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On the Docket: Cases to Watch (Issue 2)

On the Docket: Cases to Watch features a collection of decisions, identified by our expert Research & Advisory team, that are important to keep top of mind as they offer significant legal insights and shape the evolving landscape of Canadian law.

This edition highlights the following cases:

- *Auer v Auer*: The Supreme Court of Canada confirmed that the Vavilov reasonableness standard applies to the review of subordinate legislation and rejected the highly deferential approach from Katz Group.
- *TransAlta Generation Partnership v Alberta*: The Supreme Court of Canada applied the reasonableness standard to the review of subordinate legislation in the context of a challenge alleging administrative discrimination.
- *R v Sullivan*: In a case several years old but worth highlighting, the Supreme Court of Canada addressed the principles of horizontal stare decisis and tightened its requirements.
- *Buduchnist Credit Union Limited v 2321197 Ontario Inc*: The Ontario Court of Appeal confirmed its broad jurisdiction to enforce court orders, including Mareva injunctions.
- *660 Sunningdale GP Inc v First Source Mortgage Corp*: The Ontario Court of Appeal examined three often confused areas of law—penalty clauses, relief from forfeiture, and unconscionability—clarifying that the law of penalty clauses applies only to clauses triggered by a breach of contract.
- *Algarawi v Berger*: The Ontario Superior Court of Justice reaffirmed the law concerning the quality assurance privilege, providing clarity on its scope and application.

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