

April 28, 2020

**By E-mail: Information@fca-caf.gc.ca**

Jean-François Duport  
Senior Registry Officer  
Federal Court of Appeal  
90 Sparks Street, 5th floor  
Ottawa, Ontario  
K1A 0H9

Dear Mr. Duport:

**RE: Air Passenger Rights v. Canadian Transportation  
Agency  
Court File No. A-102-20  
Our File No. 220095**

I am counsel for the proposed intervener in this matter, the National Airlines Council of Canada.

I write further to Mr. Lin's email to you of today's date and, to the extent that his non-contemporaneous receipt of my client's motion record is being made an issue, I note the following:

- My letter to the Federal Court of Appeal dated April 27, 2020, attached to Mr. Lin's email, came to Mr. Lin's "attention" because I sent it to Mr. Lin this afternoon along with a courtesy copy of my client's motion record;
- I received confirmation from the Court today that my client's motion record was filed with the Registry;
- My April 27, 2020 letter to the Court states that I will provide a courtesy copy to counsel for the parties;
- My client's motion is made on an urgent ex parte basis and there is no requirement to serve the parties;
- The Federal Court Rules make no mention of the term contemporaneous or, for that matter, simultaneous; and

- A courtesy copy of my client's motion record was provided to counsel for the parties this afternoon, following receipt of confirmation from the Registry Officer.

I trust the above dispenses with what appears to be a concern of Mr. Lin's, in so far as it is being made an issue.

Yours truly,



Clay S. Hunter

CSH/vr

Cc Mr. Simon Lin  
Evolink Law Group  
(by email: [simonlin@evolinklaw.com](mailto:simonlin@evolinklaw.com))

Counsel for the Applicant

The Canadian Transportation Agency  
c/o Mr. Allan Matte  
(by email: [Allan.Matte@otc-cta.gc.ca](mailto:Allan.Matte@otc-cta.gc.ca))

Respondent