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Our File Number: LEX-500074803

January 6, 2022

Federal Court of Appeal
Judicial Administrator
Thomas D'Arcy McGee Building
90 Sparks Street, 5th Floor
Ottawa, ON K1A 0H9

Dear Sir/Madam:

Re: Air Passenger Rights v. Attorney General of Canada, Court File No. A-102-20

We are counsel for the Attorney General of Canada who was substituted as the respondent in this application by Order of Madam Justice Gleason dated June 4, 2021.

I write to request that the Court assign a judge to act as a case management judge in this proceeding pursuant to Rule 384 of the *Federal Courts Rules*. In view of the letter dated December 24, 2021 from counsel for the Canadian Transportation Agency to the Registry, it appears that there is an emerging dispute regarding compliance with this Court's Order of October 15, 2021. I suggest that the parties discuss a procedure for resolving that dispute at a case management conference to be held as soon as possible. We are available to attend such a conference on short notice.

In addition, the Court's recorded entries in this application reveal a long history of correspondence and interlocutory proceedings. Although this application was commenced in April 2020, it is still not ready for hearing almost two years later. I do not attribute responsibility for this state of affairs to any party but I do submit respectfully that case management might provide the parties with a forum to resolve their procedural disputes quickly and move this case forward expeditiously.

I have raised this request with counsel for the Applicant and counsel for the Agency. Counsel for the Applicant has advised me that he will provide his position by the end of this week and that I must not assume that his client consents to case management or to this letter. Counsel for the Agency supports the request.

Sincerely,

J. Sanderson Graham

J. Sanderson (Sandy) Graham
Senior General Counsel

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