

**FEDERAL COURT OF APPEAL**

**BETWEEN:**

**DR GABOR LUKACS**

Appellant

and

**CANADIAN TRANSPORTATION AGENCY and  
BRITISH AIRWAYS PLC**

Respondents

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**MOTION FOR AN EXTENSION  
REPLY OF THE RESPONDENT  
CANADIAN TRANSPORTATION AGENCY**

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1. This is the reply of the Canadian Transportation Agency (the Agency) in regards to its motion for an extension for the service and filing of its Memorandum of Fact and Law.

**PART I – STATEMENT OF FACTS**

2. The Agency adopts the statement of facts from the original motion for the extension of time.

**PART II - THE ISSUE**

3. The issue is whether this Honourable Court should grant the Agency an extension of time to file its Memorandum of Fact and Law in the within matter.

**PART III – STATEMENT OF ARGUMENTS**

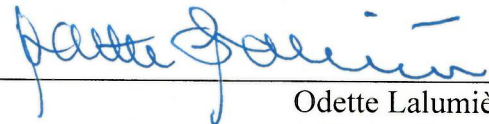
4. The Appellant is misrepresenting the purpose of the Agency's motion for an extension. The purpose is to avoid duplication or, more particularly, to avoid simply restating what the Respondent British Airways, PLC might already be arguing.
5. The decision of *Air Canada v. Canada (Canadian Transportation Agency)*, 2008 FCA 168, cited by the appellant, is irrelevant to the present motion as that decision related to a Memorandum of Fact and Law filed by the Agency in the context of an Application for Leave to Appeal.
6. Motions for extensions of time are filed as a matter of practice by the Agency when there is another respondent in a matter in order to avoid duplication of arguments.

7. There is no prejudice to the Appellant resulting from the Agency being granted an extension of time. The Agency submits that costs should not be awarded in situations where a party opposes a motion in order to be able to argue for costs.

**PART IV - ORDER SOUGHT**

8. The Agency respectfully requests that this Honourable Court grant the Agency's request for an extension of time for the service and filing of its Memorandum of Fact and Law for a period of fifteen (15) days after the service and filing of the Memorandum of Fact and Law of the Respondent, British Airways, PLC.

ALL OF WHICH IS RESPECTFULLY SUBMITTED. Dated at the City of Gatineau, in the Province of Quebec, this 21st day of October, 2014.



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Odette Lalumière  
Senior Counsel  
Canadian Transportation Agency

Court File No.: A-366-14

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