

September 2, 2022

VIA EMAIL

Judicial Administrator, Federal Court of Appeal
90 Sparks Street, 5th floor
Ottawa, Ontario K1A 0H9

Dear Madam or Sir,

RE: Air Passenger Rights v. AGC and CTA (A-102-20)

Please bring this letter to Gleason J.A.'s attention on an **urgent** basis. Her Ladyship is seized of all pre-hearing issues for this case. This is regarding the Order issued today (September 2, 2022).

In the Order of September 2, 2022, the Court ordered that the Cross-examination on Ms. Cuber's affidavit be completed by September **7**, 2022. In the parties' joint letter on August 18, 2022, we had advised the parties agreed for the cross-examination to be held on September 16, 2022 at 7AM PST / 10AM EST. The Applicant believes that the reference to September **7** may have been a clerical error, and the Court intended to refer to September **16**. If that is the case, the Applicant respectfully requests that the Court correct the Order at the Court's earliest convenience.

If the Court intended that the cross-examination be completed by September 7, 2022, the Applicant respectfully requests that this letter be considered as an informal motion to vary the deadline to September 16, 2022 for the following reasons:

1. Counsel for the Applicant has other professional obligations on September 7, 2022.
2. A court reporter has already been arranged many weeks ago for September 16, 2022.
3. It is unlikely for a court reporter to be available on such short notice, especially considering the Labour Day long weekend.

Should the Court have any directions, we would be pleased to comply.

Yours truly,
EVOLINK LAW GROUP


SIMON LIN
Barrister & Solicitor

Cc: (1) Mr. Sandy Graham and Mr. Lorne Ptack, counsel for the AGC, and (2) Mr. Kevin Shaar, counsel for the CTA