

From: **Clay Hunter** <[CHunter@pmlaw.com](mailto:CHunter@pmlaw.com)>  
Date: Tue, Apr 28, 2020 at 12:56 PM  
Subject: RE: A-102-20 -- Air Passenger Rights v CTA  
To: Simon Lin <[simonlin@evolinklaw.com](mailto:simonlin@evolinklaw.com)>, Duport, Jean-Francois <[Jean-Francois.Duport@cas-satj.gc.ca](mailto:Jean-Francois.Duport@cas-satj.gc.ca)>  
Cc: Services Juridiques / Legal Services (OTC/CTA) <[Servicesjuridiques/LegalServicesOTC/CTA@otc-cta.gc.ca](mailto:Servicesjuridiques/LegalServicesOTC/CTA@otc-cta.gc.ca)>, Information FCA-CAF <[Information@cas-satj.gc.ca](mailto:Information@cas-satj.gc.ca)>, Allan Matte <[Allan.Matte@otc-cta.gc.ca](mailto:Allan.Matte@otc-cta.gc.ca)>, Veronica Rodericks <[VRodericks@pmlaw.com](mailto:VRodericks@pmlaw.com)>

Dear Mr. Dupont,

Further to Mr. Lin's email below and to the extent that his non-contemporaneous receipt of my client's motion record is being made an issue, I note the following:

- My attached letter came to Mr. Lin's "attention" because I sent it to Mr. Lin this afternoon along with a courtesy copy of my client's motion record;
- I received confirmation from the Court today that my client's motion record was filed with the Registry;
- My attached letter to the Court states that I will provide a courtesy copy to counsel for the parties;
- My client's motion is made on an urgent ex parte basis and there is no requirement to serve the parties;
- the Federal Courts Rules make no mention of the term contemporaneous or, for that matter, simultaneous;
- A courtesy copy of my client's motion record was provided to counsel for the parties this afternoon, following receipt of confirmation from the Registry Officer.

I trust the above dispenses with what appears to be a concern of Mr. Lin's, in so far as it is being made an issue.

Regards,

**Clay Hunter** | Partner

**Paterson MacDougall, LLP** | 1 Queen Street East | Suite 900 | Toronto, Ontario | M5C 2W5

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**From:** Simon Lin [mailto:[simonlin@evolinklaw.com](mailto:simonlin@evolinklaw.com)]

**Sent:** April 28, 2020 2:36 PM

**To:** Duport, Jean-Francois

**Cc:** Services Juridiques / Legal Services (OTC/CTA); Information FCA-CAF; Allan Matte; Clay Hunter

**Subject:** Re: A-102-20 -- Air Passenger Rights v CTA

Dear Mr. Duport,

It has come to our attention that the enclosed letter may have been filed at the Court yesterday. Unfortunately the Applicant did not receive a contemporaneous copy of the letter and enclosures as they were filed. The Applicant is reviewing the materials and will provide a letter to respond to the proposed intervener's letter as soon as possible. We expect our letter will be sent to the Court tomorrow morning.

Kind Regards,

**Simon Lin**

Barrister & Solicitor (British Columbia/Ontario), Attorney (California)



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On Wed, Apr 15, 2020 at 9:42 AM Duport, Jean-Francois <[Jean-Francois.Duport@cas-satj.gc.ca](mailto:Jean-Francois.Duport@cas-satj.gc.ca)> wrote:

Hi,

Your letter will be forwarded to the Court today.

Jean-François Duport  
Senior Registry Officer

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**From:** Services Juridiques / Legal Services (OTC/CTA) <[Servicesjuridiques/LegalServicesOTC/CTA@otc-cta.gc.ca](mailto:Servicesjuridiques/LegalServicesOTC/CTA@otc-cta.gc.ca)>  
**Sent:** April 15, 2020 12:21 PM  
**To:** Information FCA-CAF <[Information@cas-satj.gc.ca](mailto:Information@cas-satj.gc.ca)>; Duport, Jean-Francois <[Jean-Francois.Duport@cas-satj.gc.ca](mailto:Jean-Francois.Duport@cas-satj.gc.ca)>  
**Cc:** [simonlin@evolinklaw.com](mailto:simonlin@evolinklaw.com); Allan Matte <[Allan.Matte@otc-cta.gc.ca](mailto:Allan.Matte@otc-cta.gc.ca)>  
**Subject:** A-102-20 -- Air Passenger Rights v CTA

Good afternoon,

Please find attached hereto a letter to the Court on behalf of the Respondent, the Canadian Transportation Agency. Please kindly bring the attached letter to the Court's attention.

If you experience any difficulties with the transmission of this email or its attachments, please reply to the Legal Services Directorate general mailbox or contact counsel of record, Allan Matte, in this matter.

Please kindly confirm receipt.

Thank you,

**Direction des services juridiques**, Direction générale des services habilitants

Office des transports du Canada / Gouvernement du Canada

**Legal Services Directorate**, Enabling Services Branch  
Canadian Transportation Agency / Government of Canada

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