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January 17, 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)

We are counsel for the Applicant. Please bring this letter to Gleason J.A.'s attention. Her Ladyship is seized with the Respondent's motion filed, December 14, 2021, for a ruling on privilege on two emails [**Privilege Motion**]. The Applicant wrote to the Court on December 16, 2021 indicating that the Applicant will attempt to resolve the Privilege Motion by way of a meet-and-confer.

We regret to inform the Court that the Applicant's meet-and-confer attempt was not successful. As a result, the Applicant will be providing submissions to oppose the Privilege Motion. In light of the Seasonal Recess,[1] we understand that the 30-day period for the Applicant's submissions will expire on January 31, 2022. The Applicant intends to provide the submissions before that time.

We also take this opportunity to bring to this Court's attention that on January 16, 2022 the Applicant has served a further motion, a *Show Cause Motion for Contempt of Court (pursuant to Rules 467(1) and 369.2 of the Federal Courts Rules)*. That motion has been submitted for filing along with this letter. The Applicant submits it may be most expedient that the Applicant's motion be dealt with concurrently with the Respondent's Privilege Motion.

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

Yours truly,
EVOLINK LAW GROUP
Simon Lin
SIMON LIN, Barrister & Solicitor

Encls: Applicant's *Show Cause Motion for Contempt of Court (pursuant to Rules 467(1) and 369.2 of the Federal Courts Rules)*, served January 16, 2022.

Cc: Mr. Sandy Graham and Mr. Lorne Ptack, counsel for the Attorney General of Canada, and
      Ms. Barbara Cuber, counsel for the Canadian Transportation Agency.

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[1] Rule 6(3), *Unless otherwise directed by the Court, a day that falls within the seasonal recess shall not be included in the computation of time for filing, amending, transmitting or serving a document.*