



Halifax, NS

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July 17, 2016

**VIA EMAIL: [jim.rogers@flairair.ca](mailto:jim.rogers@flairair.ca) and FAX: 250-765-8397**

Jim Rogers, President  
Flair Airlines Ltd.

Dear Mr. Rogers,

**Re: Protection of stranded passengers in the event of insolvency or default of NewLeaf  
Your statement to the Financial Post and your email of July 17, 2016**

I have been unable to reconcile the vague statements in your letter of July 14, 2016, attached to your email of today, with your statement quoted in the Financial Post (July 15, 2016):

Because NewLeaf is not technically an airline, it doesn't need to meet the 90-day funding requirement, and Flair president Jim Rogers has said his airline is not responsible for passenger protection since it is only providing the aircraft.

[Emphasis added.]

Furthermore, I have become increasingly concerned over the financial stability of NewLeaf in light of the December 19, 2015 and January 24, 2016 emails of Mr. Jim Young, CEO of NewLeaf. These communications reveal that NewLeaf seeks to operate with a shoestring budget of a fraction of what is required to meet the financial fitness requirements under the *Canada Transportation Act*.

Therefore, I respectfully reiterate my request that Flair Airlines inform the public about the answers to the following:

- Will Flair Airlines honour all tickets sold by NewLeaf in the event that NewLeaf becomes insolvent and/or defaults on its obligations to Flair?
- Will Flair Airlines buy passengers seats on other airlines if it is unable to transport them on its own flights due to the insolvency and/or default of NewLeaf?

Please be advised that should I not receive clear and unambiguous answers to these urgent questions by **5:00 pm Vancouver's Time on Monday, July 18, 2016**, I may be making an emergency motion to the Federal Court of Appeal for an interlocutory injunction imposing substantial restrictions on NewLeaf Travel Company and/or Flair Airlines.

I look forward to hearing from you.

Yours very truly,

Dr. Gábor Lukács

Cc: Mr. Chris Lapointe, Flair Airlines Ltd. (chris.lapointe@flairair.ca)  
Mr. Bill Clark, counsel for Flair Airlines Ltd. (clark@yyzlaw.com)  
Mr. Jim Young, CEO, NewLeaf (jim.young@newleafcorp.ca)  
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