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July 17, 2016

**VIA EMAIL**

Judicial Administrator  
Federal Court of Appeal  
Ottawa, ON K1A 0H9

Dear Madam or Sir:

**Re: Dr. Gábor Lukács v. Canadian Transportation Agency  
Federal Court of Appeal File No.: A-39-16  
Motion for an extension to respond to the Agency's motion to strike**

I am writing to ask that the Honourable Court grant me an extension until **August 25, 2016** to serve and file my responding motion record to the Agency's motion to strike the application. I am doing so by way of an informal letter in accordance with the February 16, 2016 Direction of the Court (Stratas, J.A.).

1. I am currently travelling in Europe, and will be back in Halifax only on August 23, 2016. Until that day, I will have no physical access to a Canadian law library.
2. On July 7, 2016, Mr. Allan Matte, counsel for the Agency, wrote the following to me:

Please advise how much time you require and we would be pleased to write to the Court and ask that you be granted an extension of time.

[Emphasis added.]

3. During subsequent correspondence late this week, I learned that Mr. Matte is opposed to me being granted an extension until August 25, 2016, but is willing to agree to an extension until August 15, 2016. Mr. Matte is concerned that the Court would have insufficient time to decide the Agency's motion.

4. The Agency's shift in its position is highly prejudicial to me, because:
  - (a) I relied on the July 7, 2016 representation of counsel for the Agency, and delayed responding to the Agency's motion as a result. Instead, I have focused all my efforts on preparation of materials in the expedited appeal in File No. A-242-16.
  - (b) During the last week of July and the first week of August, I am scheduled to speak at two academic conferences, and I am a session organizer at one of them. As a result, I will be unable to prepare my responding motion record in the coming weeks.
  
5. I submit that the Agency will suffer no prejudice if the sought extension is granted:
  - (a) The present application has already been perfected and is ready for hearing. The Agency is not required to take any additional procedural steps.
  - (b) A difference of ten (10) days between the deadline of August 15, 2016 (proposed by the Agency) and August 25, 2016 (sought by me) is unlikely to cause any prejudice.
  - (c) In accordance with the Order of the Court in File No. 16-A-17 (granting leave to appeal), the present application will be heard together with the appeal in File No. A-242-16. Due to the unavailability of counsel for NewLeaf, the hearing is unlikely to take place before late September 2016.
  - (d) In the unlikely event that the application would be heard before this Honourable Court can decide the Agency's motion to strike, the Agency may raise the issue of mootness at the hearing of the application.
  
6. I will suffer significant prejudice if the extension is not granted, because I will be unable to provide a full response to the Agency's motion that is based on thorough legal research. This in turn might result in the dismissal of the application.

I therefore respectfully ask that the Honourable Court grant me an extension to serve and file my responding motion record until **August 25, 2016**.

Sincerely yours,

Dr. Gábor Lukács  
Applicant

Cc: Mr. Allan Matte, counsel for the Canadian Transportation Agency