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January 30, 2016

**VIA EMAIL**

The Secretary  
Canadian Transportation Agency  
Ottawa, ON K1A 0N9

Dear Madam Secretary:

**Re: Request pursuant to the open court principle and/or s. 2(b) of the *Charter* to view documents relating to applications against NewLeaf  
Final request before bringing an application for judicial review**

1. On January 20, 2016, I made a request pursuant to the open court principle and/or s. 2(b) of the *Charter*:

It is my understanding that a number of persons (including corporations) have submitted applications relating to NewLeaf with the Canadian Transportation Agency.

I am requesting, pursuant to the open court principle and/or s. 2(b) of the *Charter*, that the Agency provide me with electronic copies of all public documents relating to these complaints and/or any claim for confidentiality and the decisions determining such claims.

My request was left unanswered by the Agency.

2. On January 23, 2016, I sent a follow-up email, asking for confirmation of the receipt of my request, and information as to when I may expect to receive the documents. I also advised that:

[...] the newsworthy nature of these matters creates an urgency in allowing the public to view these documents and form opinions about the Agency's functioning.

3. On January 25, 2016, the Agency acknowledged the receipt of my request, advised that a response to my request was being prepared, but provided no information as to when I may expect to receive the requested documents.
4. To this date, the Agency has not provided me with the requested documents.

I am therefore writing to make a final request, prior to making an application for judicial review, that the Agency comply with its obligations under the open court principle and s. 2(b) of the *Canadian Charter of Rights and Freedoms*, and provide me with the requested documents by **Friday, February 5, 2016**.

Please be advised that should I be required to bring an application for judicial review, I will be arguing that the Agency has been acting in bad faith and/or with malice, and will be seeking costs on a solicitor-client basis notwithstanding the fact that I am self-represented, in accordance with *Bergen v. Sharpe*, 2013 CanLII 74188.

Yours very truly,

Dr. Gábor Lukács