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December 24, 2013

VIA FAX

Judicial Administrator
Federal Court of Appeal
Ottawa, ON K1A 0H9

Dear Madam or Sir:

**Re: Gábor Lukács v. Canadian Transportation Agency
Federal Court of Appeal File No.: A-279-13
Request for further directions with respect to evidence and other matters**

I am writing to ask for further directions and clarification with respect to the Direction of the Honourable Court, dated December 23, 2013, that:

The respondent may include the disputed document in the book of authorities. The parties may address argument to the panel hearing the appeal as to what use may be made of the disputed document.

Evidence concerning the Disputed Document before the Panel

As I indicated in my letter of December 18, 2013, some of the issues in dispute with respect to the Disputed Document are of a factual nature, namely:

- (a) authorship;
- (b) date of creation; and
- (c) purpose and use in the legislative process of the *Canada Transportation Act*.

Presenting arguments on these matters requires a substantial evidentiary record, and the required evidentiary record is currently not before the Honourable Court.

I am therefore asking for further directions and clarification concerning the evidence that will form part of the record before this Honourable Court at the hearing of the appeal:

1. Will any evidence, other than what is contained in the Appeal Book, be before the Panel hearing the appeal?
2. With respect to the argument “as to what use may be made of the disputed document,” will the parties be permitted to tender evidence at the hearing of the appeal?
3. Given that:
 - (a) the issues about the Disputed Document arose after the filing of the Appeal Book; and
 - (b) I will be expected to make arguments about the Disputed Document at the hearing of the appeal,

what is the appropriate avenue for me to exercise my right to present evidence pertaining to the Disputed Document to this Honourable Court?

Missing Tabs 5 and 6 from the Agency’s Book of Authorities

The Agency’s Book of Authorities that was served upon me today is missing the contents of Tabs 5 and 6, although these items are identified in the Table of Contents. It is my understanding that the contents of Tabs 5 and 6 are also missing from the copies filed by the Agency.

I am asking that the Honourable Court direct the Agency to serve upon me and file complete copies of the Book of Authorities.

Incomplete Disputed Document

The Agency included only a single page of the Disputed Document in its Book of Authorities, notably omitting pages that contain information about the date of creation of the Disputed Document.

In light of the substantial factual disputes related to the Disputed Document, I am asking that the Honourable Court direct the Agency to file the Disputed Document in its entirety.

Sincerely yours,

Dr. Gábor Lukács

Cc: Mr. Simon-Pierre Lessard, counsel for the Canadian Transportation Agency