

Federal Court of Appeal



Cour d'appel fédérale

Date: 20220818

Docket: A-102-20

Ottawa, Ontario, August 18, 2022

Present: GLEASON J.A.

BETWEEN:

AIR PASSENGER RIGHTS

Applicant

and

THE ATTORNEY GENERAL OF CANADA

Respondent

and

THE CANADIAN TRANSPORTATION AGENCY

Intervener

ORDER

UPON informal motion of the intervener for a confidentiality order, allowing it to redact certain information contained in the documents that the intervener was ordered to produce in paragraph 5 of this Court's July 19, 2022 Order;

AND UPON reading the submissions of the intervener and the applicant in respect of the said motion and noting that the respondent filed no submissions in respect of the motion;

AND UPON noting that the intervener has forwarded a redacted version of the said documents to the Court and the parties and an unredacted version of the said materials to the Court, but they have not been filed pending the disposition of this motion;

AND UPON determining that the it is appropriate to grant the confidentiality order sought by the intervener, pursuant to the principles outlined in *Sierra Club of Canada v. Canada (Minister of Finance)*, 2002 SCC 41, [2002] 2 S.C.R. 522, because the redactions are minimal and are necessary to protect personal or sensitive commercial information of third parties that is irrelevant to the issues in this application;

AND UPON determining that there is no need for the intervener to produce an electronic version of the documents as there is no indication that any metadata that might be embedded in them might be relevant to the issues in this application;

THIS COURT ORDERS THAT:

1. The informal motion is granted and the unredacted version of the documents that the intervener was ordered to produce in paragraph 5 of this Court's July 19, 2022 Order are to be treated as confidential under Rules 151 and 152 of the *Federal Courts Rules*, S.O.R./98-106;
2. The redacted version of the said documents may be filed on the Court's public file and the unredacted version filed confidentially; and

3. Costs of this motion are in the cause.

"Mary J.L. Gleason"

J.A.