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September 11, 2015

**VIA EMAIL**

The Secretary  
Canadian Transportation Agency  
Ottawa, ON K1A 0N9

Dear Madam Secretary:

**Re: Dr. Gábor Lukács v. Porter Airlines**  
**Application concerning misrepresentation, application of terms and conditions not set out in the tariff, and failure to apply the tariff with respect to compensation for baggage delay / Case No.: 15-03657**  
**Request for an Extension**

The Applicant is hereby seeking an extension, pursuant to Rule 30(1) of the *Canadian Transportation Agency Rules (Dispute Proceedings and Certain Rules Applicable to All Proceedings)*, S.O.R./2014-104 ("*Dispute Rules*") to file his reply to Porter Airlines' Answer of September 3, 2015.

**I. Relief sought**

The Applicant is asking the Agency to extend his deadline for serving and filing a reply to Porter Airlines' Answer of September 3, 2015 to 10 business days after the receipt of Porter Airlines' response to the Notice of Written Questions and Production of Documents and/or the determination of any request to compel answers and productions pursuant to Rule 32 of the *Dispute Rules*, whichever is later.

**II. Summary of the facts**

On August 10, 2015, the Applicant brought the within Application against Porter Airlines. On August 13, 2015, the Agency opened pleadings. On September 3, 2015, Porter Airlines submitted its Answer as well as a 60-page affidavit (including exhibits).

The Applicant's reply is due on **September 11, 2015**.

Following the receipt of Porter Airlines' Answer, the Applicant directed a total of 30 written questions and requests for productions to Porter Airlines, pursuant to Rule 24(1) of the *Dispute Rules*. Under Rule 24, Porter Airlines is required to answer the questions and the productions by **September 18, 2015**, that is, 5 days business day after the Applicant's deadline for a reply.

The Applicant is self-represented. Since August 26, 2015, the Applicant has been involved in assisting stranded SkyGreece passengers, and expects to be unavailable until September 25, 2015 due to two Federal Court of Appeal hearings in Halifax involving the Agency, as well as the Applicant's duties as a member of a provincial adjudicative board (Assistance Appeal Board).

### **III. Arguments in support of the request**

Rule 24 of the *Dispute Rules* allows a party to direct written questions and to request production of documents from an adverse party. In the case of an applicant, Rule 24 is of practical value only after the receipt of the respondent's answer to the application, because only then can the issues in dispute be ascertained. The respondent's answers and documents disclosed under Rule 24 can assist an applicant only if the information contained in them can be incorporated into the applicant's reply.

The present extension is sought to allow the Applicant to incorporate into his reply the substantial amount of information that will likely be contained in the answers and documents that Porter Airlines will provide in response to the Notice of Written Questions and Production of Documents, dated September 10, 2015. Therefore, the extension is necessary to allow the Applicant to meaningfully exercise his rights under Rules 24 and 20.

### **IV. Documents relied on**

The Applicant relies on the following documents in support of the request, which have already been served by or on Porter Airlines and filed with the Agency:

1. Porter Airlines' Answer, dated September 3, 2015;
2. affidavit of Mr. Luis Gonzalez, sworn on September 3, 2015; and
3. Notice of Written Questions and Production of Documents directed to Porter Airlines, dated September 10, 2015.

All of which is most respectfully submitted.

Dr. Gábor Lukács  
Applicant

Cc: Mr. Orestes Pasparakis, counsel for Porter Airlines  
Mr. Rahool P. Agarwal, counsel for Porter Airlines