



By Fax (613) 952-7226

October 28, 2014

Administrator
Federal Court of Appeal
1st Floor
90 Sparks Street
Ottawa, Ontario
K1A 0H9

Dear Madam/Sir:

**Re: Dr. Gabor Lukacs v. Canadian Transportation Agency and
British Airways PLC - Federal Court of Appeal File No.: A-366-14**

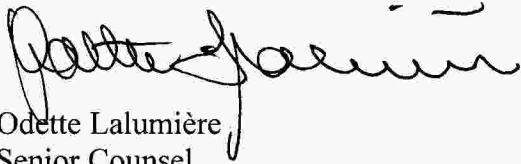
This is to advise that after reviewing the memorandum of fact and law filed by the Respondent, British Airways, the Respondent, Canadian Transportation Agency (Agency), will not be filing a memorandum of fact and law in the above-referenced matter. As a result, the Agency is withdrawing its motion for an extension to this Honourable Court to serve and file its memorandum of fact and law fifteen days after being served with the memorandum of fact and law of British Airways.

Further, the Agency is requesting that its motion be withdrawn on a without costs basis. The Agency brings this type of motion as a matter of practice when there is another respondent involved in the proceedings before the Court; however, in the past, the Agency has always proceeded on consent of the parties because all parties recognize the value in having the tribunal review the memorandum of fact and law of the other respondent in order to avoid any repetition of argument or unnecessary pleadings. In this case, the Applicant, Mr. Lukacs, unreasonably withheld his consent and instead, chose to oppose this reasonable motion for an extension. Mr. Lukacs should not be rewarded for doing so, especially now that the Agency has reviewed the other respondent's memorandum of fact and law and, as a result, has decided not to file one of its own. The Agency submits that this should be a practice to be encouraged to avoid unnecessary pleadings and the Agency should not be punished with a costs award for trying to be efficient and effective.

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I trust you will find this satisfactory.

Yours truly,



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