Bisceglia, for applicant

Julian Polika, for respondent

2. **Township of Westminster and City of London**

(1974), 5 O.R. (2d) 401; 50 D.L.R. (3d) 481

Ontario High Court of Justice

Divisional Court

Wells, C.J.H.C., Houlden and Van Camp, JJ.

September 24, 1974

J.A. Giffen, Q.C., for applicant

G.F. Plaxton, Q.C., and R.J. Haines, for respondent

Julian Polika, for Attorney-General

3. **Mills et. al. and Land Division Committee of the Regional Municipality of York et. al.**

(1976), 9 O.R. (2d) 349; 60 D.L.R. (3d) 405

Ontario High Court of Justice

Divisional Court

Fraser, Lerner and Weatherston, JJ.

April 2, 1975

L.D. Pringle, for applicants

Edward A. Oakes, for Land Division Committee of York and John D. Hall

D.G. Plaxton, for Township of King

Julian Polika, for Attorney-General of Ontario

4. **London Gardens Ltd. and Township of Westminster**

(1976), 9 O.R. (2d) 175

Ontario High Court of Justice

Divisional Court

Wells, C.J.H.C., Zuber and Reid, JJ.

May 3, 1975

Martin T.J. Marrissey, Q.C., for appellant

J.A. Giffen, Q.C., for respondent

Julian Polika, for Attorney-General

5. **Cummer-Yonge Investments (1970) and Attorney General of Ontario et. al.**

(1977), 13 O.R. (2d) 346; 71 D.L.R. (3d) 47

Ontario High Court of Justice

Divisional Court

O'Driscoll, O'Leary and Cory, JJ.

June 24, 1976

M.H. Chusid, for applicant

H. Ibsen, for North York

Julian Polika, for Attorney-General of Ontario and Minister of Housing

6. **King Township Library Board and Township of King et. al.**

15 O.R. (2d) 249

Ontario High Court of Justice

Divisional Court

March 9, 1977

B. Tait, for King Township Library Board

D.G. Plaxton, for Corporation of Township of King

L.H. Mandel, for Lambton Lumber Limited

Julian Polika, for Ontario Municipal Board

7. **Thicket Builders Inc. and Minister of Housing of Ontario et. al.**

18 O.R. (2d) 104

Ontario High Court of Justice

Garrett, J.

October 7, 1977

J.E. Sexton, for applicant

L.H. Mandel and D. Greenspan, for the Town of Vaughan

Julian Polika, for the Minister of Housing

P.H. Merestsky, for Pinetree Developments Ltd.

J.R. Boxma, for Torlease Developments Ltd.

8. **Nanticoke Ratepayers Association and Environmental Assessment Board et. al.**

19 O.R. (2d) 7; 83 D.L.R. (3rd) 722

Ontario High Court of Justice

Goodman, J., in Chambers

January 29, 1978

L. Thibideau, for applicant

R.J. Wright, Q.C., and D.H. MacOdrum, for respondent,

Environmental Assessment Board

Linda C. McCaffrey, for respondent, Ministry of the Environment

M.P. Forestell, Q.C., for respondent, Nanticoke Waste Management Limited

Thomas A. Cline, Q.C., for respondent, Regional Municipality of Haldimand-Norfolk

J. Polika, Q.C., for Attorney-General of Ontario

9. **Re: City of Gloucester and Bennett et. al.**

33 O.R. (2d) 389; 124 D.L.R. (3d) 495

Ontario High Court of Justice

Montgomery J.

April 2, 1981

W. Burrows, for applicant

Julian Polika, Q.C., for respondent, The Honourable Claude Bennett

D. Kelly, for respondent, Regional Municipality of Ottawa-Carleton

10. **Re City of Gloucester and Bennett et. al.**

124 D.L.R. (3d) 495; 33 O.R. (2d) 389

Ontario High Court of Justice

Montgomery, J.

April 29, 1981

W. Burrows, for applicant

J. Polika, Q.C., for respondent, The Honourable Claude Bennett

SUPREME COURT OF CANADA

11. Podlaszecka v. Minister of Manpower and Immigration

23 D.L.R. (3d) 331
Supreme Court of Canada
Abbott, Martland, Hall, Pigeon and Laskin, JJ.
January 25, 1972
J. Polika, for appellant
A.M. Garneau and P. Betournay, for respondent

12. Vadeboncoeur v. Landry et. al.

68 D.L.R. (3d) 165
Supreme Court of Canada
Laskin, C.J.C., Martland, Judson, Ritchie, Spence, Pigeon, Dickson, Beetz and de Grandpre, JJ.
January 30, 1976
F. Massy-Roy and N. Desy, for appellant
P. Fournier, for respondent, Annette Landry
P.M. Ollivier, Q.C., for Attorney-General for Canada
R. DeBlois and R. Thibaudeau, for Attorney-General for Quebec
D. Mundell, Q.C., and J. Polika, Q.C., for Attorney-General for Ontario

13. Union Oil Co. of Canada Ltd. v. Government of Canada and Province of British Columbia

16 National Reporter 425
Supreme Court of Canada
Laskin, C.J.C., Martland, Judson, Ritchie, Spence, Pigeon, Dickson, Beetz and de Grandpre, JJ.
December 9, 1976
Robert W.V. Dickerson and Mary Saunders, for the appellant
G.W. Ainslie, Q.C., and P.B. Annis, for Attorney General for Canada
George S. Cumming, Q.C., Hugh L. Henderson and Norman J. Prelypchan, for Attorney General for British Columbia, respondents
D.W. Mundell, Q.C., and Julian Polika, for Attorney General for Ontario

14. Robinson v. Countrywide Factors Ltd.

72 D.L.R. (3d) 500
Supreme Court of Canada
Laskin, C.J.C., Martland, Judson, Ritchie, Spence, Pigeon, Dickson, Beetz and de Grandpre, JJ.
January 25, 1977
D.G. McLeod, Q.C., and G. Morris, for appellant
W.N. Lawton, Q.C., for intervenant, Attorney-General of Saskatchewan
J. Polika, for intervenant, Attorney-General of Ontario
W.G. Burke-Robertson, Q.C., for intervenant, Attorney-General of British Columbia
W. Henkel, Q.C., for intervenant, Attorney-General of Alberta
E.J. Moss, Q.C., and B.J. Scherman, for respondent
T.B. Smith, for intervenant, Attorney-General of Canada

15. McNeil v. Nova Scotia Board of Censors and Attorney General of Nova Scotia

19 National Reporter 580; 84 D.L.R. (3rd) 1; 44 C.C.C. (2d) 316

Supreme Court of Canada

Laskin, C.J.C., Martland, Judson, Ritchie, Spence, Pigeon, Dickson, Beetz and de Grandpre, JJ.
January 19, 1978
Donald g. Gibson and William M. Wilson, for the appellants
Rubert Murrant, Dereck M. Jones and B. McIsaac, for the respondent
T.B. Smith, Q.C. and M.L. Basta, for the Attorney-General of Canada
J. Polika, for the Attorney-General of Ontario
Gil Remillard and Anne Laberge, for the Attorney-General of Quebec
Louis Lindholm, Q.C., and Paul Pearlman, for the Attorney-General of British Columbia
Huch MacIntosh, for the Attorney-General of Prince Edward Island
W. Henkel, Q.C., for the Attorney-General of Alberta

16. T.E. Quinn Truck Lines Limited v. Minister of Transport and Communications for the Province of Ontario

(1982), 39 N.R. 617
Supreme Court of Canada
Laskin, C.J.C., Ritchie, Dickson, Beetz, Estey, McIntyre and Lamer, JJ.
December 17, 1981
Claude Thomson, Q.C., and S.R. Rickett, for the appellant
J. Polika, Q.C., for the respondent

17. Ontario Human Rights Commission, Dunlop, Hall and Gray v. Borough of Etobicoke

(1982), 40 N.R. 159; 132 D.L.R. (3d) 14
Supreme Court of Canada
Laskin, C.J.C., Dickson, Beetz, Estey, McIntyre, Chouinard and Lamer, JJ.
February 19, 1982
J. Polika, Q.C., for the appellants
Douglas K. Gray and R. Ross Dunsmore, for the respondent

CONSTITUTIONAL AND CHARTER OF RIGHTS

18. D. & G. Barclay Builders Ltd. and St. Jane Plaza Ltd.

[1973] 3 O.R. 373; 37 D.L.R. (3d) 38
Ontario Court of Appeal
Kelly, Evans and Arnup, J.J.A.
June 12, 1973
B.M. Haines, for appellant
C.C. Mark, for respondent
J. Polika, for Attorney-General for Ontario

19. Sunday et. al. v. St. Lawrence Seaway Authority et. al.

72 D.L.R. (3d) 104
Federal Court, Trial Division
Marceau, J.
November 5, 1976
J.A. O'Reilly and W. Grodinsky, for plaintiffs

P.J. Evraire, for St. Lawrence Seaway Authority, Her Majesty the Queen in Right of Canada and Receiver General for Canada
R.F. Wilson, Q.C., and E.R. Finn, for Hydro Electric Power Commission of Ontario
J. Polika, for Her Majesty the Queen in Right of Ontario

20. City of Mississauga and Regional Municipality of Peel et. al.

17 O.R. (2d) 174; 79 D.L.R. (3d) 708
Ontario High Court of Justice
Divisional Court
Galligan, Southey and Maloney, JJ.
April 18, 1977

J.G. Parkinson, Q.C., and R.G. Doumani, for applicant
P.H.H. Ridout, Q.C., and J.E. Minor, for respondent, Region of Peel
Julian Polika, and L.E. Weinrib, for respondents, Ontario Municipal Board, Attorney-General of Ontario, and Minister of the Environment

21. Attorney-General for Ontario v. Hung et. al.

21 O.R. (2d) 322; 90 D.L.R. (3d) 550; 42 C.C.C. (2d) 421
Ontario County Court
Judicial District of York
Cartwright, Co. Ct. J.
September 11, 1978
Julian Polika, Q.C., for applicant
R.J. Clayton, for respondents

22. Service Employees' International Union, Local 204 and Broadway Manor Nursing Home et. al. and two other applications

44 O.R. (2d) 392; 4 D.L.R. (4th) 231
Ontario High Court of Justice
Divisional Court
Galligan, O'Leary and Smith JJ.
October 24, 1983
Jeffrey Sack, Q.C., Howard Goldblatt and Cathy Lace, for Service Employees International Union
W.R. Herridge, Q.C., for Christian Labour Association
D.J.M. Brown, Q.C., and D. Coyne, for Ontario Labour Relations Board
Douglas K. Gray, for Durham Board of Education
Maurice A. Green, for Ontario Secondary School Teachers' Association
D.K. Laidlaw, Q.C., and J.J. Colangelo, for Education Relations Commission
Ian G. Scott, Q.C., Paul J.J. Cavalluzzo and Chris G. Paliare, for Ontario Public Service Employees Union
Julian Polika, Q.C., and J.J. Cavarzan, Q.C., for Attorney-General of Ontario
John Sopinka, Q.C., for Treasurer of Ontario and Minister of Labour, intervenants

23. R. v. Kevork

9 O.A.C. 308; 21 C.C.C. (3rd) 369
Ontario Court of Appeal
Lacourciere, Blair and Cory, JJ.A.
June 28, 1985

Clayton C. Ruby and Michael Code, for the appellants,
Kevork and Balian
Peter Connelly, for the appellant, Gharakhanian
J. Blacklock and J. Polika, Q.C., for the Crown, respondent

24. Avant Inc. et. al. v. Ontario

1 F.T.R. 270; 25 D.L.R. (4th) 156; 8C.P.R. (3rd) 418
Federal Court of Canada
Trial Division
Collier, J.
February 6, 1986
J. Macera, for the plaintiffs
J. Polika and D. Duke, for the defendant

25. Minto Construction Ltd. v. Ontario (Regional Assessment Commissioner, Region No. 3)

68 O.R. (2d) 350; 58 D.L.R. (4t) 52; 14 A.C.W.S. (3d) 418
Ontario High Court of Justice
Henry J.
March 31, 1989
R.E. Charney for defendant (applicant), Attorney-General of Ontario
Morris Manning, Q.C., and P.N. Leaman for plaintiffs (respondents)
J. Polika, Q.C., for defendant, Regional Assessment Commissioner, Region No. 3
Ernest McArthur, for defendant, Regional Municipality of Ottawa-Carleton
P. Webber, Q.C., for defendants, City of Nepean and Carleton Board of Education

26. Venchiarutti and Longhurst

69 O.R. (2d) 19
High Court of Justice
Osler J.
April 13, 1989
D.D. Langley for applicant
J. Polika, Q.C., for respondents

27. Venchiarutti v. Longhurst

8 O.R. (3d) 422; 92 D.L.R. (4th) 544; 56 O.A.C. 302
Court of Appeal for Ontario
Lacourciere, Blair and Doherty JJ.A.
June 2, 1992
Robert G. Doumani and Robert A. Maxwell for appellant
J. Polika, Q.C., and R. Dan Cornell for respondents

TRANSPORTATION

28. Parent Cartage Ltd. and Ontario Highway Transport Board et. al.

(1976), 11 O.R. (2d) 689; 67 D.L.R. (3d) 239
Ontario High Court of Justice
Divisional Court
Osler, Callon and Holland, JJ.
February 25, 1976
Claude R. Thomson, Q.C., for applicant
Julian Polika, for respondent, Ontario Highway Transport Board
Douglas K. Laidlaw, Q.C., for added parties

29. T.E. Quinn Truck Lines Ltd. and Ontario Highway Transport Board et. al.

(1977), 14 O.R. (2d) 246
Ontario High Court of Justice
Divisional Court

O'Leary, Reid and Garrett, JJ.

November 3, 1976

M.P. Forestell, Q.C., for applicant

P.B.C. Pepper, Q.C., and D.H. Jack, for respondent, Ontario Highway Transport Board

Julian Polika, for respondent, Minister of Transportation and Communications

30. Parent Cartage Ltd. and Ontario Highway Transport Board

20 O.R. (2d) 219; 87 D.L.R. (3rd) 144

Ontario High Court of Justice

Divisional Court

Osler, Lerner and R.E. Holland, JJ.

May 11, 1978

John I. Laskin, for applicant

Julian Polika, Q.C., for respondent

Mark L. Madras, for Inter-City Truck Lines Limited and Overland Western Limited, interveners

Miriam D. Isenberg, for 10 transport companies, interveners

31. Parent Cartage Ltd. and Ontario Highway Transport Board

26 O.R. (2d) 83; 102 D.L.R. (3d) 117

Ontario Court of Appeal

Dubin, Lacourciere and Wilson, JJ.A.

June 29, 1979

John I. Laskin, for appellant

Julian Polika, Q.C., for respondent

Miriam D. Isenberg, for interveners

32. Canadian Pacific Express Ltd. et. al. and Ontario Highway Transport Board et. al.

26 O.R. (2d) 193; 102 D.L.R. (3d) 288

Ontario High Court of Justice

Divisional Court

Reid, Robins and Montgomery, JJ.

October 3, 1979

Julian Polika, Q.C., for Ontario Highway Transport Board

D.C. McTavish, for United Parcel Service Canada Limited

M.J. Sabia, for Canadian Pacific Express Ltd. and Smith Transport Co. Limited

P.J. Evraire, for Attorney-General of Canada

M.W. Wright, Q.C., for Letter Carriers Union of Canada,

Canadian Brotherhood of Railway Clerks and Canadian

Brotherhood of Railway Transport & General Workers

R. Storrey, for Greyhound Lines of Canada Ltd., Eastern

Canadian Greyhound Lines Ltd., Voyageur Colonial Ltd.,

Ontario Motor Coach Association and Ontario Northland

Transport Commission

33. All Ontario Transport Ltd. et. al. and Ontario Highway Transport Board et. al.

26 O.R. (2d) 202; 102 D.L.R. (3d) 298

Ontario High Court of Justice

Division Court

Reid, Robins and Montgomery, JJ.

October 3, 1979

G.J. Smith, Q.C., and R.B. Warren, for applicants

Julian Polika, Q.C., for respondent, Ont. H.T.Bd.

D.C. McTavish, for respondent, United Parcel Service Limited

34. T. E. Quinn Truck Lines Ltd. and Snow

26 O.R. (2d) 377; 102 D.L.R. (3d) 435

Ontario High Court of Justice

Divisional Court

O'Leary, Craig and Saunders, JJ.

October 16, 1979

C. Thomson, Q.C., for applicant

Julian Polika, Q.C., for respondent

35. T. E. Quinn Truck Lines and Snow

(1980), 27 O.R. (2d) 764; 108 D.L.R. (3d) 647

Ontario Court of Appeal

MacKinnon A.C.J.O., Jessup and Wilson JJ.A.

March 24, 1980

S. Rickett, for appellant

Julian Polika, Q.C., for respondent

36. Steinman Transportation Ltd. and Ontario Highway Transport Board

29 O.R. (2d) 447; 113 D.L.R. (3d) 336

Ontario High Court of Justice

Divisional Court

Maloney, J.

May 22, 1980

F.R. Berrill, for applicant

Julian Polika, Q.C., for Ont. Hwy. T. Bd.

M.R. Kestenberg, for 18 carriers

S.J. Adler, for T.P. Berg The Mover Ltd.

R.J. Howe, for Nesel Fast Freight Incorporated, Nesel Moving and N.E. Smith

37. Canadian Pacific Express Ltd. et. al. and Snow et. al.

31 O.R. (2D) 120; 118 D.L.R. (3d) 148

High Court of Justice

Van Camp J.

November 14, 1980

C.C. Lax, R. Storrey and M. Ryan, for applicants

D.C. McTavish and P. Lauwers, for resp., U.P.S.

Julian Polika, Q.C., for respondent, the Honourable James Snow

38. Canadian Pacific Express Ltd. et. al. and Snow et. al.

(1981), 32 O.R. (2d) 45; (1981), 121 D.L.R. (3d) 511

Ontario Court of Appeal

Lacourciere, Houlden and Goodman JJ.A.

March 3, 1981

C. Lax, R. Storrey and M. Ryan, for appellant

Julian Polika, Q.C., for respondent, James Snow

D. McTavish, for respondent, United Parcel Service Canada Ltd.

39. **Koch Transport Ltd. et. al. v. Class Freight Lines Ltd. et al.**
(1982), 37 O.R. (2d) 566; 135 D.L.R. (3d) 695
Ontario High Court of Justice
Divisional Court
Galligan, Osborne and Trainor JJ.
April 29, 1982
F.E. Leitch, Q.C., for applicants
R.A. Blair, for respondent, Class Freight Lines Ltd.
Julian Polika, Q.C., for respondents, Minister of
Transportation and Communications, and Ontario Highway
Transport Board

HUMAN RIGHTS

40. **Ontario Human Rights Commission and City of North Bay**
17 O.R. (2D) 712; 81 D.L.R. (3rd) 273
High Court of Justice
Divisional Court
Hughes, Griffiths and Rutherford, JJ.
September 12, 1977
Julian Polika, for appellant
G.J. Smith, Q.C., for respondent

41. **Ontario Human Rights Commission and City of North Bay**
(1977), 21 O.R. (2d) 607; (1977), 81 D.L.R. (3d) 273
Ontario Court of Appeal
Arnup, Lacourciere and Houlden JJ.A.
December 9, 1977
Julian Polika, for applicant
G.J. Smith, Q.C., for respondent

42. **Re Borough of Etobicoke and Ontario Human Rights Commission et. al.**
104 D.L.R. (3d) 674; 26 O.R. (2d) 308
Divisional Court
Hughes, Griffiths and Rutherford, JJ.
September 12, 1977
Julian Polika, for appellant
G.J. Smith, Q.C., for respondent

41. **Ontario Human Rights Commission and City of North Bay**
(1977), 21 O.R. (2d) 607; (1977), 81 D.L.R. (3d) 273
Ontario Court of Appeal
Arnup, Lacourciere and Houlden JJ.A.
December 9, 1977
Julian Polika, for applicant
G.J. Smith, Q.C., for respondent

42. **Re Borough of Etobicoke and Ontario Human Rights Commission et. al.**
104 D.L.R. (3d) 674; 26 O.R. (2d) 308
Ontario High Court of Justice
Divisional Court
O'Leary, Cory and Osborne, JJ.
September 20, 1979
R.R. Dunsmore, for Borough of Etobicoke
J. Polika, Q.C., for Ontario Human Rights Commission

H. Goldblatt, for International Fire-fighters Association,
Local No. 1137 Etobicoke Professional Fire-fighters
Association

43. **Borough of Etobicoke and Ontario Human Rights Commission et. al.**
(1980) 29 O.R. (2d) 499; (1980) 112, D.L.R. (3d) 192
Ontario Court of Appeal
Jessup, Weatherston and Morden JJ.A.
September 9, 1980
J. Polika, Q.C. for appellant, respd.
D.K. Gray and R.R. Dunsmore for respd., appellants

CENSORSHIP

44. **Sharlmark Hotels Ltd. and Municipality of Metropolitan Toronto**
32 O.R. (2d) 129; 121 D.L.R. (3d) 415
Ontario High Court of Justice
Divisional Court
Lerner, Boland and Saunders JJ.
March 19, 1981
Brian A. Grosman, Q.C., for applicant
George H. Rust-D'Eye, for respondent
Julian Polika, Q.C., for Attorney-General of Ontario

45. **Ontario Film and Video Appreciation Society and Ontario Board of Censors**
(1983) 41 O.R. (2D) 583; 147 D.L.R. (3d) 58; 34 C.R. (3d) 73; 5 C.R.R. 373
High Court of Justice
Divisional Court
J. Holland, Boland and Linden JJ.
March 25, 1983
Lynn King and C.M. Campbell, for applicant
Julian Polika, Q.C., for respondent
Kenneth P. Swan and Erika J. Abner, for intervenor,
Canadian Civil Liberties Association

46. **Ontario Film & Video Appreciation Society and Ontario Board of Censors**
(1984), 45 O.R. (2d) 80; (1984), 5 D.L.R. (4th) 766; 2 O.A.C. 388; 7 C.R.R. 129
Court of Appeal
MacKinnon A.C.J.O., Arnup, Dubin, Houlden and
Tarnopolsky JJ.A.
February 6, 1984
Julian Polika, Q.C., for appellant
L. King and C.M. Campbell, for respondent
K.P. Swan and E.J. Abner, for intervenor, Canadian Civil
Liberties Association

48. **Re Information Retailers Association of Metropolitan Toronto Inc. and Municipality of Metropolitan Toronto; Re: Canadian Periodical Publishers Association and Municipality of Metropolitan Toronto**
52 O.R. (2d) 449; 10 O.A.C. 140; 22 D.L.R. (4th) 161
Ontario Court of Appeal
Houlden, Cory and Robins, JJ.
October 17, 1985

George H. Rust-D'Eye, for appellant
Herman Turkstra and E. Joy Grahek, for respondent,
Information Retailers Association of Metropolitan Toronto
Inc.
Karl D. Jaffary, Q.C., for respondent, Canadian Periodical
Publishers Association
Julian Polika, Q.C., for Attorney-General of Ontario,
intervenant

**49. Koumoudouros et. al. and Municipality of
Metropolitan Toronto**

52 O.R. (2d) 442; 53 O.R. (2d) 665; 11 O.A.C. 74; 23
C.C.C. (3rd) 286; 24 D.L.R. (4th) 638
Court of Appeal
Houlden, Cory and Robins, JJ.A.
October 17, 1985
Herman Turkstra and E. Joy Grahek, for appellants.
George H. Rust-D'Eye, for respondent
Julian Polika, Q.C., and Elizabeth C. Goldberg, for
intervenant, Attorney-General of Ontario

**50. Ontario Film & Video Appreciation Society and
Ontario Film Review Board et. al.; Canadian Civil
Liberties Association, Intervenor**

57 O.R. (2d) 339; 33 D.L.R. (4th) 110; 17 O.A.C. 300; 2
A.C.W.S. (3rd) 57; (1986), 21 Admin.L.R. 169
Ontario High Court of Justice
Divisional Court
Saunders, O'Brien and Fitzpatrick JJ.
Heard - September 15, 16, 17, 18 and 19, 1986
November 10, 1986
C.M. Campbell and E. Murray, for appellant
Julian Polika, Q.C., and S. Mason for respondents, Ontario
Review Board and Attorney-General of Ontario
R.J. Rolls, Q.C., and M.S. Hayes, for respondent, Motion
Picture Theatres Association of Ontario
R.J. Sharpe, for intervener, Canadian Civil Liberties
Association

**CRIMINAL INJURIES COMPENSATION
BOARD**

**51. Re Sheehan and Criminal Injuries Compensation
Board**

52 D.L.R. (3d) 728; 5 O.R. (2d) 781; 20 C.C.C. (2d) 167
Ontario Court of Appeal
Kelly, Dubin and Estey, JJ.A.
November 19, 1974
J. Polika, for appellant
R.R. Price, for respondent

52. Criminal Injuries Compensation Board v. Ditroi

57 D.L.R. (3d) 325; 8 O.R. (2d) 133
Ontario Court of Appeal
Evans, Brooke and Estey, JJ.A.
February 24, 1975
J. Polika, for appellant, plaintiff
P.M. Stillman, for respondent, defendant

**53. Darling and the Criminal Injuries Compensation
Board**

(1976), 11 O.R. (2d) 766
Ontario High Court of Justice
Divisional Court
Osler, Holland and Grange, JJ.
February 5, 1976
B. Bellmore, for appellant
Julian Polika, for respondent

**54. Skerget and Criminal Injuries Compensation Board
et. al.**

16 O.R. (2d) 447; 78 D.L.R. (3d) 431
Ontario High Court of Justice
Divisional Court
Griffiths, Rutherford and Steele, JJ.
June 13, 1977
D.C. McTavish, for applicant
Julian Polika, for respondent, Criminal Injuries
Compensation Board
K.H. Knutsen, for respondent, Annette Neroda

55. Berlingieri v. DeSantis et. al.

31 O.R. (2d) 1; 118 D.L.R. (3d) 167
Court of Appeal
MacKinnon A.C.J.O., Weatherston and Morden JJ.A.
November 26, 1980
Julian Polika, Q.C., and P.M. Jacobsen, for appellant,
Criminal Injuries Compensation Board
J.I. Laskin, for respondent, Assunta Squitieri Berlingieri

LIEUTENANT GOVERNOR IN COUNCIL

**56. Attorney-General of Ontario v. Gowling &
Henderson et. al.**

47 O.R. (2d) 449; 14 C.C.C. (3rd) 368; 12 D.L.R. (4th) 623
Ontario High Court of Justice
Rosenberg J.
August 28, 1984
Julian Polika, Q.C., and L. Kowal, for appellant, Attorney-
General of Ontario
H. Lorne Morphy, Q.C., and L.A. Pattillo, for respondents

57. Doctors Hospital and Minister of Health et. al.

(1976), 12 O.R. (2d) 164; 68 D.L.R. (3rd) 220
Ontario High Court of Justice
Divisional Court
Keith, Cory and Donnelly, JJ.
May 17, 1976
D.J. Wright, Q.C., and W.S. Seyffert, for Doctors Hospital
J.E. Sexton and J. Rook, for Durham Memorial Hospital
P.A. Sigurdson and A.E. Golden, for Clinton Public
Hospital
P.T. Fallis, for Chesley and District Memorial Hospital
Douglas K. Laidlaw, Q.C., and J.A. Keefe, for Drs. Markus,
Soremenkun and Wise
Julian Polika, for all respondents

CROWN TRUST TAKEOVER

58. Re Seaway Trust Co. et. al. and The Queen in Right of Ontario et. al.

143 D.L.R. (3d) 623

Ontario High Court of Justice

Divisional Court

February 16, 1983

J. Polika, Q.C., for applicant, Attorney-General of Ontario

A.M. Rock and Michael S.F. Watson, for respondents

59. Crown Trust Co. et. al. v. The Queen in Right of Ontario et. al.

54 O.R. (2d) 79; 14 O.A.C. 137; 26 D.L.R. (4th) 41

Ontario High Court of Justice

Divisional Court

Henry, Craig and Sirois JJ.

February 28, 1986

A.J. Lenczner, Q.C., and J.P. Brown, for appellant, Central Trust Company

S.J. Simpson and F.J. Meyers, for appellants, J. David Taylor and Touche, Ross Limited

W.G. Horton, for appellants, Ainsley St. Clair Shuve and Woods Gordon

Julian Polika, Q.C., for appellants, Her Majesty the Queen in Right of Ontario, Attorney-General of Ontario and Robert G. Elgie, M.D., Minister of Consumer and Commercial Relations

R. Carr, for respondents.

60. Re Seaway Trust Co. et. al. and The Queen in Right of Ontario et. al.

Re Crown Trust Co. et. al. and Attorney-General of Ontario et. al.

41 O.R. (2D) 501; 146 D.L.R. (3d) 486; 6 C.R.R. 296

High Court of Justice

Divisional Court

Reid, Sothey and Craig JJ.

April 27, 1983

A.M. Rock and Michael S.F. Watson, for applicants, Seaway Trust Company, Seaway Mortgage Corporation, 435713 Ontario Inc. and Andrew F. Markle

Warren H.O. Mueller, Q.C., and Ronald E. Carr, for applicants, Crown Trust Company, Greymac Trust Company and Greymac Credit Corporation

Julian Polika, Q.C., Lorraine E. Weinrib and Peter M.

Jacobsen, for the Crown, respondent

Charles F. Scott and John B. Laskin, for respondent, Canada Deposit Insurance Corporation

A.J. Lenczner, Q.C., and J.P. Brown, for respondent,

Central Trust Company

61. Seaway Trust Co. et. al. v. Kilderkin Investments Ltd. et. al. and two other actions

55 O.R. (2d) 545; 29 D.L.R. (4th) 456

Ontario High Court of Justice

Cromarty J.

July 21, 1986

Charles B. Cohen, Q.C., for Andrew Markle

Ronald E. Carr, for Leonard Rosenberg

W.V. Sasso and Hilary E. Clarke, for Seaway Trust Company and Greymac Trust Company

Sheryl E. Seigel, for Kingburg Property

Julian Polika, Q.C., for A. G. of Ontario

62. Re Seaway Trust Co. et. al. and The Queen in Right of Ontario et. al.

Re Crown Trust Co. et. al. and Attorney-General of Ontario et. al.

(1983), 41 O.R. (2d) 532; (1983), 146 D.L.R. (3d) 620; 6

C.R.R. 365

Ontario Court of Appeal

Zuber, Thorson and Cory JJ.A.

July 28, 1983

Julian Polika, Q.C., Lorraine E. Weinrib and Peter M.

Jacobsen, for appellant, Attorney-General of Ontario

A.J. Lenczner, Q.C., and J.P. Brown, for appellants, Central Trust Company

Charles F. Scott and John B. Laskin, for appellant, Canada Deposit Insurance Corporation

A.M. Rock and C. Ian Kyer, for respondents, Andrew F.

Markle and 435713 Ontario Inc.

Warren H.O. Mueller, Q.C., for respondents, Crown Trust

Company, Greymac Trust Company and Greymac Credit Corporation

R.A. Smith, Q.C., and Douglas G. Hatch, for intervenants

63. Crown Trust Co. v. Ontario

64 O.R. (2d) 774

High Court of Justice

Henry J.

February 26, 1988

Julian Polika, Q.C., for defendants (moving parties)

Ronald E. Carr, for respondents, plaintiffs

Paul Basso, for receiver-manager, Greymac Credit Corporation

OMBUDSMAN

64. Ombudsman of Ontario and Health Disciplines Board of Ontario et. al.

26 O.R. (2d) 105; 104 D.L.R. (3d) 597

Ontario Courts of Appeal

Jessup, Weatherston and Morden, JJ.A.

July 31, 1979

R.J. Fraser, Q.C., for appellant, Health Disciplines Board

Julian Polika, Q.C., and P. Jacobsen, for appellant,

Attorney-General for Ontario

E.R. Murray, Q.C., and B.P. Goodman, for respondent

65. Ombudsman of Ontario and Health Disciplines Board of Ontario et. al.

23 O.R. (2d) 485; 95 D.L.R. (3d) 716

Ontario High Court of Justice

Divisional Court

Labrosse, J.

December 13, 1978

E.R. Murray, Q.C., and W.E. Pepall, for applicant

R.J. Fraser, Q.C., for respondent, Health Disciplines Board of Province of Ontario

Julian Polika, Q.C., for respondent, Attorney-General of

Province of Ontario

HEALTH - REGULATION OF PHARMACEUTICALS

66. **Apotex Inc. and Attorney-General for Ontario et. al.**

(1986), 54 O.R. (2d) 286; 17 O.A.C. 191

Court of Appeal

Finlayson J.A. in Chambers

April 22, 1986

Harry B. Radomski, for applicant

Julian Polika, Q.C., for respondents

67. **Apotex Inc. v. Ontario (Minister of Health)**

71 O.R. (2d) 525; 36 O.A.C. 355; 44 Admin.L.R. 130

High Court of Justice

Divisional Court

Gray J.

Heard December 12 and 22, 1989

December 28, 1989

Harry B. Radomski for appellant

Julian Polika, Q.C., for respondents

68. **Nu-Pharm Inc. v. Ontario (Minister of Health)**

46 O.A.C. 140

Ontario Divisional Court

Montgomery, J.

April 5, 1991

D.H. Jack, and Karen Crombie, for the applicant

Julian Polika, Q.C., for the respondents

69. **Genentech Canada Inc. (Re)**

44 C.P.R. (3d) 316

Patented Medicine Prices Review Board

Eastman, Chairman, Goyer, Vice-Chair, Gibbons, Mutala, and Wright, Members

August 21, 1992

John I. Laskin, for applicants

J.F. Blakney, for Patented Medicine Prices Review Board

J. Polika, Q.C., for intervener, Government of Ontario

70. **Genentech, Inc. v. Canada (Patented Medicine Prices Review Board)**

44 C.P.R. (3d) 335

Federal Court, Trial Division

Pinard, J.

September 25, 1992

J.M. Steiner and P.S. Bonner, for applicants

J.F. Blakney and S.E. Paul, for respondent, Patented Medicine Prices Review Board

J. Polika, Q.C., for respondent, Minister of Health for Province of Ontario

71. **Genentech, Inc. v. Canada (Patented Medicine Prices Review Board)**

[1992] F.C.J. No. 870

Federal Court of Canada, Trial Division

Ottawa, Ontario

Pinard, J.

Heard - September 24, 1992

Judgment - September 25, 1992

Joseph M. Steiner and Penny S. Bonner, for the applicants

Susan E. Paul and John Blakney, for the respondent, Patented Medicine Prices Review Board

Julian Polika, Q.C., for the respondent, Minister of Health for the Province of Ontario

RENT REVIEW

72. **Devitt et. al. and Sawchyn et. al.**

(1976), 12 O.R. (2d) 652; 69 D.L.R. (3d) 668

Ontario High Court of Justice

Divisional Court

Callon, R.E. Holland and Grange, JJ.

May 19, 1976

Richard J. Gathercole and Mary Eberts, for applicant tenants

Julian Polika, for respondent, Jerome Sawchyn

J.H. Dollimore, landlord, in person

73. **Carfrae Estates Ltd. and Stavert et. al.**

(1977), 13 O.R. (2d) 537

Ontario High Court of Justice

Divisional Court

Morand, Reid and Craig, JJ.

July 16, 1976

R. Hutton, for applicant

Julian Polika, for respondents

74. **W.B. Sullivan Construction Ltd. and Barker et. al.**

(1977), 14 O.R. (2d) 529

Ontario High Court of Justice

Divisional Court

O'Leary, Reid and Cory, JJ.

October 14, 1976

R.J. Arcand, for applicant, W.B. Sullivan Construction Limited

C.C. Lax, for respondents, Christine Newman, Lawson Husbands, Grace Husbands, See Yung Fong, Charles James De Clute and Robertta De Clute

Julian Polika, for respondents, John R. Barker, David D. Arthur and Gerald O'Reilly

75. **Minto Construction Ltd. et. al. and The Queen in Right of the Province of Ontario et. al.**

15 O.R. (2d) 15

Ontario High Court of Justice

Divisional Court

O'Leary, Cory and Garrett, JJ.

November 3, 1976

H. Soloway, Q.C., and M.J. O'Grady, for applicants

Julian Polika, for respondent

76. **Re Devitt et. al. and Sawchyn et. al.**

74 D.L.R. (3d) 768; 14 O.R. (2d) 135

Court of Appeal for Ontario

Brooke, Lacourciere and Blair, JJ.A.

January 12, 1977

J. Polika, Q.C., for appellant, respondent, Jerome Sawchyn

R.J. Gathercole, for Ann Devitt and the other applicants, respondents

77. **Springbank Development Ltd. and Stavert**

15 O.R. (2d) 545
Ontario High Court of Justice
Divisional Court
Weatherston, Reid and Robins, JJ.
March 23, 1977
H.J. Melnitzer, for applicant
Julian Polika, for respondent

78. Kendal-Parliament Holdings Ltd. and Residential Premises Rent Review Board et. al.
16 O.R. (2d) 191
Ontario High Court of Justice
Divisional Court
Morand, Morden and Robins, JJ.
April 20, 1977
K.H. Paul, for applicant
Julian Polika, for Residential Premises Rent Review Board

79. Grenoble Apartments (Toronto) Ltd. et. al. and Residential Premises Rent Review Board et. al.
16 O.R. (2d) 40
Ontario High Court of Justice
Divisional Court
Morand, Morden and Robins, JJ.
April 26, 1977
K.H. Saul, for applicant
Julian Polika, for respondent, the Residential Premises Rent Review Board

80. Lauzon and Henri et. al.
17 O.R. (2d) 752
Ontario High Court of Justice
Divisional Court
Krever, Robins and J. Holland, JJ.
September 21, 1977
G. Steinberg, for applicant
Julian Polika, for respondents

81. Matlavik Holdings Ltd. et. al. and Grimson et. al.
24 O.R. (2d) 92; 97 D.L.R. (3d) 522
Ontario High Court of Justice
Divisional Court
Maloney, Carruthers and Anderson, JJ.
March 16, 1979
R.N. Waterman, for applicants
Julian Polika, Q.C., for respondent, Robert Percy Grimson
No one appearing for APT Holdings Limited

82. Carfrae Estates Ltd. and Gamble et. al.
24 O.R. (2d) 113; 97 D.L.R. (3d) 162
Ontario High Court of Justice
Divisional Court
Henry, Reid and Grange, JJ.
March 27, 1979
D.K. Laidlaw, Q.C., for applicant
Julian Polika, Q.C., for respondents

83. Brigham and Residential Premises Rent Review Board
26 O.R. (2d) 31; 104 D.L.R. (3d) 755
Ontario High Court of Justice

Divisional Court
Reid, Krever and Rubins, JJ.
April 5, 1979
R. Brigham, applicant, appearing in person
Julian Polika, Q.C., for respondent

OTHER TRIBUNALS

84. Carrington's Building Centre Ltd. and Ontario Housing Corporation
(1974), 2 O.R. (2d) 434; 43 D.L.R. (3d) 178
Ontario High Court of Justice
Divisional Court
Wells, C.J.H.C., Morand and Wright, JJ.
December 14, 1973
A.J. Lenczner, for applicant
Julian Polika, for respondent

85. Armstrong Commercial Investigators of Canada Ltd. et. al. and Turner et. al.
(1976), 9 O.R. (2d) 284; 60 D.L.R. (3d) 212
Ontario High Court of Justice
Divisional Court
Wells, C.J.H.C., Zuber and Reid, JJ.
May 23, 1975
Julian Polika, for appellants
D.K. Laidlaw, Q.C., for respondents

86. City of Timmins and Ontario Municipal Board
15 O.R. (2d) 355; 75 D.L.R. (3d) 660
Ontario High Court of Justice
Divisional Court
Osler, O'Leary and Garrett, JJ.
October 6, 1976
J.L. McDougall and R.A. Riopelle, for applicant
Julian Polika, for Ontario Municipal Board

87. Thomaes and Registrar of Motor Vehicles
18 O.R. (2d) 219; 82 D.L.R. (3rd) 305
Ontario Court of Justice
Divisional Court
Lerner, Goodman and Craig, JJ.
December 22, 1977 J.K. MacKenzie, Q.C., and J.C. Benson, for applicant
Julian Polika, Q.C., for respondent

88. 237345 Products Ltd. and Registrar of Pyramid Schemes et. al.
21 O.R. (2d) 861
Ontario High Court of Justice
Grange, J.
November 2, 1978
L.T. Forbes, Q.C., for applicant
Julian Polika, Q.C., for respondents

89. Evans et. al. and Milton et. al.
24 O.R. (2d) 181; 46 C.C.C. (2d) 129
Ontario Court of Appeal
Dubin, Lacourciere and Weatherston, JJ.A.
February 6, 1979
J.L. Pinkofsky, for appellants

Julian Polika, Q.C., for respondents, Margaret Milton and H.B. Cotnam
G.H. Rust-D'Eye, for Board of Commissioners of Police of Metropolitan Toronto and Chief Harold Adamson

90. Greer and Ontario Police Commission

27 O.R. (2d) 417; 107 D.L.R. (3d) 624

Ontario High Court of Justice

Divisional Court

Henry, J.

March 6, 1980

R.G. Sparks, for applicant

Julian Polika, Q.C., for Ontario Police Commission

P.G.M. Hermiston, Q.C., for Barrie Board of Police Commissioners

91. Municipality of Metropolitan Toronto and Bremner et. al. (No. 1)

29 O.R. (2d) 531; 114 D.L.R. (3d) 224

Ontario High Court of Justice

O'Driscoll, J.

July 10, 1980

R.M. Parker and G.S. Monteith, for applicant

Julian Polika, Q.C., for respondents, Sheriff pro tempore,

Joseph Bremner

P.Y. Atkinson, for respondents, residents of Toronto Island

92. Kilmer Van Nostrand Co. Ltd. and The Queen in Right of Ontario et. al.

32 O.R. (2d) 782; 123 D.L.R. (3d) 174

Ontario High Court of Justice

Cory J.

May 21, 1981

D.R. Rothwell, for applicant, Kilmer Van Nostrand Co. Limited

Julian Polika, Q.C., for the Queen in Right of Ontario

R. Greenspan, for respondent, Scorpio Engineering (St. Catharines) Ltd.

M. Zigler, for W. Ferron et. al.

93. Re Koonar et. al. and Minister of Health et. al.

133 D.L.R. (3d) 396

Ontario High Court of Justice

Divisional Court

Van Camp, Henry and J. Holland, JJ.

January 27, 1982

P.R. Henry, for applicants

J. Polika, Q.C., for Minister of Health and Lieutenant-Governor in Council

H.W.C. Cares, for respondents, Terry Page and David Wise on behalf of themselves and for and on behalf themselves and for and on behalf of all members of the Physiotherapy Clinic Owners Ass.

94. Re Clark

(1982), 38 O.R. (2d) 427

Ontario High Court of Justice

Divisional Court

Pennell, Osler and Anderson JJ.

August 19, 1982

G.P. Kelly, for applicant, Ronald Clark

Ian G. Scott, Q.C., and D. Baker, for respd. Justin Julian Polika, Q.C., and P.M. Jacobsen, for A.G. of Ont.

95. Rolston, Humphrey & Babij v. Seaton

(1982), 39 O.R. (2d) 617; 141 D.L.R. (3d) 106

Ontario High Court of Justice

Divisional Court

Southey, Saunders and Callaghan JJ.

November 2, 1982

I.M. Thompson, for applicants

J. Polika, Q.C., for respondent

96. Feige and Governing Board of Denture Therapists

42 O.R. (2d) 776; 150 D.L.R. (3d) 381

Ontario High Court of Justice

Divisional Court

Reid, Southey and Krever JJ.

July 15, 1983

C.C. Mark, Q.C., and D.R. Byers, for appellant

D. Posluns, for respondent

Julian Polika, Q.C., for Attorney-General of Ontario

PRACTICE

97. Protter Management Ltd. v. Ontario Housing Corp.

(1975), 8 O.R. (2d) 445

Ontario High Court of Justice

Pennell, J.

April 1, 1975

Bruce C. Donald, for plaintiff

Julian Polika, for defendant

98. Lachowski and Federated Mutual Insurance Co.

29 O.R. (2d) 273; 113 D.L.R. (3d) 202

Ontario High Court of Justice

Divisional Court

Cory, J.

July 4, 1980

R.H. Raphael, for applicant

Julian Polika, Q.C., for Attorney-General

99. Smerchanski v. Lewis; Smerchanski v. Asta Securities Corp. Ltd.

30 O.R. (2d) 370; 117 D.L.R. (3d) 716

Ontario Court of Appeal

Arnup, Wilson and Weatherston JJ.A.

October 17, 1980

Julian Polika, Q.C., for Attorney-General for Ontario

J.M. Banfill, for plaintiff, respondent

BANKRUPTCY

100. Owen (Re)

69 D.L.R. (4th) 356

20 A.C.W.S. (3d) 1047

Supreme Court of Ontario in Bankruptcy

Sutherland, J.

May 4, 1990

Paul R. Basso, for plaintiffs

Julian Polika, Q.C., for defendant

COMMERCIAL

**101. M. Goodman Fruit & Vegetable Inc. v. 666448
Ontario Ltd., trading as the Original Goodman's
Wholesale Produce et. al.**

10 C.P.R. (3d) 182

Ontario High Court of Justice

O'Leary, J.

July 7, 1986

R. Scott Jolliffe and Gervas W. Wall, for plaintiff, applicant

J. Polika, Q.C., for defendants, respondents

**102. Peel Condominium Corp. No. 199 v. Sanrose
Construction (Dixie) Ltd.**

68. O.R. (2d) 513

Ontario Court of Justice

Carruthers J.

May 16, 1989

J.A. Campion, Mark H. Newman and James C. Orr for
plaintiff

John I. Laskin and Jeremy Freedman for defendants,
Sanrose Construction (Dixie) Limited, 338567 Ontario
Limited, Global Dixie Limited, Roman B. Humeniuk, Jerry
M. Humeniuk, H.U.M.E. Foundation and Barbara
Humeniuk

Julian Polika, Q.C., for defendant, Town-City Realty
Limited

103. Martin v. Artyork Investments Limited

25 O.R. (3d) 705

Ontario Court of Appeal

Lacourcière, McKinley and Abella JJ.A.

September 28, 1995

Julian Polika, Q.C., for successful appellant

Joel Richler and John A. Prestage, for respondent Mart