

From lukacs@AirPassengerRights.ca Sun Jul 24 15:16:17 2016  
Date: Sun, 24 Jul 2016 15:15:58 +0200 (CEST)  
From: Gabor Lukacs <lukacs@AirPassengerRights.ca>  
To: "Ottawa Duty Officer (Blackberry)" <Ottawa.DutyOfficer@cas-satj.gc.ca>  
Cc: Marion Parsons <mparsons@darcydeacon.com>, Allan.Matte@otc-cta.gc.ca, Brian J. Meronek <bmeronek@darcydeacon.com>, Orvel L. Currie <ocurrie@darcydeacon.com>, Jennifer S. Hanson <jhanson@darcydeacon.com>, Ian McIvor <imcivor@darcydeacon.com>  
Subject: RE: A-242-16 DR. GABOR LUKACS v. CANADIAN TRANSPORTATION AGENCY ET AL.

Dear Duty Officer,

I am writing to draw attention to s. 4(1) of the Travel Industry Act, 2002 of Ontario, which provides that:

4. (1) No person shall act or hold himself, herself or itself out as being available to act,
  - (a) as a travel agent unless the person is registered as a travel agent under this Act; or
  - (b) as a travel wholesaler unless the person is registered as a travel wholesaler under this Act. 2002, c. 30, Sched. D, s. 4 (1).

<https://www.canlii.org/en/on/laws/stat/so-2002-c-30-sch-d/latest/so-2002-c-30-sch-d.html#sec4subsec1>

Paragraph 6 of the affidavit of Mr. Young indicates that TICO considers NewLeaf a travel agent. If so, then it would appear that NewLeaf is contravening s. 4(1)(a) of the Act, unless it is registered with TICO.

On the other hand, once NewLeaf's application for registration with TICO is approved, then NewLeaf's customers will be protected in a manner that exceeds the level of protection that a performance bond could provide, and the motion for an injunction may become moot.

I would therefore respectfully ask that the Honourable Court direct NewLeaf to confirm its registration status with TICO, and the timelines for the approval of its application with TICO if it has not been approved yet as of today.

Sincerely yours,  
Dr. Gabor Lukacs

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Dr. Gabor Lukacs  
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