

From Jean-Francois.Bisson-Ross@aircanada.ca Wed Mar 2 09:34:20 2016
Date: Wed, 2 Mar 2016 13:34:07 +0000
From: Jean-Francois Bisson-Ross <Jean-Francois.Bisson-Ross@aircanada.ca>
To: secretariat <Secretariat.Secretariat@otc-cta.gc.ca>
Cc: Gabor Lukacs <lukacs@airpassengerrights.ca>, Shoghik Abrahamyan <Shoghik.Abrahamyan@aircanada.ca>, Kerianne Wilson <Kerianne.Wilson@aircanada.ca>
Subject: Re: Confidentiality and non-disclosure undertaking [Case No.: 15-05627] [I]

[The following text is in the "utf-8" character set.]
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Sent from my BlackBerry 10 smartphone on the Rogers network.
Original Message

Dear Mme Secretary ,

We are writing in response to Mr Lukacs's submission of yesterday. The Applicants have returned a modified signed Non-Disclosure Undertaking with the heading "under protest".

Air Canada is not in a position to communicate Document A-2, as the Applicants did not provide a signed Undertaking as requested by the Agency in decision LET C A 6 2016.

The Undertaking has been modified with the heading "under protest". This is in direct contradiction with an intention from the Applicants to observe the conditions contained therein.

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While the Applicants may reserve their rights to appeal decision LET C A 2016, they have in the meantime to provide an unambiguous Non Disclosure Undertaking.

The Applicants have also reserved their rights to argue before the Federal Court of Appeal that Air Canada would suffer no specific and/or direct harm from the public disclosure of the document in question. The Agency has already recognized the harm to be sustained by Air Canada should Document A2 be disclosed.

Air Canada submits that the 3 last paragraphs of the Non Disclosure Undertaking otherwise allow disclosure if required by law, which includes within the context of a successful appeal of decision LET C A 2016. The terms of the Undertaking already provide for the instances where disclosure may be allowed; ?the Applicants cannot otherwise qualify as "under protest" all its terms to express their reserve to appeal the Agency's decision.

Consequently, Air Canada kindly requests the Applicants to sign an unqualified Non Disclosure Undertaking as provided by Air Canada. In respect of decision LET C A 2016, Air Canada will then confidentially communicate Document A-2 to the Applicants,

Best regards

Jean-Francois Bisson-Ross

-----Original Message-----

From: Gabor Lukacs [mailto:lukacs@AirPassengerRights.ca]
Sent: 01 March, 2016 12:39 AM
To: Secretariat.Secretariat@otc-cta.gc.ca
Cc: Jean-Francois Bisson-Ross <Jean-Francois.Bisson-Ross@aircanada.ca>; Shoghik Abrahamyan <Shoghik.Abrahamyan@aircanada.ca>; Kerianne Wilson <Kerianne.Wilson@aircanada.ca>
Subject: Confidentiality and non-disclosure undertaking [Case No.: 15-05627]

Dear Madam Secretary,

Enclosed please find a letter on behalf of the Applicants and a signed confidentiality and non-disclosure undertaking.

Kindly please confirm receipt.

Best wishes,

Dr. Gabor Lukacs

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