

April 15, 2026

Court of Appeal for British Columbia
400-800 Hornby Street
Vancouver, BC V6Z 2C5



VIA EMAIL

Dear Registrar Outerbridge,

RE: Air Passenger Rights v. WestJet Airlines Ltd. et al. CA51094 – Material Inaccuracy in WestJet’s Letter on April 15, 2026

Please bring this letter to the Division that heard this appeal: Fleming; Riley; and Mayer, JJ.A.

WestJet’s letter to the Court on April 15, 2026 contains a material inaccuracy regarding the Appellant’s reply factum filed February 25, 2026.

The filing of a single 10-page reply factum was specifically authorized by Registrar Outerbridge, as confirmed in Registrar Outerbridge’s assistant’s email a copy of which is enclosed for the Court’s ease of reference.

Should the Court have any Directions, we would be pleased to comply.

Yours truly,

EVOLINK LAW GROUP

Simon Lin
SIMON LIN
Barrister & Solicitor

CC: Michael Dery and Kathryn McGoldrick, counsel for WestJet Airlines Ltd.; Eliza McCullum and Clayton Gallant, counsel for the CRT.

Re: CA51094 - AIR PASSENGER RIGHTS(A) v. WESTJET AIRLINES LTD.

Dhamrait, Kristine <Kristine.Dhamrait@bccourts.ca>

Fri, Dec 19, 2025 at 11:26 AM

To: Simon Lin <simonlin@evolinklaw.com>

Cc: "service@evolinklaw.com" <service@evolinklaw.com>, "McCullum, Eliza CRT:EX" <Eliza.McCullum@crtbc.ca>, "CRT Paralegal CRT:EX" <Paralegal@crtbc.ca>, "mdery@ahbl.ca" <mdery@ahbl.ca>, "MCGOLDRICK, Kathryn" <kmcgoldrick@ahbl.ca>, AHBL Trial Services <service@ahbl.ca>, "tyna.mason@gov.bc.ca" <tyna.mason@gov.bc.ca>

Dear counsel,

Thank you for seeking clarification.

Yes, the Court would receive one reply factum with the page limits specified below.

Thank you,

Kristine

Kristine Dhamrait

Registrar's Assistant |

Court of Appeal for British Columbia

604 660 2729 (Office) | 604 660 1951 (Fax) |
kristine.dhamrait@bccourts.ca
400 - 800 Hornby St | Vancouver, BC | V6Z 2C5 |

This message and any attachments are intended solely for the individual or entity to which the message is addressed and may contain information that is privileged, confidential or exempt from disclosure. Unauthorized distribution, copying or disclosure is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete the original message and any attachments from your inbox and your deleted items folder.

From: Simon Lin <simonlin@evolinklaw.com>**Sent:** December 19, 2025 6:32 AM**To:** Dhamrait, Kristine <Kristine.Dhamrait@BCCourts.ca>**Cc:** service@evolinklaw.com; McCullum, Eliza CRT:EX <Eliza.McCullum@crtbc.ca>; CRT Paralegal CRT:EX <Paralegal@crtbc.ca>; mdery@ahbl.ca; MCGOLDRICK, Kathryn <kmcgoldrick@ahbl.ca>; AHBL Trial Services <service@ahbl.ca>; tyna.mason@gov.bc.ca**Subject:** Re: CA51094 - AIR PASSENGER RIGHTS(A) v. WESTJET AIRLINES LTD.

Dear Ms. Dhamrait,

Thank you again for sending the Registrar's letter. We appreciate the Registrar's assistance on this appeal. Upon reviewing the letter, we noticed one point that we are hoping to receive a brief clarification on.

WestJet's proposed schedule suggested the following for February 27, 2026, referring the appellant's factums using plural:

Reply **factums** of appellant – February 27

The Registrar's letter referred the February 27, 2026 as follows, referring to the appellant's factum using singular:

February 27, 2026: Reply **factum** of the appellant;

Our understanding is that the Registrar is intending for the appellant's replies to the three response factums of the Civil Resolution Tribunal, WestJet, and Attorney General to be combined into a single reply factum to be filed on or before February 27, 2026, with the cumulative page limit not to exceed 10 pages if the Attorney General does not file a factum or 15 pages if the Attorney General files a factum.

Please kindly confirm if our understanding is correct. Thank you.

Kind Regards,
Simon Lin
Barrister & Solicitor (British Columbia/Ontario)
Attorney (California)

Evolink Law Group
237-4388 Still Creek Drive
Burnaby, B.C. V5C 6C6
T: 604-620-2666
F: 778-805-9830 (our fax number has changed as of May 12, 2023)

www.evolinklaw.com

This message is intended only for the use of the party to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. No waiver of privilege, confidence or otherwise is intended by virtue of communications via the Internet. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by replying to this e-mail and then destroying all copies. Thank you.

On Fri, Dec 19, 2025 at 05:42 Dhamrait, Kristine <Kristine.Dhamrait@bccourts.ca> wrote:

Dear counsel,

Please see attached letter sent on behalf of Registrar Outerbridge regarding the above-noted matter.

Kindly confirm receipt of this email.

Thank you,

Kristine

Kristine Dhamrait

Registrar's Assistant |

Court of Appeal for British Columbia |

604 660 2729 (Office) | 604 660 1951 (Fax) |

kristine.dhamrait@bccourts.ca

400 - 800 Hornby St | Vancouver, BC | V6Z 2C5 |

This message and any attachments are intended solely for the individual or entity to which the message is addressed and may contain information that is privileged, confidential or exempt from disclosure. Unauthorized distribution, copying or disclosure is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete the original message and any attachments from your inbox and your deleted items folder.