

May 18, 2023

VIA EMAIL

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

Dear Madam or Sir,

**RE: Air Passenger Rights v. Attorney General of Canada and the Canadian
Transportation Agency (A-102-20)**

We are counsel for the Applicant.

Please accept this letter as our written request under Rule 41 for a subpoena to be issued for production of documents. The Court (Gleason J.A.) granted leave for the subpoena to be issued in the Order dated April 26, 2023 at paragraph 5.

We enclose a requisition and a draft of the subpoena for the Registry's approval. Please kindly send the link for payment of the subpoena fee to simonlin@evolinklaw.com.

Please do not hesitate to contact us if further information is required.

Yours truly,
EVOLINK LAW GROUP

SIMON LIN
Barrister & Solicitor

FEDERAL COURT OF APPEAL

BETWEEN:

Air Passenger Rights

APPLICANT

AND:

The Attorney General of Canada

RESPONDENT

Canadian Transportation Agency

INTERVENER

REQUISITION

TO THE ADMINISTRATOR :

- A subpoena on behalf of the Applicant, Air Passenger Rights, a draft of which is enclosed.

May 18, 2023

Simon Lin

Signature of solicitor for Applicant

Simon Lin

Evolink Law Group

4388 Still Creek Drive, Suite 237

Burnaby, British Columbia, V5C 6C6

Tel: 604-620-2666; Email: simonlin@evolinklaw.com

FEDERAL COURT OF APPEAL

BETWEEN:

Air Passenger Rights

APPLICANT

AND:

The Attorney General of Canada

RESPONDENT

Canadian Transportation Agency

INTERVENER

SUBPOENA FOR COPIES OF DOCUMENTS

(Rule 41 of the Federal Courts Rules)

TO:

Colin Stacey

Director General, Air Policy, Transport Canada

330 Sparks Street

Ottawa, Ontario, K1A 0N5

c/o Lorne Ptack, Senior Counsel, Department of Justice (Lorne.Ptack@justice.gc.ca)

YOU ARE REQUIRED TO PRODUCE A PDF VERSION OF THE MATERIALS LISTED BELOW, FROM WHICH ALL ENCRYPTION ARE REMOVED, within **thirty (30) days** of receiving this subpoena as follows:

1. **Stacey-Jones Email:** Email sent by Mr. Colin Stacey at Transport Canada to Ms. Marcia Jones at the Canadian Transportation Agency on March 18, 2020 around 14:57, in respect of Air Transat's request that vouchers be endorsed in lieu of cash refunds, whose subject line includes "*From MinO: Air Transat.*"
2. **Millette-Hurcomb Email Exchanges:** Email exchanges between Mr. Vincent Millette at Transport Canada and Ms. Caitlin Hurcomb at the Canadian Transportation Agency in respect of Air Transat's request that vouchers be endorsed in lieu of cash refunds, between March 18-25, 2020, including but not limited to those whose subject line includes the phrase "*From MinO: Air Transat.*"
3. **TC-CTA Weekend Meeting Documents:** All non-privileged documents (i.e., meeting notes or minutes, agenda, to-do or tasking list, debrief minutes, etc.) for the meeting(s) between the personnel at the Canadian Transportation Agency and officials at Transport Canada relating to the Statement on Vouchers around the

weekend from March 20-22, 2020, including but not limited to:

- a. meeting(s) between Mr. Scott Streiner, the Canadian Transportation Agency's then Chairperson, Mr. Michael Keenan, the then Deputy Minister of Transport, and Mr. Marc Roy, the then Transport Minister's Chief of Staff; and
- b. meeting(s) between Ms. Marcia Jones, the Canadian Transportation Agency's then Chief Strategy Officer, and Mr. Lawrence Hanson, the then Assistant Deputy Minister of Transport.

ATTENDANCE MONEY for ZERO (0) days of attendance is served with this subpoena, calculated in accordance with Tariff A of the Federal Courts Rules as follows:

Attendance allowance of	\$0
Transportation allowance	\$0
Overnight accommodations and meal allowance	\$0
TOTAL	\$0

If further attendance is required, you will be entitled to additional money.

IF YOU FAIL TO PRODUCE THE DOCUMENTS AS REQUIRED BY THIS SUBPOENA, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

Date: _____

Issued by: _____
(Registry Officer)

Address of local office: 90 Sparks Street
Ottawa, ON K1A 0H9

This subpoena was issued at the request of the solicitors for the Applicant, and inquiries may be directed to:

Simon Lin
Evolink Law Group
4388 Still Creek Drive, Suite 237
Burnaby, British Columbia, V5C 6C6
Tel: 604-620-2666; Email: simonlin@evolinklaw.com