

July 29, 2022

**VIA EMAIL**

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

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R E C E I V E D	FEDERAL COURT OF APPEAL COUR D'APPEL FÉDÉRALE  29-Jul-2022	R E Ç U
Erin Livingstone		
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Dear Madam or Sir,

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

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Please bring this letter to Gleason J.A.'s attention. Her Ladyship is seized of all pre-hearing issues for this Application. The current letter is in further reply to the CTA's letter of this afternoon, which was in reply to the Applicant's letter sent earlier this morning [**CTA Reply**].

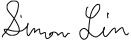
The Applicant appreciates the CTA providing clarity in the CTA Reply. However, the clarification actually serves to confirm the three serious concerns in the Applicant's letter from this morning:

1. Neither the three disclosure orders, nor the jurisprudence, would permit the CTA to unilaterally apply redactions to the Twitter and Email Materials.
2. Irrespective of a proposed (or pending) Rule 151 motion, even if the motion ultimately succeeds, it would not permit the CTA to unilaterally withhold the unredacted Twitter and Email Materials from the Applicant or its counsel.<sup>1</sup>
3. Other than the fact that the AGC would be the most appropriate party to make a Rule 151 motion, the CTA has failed to address the Applicant's concern that there is not a single shred of evidence for the Rule 151 motion. The jurisprudence is clear that such orders are **extraordinary** and must be grounded in evidence, not self-serving bald assertions.

The CTA Reply does not even attempt to address the concerns in any way, but instead obfuscates the concerns by claiming that the CTA "has every intent of providing *the Court* with an unredacted copy of the materials." 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

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<sup>1</sup> The CTA Reply confirms that the unredacted Twitter and Email Materials would be provided to the Court only, and not the Applicant or its counsel.