



Department of Justice
Canada

Ministère de la Justice
Canada

National Litigation Sector
Civil Litigation Section
50 O'Connor Street, Suite 500
Ottawa, Ontario K1A 0H8

Telephone: (613) 601-4805
Fax: (613) 954-1920
Email: Lorne.Ptack@justice.gc.ca

BY EMAIL WITH COPY TO COUNSEL

January 19, 2023

Our File Number: LEX-500074803

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

**Re: Air Passenger Rights v The Attorney General of Canada
Court File No.: A-102-20
Applicant's substitute counsel's letter of January 17 2023**

Dear Administrator:

I would be grateful if this letter were brought to the attention of the Honourable Justice Gleason at your earliest convenience.

I write in respect of the January 17, 2023 letter from Mr. Vincent Guo, who states therein that he is standing in for the Applicant's counsel. There has been no correspondence from the Applicant's lawyer Mr. Lin, regarding his absence or a change of counsel.

Further to the January 17, 2023 letter, I write to advise the Court as follows:

1. The letter inaccurately implies that consent to a request for an extension was refused. In fact the Respondent took no position in respect of the request;
2. It is the Respondent's position that the correct procedure where an extension of time is required was set out in the Court's September 2 2022 Order at para. 3:
 3. Should an amendment to the schedule be required, the party seeking the amendment may seek an order authorizing the amendment by informal motion.

It follows that the January 17, 2023 letter unnecessarily complicates a point the Court of Appeal addressed four months ago.

Canada

Should the Court of Appeal require any further submissions, Counsel for the Respondent will be pleased to make ourselves available.

Yours truly,

A handwritten signature in black ink, appearing to read "Lorne Ptack". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Lorne Ptack
Sandy Graham
Counsel for the Respondent

c.c. Vincent Guo, Counsel
Simon Lin, Counsel for the Applicant
Kevin Shaar, Counsel for the Intervener