

**IN THE MATTER BETWEEN:**

Raymond Paul Nawrot, Kristina Marie Nawrot and Karolyn Theresa Nawrot

- and -

Sunwing Airlines Inc.

**AFFIDAVIT OF MARK WILLIAMS  
(sworn April 17, 2013)**

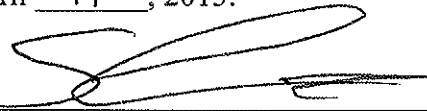
I, Mark Williams, of the Town of Oakville, in the Regional Municipality of Halton, in the Province of Ontario, MAKE OATH AND SAY:

1. I am and was, at all material times, in the employ of Sunwing Airlines Inc. ("Sunwing Airlines") as its President, and as such have knowledge of the matters hereinafter deposed.
2. I have been the President of Sunwing Airlines from its inception in 2004 and its inaugural flight on November 17, 2005 through to and including the present date.
3. Sunwing Airlines is in the business of flying its passengers to their destinations.
4. Prior to becoming aware of Mr. Nawrot's complaint, in the entire history of Sunwing Airlines I had never experienced, been made aware of, or otherwise had any knowledge of the check-in for a Sunwing Airlines' flight being closed early and prior to the deadline for check-in stipulated both in its Tariff Rules and its Terms and Conditions.
5. Based on the information provided by Sunwing Airlines' ground handling agent at London's Gatwick International Airport and as set out in my letter to Mr. Nawrot dated January 3, 2013, to my knowledge, check-in was not closed prior to 60 minutes before the scheduled departure of Flight WG201. Attached hereto and marked as Exhibit "A" to this my Affidavit is a true copy of the letter from Mark Williams to Raymond Nawrot, dated January 3, 2013.

6. In my experience, it would not make any commercial sense to close check-in for a flight prior to the 60 minute deadline for check-in, particularly where all passengers with confirmed bookings on that flight had not yet checked-in.

7. This Affidavit is sworn in response to the complaint brought by the Nawrot family to the Canadian Transportation Agency and for no other or improper purpose.

SWORN BEFORE ME at the City of  
Toronto, in the Province of Ontario, on  
April 17, 2013.



Commissioner for Taking Affidavits

STEPHEN J. WHITE



Mark Williams

This is Exhibit "A" referred to in the  
affidavit of Mark Williams sworn  
before me, this 17 day of April, 2013.

A handwritten signature in black ink, appearing to read 'Stephen J. White', written over a horizontal line.

A Commissioner for Taking Affidavits

STEPHEN J. WHITE



January 03, 2013

Raymond Nawrot  
12 Leland Avenue  
Toronto, Ontario  
M8Z 2X5

Dear Mr. Nawrot,

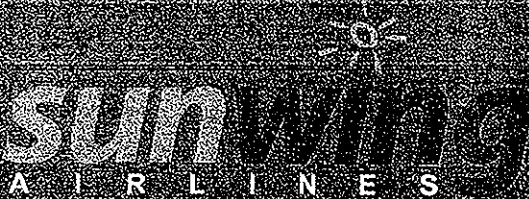
Thank you for your patience while allowing me to review your file and your concerns outlined in your letter dated December 03, 2012 with our Customer Relations Department.

It is always a great concern when our customers return from a holiday disappointed.

Please understand that we take great care in selecting the third party companies that we work with throughout the world. Our airport stations follow strict policies and procedures and the cut off time and closure of the counters is one hour prior to departure. All passengers are required to have obtained a boarding pass and to have presented themselves and all checked baggage before the 60 minutes cut off/check-in deadline.

Upon reviewing the Quality Control Manifest (a manifest of which is generated after each departure of a flight by the airport station) your booking (family) were listed as what we refer to as a NO-SHOW. This document provided by our ground handling provider in Gatwick confirms that the counter remained open until one hour prior to departure and we have not been contacted by any other party claiming that the counter was closed upon their arrival at the airport which resulted in them not travelling on the flight on August 10, 2012.

Mr. Nawrot, based on this information provided by the Gatwick Airport, we have no reason to believe that the counter was closed prior to the one hour cut off.



In speaking with Ms. Dhue, the information that you have provided does not substantiate nor support that you had presented yourself at the counter more than one hour prior and the information that we have retrieved from the Gatwick Airport does support that the airport station was following the procedures in place; hence the reason your request of the additional expenses incurred were denied.

Based on compassionate grounds, and due to the fact that your disappointment continued in the responses generated by our Customer Relations Department, Ms. Dhue offered to refund 50% of the additional expenses you incurred as a gesture of goodwill. I do feel that this is fair.

Mr. Nawrot, in closing, I hope my response is received in the intent that it is written. I am sorry that your experience this time with Sunwing was not indicative as what so many travellers experience and I hope that you do accept the refund of \$2,200.00 and allow us the opportunity again in the future to be your next travel provider.

Sincerely,

Mark Williams  
President, Sunwing Airlines  
27 Fasken Drive  
Toronto, Ontario  
M9W 1K6