

**FILED / PRODUIT**

Date: April 9, 2018  
CT-2016-015

Bianca Zamor for / pour  
REGISTRAR / REGISTRARE

**PUBLIC VERSION**

CT-2016-015

OTTAWA, ONT.

#217

**THE COMPETITION TRIBUNAL**

**IN THE MATTER OF** the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

**AND IN THE MATTER OF** certain conduct of Vancouver Airport Authority relating to the supply of in-flight catering at Vancouver International Airport;

**AND IN THE MATTER OF** an application by the Commissioner of Competition for one or more orders pursuant to section 79 of the *Competition Act*.

**BETWEEN:**

**COMMISSIONER OF COMPETITION**

**Applicant**

—and—

**VANCOUVER AIRPORT AUTHORITY**

**Respondent**

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**MOTION RECORD OF VANCOUVER AIRPORT AUTHORITY**

**Volume 2 of 2**

*(Respondent's Motion for Further Productions)*

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April 9, 2018

**GOODMANS LLP**

Bay Adelaide Centre  
333 Bay Street, Suite 3400  
Toronto, ON M5H 2S7

**Calvin S. Goldman, QC**

**Michael Koch**

**Julie Rosenthal**

**Ryan Cookson**

Tel: 416.979.2211

Fax: 416.979.1234

Counsel for Vancouver Airport Authority

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CT-2016-15

**FEDERAL COURT**

**IN THE MATTER OF** the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

**AND IN THE MATTER OF** certain conduct of Vancouver Airport Authority relating to the supply of in-flight catering at Vancouver International Airport;

**AND IN THE MATTER OF** an application by the Commissioner of Competition for one or more orders pursuant to section 79 of the *Competition Act*.

**BETWEEN:**

**COMMISSIONER OF COMPETITION**

**Applicant**

**– and –**

**VANCOUVER AIRPORT AUTHORITY**

**Respondent**

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**AMENDED AFFIDAVIT OF DOCUMENTS OF THE  
COMMISSIONER OF COMPETITION  
AFFIRMED 21 MARCH 2017**

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I, **KEVIN RUSHTON**, of the Town of Carleton Place, in the Province of Ontario, solemnly affirm that:

1. I am Acting Major Case Director and Strategic Policy Advisor with the Competition Bureau. I am an authorized representative of the Commissioner of Competition (the "**Commissioner**") for the purpose of this affidavit.
2. I have participated in and overseen a review of the Commissioner's potentially relevant records and have made appropriate inquiries of others to inform myself in order to make this affidavit.
3. On 15 February 2017, the Affidavit of Documents of the Commissioner of Competition affirmed 14 February 2017 (the "**Commissioner's Affidavit**") was served on the Respondent, Vancouver Airport Authority.
4. Paragraph 7 of the Commissioner's Affidavit stated that at the time the Commissioner's Affidavit was affirmed, a confidentiality or protective order had not been put in place by the Competition Tribunal in respect of this Application, and that, as such, certain records that the Commissioner may otherwise have listed in Schedule B to the Commissioner's Affidavit were instead listed in Schedule C to the Commissioner's Affidavit. Schedule B to the Commissioner's Affidavit listed confidential but non-privileged records or records over which privilege has been waived, while Schedule C to the Commissioner's Affidavit listed confidential and privileged records.
5. Paragraph 7 of the Commissioner's Affidavit also stated that at such time as the Competition Tribunal has put in place a confidentiality order in respect of this Application, the Commissioner may provide a supplemental Affidavit of Documents that may de-list certain records

from Schedule C to the Commissioner's Affidavit and list those records in Schedule B to the Commissioner's Affidavit.

6. On 20 March 2017, the Competition Tribunal issued a confidentiality order in respect of the Application. The Commissioner has therefore elected to waive privilege for the purpose of this Application over 8,513 of the records that were listed in Schedule C to the Commissioner's Affidavit.
7. Accordingly, I have attached to this affidavit **Schedule B – AMENDED**, which contains an amended list of those relevant records that were in the Commissioner's possession, power or control that contain confidential information and for which no privilege is claimed or for which the Commissioner waives privilege for the purpose of this Application. Records highlighted in yellow in Schedule B – AMENDED were previously included in Schedule C to the Commissioner's Affidavit.
8. Certain records in Schedule B – AMENDED were previously designated as "Confidential – Level A", but have been re-designated as "Confidential – Level B". For ease of reference, these records have been highlighted in green.
9. In addition, I have attached to this affidavit **Schedule C – AMENDED**, which contains an amended list of those relevant records that were in the Commissioner's possession, power or control that contain confidential information and for which, at this time, privilege is claimed by the Commissioner, including the grounds for each such claim. For ease of reference, I have also attached **Schedule C – REDLINE**, which highlights in yellow those records that were previously included in Schedule C to the Commissioner's Affidavit but which have been

removed from Schedule C – AMENDED because such records are now listed in Schedule B – AMENDED.

**AFFIRMED BEFORE ME** at the City of Gatineau in the Province of Québec this 21<sup>st</sup> day of March 2017.

  
58143I  
A Commissioner for Taking Oaths

  
Kevin Rushton



**B**

This document is confidential and was removed from the Public Version of this Motion Record pursuant to the Confidentiality Order of Justice Gascon dated March 20, 2017.

C

Commissioner of Competition v. Vancouver Airport Authority  
 Affidavit of Documents of the Commissioner of Competition  
 Schedule C - AMENDED

Schedule C - Amended  
 THIS IS EXHIBIT TO THE  
 AFFIDAVIT OF E. Ruston

SWORN BEFORE ME THIS 21 DAY  
 OF March 20 17

L. Russell  
 COMMISSIONER FOR OATHS

In this Schedule:

"Solicitor Client" means solicitor-client privilege; the privilege attaching to records that constitute, contain, record or reflect confidential communications passing between a client, or an expert retained by or on behalf of a client, and the client's solicitors, where the communications were made in the course of obtaining or providing legal advice and the solicitors were acting in a professional capacity as solicitors

"Litigation" means litigation privilege; the privilege attaching to:  
 (i) records of any kind or description and copies thereof prepared for the purpose of asking for or receiving advice concerning pending or reasonably anticipated litigation;  
 (ii) records of any kind or description and copies thereof prepared for the purpose of obtaining or providing information or evidence to be used in pending or reasonably anticipated litigation; and  
 (iii) records of any kind or description and copies thereof prepared for the purpose of preparing for or prosecuting pending or reasonably anticipated litigation

"Public Interest" means public interest privilege; the privilege attaching to records of any kind or description and copies thereof, including records to which the confidentiality provisions of the Competition Act apply, created or obtained by the Applicant, its employees, servants, agents or solicitors, or obtained from third parties during the Applicant's investigations

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
1	Affidavit	6/25/2015	Record Received from Third Party					Third Party	Public Interest
2	Email	2/24/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
3	Email	2/24/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
4	Email	2/24/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
5	Email	2/24/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
6	Email	5/9/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
7	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
8	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
9	Agreement	1/1/1900	Record Received from Third Party					Third Party	Public Interest
10	Agreement	1/1/1900	Record Received from Third Party					Third Party	Public Interest
11	Agreement	1/1/1900	Record Received from Third Party				Third Party		Public Interest
12	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
13	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
14	Agreement	1/1/1900	Record Received from Third Party				Third Party		Public Interest
15	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
16	Email	5/7/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
17	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
18	Business Record	1/1/2014	Record Received from Third Party					Third Party	Public Interest
19	Business Record	5/7/2014	Record Received from Third Party					Third Party	Public Interest
20	Business Record	4/30/2014	Record Received from Third Party					Third Party	Public Interest
21	Business Record	4/28/2014	Record Received from Third Party					Third Party	Public Interest
22	Agreement	1/1/1900	Record Received from Third Party				Third Party		Public Interest
23	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
24	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
25	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
26	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
27	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
28	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
29	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
30	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
31	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
32	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
33	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
34	Email	5/7/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
35	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
36	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
37	Business Record	4/30/2014	Record Received from Third Party					Third Party	Public Interest
38	Business Record	4/30/2014	Record Received from Third Party					Third Party	Public Interest
39	Business Record	4/30/2014	Record Received from Third Party					Third Party	Public Interest
40	Business Record	4/30/2014	Record Received from Third Party					Third Party	Public Interest
41	Business Record	4/30/2014	Record Received from Third Party					Third Party	Public Interest
42	Business Record	4/30/2014	Record Received from Third Party					Third Party	Public Interest
43	Business Record	4/30/2014	Record Received from Third Party					Third Party	Public Interest
44	Business Record	4/30/2014	Record Received from Third Party					Third Party	Public Interest
45	Business Record	4/30/2014	Record Received from Third Party					Third Party	Public Interest
46	Letter	5/8/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
47	Email	5/27/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
48	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
49	Email	6/2/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
50	Email	6/24/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
51	Email	12/18/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
52	Letter	12/18/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
53	Email	9/16/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
54	Email	10/14/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
55	Email	12/9/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
56	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
57	Email	1/6/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
58	Email	11/6/2013	Record Received from Third Party	Third Party	Third Party				Public Interest
59	Email	11/14/2013	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
60	Email	10/27/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
61	Letter	10/16/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
62	Email	5/14/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
63	Email	7/7/2014	Record Received from Third Party	Third Party		Third Party			Public Interest
64	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
65	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
66	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
67	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
68	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
69	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
70	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
71	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
72	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
73	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
74	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
75	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
76	Email	7/7/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
77	Business Record	7/1/2014	Record Received from Third Party					Third Party	Public Interest
78	Email	7/7/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
79	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
80	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
81	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
82	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
83	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
84	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
85	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
86	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
87	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
88	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
89	Agreement	1/1/1900	Record Received from Third Party				Third Party		Public Interest
90	Agreement	1/1/1900	Record Received from Third Party				Third Party		Public Interest
91	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
92	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
93	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
94	Agreement	1/1/1900	Record Received from Third Party				Third Party		Public Interest
95	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
96	Agreement	4/1/2010	Record Received from Third Party					Third Party	Public Interest
97	Email	7/7/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
98	Business Record	8/7/2014	Record Received from Third Party					Third Party	Public Interest
99	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
100	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
101	Business Record	9/20/2013	Record Received from Third Party					Third Party	Public Interest
102	Email	7/7/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
103	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
104	Financial_Records	9/30/2013	Record Received from Third Party					Third Party	Public Interest
105	Email	7/7/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
106	Business Record	4/1/2014	Record Received from Third Party					Third Party	Public Interest
107	Email	10/14/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
108	Email	11/16/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
109	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
110	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
111	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
112	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
113	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
114	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
115	Email	11/18/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
116	Business Record	1/1/2014	Record Received from Third Party					Third Party	Public Interest
117	Business Record	1/1/2014	Record Received from Third Party					Third Party	Public Interest
118	Business Record	1/1/2014	Record Received from Third Party					Third Party	Public Interest
119	Email	11/18/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
120	Business Record	4/1/2014	Record Received from Third Party					Third Party	Public Interest
121	Business Record	11/10/2014	Record Received from Third Party					Third Party	Public Interest
122	Business Record	11/1/2014	Record Received from Third Party					Third Party	Public Interest
123	Email	11/19/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
124	Email	12/18/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
125	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
126	Email	1/23/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
127	Business Record	1/1/2013	Record Received from Third Party					Third Party	Public Interest
128	Email	4/28/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
129	Email	5/13/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
130	Email	5/14/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
131	Email	7/8/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
132	Email	7/28/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
133	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
134	Business Record	10/27/2013	Record Received from Third Party					Third Party	Public Interest
135	Business Record	6/12/2014	Record Received from Third Party					Third Party	Public Interest
136	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
137	Business Record	3/11/2014	Record Received from Third Party					Third Party	Public Interest
138	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
139	Business Record	1/1/1900	Record Received from Third Party					Third Party	Public Interest
140	Agreement	12/1/2014	Record Received from Third Party				Third Party		Public Interest
141	Email	5/6/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
142	Agreement	1/1/1900	Record Received from Third Party				Third Party		Public Interest
143	Agreement	10/27/2014	Record Received from Third Party				Third Party		Public Interest
144	Email	3/2/2015	Record Received from Third Party	Third Party		Rushton, Kevin / Competition Bureau			Public Interest
145	Letter	2/25/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
146	Agreement	4/1/2009	Record Received from Third Party				Third Party		Public Interest
147	Agreement	4/1/2014	Record Received from Third Party				Third Party		Public Interest
148	Agreement	3/1/2010	Record Received from Third Party				Third Party		Public Interest
149	Financia_Records	9/30/2013	Record Received from Third Party					Third Party	Public Interest
150	Financia_Records	9/30/2013	Record Received from Third Party					Third Party	Public Interest
151	Financia_Records	9/30/2013	Record Received from Third Party					Third Party	Public Interest
152	Financia_Records	9/30/2014	Record Received from Third Party					Third Party	Public Interest
153	Financia_Records	9/30/2014	Record Received from Third Party					Third Party	Public Interest
154	Financia_Records	9/30/2014	Record Received from Third Party					Third Party	Public Interest
155	Financia_Records	9/30/2014	Record Received from Third Party					Third Party	Public Interest
156	Email	3/7/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
157	Extracted Image	1/1/1900	Record Received from Third Party					Third Party	Public Interest
158	Email	3/7/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
159	Email	3/7/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
160	Email	3/7/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
161	Email	3/7/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
162	Business Record	2/28/2014	Record Received from Third Party					Third Party	Public Interest
163	Financia_Records	9/30/2012	Record Received from Third Party					Third Party	Public Interest
164	Financia_Records	9/30/2012	Record Received from Third Party					Third Party	Public Interest
165	Financia_Records	9/30/2012	Record Received from Third Party					Third Party	Public Interest
166	Email	9/18/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
167	Business Record	9/18/2014	Record Received from Third Party					Third Party	Public Interest
168	Email	12/13/2013	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
169	Board Document	6/20/2014	Record Received from Third Party					Third Party	Public Interest
170	Corporate_Information	6/9/2014	Record Received from Third Party					Third Party	Public Interest
171	Presentation	2/27/2015	Record Received from Third Party					Third Party	Public Interest
172	Presentation	2/27/2015	Record Received from Third Party					Third Party	Public Interest
173	Email	11/15/2013	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
174	Business Record	4/13/2012	Record Received from Third Party					Third Party	Public Interest
175	Email	2/21/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
176	Agreement	2/21/2014	Record Received from Third Party				Third Party		Public Interest
177	Email	2/6/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
178	Business Record	2/6/2014	Record Received from Third Party					Third Party	Public Interest
179	Business Record	4/7/2015	Record Received from Third Party					Third Party	Public Interest
180	Business Record	4/7/2015	Record Received from Third Party					Third Party	Public Interest
181	Business Record	5/7/2015	Record Received from Third Party					Third Party	Public Interest
182	Business Record	5/22/2015	Record Received from Third Party					Third Party	Public Interest
183	Business Record	4/2/2015	Record Received from Third Party					Third Party	Public Interest
184	Business Record	5/13/2015	Record Received from Third Party					Third Party	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
185	Business Record	5/7/2015	Record Received from Third Party					Third Party	Public Interest
186	Business Record	4/2/2015	Record Received from Third Party					Third Party	Public Interest
187	Business Record	5/19/2015	Record Received from Third Party					Third Party	Public Interest
188	Business Record	4/7/2015	Record Received from Third Party					Third Party	Public Interest
189	Business Record	3/20/2015	Record Received from Third Party					Third Party	Public Interest
190	Business Record	3/20/2015	Record Received from Third Party					Third Party	Public Interest
191	Business Record	3/20/2015	Record Received from Third Party					Third Party	Public Interest
192	Business Record	3/20/2015	Record Received from Third Party					Third Party	Public Interest
193	Business Record	3/20/2015	Record Received from Third Party					Third Party	Public Interest
194	Business Record	3/20/2015	Record Received from Third Party					Third Party	Public Interest
195	Business Record	3/20/2015	Record Received from Third Party					Third Party	Public Interest
196	Presentation	5/12/2015	Record Received from Third Party					Third Party	Public Interest
197	Business Record	3/23/2015	Record Received from Third Party					Third Party	Public Interest
198	Business Record	3/23/2015	Record Received from Third Party					Third Party	Public Interest
199	Business Record	3/23/2015	Record Received from Third Party					Third Party	Public Interest
200	Business Record	3/12/2015	Record Received from Third Party					Third Party	Public Interest
201	Business Record	3/12/2015	Record Received from Third Party					Third Party	Public Interest
202	Business Record	3/12/2015	Record Received from Third Party					Third Party	Public Interest
203	Business Record	3/12/2015	Record Received from Third Party					Third Party	Public Interest
204	Business Record	3/12/2015	Record Received from Third Party					Third Party	Public Interest
205	Business Record	3/12/2015	Record Received from Third Party					Third Party	Public Interest
206	Business Record	3/12/2015	Record Received from Third Party					Third Party	Public Interest
207	Business Record	3/20/2015	Record Received from Third Party					Third Party	Public Interest
208	Email	6/10/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
209	Business Record	3/30/2015	Record Received from Third Party					Third Party	Public Interest
210	Business Record	3/30/2015	Record Received from Third Party					Third Party	Public Interest
211	Business Record	12/30/2014	Record Received from Third Party					Third Party	Public Interest
212	Business Record	3/24/2015	Record Received from Third Party					Third Party	Public Interest
213	Business Record	3/3/2015	Record Received from Third Party					Third Party	Public Interest
214	Business Record	3/30/2015	Record Received from Third Party					Third Party	Public Interest
215	Email	6/23/2015	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau	Third Party			Public Interest
216	Letter	6/18/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
217	Email	7/1/2015	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau	Third Party			Public Interest
218	Email	6/29/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
219	Email	10/8/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
220	Email	8/31/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
221	Corporate_Information	6/9/2014	Record Received from Third Party					Third Party	Public Interest
222	Financia_Records	9/30/2014	Record Received from Third Party					Third Party	Public Interest
223	Financia_Records	9/30/2014	Record Received from Third Party					Third Party	Public Interest
224	Financia_Records	9/30/2014	Record Received from Third Party					Third Party	Public Interest
225	Financia_Records	9/30/2014	Record Received from Third Party					Third Party	Public Interest
226	Financia_Records	9/30/2015	Record Received from Third Party					Third Party	Public Interest
227	Financia_Records	9/30/2015	Record Received from Third Party					Third Party	Public Interest
228	Financia_Records	9/30/2015	Record Received from Third Party					Third Party	Public Interest
229	Financia_Records	9/30/2015	Record Received from Third Party					Third Party	Public Interest
230	Financia_Records	9/30/2015	Record Received from Third Party					Third Party	Public Interest
231	Email	6/15/2016	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau				Public Interest
232	Email	3/31/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
233	Email	6/8/2016	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau				Public Interest
234	Presentation	4/28/2016	Record Received from Third Party					Third Party	Public Interest
235	Presentation	4/8/2016	Record Received from Third Party					Third Party	Public Interest
236	Presentation	4/8/2016	Record Received from Third Party					Third Party	Public Interest



Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
237	Invoice	8/20/2016	Record Received from Third Party					Third Party	Public Interest
238	Invoice	8/20/2016	Record Received from Third Party					Third Party	Public Interest
239	Invoice	8/20/2016	Record Received from Third Party					Third Party	Public Interest
240	Invoice	8/20/2016	Record Received from Third Party					Third Party	Public Interest
241	Email	7/9/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
242	Letter		Record Received from Third Party	Third Party	Vancouver Airport Authority				Public Interest
243	Letter	7/18/2016	Record Received from Third Party	Third Party	Third Party				Public Interest
244	Business Record	4/15/2016	Record Received from Third Party					Third Party	Litigation Public Interest
245	Letter		Record Received from Third Party	Vancouver Airport Authority	Third Party				Public Interest
246	Letter		Record Received from Third Party	Third Party	Vancouver Airport Authority				Public Interest
247	Letter	12/17/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
248	Notebook	1/6/2015	Competition Bureau Record					Alexander, Beth / Competition Bureau	Public Interest
249	Notebook	3/11/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
250	Notebook	5/26/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
251	Notebook	5/28/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
252	Notebook	5/29/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
253	Notebook	6/1/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
254	Notebook	6/3/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
255	Notebook	6/4/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
256	Notebook	6/5/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
257	Notebook	6/5/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
258	Notebook	6/9/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
259	Notebook	6/16/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
260	Notebook	1/7/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
261	Notebook	1/7/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
262	Notebook	1/8/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
263	Notebook	1/9/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
264	Notebook	1/14/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
265	Notebook	2/3/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
266	Notebook	10/27/2014	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
267	Notebook	12/18/2014	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
268	Notebook	1/7/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
269	Notebook	1/30/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
270	Notebook	3/11/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
271	Notebook	5/28/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
272	Notebook	6/12/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
273	Notebook	6/16/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
274	Notebook	7/27/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
275	Notebook	7/28/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
276	Notebook	8/31/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
277	Notebook	9/8/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
278	Notebook	9/9/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
279	Notebook	10/5/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
280	Notebook	10/14/2015	Competition Bureau Record					Foster, Alicia / Competition Bureau	Public Interest
281	Notebook	10/20/2015	Competition Bureau Record					Foster, Alicia / Competition Bureau	Public Interest
282	Notebook	12/23/2015	Competition Bureau Record					Foster, Alicia / Competition Bureau	Public Interest
283	Notebook	1/22/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Public Interest
284	Notebook	4/19/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
285	Notebook	7/6/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Public Interest
286	Notebook	7/14/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
287	Notebook	8/31/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
288	Notebook	9/1/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
289	Notebook	9/1/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
290	Notebook	9/9/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
291	Notebook	9/20/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
292	Notebook	9/28/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
293	Notebook	10/5/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
294	Notebook	10/17/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
295	Notebook	10/18/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
296	Notebook	10/19/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
297	Notebook	10/25/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
298	Notebook	10/28/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
299	Notebook	11/1/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
300	Notebook	11/2/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
301	Notebook	11/3/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
302	Notebook	11/4/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
303	Notebook	11/16/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
304	Notebook	9/21/2015	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Public Interest
305	Notebook	10/20/2015	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Public Interest
306	Notebook	4/19/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
307	Notebook	4/22/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
308	Notebook	6/20/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
309	Notebook	7/6/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
310	Notebook	7/18/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
311	Notebook	8/5/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
312	Notebook	8/9/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
313	Notebook	9/1/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
314	Notebook	9/9/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
315	Notebook	9/20/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
316	Notebook	6/20/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
317	Notebook	6/22/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
318	Notebook	7/6/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
319	Notebook	7/14/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
320	Notebook	8/9/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
321	Notebook	9/1/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
322	Notebook	9/9/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
323	Notebook	10/18/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
324	Notebook	10/19/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
325	Notebook	10/28/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
326	Notebook	11/2/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
327	Notebook	11/22/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
328	Notebook	6/5/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
329	Notebook	6/9/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
330	Notebook	6/16/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
331	Notebook	11/3/2016	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Litigation Public Interest
332	Notebook	6/15/2016	Competition Bureau Record					Anderson, Alexander / Competition Bureau	Public Interest
333	Notebook	6/16/2016	Competition Bureau Record					Anderson, Alexander / Competition Bureau	Public Interest
334	Notebook	6/20/2016	Competition Bureau Record					Anderson, Alexander / Competition Bureau	Public Interest
335	Notebook	6/22/2016	Competition Bureau Record					Anderson, Alexander / Competition Bureau	Public Interest
336	Notebook	6/15/2016	Competition Bureau Record					Hefler, Jennifer / Competition Bureau	Public Interest
337	Notebook	6/16/2016	Competition Bureau Record					Hefler, Jennifer / Competition Bureau	Public Interest
338	Notebook	6/16/2016	Competition Bureau Record					Hefler, Jennifer / Competition Bureau	Public Interest
339	Notebook	6/17/2016	Competition Bureau Record					Hefler, Jennifer / Competition Bureau	Public Interest
340	Notebook	6/17/2016	Competition Bureau Record					Hefler, Jennifer / Competition Bureau	Public Interest
341	Notebook	6/20/2016	Competition Bureau Record					Hefler, Jennifer / Competition Bureau	Public Interest
342	Notebook	9/23/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Public Interest
343	Notebook	9/28/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
344	Notebook	10/18/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
345	Notebook	10/19/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
346	Notebook	10/25/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
347	Notebook	10/28/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
348	Notebook	11/1/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
349	Notebook	11/4/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
350	Notebook	11/16/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
351	Notebook	11/22/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
352	Notebook	11/28/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
353	Notebook	11/28/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
354	Notebook	11/28/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
355	Notebook	11/30/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
356	Notebook	11/30/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
357	Notebook	12/20/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
358	Notebook	11/16/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Public Interest
359	Notebook	11/22/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
360	Notebook	11/23/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
361	Notebook	11/28/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
362	Notebook	11/30/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
363	Notebook	11/30/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
364	Notebook	12/13/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
365	Notebook	12/13/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
366	Notebook	10/22/2014	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
367	Notebook	1/13/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
368	Notebook	4/7/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
369	Notebook	7/6/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
370	Notebook	7/7/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
371	Notebook	7/9/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
372	Notebook	7/14/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
373	Notebook	7/27/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
374	Notebook	8/19/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
375	Notebook	8/20/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
376	Notebook	9/21/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
377	Notebook	11/10/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
378	Notebook	1/22/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
379	Notebook	6/7/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
380	Notebook	6/20/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
381	Notebook	8/29/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
382	Notebook	9/26/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
383	Notebook	11/30/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
384	Notebook	12/2/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
385	Memorandum	12/19/2014	Competition Bureau Record	Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
386	Memorandum	12/19/2014	Competition Bureau Record	Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
387	Memorandum	7/7/2015	Competition Bureau Record	Rushton, Kevin / Competition Bureau	File / Competition Bureau				Public Interest
388	Memorandum	10/17/2014	Competition Bureau Record	Rushton, Kevin / Competition Bureau	File / Competition Bureau				Public Interest
389	Scripts	10/27/2014	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
390	Memorandum	10/28/2014	Competition Bureau Record	Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
391	Memorandum	1/7/2015	Competition Bureau Record	Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
392	Other Internal	4/19/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
393	Interview Notes	6/1/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
394	Interview Notes	6/1/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
395	Interview Notes	6/3/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
396	Interview Notes	6/4/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
397	Interview Notes	6/9/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
398	Interview Notes	6/17/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
399	Memorandum	9/8/2015	Competition Bureau Record	Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
400	Memorandum	9/9/2015	Competition Bureau Record	Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
401	Other Internal	12/18/2015	Competition Bureau Record					Competition Bureau	Public Interest
402	Excel Spreadsheet	3/29/2016	Competition Bureau Record					Competition Bureau	Litigation Public Interest
403	Memorandum	1/8/2015	Competition Bureau Record	Dennis Mercan / Competition Bureau Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
404	Interview Notes	1/8/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
405	Interview Notes	1/9/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau Neily, Alicia / Competition Bureau	Public Interest
406	Interview Notes	1/9/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
407	Interview Notes	1/9/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
408	Interview Notes	1/15/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
409	Interview Notes	1/15/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Public Interest
410	Interview Notes	1/16/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
411	Interview Notes	1/16/2015	Competition Bureau Record					Mercan, Dennis / Competition Bureau Neily, Alicia / Competition Bureau	Public Interest
412	Presentation	1/26/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
413	Memorandum	2/2/2015	Competition Bureau Record	Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
414	Interview Notes	2/3/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
415	Presentation	2/6/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
416	Interview Notes	3/13/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
417	Interview Notes	3/11/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
418	Interview Notes	3/27/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
419	Interview Notes	3/27/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
420	Presentation	4/2/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
421	Other Internal	5/22/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
422	Interview Notes	5/29/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
423	Presentation	6/1/2015	Competition Bureau Record					Competition Bureau	Public Interest
424	Interview Notes	6/4/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
425	Presentation	6/5/2015	Competition Bureau Record					Competition Bureau	Public Interest
426	Interview Notes	6/5/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
427	Presentation	6/9/2015	Competition Bureau Record					Competition Bureau	Public Interest
428	Presentation	6/9/2015	Competition Bureau Record					Competition Bureau	Public Interest
429	Presentation	6/12/2015	Competition Bureau Record					Competition Bureau	Public Interest
430	Presentation	6/15/2015	Competition Bureau Record					Competition Bureau	Public Interest
431	Interview Notes	6/15/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
432	Memorandum	6/18/2015	Competition Bureau Record	Mercan, Dennis / Competition Bureau	File / Competition Bureau				Public Interest
433	Memorandum	7/13/2015	Competition Bureau Record	Conor Yerbury / Competition Bureau Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
434	Memorandum	7/27/2015	Competition Bureau Record	Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
435	Memorandum	7/27/2015	Competition Bureau Record	Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
436	Memorandum	8/18/2015	Competition Bureau Record	Rushton, Kevin / Competition Bureau	File / Competition Bureau				Public Interest
437	Memorandum	8/19/2015	Competition Bureau Record	Rushton, Kevin / Competition Bureau	File / Competition Bureau				Public Interest
438	Memorandum	8/20/2015	Competition Bureau Record	Rushton, Kevin / Competition Bureau	File / Competition Bureau				Public Interest
439	Memorandum	8/20/2015	Competition Bureau Record	Rushton, Kevin / Competition Bureau	File / Competition Bureau				Public Interest
440	Memorandum	8/31/2015	Competition Bureau Record	Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
441	Memorandum	10/5/2015	Competition Bureau Record	Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
442	Memorandum	10/20/2015	Competition Bureau Record	Bergeron, Francis / Competition Bureau Neily, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
443	Memorandum	11/10/2015	Competition Bureau Record	Foster, Alicia / Competition Bureau	File / Competition Bureau				Public Interest
444	Interview Notes	1/28/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Public Interest
445	Scripts	1/22/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
446	Interview Notes	1/26/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Public Interest
447	Interview Notes	1/28/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Public Interest
448	Presentation	2/18/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
449	Interview Notes	4/7/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
450	Interview Notes	4/7/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau Foster, Alicia / Competition Bureau	Litigation Public Interest
451	Other Internal	4/18/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest Solicitor-Client
452	Articles	7/27/2014	Record Received from Third Party					Third Party	Litigation
453	Presentation	4/1/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
454	Memorandum	5/25/2015	Competition Bureau Record	Vancouver Airport Authority Case Team / Competition Bureau	Major Enforcement and Advocacy Committee / Competition Bureau				Public Interest
455	Excel Spreadsheet	12/10/2015	Competition Bureau Record					Bilodeau, Howard / Competition Bureau	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
456	Excel Spreadsheet	2/26/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
457	Excel Spreadsheet	2/7/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
458	Other Internal	10/23/2015	Competition Bureau Record					Competition Bureau	Public Interest
459	Memorandum	5/29/2015	Competition Bureau Record	Mercan, Dennis / Competition Bureau	File / Competition Bureau				Public Interest
460	Memorandum	6/17/2015	Competition Bureau Record	Mercan, Dennis / Competition Bureau	File / Competition Bureau				Public Interest
461	Interview Notes	5/6/2011	Competition Bureau Record					Competition Bureau	Public Interest
462	Corporate_Information	9/22/2010	Record Received from Third Party					Third Party	Public Interest
463	Financial_Records	12/30/2008	Record Received from Third Party					Third Party	Public Interest
464	Financial_Records	3/30/2010	Record Received from Third Party					Third Party	Public Interest
465	Financial_Records	6/29/2010	Record Received from Third Party					Third Party	Public Interest
466	Email	6/6/2010	Record Received from Third Party	Third Party	Third Party				Public Interest
467	Presentation	11/9/2009	Record Received from Third Party					Third Party	Public Interest
468	Presentation	12/4/2009	Record Received from Third Party					Third Party	Public Interest
469	Presentation	1/1/2010	Record Received from Third Party					Third Party	Public Interest
470	Presentation	1/29/2007	Record Received from Third Party					Third Party	Public Interest
471	Board Document	6/7/2010	Record Received from Third Party					Third Party	Public Interest
472	Affidavit	9/30/2010	Record Received from Third Party					Third Party	Public Interest
473	Form	9/30/2010	Record Received from Third Party					Third Party	Public Interest
474	Form	9/30/2010	Record Received from Third Party					Third Party	Public Interest
475	Financial_Records	12/29/2009	Record Received from Third Party					Third Party	Public Interest
476	Form	9/28/2010	Record Received from Third Party					Third Party	Public Interest
477	Letter	9/29/2010	Record Received from Third Party	Third Party	Commissioner of Competition / Competition Bureau	Third Party			Public Interest
478	Memorandum	10/7/2010	Competition Bureau Record	Gendron-O'Donnell, Alexa / Competition Bureau	File / Competition Bureau				Public Interest
479	Memorandum	10/8/2010	Competition Bureau Record	Gendron-O'Donnell, Alexa / Competition Bureau	File / Competition Bureau				Public Interest
480	Memorandum	10/8/2010	Competition Bureau Record	Gendron-O'Donnell, Alexa / Competition Bureau	File / Competition Bureau				Public Interest
481	Memorandum	10/7/2010	Competition Bureau Record	Gendron-O'Donnell, Alexa / Competition Bureau	File / Competition Bureau				Public Interest
482	Memorandum	10/12/2010	Competition Bureau Record	Gendron-O'Donnell, Alexa / Competition Bureau	File / Competition Bureau				Public Interest
483	Memorandum	10/15/2010	Competition Bureau Record	Gendron-O'Donnell, Alexa / Competition Bureau	File / Competition Bureau				Public Interest
484	Memorandum	10/6/2010	Competition Bureau Record	Gendron-O'Donnell, Alexa / Competition Bureau	File / Competition Bureau				Public Interest
485	Email	10/25/2010	Competition Bureau Record	Gendron-O'Donnell, Alexa / Competition Bureau	Wallwork, Ann / Competition Bureau	Millette, Vincent / Competition Bureau			Public Interest
486	Agreement	9/15/2010	Record Received from Third Party					Third Party	Public Interest
487	Agreement	9/15/2010	Record Received from Third Party					Third Party	Public Interest
488	Financial_Records	6/17/2010	Record Received from Third Party					Third Party	Public Interest
489	Financial_Records	9/23/2010	Record Received from Third Party					Third Party	Public Interest
490	Presentation	9/27/2010	Record Received from Third Party					Third Party	Public Interest
491	Business Record	6/1/2010	Record Received from Third Party					Third Party	Public Interest
492	Board Document	6/21/2010	Record Received from Third Party					Third Party	Public Interest
493	Board Document	6/22/2010	Record Received from Third Party					Third Party	Public Interest
494	Board Document	8/9/2010	Record Received from Third Party					Third Party	Public Interest
495	Board Document	9/14/2010	Record Received from Third Party					Third Party	Public Interest
496	Agreement	9/30/2010	Record Received from Third Party					Third Party	Public Interest
497	Presentation	4/1/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
498	Expert Document	5/13/2016	Record Received from Third Party					Third Party	Litigation Public Interest
499	Other External	5/13/2016	Record Received from Third Party					Third Party	Litigation Public Interest
500	Other External	10/3/2014	Record Received from Third Party					Third Party	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
501	Affidavit	10/3/2014	Record Received from Third Party					Third Party	Public Interest
502	Affidavit	10/3/2014	Record Received from Third Party					Third Party	Public Interest
503	Affidavit	10/3/2014	Record Received from Third Party					Third Party	Public Interest
504	Affidavit	10/3/2014	Record Received from Third Party					Third Party	Public Interest
505	Affidavit	10/3/2014	Record Received from Third Party					Third Party	Public Interest
506	Affidavit	10/3/2014	Record Received from Third Party					Third Party	Public Interest
507	Memorandum	10/16/2014	Competition Bureau Record	Kellison, Matthew / Competition Bureau	Taylor, Richard / Competition Bureau				Public Interest
508	Other External	10/3/2014	Record Received from Third Party					Third Party	Public Interest
509	Email		Record Received from Third Party	Third Party	Vancouver Airport Authority	Vancouver Airport Authority			Public Interest
510	Email	1/8/2015	Record Received from Third Party	Third Party	Neily, Alicia / Competition Bureau				Public Interest
511	Email	8/4/2015	Record Received from Third Party	Third Party	Neily, Alicia / Competition Bureau				Public Interest
512	Email	9/28/2015	Record Received from Third Party	Third Party	Neily, Alicia / Competition Bureau				Public Interest
513	Email	12/12/2015	Record Received from Third Party	Third Party	Horn, Michael / Competition Bureau Legal Services	Di Domenico, Antonio / Competition Bureau Legal Services Rushton, Kevin / Competition Bureau			Public Interest
514	Email	6/12/2015	Record Received from Third Party	Third Party	Neily, Alicia / Competition Bureau				Public Interest
515	Extracted Image	6/3/2015	Record Received from Third Party					Third Party	Public Interest
516	Memorandum	10/17/2014	Competition Bureau Record	Kellison, Matthew / Competition Bureau	Taylor, Richard / Competition Bureau				Public Interest
517	Email	10/3/2014	Competition Bureau Record	Kellison, Matthew / Competition Bureau	Rushton, Kevin / Competition Bureau				Public Interest
518	Email		Record Received from Third Party	Vancouver Airport Authority	Third Party				Public Interest
519	Email	1/19/2015	Record Received from Third Party	Third Party	Horn, Michael / Competition Bureau Legal Services				Public Interest
520	Email	2/4/2015	Record Received from Third Party	Third Party	Third Party Horn, Michael / Competition Bureau Legal Services	Di Domenico, Antonio / Competition Bureau Legal Services Third Party			Public Interest
521	Email	5/29/2015	Record Received from Third Party	Third Party	Neily, Alicia / Competition Bureau	Third Party			Public Interest
522	Email	6/29/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
523	Extracted Image	6/26/2015	Record Received from Third Party					Third Party	Public Interest
524	Email	10/8/2015	Record Received from Third Party	Third Party		Third Party			Public Interest
525	Reports	2/11/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
526	Presentation	2/17/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
527	Reports	2/18/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
528	Presentation	4/1/2016	Competition Bureau Record					Competition Bureau	Litigation Public Interest
529	Memorandum	3/26/2014	Competition Bureau Record	Harrington, Jason / Competition Bureau Legal Services	Taylor, Richard / Competition Bureau	Department of Justice / Ministère de la Justice Enforcement and Policy Committee Public Prosecution Service of Canada	Rhona Einbinder-Miller / Competition Bureau Legal Services		Public Interest Solicitor Client
530	Email	6/8/2016	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau				Public Interest
531	Email	6/15/2016	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau				Public Interest
532	Memorandum	7/14/2016	Competition Bureau Record	Garneau, Josianne / Competition Bureau	File / Competition Bureau				Litigation Public Interest
533	Memorandum	10/26/2010	Competition Bureau Record	Gendron-O'Donnell, Alexa / Competition Bureau	Wallwork, Ann / Competition Bureau				Public Interest
534	Email	3/2/2015	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau				Public Interest
535	Email	9/18/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
536	Email	12/13/2013	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
537	Email	3/7/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
538	Email	3/7/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
539	Email	3/7/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
540	Email	3/7/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
541	Email	3/7/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
542	Agreement	6/22/2013	Record Received from Third Party					Third Party	Public Interest
543	Agreement	2/15/2010	Record Received from Third Party					Third Party	Public Interest
544	Agreement	6/1/2011	Record Received from Third Party					Third Party	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
545	Email	4/2/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
546	Agreement	5/15/2008	Record Received from Third Party				Third Party		Public Interest
547	Email	6/10/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
548	Email	6/23/2015	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau	Third Party			Public Interest
549	Affidavit	6/25/2015	Record Received from Third Party					Third Party	Public Interest
550	Email	7/1/2015	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau	Third Party			Public Interest
551	Email	8/31/2016	Record Received from Third Party	Third Party	Third Party				Public Interest
552	Interview Notes	5/28/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
553	Interview Notes	6/3/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
554	Interview Notes	6/5/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
555	Interview Notes	6/12/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
556	Email	6/15/2015	Competition Bureau Record	Neily, Alicia / Competition Bureau	Rushton, Kevin / Competition Bureau				Public Interest
557	Affidavit	11/27/2015	Record Received from Third Party					Third Party	Public Interest
558	Letter	11/12/2015	Record Received from Third Party	Third Party	Di Domenico, Antonio / Competition Bureau Legal Services Horn, Michael / Competition Bureau Legal Services				Public Interest
559	Presentation	2/16/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
560	Memorandum	4/28/2016	Competition Bureau Record	Vancouver Airport Authority Case Team / Competition Bureau	Major Enforcement and Advocacy Committee / Competition Bureau				Litigation Public Interest
561	Memorandum	10/15/2014	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
562	Interview Notes	1/7/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
563	Interview Notes	1/8/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
564	Interview Notes	3/11/2015	Competition Bureau Record					Neily, Alicia / Competition Bureau	Public Interest
565	Presentation	3/30/2015	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
566	Email	4/8/2015	Competition Bureau Record	Neily, Alicia / Competition Bureau	Rushton, Kevin / Competition Bureau	Mercan, Dennis / Competition Bureau			Public Interest
567	Email	6/2/2015	Competition Bureau Record	Rushton, Kevin / Competition Bureau	Neily, Alicia / Competition Bureau				Public Interest
568	Presentation	6/5/2015	Competition Bureau Record					Competition Bureau	Public Interest
569	Email	7/6/2015	Competition Bureau Record	Brazeau, Julien / Competition Bureau	Joly, Brigitte / Competition Bureau Margison, Christopher / Competition Bureau	Durocher, Anthony / Competition Bureau Gendron-O'Donnell, Alexa / Competition Bureau Neily, Alicia / Competition Bureau Pratt, Jeanne / Competition Bureau Rushton, Kevin / Competition Bureau			Public Interest
570	Letter	10/6/2015	Record Received from Third Party	Third Party	Competition Bureau				Public Interest
571	Email	8/10/2015	Record Received from Third Party	Third Party	Neily, Alicia / Competition Bureau	Third Party Rushton, Kevin / Competition Bureau			Public Interest
572	Other Internal	8/25/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
573	Email	8/18/2016	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau	Charania, Majid / Competition Bureau Legal Services Di Domenico, Antonio / Competition Bureau Bureau Legal Services			Public Interest
574	Email		Record Received from Third Party	Vancouver Airport Authority	Third Party Vancouver Airport Authority				Public Interest
575	Other Internal	8/24/2016	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Litigation Public Interest
576	Other Internal	8/17/2016	Competition Bureau Record					Mercan, Dennis / Competition Bureau	Litigation Public Interest
577	Other Internal	9/16/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
578	Articles	1/1/2015	Record Received from Third Party					Third Party	Litigation
579	Other Internal	8/25/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
580	Other Internal	9/6/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
581	Other Internal	9/6/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Public Interest
582	Other Internal	8/5/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
583	Other Internal	9/23/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest



Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
584	Other Internal	7/26/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
585	Other Internal	7/26/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
586	Other Internal	9/27/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
587	Other Internal	9/12/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
588	Other Internal	9/12/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
589	Email	6/28/2016	Competition Bureau Record	Hefler, Jennifer / Competition Bureau	Rushton, Kevin / Competition Bureau	Anderson, Alexander / Competition Bureau Fisher, Melissa / Competition Bureau			Public Interest
590	Email	6/21/2016	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau				Public Interest
591	Corporate_Information	6/17/2016	Record Received from Third Party					Third Party	Public Interest
592	Other Internal	9/27/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
593	Other Internal	9/27/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
594	Other Internal	9/16/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
595	Other Internal	9/26/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
596	Other Internal	9/26/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
597	Other Internal	9/19/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
598	Other Internal	10/6/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
599	Other Internal	9/16/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
600	Other Internal	9/16/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
601	Other Internal	9/16/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest Solicitor Client
602	Other Internal	9/16/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Public Interest
603	Other Internal	9/16/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
604	Other Internal	9/14/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest Solicitor Client
605	Other Internal	9/13/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
606	Other Internal	9/23/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest Solicitor Client
607	Other Internal	8/26/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
608	Other Internal	9/26/2016	Competition Bureau Record					Bildstein, Taylor / Competition Bureau	Litigation Public Interest
609	Email	8/30/2016	Record Received from Third Party	Third Party	Charania, Majid / Competition Bureau Legal Services Di Domenico, Antonio / Competition Bureau Bureau Legal Services				Litigation Public Interest
610	Other Internal	6/15/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Public Interest
611	Other Internal	6/27/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
612	Other Internal	9/14/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest Solicitor Client
613	Email	7/6/2016	Competition Bureau Record	Charania, Majid / Competition Bureau Legal Services	Di Domenico, Antonio / Competition Bureau Bureau Legal Services				Public Interest
614	Other Internal	7/14/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
615	Other Internal	7/13/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
616	Other Internal	8/18/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
617	Email	7/5/2016	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau				Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
618	Other Internal	8/1/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
619	Interview Notes	7/18/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
620	Interview Notes	10/24/2016	Competition Bureau Record					Francis Bergeron / Competition Bureau	Litigation Public Interest
621	Interview Notes	11/3/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
622	Interview Notes	8/9/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
623	Interview Notes	6/29/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Public Interest
624	Interview Notes	6/20/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
625	Interview Notes	10/31/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
626	Interview Notes	5/31/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
627	Memorandum	10/5/2016	Competition Bureau Record	Foster, Alicia / Competition Bureau	File / Competition Bureau				Litigation Public Interest
628	Interview Notes	11/2/2016	Competition Bureau Record					Francis Bergeron / Competition Bureau	Litigation Public Interest
629	Memorandum	6/13/2016	Competition Bureau Record	Rushton, Kevin / Competition Bureau	File / Competition Bureau				Public Interest
630	Memorandum	7/6/2016	Competition Bureau Record	Bergeron, Francis / Competition Bureau	File / Competition Bureau				Litigation Public Interest
631	Interview Notes	9/23/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
632	Other Internal	6/16/2016	Competition Bureau Record					Anderson, Alexander / Competition Bureau	Public Interest
633	Memorandum	6/20/2016	Competition Bureau Record	Anderson, Alexander / Competition Bureau	Fisher, Melissa / Competition Bureau				Public Interest
634	Memorandum	6/20/2016	Competition Bureau Record	Anderson, Alexander / Competition Bureau	Fisher, Melissa / Competition Bureau				Public Interest
635	Memorandum	6/20/2016	Competition Bureau Record	Anderson, Alexander / Competition Bureau	Fisher, Melissa / Competition Bureau				Public Interest
636	Memorandum	6/22/2016	Competition Bureau Record	Anderson, Alexander / Competition Bureau	Fisher, Melissa / Competition Bureau				Public Interest
637	Memorandum	6/24/2016	Competition Bureau Record	Anderson, Alexander / Competition Bureau	Fisher, Melissa / Competition Bureau				Public Interest
638	Memorandum	6/27/2016	Competition Bureau Record	Anderson, Alexander / Competition Bureau	Fisher, Melissa / Competition Bureau				Public Interest
639	Memorandum	6/20/2016	Competition Bureau Record	Anderson, Alexander / Competition Bureau	Fisher, Melissa / Competition Bureau				Public Interest
640	Other Internal	6/13/2016	Competition Bureau Record					Anderson, Alexander / Competition Bureau	Public Interest
641	Letter	6/8/2016	Record Received from Third Party	Third Party	Commissioner of Competition / Competition Bureau	Third Party			Public Interest
642	Memorandum	6/27/2016	Competition Bureau Record	Anderson, Alexander / Competition Bureau	Fisher, Melissa / Competition Bureau				Public Interest
643	Interview Notes	6/17/2016	Competition Bureau Record					Anderson, Alexander / Competition Bureau	Public Interest
644	Interview Notes	6/17/2016	Competition Bureau Record					Anderson, Alexander / Competition Bureau	Public Interest
645	Email	6/23/2016	Record Received from Third Party	Third Party	Third Party Hefler, Jennifer / Competition Bureau	Anderson, Alexander / Competition Bureau Third Party			Public Interest
646	Letter	6/8/2015	Record Received from Third Party	Third Party	Commissioner of Competition / Competition Bureau	Third Party			Public Interest
647	Other Internal	12/16/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
648	Other Internal	12/16/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
649	Business Record	2/25/2013	Record Received from Third Party					Third Party	Public Interest
650	Email	11/18/2016	Record Received from Third Party	Third Party	Third Party Rushton, Kevin / Competition Bureau	Third Party			Public Interest
651	Other External	11/18/2016	Record Received from Third Party					Third Party	Public Interest
652	Invoice	10/21/2016	Record Received from Third Party					Third Party	Public Interest
653	Invoice	11/1/2016	Record Received from Third Party					Third Party	Public Interest
654	Invoice	9/14/2016	Record Received from Third Party					Third Party	Public Interest
655	Invoice	10/1/2016	Record Received from Third Party					Third Party	Public Interest
656	Letter		Record Received from Third Party	Third Party	Vancouver Airport Authority				Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
657	Articles	1/1/1986	Record Received from Third Party					Third Party	Litigation
658	Other Internal	11/9/2016	Competition Bureau Record					Soulière, André / Competition Bureau	Litigation Public Interest
659	Other Internal	11/7/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
660	Other Internal	11/7/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
661	Other Internal	11/7/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
662	Other Internal	11/7/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
663	Other Internal	11/7/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
664	Other Internal	11/7/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
665	Other Internal	11/7/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
666	Other Internal	11/7/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
667	Other Internal	11/7/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
668	Other Internal	11/7/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
669	Other Internal	11/1/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
670	Other Internal	11/1/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
671	Other Internal	11/1/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
672	Email	4/7/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
673	Email	6/6/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
674	Email	9/4/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
675	Email	4/28/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
676	Email	10/26/2016	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau	Third Party Hood, Jonathan / Competition Bureau Legal Services			Public Interest
677	Email	10/31/2016	Record Received from Third Party	Third Party	Caron, Ryan / Competition Bureau Legal Services Hood, Jonathan / Competition Bureau Legal Services Rushton, Kevin / Competition Bureau Rydel, Katherine / Competition Bureau Legal Services				Public Interest
678	Email	10/26/2016	Record Received from Third Party	Third Party	Caron, Ryan / Competition Bureau Legal Services Hood, Jonathan / Competition Bureau Legal Services Rushton, Kevin / Competition Bureau Rydel, Katherine / Competition Bureau Legal Services				Public Interest
679	Other Internal	10/28/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
680	Other Internal	10/28/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
681	Other Internal	10/28/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
682	Email	10/5/2016	Record Received from Third Party	Third Party	Caron, Ryan / Competition Bureau Legal Services Di Domenico, Antonio / Competition Bureau Legal Services Rushton, Kevin / Competition Bureau Rydel, Katherine / Competition Bureau Legal Services				Litigation Public Interest
683	Other External	10/5/2016	Record Received from Third Party					Third Party	Litigation Public Interest
684	Memorandum	6/6/2016	Competition Bureau Record	Bergeron, Francis / Competition Bureau	File / Competition Bureau				Litigation Public Interest
685	Memorandum	6/7/2016	Competition Bureau Record	Bergeron, Francis / Competition Bureau	File / Competition Bureau				Litigation Public Interest
686	Interview Notes	6/20/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
687	Interview Notes	6/20/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau Foster, Alicia / Competition Bureau	Litigation Public Interest
688	Other Internal	7/26/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
689	Interview Notes	7/18/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau Foster, Alicia / Competition Bureau	Litigation Public Interest
690	Interview Notes	8/9/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau Foster, Alicia / Competition Bureau	Litigation Public Interest
691	Interview Notes	11/1/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau Foster, Alicia / Competition Bureau	Litigation Public Interest
692	Interview Notes	11/3/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
693	Interview Notes	11/7/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
694	Interview Notes	11/14/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau Foster, Alicia / Competition Bureau	Litigation Public Interest
695	Interview Notes	11/22/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
696	Interview Notes	11/22/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau Foster, Alicia / Competition Bureau	Litigation Public Interest
697	Other Internal	11/23/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
698	Interview Notes	11/24/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
699	Interview Notes	11/30/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
700	Interview Notes	11/28/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
701	Interview Notes	6/22/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
702	Interview Notes	6/22/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
703	Memorandum	4/29/2016	Competition Bureau Record	Bergeron, Francis / Competition Bureau	File / Competition Bureau				Litigation Public Interest
704	Memorandum	4/29/2016	Competition Bureau Record	Bergeron, Francis / Competition Bureau	File / Competition Bureau				Litigation Public Interest
705	Memorandum	6/7/2016	Competition Bureau Record	Bergeron, Francis / Competition Bureau	File / Competition Bureau				Public Interest
706	Memorandum	6/27/2016	Competition Bureau Record	Garneau, Josianne / Competition Bureau	File / Competition Bureau				Litigation Public Interest
707	Other Internal	8/16/2016	Competition Bureau Record					Kingston, Brianne / Competition Bureau	Litigation Public Interest
708	Other Internal	8/23/2016	Competition Bureau Record					Kingston, Brianne / Competition Bureau	Litigation Public Interest
709	Other Internal	8/24/2016	Competition Bureau Record					Kingston, Brianne / Competition Bureau	Litigation Public Interest
710	Other Internal	11/14/2016	Competition Bureau Record					Lamoureux, Alex / Competition Bureau	Litigation Public Interest
711	Other Internal	9/28/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
712	Other Internal	9/29/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
713	Memorandum	9/19/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
714	Other Internal	9/21/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest Solicitor Client
715	Other Internal	10/6/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
716	Memorandum	10/19/2016	Competition Bureau Record	Foster, Alicia / Competition Bureau	File / Competition Bureau				Litigation Public Interest
717	Memorandum	10/19/2016	Competition Bureau Record	Foster, Alicia / Competition Bureau	File / Competition Bureau				Litigation Public Interest
718	Interview Notes	10/24/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau Foster, Alicia / Competition Bureau	Litigation Public Interest
719	Other Internal	11/16/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
720	Memorandum	12/1/2016	Competition Bureau Record	Bergeron, Francis / Competition Bureau	File / Competition Bureau				Litigation Public Interest
721	Interview Notes	12/2/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
722	Interview Notes	12/13/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
723	Other Internal	10/18/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Public Interest
724	Other Internal	10/17/2016	Competition Bureau Record					Foster, Alicia / Competition Bureau	Litigation Public Interest
725	Expert Document	12/8/2016	Record Received from Third Party					Third Party	Litigation Public Interest
726	Other Internal	12/30/2016	Competition Bureau Record					Parson, Conor / Competition Bureau	Litigation Public Interest
727	Other Internal	5/16/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
728	Business Record	11/6/2014	Record Received from Third Party					Third Party	Public Interest
729	Business Record	11/6/2014	Record Received from Third Party					Third Party	Public Interest
730	Business Record	7/7/2014	Record Received from Third Party					Third Party	Public Interest
731	Email	7/8/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
732	Presentation	5/30/2016	Record Received from Third Party					Third Party	Public Interest
733	Business Record	7/7/2014	Record Received from Third Party					Third Party	Public Interest
734	Business Record	5/10/2016	Record Received from Third Party					Third Party	Public Interest
735	Business Record	11/10/2014	Record Received from Third Party					Third Party	Public Interest
736	Other Internal	12/14/2016	Competition Bureau Record					Bergeron, Francis / Competition Bureau	Litigation Public Interest
737	Reports	10/6/2011	Competition Bureau Record					Competition Bureau	Public Interest
738	Other Internal	12/16/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
739	Other Internal	12/16/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
740	Other Internal	12/30/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
741	Other Internal	12/8/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
742	Other Internal	12/12/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
743	Other Internal	12/12/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
744	Other Internal	12/12/2016	Competition Bureau Record					Rushton, Kevin / Competition Bureau	Litigation Public Interest
745	Letter	11/23/2015	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau				Public Interest
746	Affidavit	11/27/2015	Record Received from Third Party					Third Party	Public Interest
747	Email		Record Received from Third Party	Third Party	Third Party	Vancouver Airport Authority			Public Interest
748	Email	10/6/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
749	Letter		Record Received from Third Party	Vancouver Airport Authority	Third Party				Public Interest
750	Email	9/23/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
751	Business Record		Record Received from Third Party					Vancouver Airport Authority	Public Interest
752	Email	11/6/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
753	Business Record	8/12/2014	Record Received from Third Party					Third Party	Public Interest
754	Email	7/14/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
755	Letter	7/14/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
756	Business Record	6/1/2015	Record Received from Third Party	Third Party					Public Interest
757	Email	6/12/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
758	Email	9/2/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
759	Email		Record Received from Third Party	Vancouver Airport Authority	Third Party				Public Interest
760	Email	9/28/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
761	Email	8/21/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
762	Email		Record Received from Third Party	Vancouver Airport Authority	Third Party	Vancouver Airport Authority			Public Interest
763	Email	10/8/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
764	Email	2/3/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
765	Email	6/3/2015	Record Received from Third Party	Third Party	Third Party				Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
766	Email	5/26/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
767	Email	9/4/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
768	Email	4/23/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
769	Email	7/12/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
770	Email	6/13/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
771	Email	6/19/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
772	Email	10/5/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
773	Letter	10/5/2015	Record Received from Third Party					Third Party	Public Interest
774	Email	6/18/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
775	Email	6/27/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
776	Business Record	6/1/2014	Record Received from Third Party					Third Party	Public Interest
777	Email	5/2/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
778	Email	7/4/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
779	Email	7/14/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
780	Email	7/10/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
781	Email	6/9/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
782	Business Record	5/14/2014	Record Received from Third Party					Third Party	Public Interest
783	Email	4/28/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
784	Email	4/17/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
785	Business Record	3/5/2014	Record Received from Third Party					Third Party	Public Interest
786	Email	5/29/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
787	Business Record	5/21/2014	Record Received from Third Party					Third Party	Public Interest
788	Business Record	5/21/2014	Record Received from Third Party					Third Party	Public Interest
789	Email	4/8/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
790	Email	4/16/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
791	Letter	4/7/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
792	Letter	4/7/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
793	Email	3/27/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
794	Letter	3/27/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
795	Business Record	1/1/2014	Record Received from Third Party					Third Party	Public Interest
796	Business Record	4/21/2014	Record Received from Third Party					Third Party	Public Interest
797	Email	5/7/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
798	Business Record	5/12/2014	Record Received from Third Party					Third Party	Public Interest
799	Email	11/27/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
800	Agreement	12/1/2014	Record Received from Third Party					Third Party	Public Interest
801	Email	5/9/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
802	Business Record	5/12/2014	Record Received from Third Party					Third Party	Public Interest
803	Letter	10/29/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
804	Business Record	5/12/2014	Record Received from Third Party					Third Party	Public Interest
805	Business_Plans	5/12/2014	Record Received from Third Party					Third Party	Public Interest
806	Email	4/7/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
807	Email	3/31/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
808	Email	4/24/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
809	Email	7/4/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
810	Email	5/6/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
811	Email	4/18/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
812	Email	4/2/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
813	Email	4/3/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
814	Email	6/26/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
815	Email	4/7/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
816	Email	4/7/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
817	Email	11/24/2014	Record Received from Third Party	Third Party	Third Party				Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
818	Email	10/29/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
819	Letter	10/29/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
820	Email	4/23/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
821	Business Record	4/23/2014	Record Received from Third Party					Third Party	Public Interest
822	Email	4/7/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
823	Email	3/3/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
824	Business Record	5/1/2012	Record Received from Third Party					Third Party	Public Interest
825	Business Record	3/1/2014	Record Received from Third Party					Third Party	Public Interest
826	Business Record	3/1/2014	Record Received from Third Party					Third Party	Public Interest
827	Business Record	3/1/2014	Record Received from Third Party					Third Party	Public Interest
828	Business Record	3/1/2014	Record Received from Third Party					Third Party	Public Interest
829	Business Record	3/3/2014	Record Received from Third Party					Third Party	Public Interest
830	Business Record	3/3/2014	Record Received from Third Party					Third Party	Public Interest
831	Business Record	3/3/2014	Record Received from Third Party					Third Party	Public Interest
832	Email	4/11/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
833	Email	12/1/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
834	Agreement	11/3/2014	Record Received from Third Party				Third Party		Public Interest
835	Agreement	11/3/2014	Record Received from Third Party				Third Party		Public Interest
836	Email	10/8/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
837	Agreement	12/1/2014	Record Received from Third Party				Third Party		Public Interest
838	Email	11/21/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
839	Agreement	12/1/2014	Record Received from Third Party				Third Party		Public Interest
840	Email	6/27/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
841	Email	5/23/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
842	Business Record	5/23/2014	Record Received from Third Party					Third Party	Public Interest
843	Email	5/15/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
844	Email	4/5/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
845	Email	1/30/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
846	Business Record	4/20/2013	Record Received from Third Party					Third Party	Public Interest
847	Business Record	6/2/2015	Record Received from Third Party					Third Party	Public Interest
848	Business Record	6/2/2015	Record Received from Third Party					Third Party	Public Interest
849	Business Record	6/2/2015	Record Received from Third Party					Third Party	Public Interest
850	Business Record	6/23/2015	Record Received from Third Party					Third Party	Public Interest
851	Business Record	6/2/2015	Record Received from Third Party					Third Party	Public Interest
852	Business Record	6/2/2015	Record Received from Third Party					Third Party	Public Interest
853	Business Record	6/2/2015	Record Received from Third Party					Third Party	Public Interest
854	Business Record	6/2/2015	Record Received from Third Party					Third Party	Public Interest
855	Business Record	6/2/2015	Record Received from Third Party					Third Party	Public Interest
856	Business Record	6/2/2015	Record Received from Third Party					Third Party	Public Interest
857	Business Record	7/6/2015	Record Received from Third Party					Third Party	Public Interest
858	Business Record	6/2/2015	Record Received from Third Party					Third Party	Public Interest
859	Business Record	6/2/2015	Record Received from Third Party					Third Party	Public Interest
860	Business Record	6/2/2015	Record Received from Third Party					Third Party	Public Interest
861	Business Record	8/18/2015	Record Received from Third Party					Third Party	Public Interest
862	Business Record	2/1/2014	Record Received from Third Party					Third Party	Public Interest
863	Business Record	6/10/2014	Record Received from Third Party					Third Party	Public Interest
864	Business Record	7/15/2015	Record Received from Third Party					Third Party	Public Interest
865	Letter		Record Received from Third Party	Vancouver Airport Authority	Third Party				Public Interest
866	Business Record	7/7/2014	Record Received from Third Party					Third Party	Public Interest
867	Email	11/2/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
868	Email	6/12/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
869	Email	9/28/2015	Record Received from Third Party	Third Party	Third Party				Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
870	Email	5/28/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
871	Email	9/22/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
872	Email	2/4/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
873	Email	3/2/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
874	Email	8/31/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
875	Email	8/25/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
876	Email	7/21/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
877	Email	4/24/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
878	Email	4/9/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
879	Email	6/17/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
880	Email	11/18/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
881	Email	9/10/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
882	Email	5/8/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
883	Email	10/19/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
884	Email	9/11/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
885	Email	3/3/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
886	Email	4/24/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
887	Email	5/26/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
888	Letter	7/10/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
889	Email	8/17/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
890	Email	12/24/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
891	Email	4/23/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
892	Business Record	4/23/2015	Record Received from Third Party					Third Party	Public Interest
893	Business Record	4/23/2015	Record Received from Third Party					Third Party	Public Interest
894	Business Record	4/23/2015	Record Received from Third Party					Third Party	Public Interest
895	Business Record	4/23/2015	Record Received from Third Party					Third Party	Public Interest
896	Business Record	4/23/2015	Record Received from Third Party					Third Party	Public Interest
897	Email	12/4/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
898	Letter	12/4/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
899	Business Record	11/2/2015	Record Received from Third Party					Third Party	Public Interest
900	Email	11/4/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
901	Letter	11/3/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
902	Email	4/21/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
903	Email	6/6/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
904	Email	10/9/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
905	Business Record	10/3/2014	Record Received from Third Party					Third Party	Public Interest
906	Business Record	10/6/2014	Record Received from Third Party					Third Party	Public Interest
907	Business Record	10/6/2014	Record Received from Third Party					Third Party	Public Interest
908	Business Record	10/6/2014	Record Received from Third Party					Third Party	Public Interest
909	Business Record	10/6/2014	Record Received from Third Party					Third Party	Public Interest
910	Business Record	10/6/2014	Record Received from Third Party					Third Party	Public Interest
911	Business Record	10/6/2014	Record Received from Third Party					Third Party	Public Interest
912	Business Record	10/9/2014	Record Received from Third Party					Third Party	Public Interest
913	Business Record	10/6/2014	Record Received from Third Party					Third Party	Public Interest
914	Agreement	8/1/2014	Record Received from Third Party				Third Party		Public Interest
915	Business Record	10/6/2014	Record Received from Third Party					Third Party	Public Interest
916	Agreement	10/8/2014	Record Received from Third Party					Third Party	Public Interest
917	Agreement	9/23/2014	Record Received from Third Party				Third Party		Public Interest
918	Agreement	10/8/2014	Record Received from Third Party				Third Party		Public Interest
919	Agreement	10/6/2014	Record Received from Third Party				Third Party		Public Interest
920	Agreement	8/1/2014	Record Received from Third Party					Third Party	Public Interest
921	Email	4/20/2015	Record Received from Third Party	Third Party	Third Party				Public Interest



Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
922	Business Record	4/20/2015	Record Received from Third Party					Third Party	Public Interest
923	Email	10/15/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
924	Email	9/2/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
925	Email	9/23/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
926	Business Record	9/23/2015	Record Received from Third Party					Third Party	Public Interest
927	Business Record	11/13/2015	Record Received from Third Party					Third Party	Public Interest
928	Business Record	9/3/2015	Record Received from Third Party					Third Party	Public Interest
929	Email	4/30/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
930	Letter	4/30/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
931	Email	9/29/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
932	Business Record	5/20/2015	Record Received from Third Party					Third Party	Public Interest
933	Letter	9/29/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
934	Email	10/8/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
935	Business Record	7/3/2015	Record Received from Third Party					Third Party	Public Interest
936	Business Record	4/27/2015	Record Received from Third Party					Third Party	Public Interest
937	Business Record	4/27/2015	Record Received from Third Party					Third Party	Public Interest
938	Business Record	4/27/2015	Record Received from Third Party					Third Party	Public Interest
939	Business Record	11/11/2014	Record Received from Third Party					Third Party	Public Interest
940	Business Record	11/13/2014	Record Received from Third Party					Third Party	Public Interest
941	Business Record	7/6/2015	Record Received from Third Party					Third Party	Public Interest
942	Business Record	6/22/2016	Record Received from Third Party					Third Party	Public Interest
943	Business Record	6/22/2016	Record Received from Third Party					Third Party	Public Interest
944	Business Record	6/22/2016	Record Received from Third Party					Third Party	Public Interest
945	Email	8/30/2016	Competition Bureau Record	Di Domenico, Antonio / Competition Bureau Legal Services	Rushton, Kevin / Competition Bureau	Charania, Majid / Competition Bureau Legal Services			Litigation Public Interest Solicitor Client
946	Business Record	6/17/2016	Record Received from Third Party					Third Party	Public Interest
947	Business Record	5/25/2016	Record Received from Third Party					Third Party	Public Interest
948	Email	6/6/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
949	Email	4/7/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
950	Letter	4/7/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
951	Business Record	4/7/2014	Record Received from Third Party					Third Party	Public Interest
952	Other External	4/7/2014	Record Received from Third Party					Third Party	Public Interest
953	Business Record	4/4/2014	Record Received from Third Party					Third Party	Public Interest
954	Business Record	4/7/2014	Record Received from Third Party					Third Party	Public Interest
955	Email	7/9/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
956	Email	4/28/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
957	Email	9/4/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
958	Business Record	3/6/2014	Record Received from Third Party					Third Party	Public Interest
959	Business Record	11/2/2015	Record Received from Third Party					Third Party	Public Interest
960	Business Record	11/2/2015	Record Received from Third Party					Third Party	Public Interest
961	Business Record	11/3/2015	Record Received from Third Party					Third Party	Public Interest
962	Business Record	11/2/2015	Record Received from Third Party					Third Party	Public Interest
963	Business_Plans	9/26/2012	Record Received from Third Party					Third Party	Public Interest
964	Business Record	10/24/2012	Record Received from Third Party					Third Party	Public Interest
965	Business Record	10/26/2012	Record Received from Third Party					Third Party	Public Interest
966	Business Record	12/14/2012	Record Received from Third Party					Third Party	Public Interest
967	Business Record	12/14/2012	Record Received from Third Party					Third Party	Public Interest
968	Business Record	3/5/2012	Record Received from Third Party					Third Party	Public Interest
969	Business Record	3/5/2012	Record Received from Third Party					Third Party	Public Interest
970	Business Record	3/8/2012	Record Received from Third Party					Third Party	Public Interest
971	Business Record	12/19/2012	Record Received from Third Party					Third Party	Public Interest
972	Business Record	2/20/2013	Record Received from Third Party					Third Party	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
973	Business Record	2/20/2013	Record Received from Third Party					Third Party	Public Interest
974	Business Record	2/20/2013	Record Received from Third Party					Third Party	Public Interest
975	Business Record	2/21/2013	Record Received from Third Party					Third Party	Public Interest
976	Business Record	6/3/2013	Record Received from Third Party					Third Party	Public Interest
977	Business Record	1/15/2014	Record Received from Third Party					Third Party	Public Interest
978	Business Record	11/14/2011	Record Received from Third Party					Third Party	Public Interest
979	Business Record	2/13/2015	Record Received from Third Party					Third Party	Public Interest
980	Business Record	1/20/2014	Record Received from Third Party					Third Party	Public Interest
981	Business Record	1/13/2014	Record Received from Third Party					Third Party	Public Interest
982	Business Record	1/14/2014	Record Received from Third Party					Third Party	Public Interest
983	Business Record	11/1/2013	Record Received from Third Party					Third Party	Public Interest
984	Business Record	4/8/2014	Record Received from Third Party					Third Party	Public Interest
985	Business Record	4/4/2014	Record Received from Third Party					Third Party	Public Interest
986	Business Record	9/6/2013	Record Received from Third Party					Third Party	Public Interest
987	Business Record	2/21/2014	Record Received from Third Party					Third Party	Public Interest
988	Business Record	2/24/2014	Record Received from Third Party					Third Party	Public Interest
989	Business Record	2/27/2014	Record Received from Third Party					Third Party	Public Interest
990	Business Record	2/13/2014	Record Received from Third Party					Third Party	Public Interest
991	Business Record	2/13/2014	Record Received from Third Party					Third Party	Public Interest
992	Business Record	7/6/2014	Record Received from Third Party					Third Party	Public Interest
993	Business Record	6/24/2014	Record Received from Third Party					Third Party	Public Interest
994	Business Record	9/25/2012	Record Received from Third Party					Third Party	Public Interest
995	Business Record	9/26/2012	Record Received from Third Party					Third Party	Public Interest
996	Business Record	9/25/2012	Record Received from Third Party					Third Party	Public Interest
997	Business Record	7/18/2013	Record Received from Third Party					Third Party	Public Interest
998	Business Record	2/24/2014	Record Received from Third Party					Third Party	Public Interest
999	Business Record	2/20/2014	Record Received from Third Party					Third Party	Public Interest
1000	Business Record	7/3/2014	Record Received from Third Party					Third Party	Public Interest
1001	Business Record	5/15/2014	Record Received from Third Party					Third Party	Public Interest
1002	Business Record	4/4/2013	Record Received from Third Party					Third Party	Public Interest
1003	Business Record	4/29/2014	Record Received from Third Party					Third Party	Public Interest
1004	Business Record	5/16/2014	Record Received from Third Party					Third Party	Public Interest
1005	Business Record	2/10/2014	Record Received from Third Party					Third Party	Public Interest
1006	Business Record	2/11/2014	Record Received from Third Party					Third Party	Public Interest
1007	Business Record	2/27/2014	Record Received from Third Party					Third Party	Public Interest
1008	Business Record	2/28/2014	Record Received from Third Party					Third Party	Public Interest
1009	Business Record	2/10/2014	Record Received from Third Party					Third Party	Public Interest
1010	Business Record	12/3/2012	Record Received from Third Party					Third Party	Public Interest
1011	Business Record	5/30/2013	Record Received from Third Party					Third Party	Public Interest
1012	Business Record	5/13/2015	Record Received from Third Party					Third Party	Public Interest
1013	Business Record	5/21/2015	Record Received from Third Party					Third Party	Public Interest
1014	Business Record	5/25/2015	Record Received from Third Party					Third Party	Public Interest
1015	Business Record	5/27/2015	Record Received from Third Party					Third Party	Public Interest
1016	Business Record	5/15/2015	Record Received from Third Party					Third Party	Public Interest
1017	Business Record	9/28/2015	Record Received from Third Party					Third Party	Public Interest
1018	Business Record	9/28/2015	Record Received from Third Party					Third Party	Public Interest
1019	Business Record	9/28/2015	Record Received from Third Party					Third Party	Public Interest
1020	Business Record	9/28/2015	Record Received from Third Party					Third Party	Public Interest
1021	Business Record	9/28/2015	Record Received from Third Party					Third Party	Public Interest
1022	Business Record	9/29/2015	Record Received from Third Party					Third Party	Public Interest
1023	Business Record	3/18/2015	Record Received from Third Party					Third Party	Public Interest
1024	Business Record	8/24/2015	Record Received from Third Party					Third Party	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
1025	Business Record	7/16/2015	Record Received from Third Party					Third Party	Public Interest
1026	Business Record	7/20/2015	Record Received from Third Party					Third Party	Public Interest
1027	Business Record	7/21/2015	Record Received from Third Party					Third Party	Public Interest
1028	Business Record	4/17/2015	Record Received from Third Party					Third Party	Public Interest
1029	Business Record	4/21/2015	Record Received from Third Party					Third Party	Public Interest
1030	Business Record	4/20/2015	Record Received from Third Party					Third Party	Public Interest
1031	Business Record	4/17/2015	Record Received from Third Party					Third Party	Public Interest
1032	Business Record	6/22/2015	Record Received from Third Party					Third Party	Public Interest
1033	Business Record	6/22/2015	Record Received from Third Party					Third Party	Public Interest
1034	Business Record	11/17/2015	Record Received from Third Party					Third Party	Public Interest
1035	Business Record	10/20/2015	Record Received from Third Party					Third Party	Public Interest
1036	Business Record	2/17/2015	Record Received from Third Party					Third Party	Public Interest
1037	Business Record	3/23/2015	Record Received from Third Party					Third Party	Public Interest
1038	Business Record	3/23/2015	Record Received from Third Party					Third Party	Public Interest
1039	Business Record	9/10/2014	Record Received from Third Party					Third Party	Public Interest
1040	Business Record	9/29/2015	Record Received from Third Party					Third Party	Public Interest
1041	Business Record	7/10/2014	Record Received from Third Party					Third Party	Public Interest
1042	Business Record	7/10/2014	Record Received from Third Party					Third Party	Public Interest
1043	Business Record	1/21/2015	Record Received from Third Party					Third Party	Public Interest
1044	Business Record	1/23/2015	Record Received from Third Party					Third Party	Public Interest
1045	Business_Plans	4/17/2012	Record Received from Third Party					Third Party	Public Interest
1046	Business_Plans	4/17/2012	Record Received from Third Party					Third Party	Public Interest
1047	Business_Plans	4/17/2012	Record Received from Third Party					Third Party	Public Interest
1048	Business_Plans	4/27/2012	Record Received from Third Party					Third Party	Public Interest
1049	Business Record	4/20/2015	Record Received from Third Party					Third Party	Public Interest
1050	Business Record	4/23/2015	Record Received from Third Party					Third Party	Public Interest
1051	Business Record	4/30/2015	Record Received from Third Party					Third Party	Public Interest
1052	Business Record	5/12/2015	Record Received from Third Party					Third Party	Public Interest
1053	Business Record	2/12/2015	Record Received from Third Party					Third Party	Public Interest
1054	Business Record	2/27/2014	Record Received from Third Party					Third Party	Public Interest
1055	Business Record	2/27/2014	Record Received from Third Party					Third Party	Public Interest
1056	Business Record	2/26/2014	Record Received from Third Party					Third Party	Public Interest
1057	Business Record	3/4/2013	Record Received from Third Party					Third Party	Public Interest
1058	Business Record	4/30/2012	Record Received from Third Party					Third Party	Public Interest
1059	Business Record	5/26/2015	Record Received from Third Party					Third Party	Public Interest
1060	Business Record	11/9/2015	Record Received from Third Party					Third Party	Public Interest
1061	Business Record	8/4/2015	Record Received from Third Party					Third Party	Public Interest
1062	Business Record	4/29/2015	Record Received from Third Party					Third Party	Public Interest
1063	Business Record	6/15/2012	Record Received from Third Party					Third Party	Public Interest
1064	Business Record	7/29/2015	Record Received from Third Party					Third Party	Public Interest
1065	Business Record	3/26/2014	Record Received from Third Party					Third Party	Public Interest
1066	Business Record	4/16/2012	Record Received from Third Party					Third Party	Public Interest
1067	Business Record	4/22/2014	Record Received from Third Party					Third Party	Public Interest
1068	Business Record	8/14/2015	Record Received from Third Party					Third Party	Public Interest
1069	Business Record	11/21/2013	Record Received from Third Party					Third Party	Public Interest
1070	Business Record	1/27/2014	Record Received from Third Party					Third Party	Public Interest
1071	Business Record	6/20/2012	Record Received from Third Party					Third Party	Public Interest
1072	Business Record	5/14/2013	Record Received from Third Party					Third Party	Public Interest
1073	Business Record	1/14/2014	Record Received from Third Party					Third Party	Public Interest
1074	Business Record	3/14/2012	Record Received from Third Party					Third Party	Public Interest
1075	Business Record	1/23/2013	Record Received from Third Party					Third Party	Public Interest
1076	Business Record	4/23/2015	Record Received from Third Party					Third Party	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
1077	Business Record	1/21/2014	Record Received from Third Party					Third Party	Public Interest
1078	Business Record	2/21/2012	Record Received from Third Party					Third Party	Public Interest
1079	Business Record	5/12/2014	Record Received from Third Party					Third Party	Public Interest
1080	Business Record	8/11/2014	Record Received from Third Party					Third Party	Public Interest
1081	Business Record	4/13/2012	Record Received from Third Party					Third Party	Public Interest
1082	Business Record	6/16/2013	Record Received from Third Party					Third Party	Public Interest
1083	Business Record	6/17/2013	Record Received from Third Party					Third Party	Public Interest
1084	Business Record	6/14/2013	Record Received from Third Party					Third Party	Public Interest
1085	Business Record	4/27/2012	Record Received from Third Party					Third Party	Public Interest
1086	Business Record	9/23/2013	Record Received from Third Party					Third Party	Public Interest
1087	Business Record	1/16/2014	Record Received from Third Party					Third Party	Public Interest
1088	Business Record	4/4/2013	Record Received from Third Party					Third Party	Public Interest
1089	Email	1/12/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
1090	Letter	10/13/2015	Record Received from Third Party	Third Party	Third Party				Public Interest
1091	Business Record	4/30/2015	Record Received from Third Party					Third Party	Public Interest
1092	Business Record	5/1/2015	Record Received from Third Party					Third Party	Public Interest
1093	Business Record	5/1/2015	Record Received from Third Party					Third Party	Public Interest
1094	Business Record	12/7/2012	Record Received from Third Party					Third Party	Public Interest
1095	Business Record	1/23/2015	Record Received from Third Party					Third Party	Public Interest
1096	Business Record	2/2/2012	Record Received from Third Party					Third Party	Public Interest
1097	Business Record	8/16/2013	Record Received from Third Party					Third Party	Public Interest
1098	Business Record	4/26/2013	Record Received from Third Party					Third Party	Public Interest
1099	Business Record	6/4/2013	Record Received from Third Party					Third Party	Public Interest
1100	Business Record	8/17/2015	Record Received from Third Party					Third Party	Public Interest
1101	Business Record	10/15/2014	Record Received from Third Party					Third Party	Public Interest
1102	Business Record	10/8/2013	Record Received from Third Party					Third Party	Public Interest
1103	Business Record	4/20/2012	Record Received from Third Party					Third Party	Public Interest
1104	Business Record	6/6/2012	Record Received from Third Party					Third Party	Public Interest
1105	Business Record	4/15/2013	Record Received from Third Party					Third Party	Public Interest
1106	Business Record	3/25/2014	Record Received from Third Party					Third Party	Public Interest
1107	Business Record	10/10/2013	Record Received from Third Party					Third Party	Public Interest
1108	Business Record	10/14/2014	Record Received from Third Party					Third Party	Public Interest
1109	Business Record	10/24/2014	Record Received from Third Party					Third Party	Public Interest
1110	Business Record	11/24/2014	Record Received from Third Party					Third Party	Public Interest
1111	Business Record	5/10/2012	Record Received from Third Party					Third Party	Public Interest
1112	Business_Plans	6/17/2013	Record Received from Third Party					Third Party	Public Interest
1113	Business Record	6/27/2012	Record Received from Third Party					Third Party	Public Interest
1114	Business Record	12/10/2012	Record Received from Third Party					Third Party	Public Interest
1115	Presentation	3/3/2011	Record Received from Third Party					Third Party	Public Interest
1116	Business Record	2/13/2013	Record Received from Third Party					Third Party	Public Interest
1117	Business Record	2/27/2014	Record Received from Third Party					Third Party	Public Interest
1118	Business Record	3/18/2013	Record Received from Third Party					Third Party	Public Interest
1119	Business Record	5/28/2013	Record Received from Third Party					Third Party	Public Interest
1120	Business Record	4/23/2012	Record Received from Third Party					Third Party	Public Interest
1121	Business Record	8/16/2012	Record Received from Third Party					Third Party	Public Interest
1122	Business Record	8/16/2012	Record Received from Third Party					Third Party	Public Interest
1123	Business Record	8/16/2012	Record Received from Third Party					Third Party	Public Interest
1124	Business Record	8/22/2012	Record Received from Third Party					Third Party	Public Interest
1125	Business Record	12/13/2012	Record Received from Third Party					Third Party	Public Interest
1126	Business Record	12/16/2012	Record Received from Third Party					Third Party	Public Interest
1127	Business Record	5/23/2012	Record Received from Third Party					Third Party	Public Interest
1128	Business Record	5/25/2012	Record Received from Third Party					Third Party	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
1129	Business Record	9/26/2012	Record Received from Third Party					Third Party	Public Interest
1130	Business Record	9/28/2012	Record Received from Third Party					Third Party	Public Interest
1131	Business Record	2/15/2013	Record Received from Third Party					Third Party	Public Interest
1132	Business Record	8/9/2012	Record Received from Third Party					Third Party	Public Interest
1133	Business Record	7/20/2012	Record Received from Third Party					Third Party	Public Interest
1134	Business Record	12/14/2012	Record Received from Third Party					Third Party	Public Interest
1135	Business Record	6/25/2012	Record Received from Third Party					Third Party	Public Interest
1136	Business Record	6/28/2012	Record Received from Third Party					Third Party	Public Interest
1137	Business Record	6/23/2012	Record Received from Third Party					Third Party	Public Interest
1138	Business Record	3/20/2012	Record Received from Third Party					Third Party	Public Interest
1139	Business Record	5/28/2012	Record Received from Third Party					Third Party	Public Interest
1140	Business Record	9/26/2012	Record Received from Third Party					Third Party	Public Interest
1141	Business Record	9/30/2012	Record Received from Third Party					Third Party	Public Interest
1142	Business Record	9/30/2012	Record Received from Third Party					Third Party	Public Interest
1143	Business Record	10/24/2012	Record Received from Third Party					Third Party	Public Interest
1144	Business Record	10/26/2012	Record Received from Third Party					Third Party	Public Interest
1145	Business Record	10/26/2012	Record Received from Third Party					Third Party	Public Interest
1146	Business Record	10/29/2012	Record Received from Third Party					Third Party	Public Interest
1147	Business Record	6/15/2012	Record Received from Third Party					Third Party	Public Interest
1148	Business Record	2/18/2014	Record Received from Third Party					Third Party	Public Interest
1149	Business Record	12/3/2013	Record Received from Third Party					Third Party	Public Interest
1150	Business Record	3/10/2014	Record Received from Third Party					Third Party	Public Interest
1151	Business Record	10/6/2015	Record Received from Third Party					Third Party	Public Interest
1152	Business Record	9/25/2015	Record Received from Third Party					Third Party	Public Interest
1153	Business Record	9/24/2015	Record Received from Third Party					Third Party	Public Interest
1154	Business Record	10/14/2015	Record Received from Third Party					Third Party	Public Interest
1155	Business Record	10/9/2015	Record Received from Third Party					Third Party	Public Interest
1156	Business Record	10/14/2015	Record Received from Third Party					Third Party	Public Interest
1157	Business Record	10/14/2015	Record Received from Third Party					Third Party	Public Interest
1158	Business Record	10/14/2015	Record Received from Third Party					Third Party	Public Interest
1159	Business Record	8/26/2015	Record Received from Third Party					Third Party	Public Interest
1160	Business Record	2/19/2013	Record Received from Third Party					Third Party	Public Interest
1161	Business Record	10/29/2012	Record Received from Third Party					Third Party	Public Interest
1162	Business Record	4/28/2014	Record Received from Third Party					Third Party	Public Interest
1163	Business Record	3/23/2015	Record Received from Third Party					Third Party	Public Interest
1164	Business Record	3/19/2015	Record Received from Third Party					Third Party	Public Interest
1165	Business Record	12/26/2012	Record Received from Third Party					Third Party	Public Interest
1166	Business Record	3/31/2014	Record Received from Third Party					Third Party	Public Interest
1167	Business Record	4/1/2014	Record Received from Third Party					Third Party	Public Interest
1168	Business Record	4/1/2014	Record Received from Third Party					Third Party	Public Interest
1169	Business Record	4/1/2014	Record Received from Third Party					Third Party	Public Interest
1170	Business Record	3/24/2014	Record Received from Third Party					Third Party	Public Interest
1171	Business Record	3/31/2014	Record Received from Third Party					Third Party	Public Interest
1172	Business Record	2/11/2014	Record Received from Third Party					Third Party	Public Interest
1173	Business Record	1/27/2014	Record Received from Third Party					Third Party	Public Interest
1174	Business Record	2/7/2014	Record Received from Third Party					Third Party	Public Interest
1175	Business Record	6/27/2012	Record Received from Third Party					Third Party	Public Interest
1176	Business Record	1/10/2013	Record Received from Third Party					Third Party	Public Interest
1177	Business Record	3/4/2013	Record Received from Third Party					Third Party	Public Interest
1178	Business Record	9/8/2014	Record Received from Third Party					Third Party	Public Interest
1179	Business Record	12/20/2012	Record Received from Third Party					Third Party	Public Interest
1180	Business Record	9/13/2013	Record Received from Third Party					Third Party	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
1181	Business Record	9/15/2014	Record Received from Third Party					Third Party	Public Interest
1182	Business Record	9/15/2014	Record Received from Third Party					Third Party	Public Interest
1183	Business Record	9/11/2014	Record Received from Third Party					Third Party	Public Interest
1184	Business Record	11/19/2012	Record Received from Third Party					Third Party	Public Interest
1185	Business Record	11/19/2012	Record Received from Third Party					Third Party	Public Interest
1186	Business Record	11/19/2012	Record Received from Third Party					Third Party	Public Interest
1187	Business Record	9/23/2013	Record Received from Third Party					Third Party	Public Interest
1188	Business Record	11/22/2011	Record Received from Third Party					Third Party	Public Interest
1189	Business Record	11/7/2012	Record Received from Third Party					Third Party	Public Interest
1190	Business Record	9/13/2013	Record Received from Third Party					Third Party	Public Interest
1191	Business Record	5/21/2012	Record Received from Third Party					Third Party	Public Interest
1192	Business Record	6/19/2012	Record Received from Third Party					Third Party	Public Interest
1193	Business Record	6/19/2012	Record Received from Third Party					Third Party	Public Interest
1194	Business Record	8/18/2012	Record Received from Third Party					Third Party	Public Interest
1195	Business Record	7/19/2013	Record Received from Third Party					Third Party	Public Interest
1196	Business Record	7/19/2013	Record Received from Third Party					Third Party	Public Interest
1197	Business Record	1/27/2014	Record Received from Third Party					Third Party	Public Interest
1198	Business Record	5/22/2012	Record Received from Third Party					Third Party	Public Interest
1199	Business Record	6/5/2013	Record Received from Third Party					Third Party	Public Interest
1200	Business Record	9/13/2013	Record Received from Third Party					Third Party	Public Interest
1201	Business Record	5/31/2013	Record Received from Third Party					Third Party	Public Interest
1202	Business Record	2/26/2013	Record Received from Third Party					Third Party	Public Interest
1203	Business Record	2/26/2013	Record Received from Third Party					Third Party	Public Interest
1204	Business Record	2/25/2013	Record Received from Third Party					Third Party	Public Interest
1205	Business Record	6/5/2013	Record Received from Third Party					Third Party	Public Interest
1206	Business Record	5/22/2014	Record Received from Third Party					Third Party	Public Interest
1207	Business Record	5/23/2014	Record Received from Third Party					Third Party	Public Interest
1208	Business Record	7/2/2015	Record Received from Third Party					Third Party	Public Interest
1209	Business Record	4/12/2012	Record Received from Third Party					Third Party	Public Interest
1210	Business Record	4/26/2013	Record Received from Third Party					Third Party	Public Interest
1211	Business Record	4/26/2013	Record Received from Third Party					Third Party	Public Interest
1212	Business Record	12/16/2015	Record Received from Third Party					Third Party	Public Interest
1213	Business Record	2/11/2014	Record Received from Third Party					Third Party	Public Interest
1214	Business Record	9/17/2013	Record Received from Third Party					Third Party	Public Interest
1215	Business Record	8/15/2012	Record Received from Third Party					Third Party	Public Interest
1216	Business Record	5/13/2015	Record Received from Third Party					Third Party	Public Interest
1217	Business Record	4/30/2015	Record Received from Third Party					Third Party	Public Interest
1218	Business Record	4/10/2015	Record Received from Third Party					Third Party	Public Interest
1219	Business Record	11/7/2012	Record Received from Third Party					Third Party	Public Interest
1220	Business Record	10/19/2012	Record Received from Third Party					Third Party	Public Interest
1221	Business Record	11/4/2014	Record Received from Third Party					Third Party	Public Interest
1222	Business Record	3/29/2013	Record Received from Third Party					Third Party	Public Interest
1223	Business Record	6/14/2012	Record Received from Third Party					Third Party	Public Interest
1224	Business Record	6/15/2012	Record Received from Third Party					Third Party	Public Interest
1225	Business Record	7/10/2014	Record Received from Third Party					Third Party	Public Interest
1226	Business Record	7/10/2014	Record Received from Third Party					Third Party	Public Interest
1227	Business Record	10/29/2012	Record Received from Third Party					Third Party	Public Interest
1228	Business Record	10/23/2012	Record Received from Third Party					Third Party	Public Interest
1229	Business Record	10/25/2012	Record Received from Third Party					Third Party	Public Interest
1230	Business Record	4/16/2012	Record Received from Third Party					Third Party	Public Interest
1231	Business Record	10/3/2013	Record Received from Third Party					Third Party	Public Interest
1232	Business Record	7/20/2015	Record Received from Third Party					Third Party	Public Interest

Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
1233	Business Record	7/17/2015	Record Received from Third Party					Third Party	Public Interest
1234	Business Record	5/28/2012	Record Received from Third Party					Third Party	Public Interest
1235	Business Record	4/5/2012	Record Received from Third Party					Third Party	Public Interest
1236	Business Record	7/27/2011	Record Received from Third Party					Third Party	Public Interest
1237	Business Record	4/16/2012	Record Received from Third Party					Third Party	Public Interest
1238	Business Record	8/17/2015	Record Received from Third Party					Third Party	Public Interest
1239	Business Record	7/23/2014	Record Received from Third Party					Third Party	Public Interest
1240	Business Record	4/16/2012	Record Received from Third Party					Third Party	Public Interest
1241	Business Record	9/25/2012	Record Received from Third Party					Third Party	Public Interest
1242	Business Record	3/18/2013	Record Received from Third Party					Third Party	Public Interest
1243	Business Record	4/15/2012	Record Received from Third Party					Third Party	Public Interest
1244	Business Record	4/16/2012	Record Received from Third Party					Third Party	Public Interest
1245	Business Record	4/16/2012	Record Received from Third Party					Third Party	Public Interest
1246	Business Record	4/16/2012	Record Received from Third Party					Third Party	Public Interest
1247	Business Record	9/3/2015	Record Received from Third Party					Third Party	Public Interest
1248	Letter	12/7/2015	Record Received from Third Party	Third Party	Di Domenico, Antonio / Competition Bureau Legal Services	Third Party Horn, Michael / Competition Bureau Legal Services Rushton, Kevin / Competition Bureau			Public Interest
1249	Email	1/6/2016	Record Received from Third Party	Third Party	Di Domenico, Antonio / Competition Bureau Legal Services Horn, Michael / Competition Bureau Legal Services Rushton, Kevin / Competition Bureau	Third Party			Public Interest
1250	Letter	1/6/2016	Record Received from Third Party	Third Party	Di Domenico, Antonio / Competition Bureau Legal Services	Third Party Horn, Michael / Competition Bureau Legal Services			Public Interest
1251	Affidavit	1/6/2016	Record Received from Third Party					Third Party	Public Interest
1252	Business Record	1/6/2016	Record Received from Third Party					Third Party	Public Interest
1253	Email	8/7/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
1254	Email	8/7/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
1255	Email	1/9/2015	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
1256	Email	8/7/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
1257	Email	8/7/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
1258	Business Record	11/13/2015	Record Received from Third Party					Third Party	Public Interest
1259	Business Record	12/10/2015	Record Received from Third Party					Third Party	Public Interest
1260	Business Record	12/10/2015	Record Received from Third Party					Third Party	Public Interest
1261	Affidavit	12/17/2015	Record Received from Third Party					Third Party	Public Interest
1262	Business Record	12/31/2012	Record Received from Third Party					Third Party	Public Interest
1263	Business Record	12/31/2013	Record Received from Third Party					Third Party	Public Interest
1264	Business Record	12/31/2014	Record Received from Third Party					Third Party	Public Interest
1265	Business Record	12/12/2014	Record Received from Third Party					Third Party	Public Interest
1266	Business Record	8/12/2015	Record Received from Third Party					Third Party	Public Interest
1267	Business Record	4/7/2014	Record Received from Third Party					Third Party	Public Interest
1268	Business Record	5/7/2015	Record Received from Third Party					Third Party	Public Interest
1269	Business Record	8/15/2012	Record Received from Third Party					Third Party	Public Interest
1270	Business Record	3/19/2013	Record Received from Third Party					Third Party	Public Interest
1271	Business Record	11/15/2012	Record Received from Third Party					Third Party	Public Interest
1272	Business Record	8/12/2015	Record Received from Third Party					Third Party	Public Interest
1273	Business Record	11/15/2012	Record Received from Third Party					Third Party	Public Interest
1274	Business Record	5/7/2015	Record Received from Third Party					Third Party	Public Interest
1275	Business Record	8/15/2012	Record Received from Third Party					Third Party	Public Interest
1276	Business Record	4/7/2014	Record Received from Third Party					Third Party	Public Interest
1277	Business Record	7/23/2013	Record Received from Third Party					Third Party	Public Interest
1278	Business Record	8/13/2014	Record Received from Third Party					Third Party	Public Interest







Count	Document Type	Main Date	Title	People/Organizations From	People/Organizations To	People/Organizations CC	People/Organizations Between	People/Organizations Author	Privilege
1383	Business Record	1/1/2013	Record Received from Third Party					Third Party	Public Interest
1384	Business Record	1/1/2014	Record Received from Third Party					Third Party	Public Interest
1385	Business Record	1/1/2012	Record Received from Third Party					Third Party	Public Interest
1386	Business Record	1/1/2013	Record Received from Third Party					Third Party	Public Interest
1387	Letter	1/6/2016	Record Received from Third Party	Third Party	Horn, Michael / Competition Bureau Legal Services	Third Party			Public Interest
1388	Email	12/1/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
1389	Email	12/2/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
1390	Email	12/2/2014	Record Received from Third Party	Third Party	Third Party	Third Party			Public Interest
1391	Email	12/2/2014	Record Received from Third Party	Third Party	Third Party				Public Interest
1392	Email	8/18/2016	Record Received from Third Party	Third Party	Rushton, Kevin / Competition Bureau	Di Domenico, Antonio / Competition Bureau Legal Services Majid Charania / Competition Bureau Legal Services			Litigation Public Interest
1393	Email		Record Received from Third Party	Vancouver Airport Authority	Vancouver Airport Authority Third Party				Public Interest

4

CT-2016-15

**THE COMPETITION TRIBUNAL**

**IN THE MATTER OF** the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

**AND IN THE MATTER OF** certain conduct of Vancouver Airport Authority relating to the supply of in-flight catering at Vancouver International Airport;

**AND IN THE MATTER OF** an application by the Commissioner of Competition for one or more orders pursuant to section 79 of the *Competition Act*.

**BETWEEN:**

**COMMISSIONER OF COMPETITION**

**Applicant**

– and –

**VANCOUVER AIRPORT AUTHORITY**

**Respondent**

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**CONSOLIDATED AMENDED AFFIDAVIT OF DOCUMENTS  
OF THE COMMISSONER OF COMPETITION  
AFFIRMED 20 FEBRUARY 2018**

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I, **ALICIA FOSTER**, of the City of Ottawa, in the Province of Ontario, solemnly affirm that:

1. I am Acting Senior Competition Law Officer with the Competition Bureau. I am an authorized representative of the Commissioner of Competition (the "**Commissioner**") for the purpose of this affidavit.
2. I have participated in and overseen a review of the Commissioner's potentially relevant records and have made appropriate inquiries of others to inform myself in order to make this affidavit.
3. I make this affidavit further to the Affidavit of Documents of the Commissioner of Competition affirmed 14 February 2017, the Amended Affidavit of Documents of the Commissioner of Competition affirmed 21 March 2017, the Supplemental Affidavit of Documents No. 1 of the Commissioner of Competition affirmed 27 April 2017, the Supplemental Affidavit of Documents No. 2 of the Commissioner of Competition affirmed 12 July 2017, the Supplemental Affidavit of Documents No. 3 of the Commissioner of Competition affirmed 29 September 2017, and the Supplemental Affidavit of Documents No. 4 affirmed 12 January 2018 (the "**Commissioner's Affidavits**"), each of which is in respect of this Application.
4. The Commissioner has, from time to time during the pre-hearing stages of this matter, made productions of records to the Respondent that were previously listed in Schedules C of the Commissioner's Affidavits<sup>1</sup>. Accordingly, I have attached to this affidavit redline versions of each of

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<sup>1</sup> Schedules C to the Commissioner's Affidavits list relevant records that are in the Commissioner's possession, power or control that contain confidential information and for which privilege is claimed, including the grounds for each such claim.

the Schedules C to the Commissioner's Affidavits (March 2017 Schedule C – Redline, April 2017 Schedule C – Redline, July 2017 Schedule C – Redline, September 2017 Schedule C – Redline and January 2018 Schedule C – Redline, collectively, "**Schedules C - Redline**") which highlights in orange those records that have been produced to the Respondent, as well as indicates the document ID and the date of production to the Respondent<sup>2</sup>. Attached and marked as Exhibits "**1, 2, 3, 4 and 5**" to this affidavit are the Schedules C - Redline.

5. In addition, in a letter to the Respondent dated 6 October 2017, the Commissioner indicated that one record was inadvertently omitted from its Schedule C to the Commissioner's Supplemental Affidavit of Documents No. 3 affirmed 29 September 2017 (the "**October 6 Letter**"). The attached September 2017 Schedule C – Redline reflects this additional record. Attached and marked as Exhibit "**6**" to this affidavit is the October 6 Letter.
6. On 14 November 2017, the Commissioner informed the Respondent, in a letter regarding records the Commissioner intends to rely on at the hearing of the matter, that five records were inadvertently omitted from the Commissioner's Affidavits (the "**November 14 Letter**"). These records were produced to the Respondent on 14 November 2017. These five records are listed in the Consolidated Amended Schedule B attached to this affidavit, as described in paragraph 13, below. Attached and marked as Exhibit "**7**" to this affidavit is the November 14 Letter.

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<sup>2</sup> The Commissioner's Amended Affidavit of Documents affirmed 21 March 2017 was a redline to the Affidavit of Documents affirmed 14 February 2017, so a redline of the Commissioner's February affidavit of documents is not necessary.

7. On 12 December 2017, the Commissioner informed the Respondent in an email that one record, PAAH00000957, is subject to litigation privilege and was inadvertently produced to the Respondent (the "**December 12 Email**"). This record is listed in the attached March 2017 Schedule C – Redline. Attached and marked as Exhibit "**8**" to this affidavit is the December 12 Email.
8. On 21 December 2017, the Commissioner informed the Respondent in an email that records listed on lines 676, 677 and 678 of Schedule C to the Commissioner's Amended Affidavit of Documents affirmed 21 March 2017 are subject to litigation privilege (the "**December 21 Email**"). The attached March 2017 Schedule C – Redline reflects the addition of litigation privilege to these records. Attached and marked as Exhibit "**9**" to this affidavit is the December 21 Email.
9. Following the Federal Court of Appeal's decision of 24 January 2018 in this matter<sup>3</sup>, the Commissioner completed a review of the records listed in Schedules C of the Commissioner's Affidavits, and in particular those records subject to claims of public interest privilege. On 12 February 2018, the Commissioner sent a letter to the Respondent providing an update regarding various records listed in the Commissioner's Affidavits (the "**February 12 Letter**"). Attached and marked as Exhibit "**10**" to this affidavit is the February 12 Letter.
10. On 19 February 2018, the Commissioner sent a second letter to the Respondent upon completing his review of the records listed in Schedules C of the Commissioner's Affidavits (the "**February 19**

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<sup>3</sup> *Vancouver Airport Authority v Commissioner of Competition*, 2018 FCA 24.

**Letter**”). Attached and marked as Exhibit “11” to this affidavit is the February 19 Letter.

11. The changes to the Commissioner’s Affidavits, as described in the February 12 Letter and the February 19 Letter are reflected in the attached Schedules C – Redline. Records identified in the February 12 Letter and February 19 Letter as irrelevant are highlighted in blue in the Schedules C - Redline.
12. Attached to this affidavit is **Consolidated Amended Schedule A**, which consolidates each of the Schedules A to the Commissioner’s Affidavits<sup>4</sup> as well as reflects the amendments, described above. Attached and marked as Exhibit “12” to this affidavit is the Consolidated Amended Schedule A.
13. Attached to this affidavit is **Consolidated Amended Schedule B**, which consolidates each of the Schedules B to the Commissioner’s Affidavits<sup>5</sup> as well as reflects the amendments, described above. Attached and marked as Exhibit “13” to this affidavit is the Consolidated Amended Schedule B.
14. Attached to this affidavit is **Consolidated Amended Schedule C**, which consolidates each of the Schedules C to the Commissioner’s Affidavits as well as reflects the amendments, described above. Attached and marked as Exhibit “14” to this affidavit is the Consolidated Amended Schedule C.

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<sup>4</sup> Schedules A to the Commissioner’s Affidavits list relevant records that are in the Commissioner’s possession, power or control that contain information that is not confidential.

<sup>5</sup> Schedules B to the Commissioner’s Affidavits list relevant records that are in the Commissioner’s possession, power or control that contain confidential information and for which no privilege is claimed or for which the Commissioner waives privilege.



15. I will continue to oversee the review of any potentially relevant records that the Commissioner has come to possess after 31 December 2017 and provide one or more supplemental affidavits of documents as appropriate.

**AFFIRMED BEFORE ME** at the City of Gatineau in the Province of Québec this 20 day of February 2018.

  
\_\_\_\_\_  
A Commissioner for Taking Oaths

58143I.

  
\_\_\_\_\_  
Alicia Foster

# EXHIBIT 1

This document is confidential and was removed from the Public Version of this Motion Record pursuant to the Confidentiality Order of Justice Gascon dated March 20, 2017.

# EXHIBIT 2

This document is confidential and was removed from the Public Version of this Motion Record pursuant to the Confidentiality Order of Justice Gascon dated March 20, 2017.

# EXHIBIT 3

This document is confidential and was removed from the Public Version of this Motion Record pursuant to the Confidentiality Order of Justice Gascon dated March 20, 2017.

# EXHIBIT 4



This document is confidential and was removed from the Public Version of this Motion Record pursuant to the Confidentiality Order of Justice Gascon dated March 20, 2017.

# EXHIBIT 5

This document is confidential and was removed from the Public Version of this Motion Record pursuant to the Confidentiality Order of Justice Gascon dated March 20, 2017.

# EXHIBIT 6



**Department of Justice  
Canada**

Competition Bureau  
Legal Services

Toronto Regional Office  
151 Yonge Street, 3rd Floor  
Toronto, Ontario  
M5C 2W7

**Ministère de la Justice  
Canada**

Services juridiques Bureau  
de la Concurrence

Bureau régional de Toronto  
151, rue Yonge, 3<sup>ème</sup> étage  
Toronto (Ontario)  
M5C 2W7

Cote de sécurité – Security classification

**PROTÉGÉ B – PROTECTED B**

Notre référence – Our file

**No. : CA-2215-200**

Date : 17-10-06 (AA/YY-MM-JJDD)

Telephone / Téléphone Telephone/ Télécopieur  
(416) 954-5925 (416) 973-5131

THIS IS EXHIBIT.....<sup>6</sup>.....TO THE  
AFFIDAVIT OF.....*Alexia Foster*.....

.....  
SWORN BEFORE ME THIS.....<sup>20</sup>.....DAY  
OF.....*February*.....20.....<sup>18</sup>.....

.....*K. Ridel*.....  
COMMISSIONER OF OATHS

Michael Koch  
Goodmans LLP  
Bay Adelaide Centre – West Tower  
333 Bay Street, Suite 3400  
Toronto, ON M5H 2S7

VIA EMAIL

Mr. Koch:

**Re: Commissioner of Competition v. Vancouver Airport Authority (CT-2016-015)**

We write further to the examination for discovery of the Commissioner's representative that occurred August 23 and 24, 2017, the Commissioner's responses to undertakings from that discovery delivered to you on September 22, 2017, and VAA's motion dated September 29, 2017 seeking to compel answers to questions refused by the Commissioner in respect of that discovery.

The Commissioner has re-considered his response to Request No. 114, wherein VAA asked the Commissioner to confirm that the menus, price lists and invoices produced to VAA reflect the entire universe of menus, price lists and invoices that the Commissioner has collected.

The Commissioner has determined that 16 records listed in one or more Schedules C to his affidavits of documents are menus, price lists or invoices of the nature that have already been produced to VAA. These 16 records were listed in Schedules C as a result of how they were produced to the Bureau by third parties. The Commissioner has elected to waive privilege over these 16 records and hereby

- 2 -

produces them to VAA. As indicated in their file names, the Commissioner has designated each of these records as Confidential – Level A. The Commissioner's waiver of privilege over these 16 records does not constitute a waiver of privilege over any other records listed in one or more Schedules C to the affidavits of documents, over which the Commissioner continues to assert privilege.

Finally, we wish to advise that one record was inadvertently omitted from Schedule C of the Commissioner's Supplemental Affidavit of Documents No. 3, which was served upon VAA on September 29, 2017. Information about this record is contained below.

Document Type	Main Date	Title	People/Organizations Author	Privilege
Interview Notes	18/01/2017	Competition Bureau Record	Earnshaw, Emily / Competition Bureau	Litigation Public Interest

Regards,



Jonathan Hood

cc.: Calvin Goldman, Q.C., Goodmans LLP  
 Julie Rosenthal, Goodmans LLP  
 Antonio Di Domenico, Fasken Martineau DuMoulin LLP  
 Katherine Rydel, Competition Bureau Legal Services  
 Ryan Caron, Competition Bureau Legal Services

# EXHIBIT 7



Department of Justice  
Canada

Competition Bureau  
Legal Services

Toronto Regional Office  
151 Yonge Street, 3rd Floor  
Toronto, Ontario  
M5C 2W7

Ministère de la Justice  
Canada

Services juridiques Bureau  
de la Concurrence

Bureau régional de Toronto  
151, rue Yonge, 3<sup>ème</sup> étage  
Toronto (Ontario)  
M5C 2W7

Cote de sécurité – Security classification

PROTÉGÉ B – PROTECTED B

Notre référence – Our file

No. : CA-2215-200

Date : 14-11-20 (AA/YY-MM-JJDD)

Telephone / Téléphone Telephone/ Télécopieur  
(416) 954-5925 (416) 973-5131

Michael Koch  
Goodmans LLP  
Bay Adelaide Centre – West Tower  
333 Bay Street, Suite 3400  
Toronto, ON M5H 2S7

THIS IS EXHIBIT 7 TO THE  
AFFIDAVIT OF Alicia Foster  
.....  
SWORN BEFORE ME THIS 20 DAY  
OF February 20 18  
K. Rydell  
COMMISSIONER OF OATHS

Mr. Koch:

**Re: Commissioner of Competition v Vancouver Airport Authority (CT-2016-015)**

With respect to the above-noted matter, and further to the amended Scheduling Order dated 21 July 2017, the Commissioner of Competition (the "Commissioner") intends to rely on the following records at the hearing:

1. All records referred to, identified, or made exhibits during the examinations for discovery or follow-up discovery of the Respondent;
2. All responses by the Respondent to undertakings, questions taken under advisement and questions refused during examinations for discovery or follow-up discovery and any records provided in relation thereto;
3. All transcripts arising from the section 11(1)(a) oral examinations of Mr. Gugliotta and Mr. Richmond that took place on 26-28 January 2016, and the records referred to, identified, or made exhibits in relation thereto;
4. Witness statements served by the Commissioner and all records that are referred to in or exhibited to the witness statements;



5. The expert report of Dr. Gunnar Niels, served on 15 November 2017, the reply report of Dr. Niels, if any, or any other report of an expert retained by the Commissioner and all records referred to in or exhibited to the reports or in any accompanying data file;
6. All records listed in Schedules A or Schedules B of the Commissioner's affidavits of documents (except for records with document IDs beginning with YVR), affirmed 14 February 2017, 21 March 2017, 27 April 2017, 12 July 2017 and 29 September 2017;
7. Records produced by the Respondent in its affidavit of documents of 3 March 2017, 13 October 2017 and 10 November 2017 as listed in **Appendix A** hereto;
8. The five records listed in **Appendix B** and produced on the enclosed USB stick that were inadvertently not listed in the Commissioner's affidavits of documents. Note that these five records were previously produced in another file format; the document IDs of the corresponding previously produced records are also identified in Appendix B.
9. The five records listed in **Appendix C** and produced on the enclosed USB stick over which the Commissioner has elected to waive privilege. The Commissioner's waiver of privilege over these records does not constitute a waiver of privilege over any other records listed in one or more Schedules C to the Commissioner's affidavits of documents, over which the Commissioner continues to assert privilege.

Regards,



Jonathan Hood

cc.: Calvin Goldman, Q.C., Goodmans LLP  
Julie Rosenthal, Goodmans LLP  
Antonio Di Domenico, Fasken Martineau DuMoulin LLP  
Katherine Rydel, Competition Bureau Legal Services  
Ryan Caron, Competition Bureau Legal Services

**Commissioner of Competition v Vancouver Airport Authority**  
**Documents Relied On - November 14, 2017**  
**Appendix A**

<b>Count</b>	<b>Document Id</b>
1	YVR00000004
2	YVR00000010
3	YVR00000020
4	YVR00000022
5	YVR00000024
6	YVR00000025
7	YVR00000026
8	YVR00000027
9	YVR00000028
10	YVR00000029
11	YVR00000030
12	YVR00000034
13	YVR00000040
14	YVR00000051
15	YVR00000053
16	YVR00000057
17	YVR00000063
18	YVR00000064
19	YVR00000066
20	YVR00000075
21	YVR00000082
22	YVR00000094
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34	YVR00000209
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36	YVR00000217
37	YVR00000220
38	YVR00000222
39	YVR00000223
40	YVR00000227
41	YVR00000231

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43	YVR00000235
44	YVR00000243
45	YVR00000250
46	YVR00000257
47	YVR00000265
48	YVR00000287
49	YVR00000293
50	YVR00000294
51	YVR00000297
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224	YVR00004825
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228	YVR00004889
229	YVR00004898
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316	YVR00006745
317	YVR00006748



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433	YVR00008274
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Count	Document Id
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632	YVR00009662
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639	YVR00009681

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653	YVR00009725
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673	YVR00009764
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683	YVR00009781
684	YVR00009783
685	YVR00009784



Count	Document Id
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693	YVR00009807
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695	YVR00009810
696	YVR00009811
697	YVR00009812
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699	YVR00009819
700	YVR00009826
701	YVR00009841
702	YVR00009842
703	YVR00009856
704	YVR00009860
705	YVR00009922
706	YVR00009926
707	YVR00009927
708	YVR00009929
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710	YVR00009931
711	YVR00009936
712	YVR00009938
713	YVR00009941
714	YVR00009952
715	YVR00009957
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718	YVR00010025
719	YVR00010029
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721	YVR00010036
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723	YVR00010043
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731	YVR00010149

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739	YVR00010353
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741	YVR00010443
742	YVR00010444
743	YVR00010445
744	YVR00010450
745	YVR00010451
746	YVR00010457
747	YVR00010466
748	YVR00010470
749	YVR00010471
750	YVR00010475
751	YVR00010477
752	YVR00010478
753	YVR00010487
754	YVR00010491
755	YVR00010495
756	YVR00010499
757	YVR00010504
758	YVR00010505
759	YVR00010507
760	YVR00010516
761	YVR00010521
762	YVR00010526
763	YVR00010527
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766	YVR00010562
767	YVR00010563
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769	YVR00010572
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776	YVR00010594
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Count	Document Id
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780	YVR00010614
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783	YVR00010623
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786	YVR00010635
787	YVR00010638
788	YVR00010643
789	YVR00010645
790	YVR00010647
791	YVR00010650
792	YVR00010651
793	YVR00010652
794	YVR00010654
795	YVR00010656
796	YVR00010657
797	YVR00010659
798	YVR00010660
799	YVR00010664
800	YVR00010665
801	YVR00010668
802	YVR00010670
803	YVR00010672
804	YVR00010737
805	YVR00010739
806	YVR00010787
807	YVR00010791
808	YVR00010792
809	YVR00010794
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812	YVR00010798
813	YVR00010799
814	YVR00010806
815	YVR00010809
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823	YVR00010848

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826	YVR00010893
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828	YVR00010914
829	YVR00010929
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832	YVR00010994
833	YVR00011014
834	YVR00011021
835	YVR00011040
836	YVR00011041
837	YVR00011043
838	YVR00011047
839	YVR00011049
840	YVR00011055
841	YVR00011059
842	YVR00011074
843	YVR00011078
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845	YVR00011153
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847	YVR00011156
848	YVR00011157
849	YVR00011162
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863	YVR00011726
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881	YVR00011898
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883	YVR00011907
884	YVR00011909
885	YVR00011910
886	YVR00011914
887	YVR00011919
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892	YVR00011962
893	YVR00011963
894	YVR00011965
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896	YVR00011970
897	YVR00011982
898	YVR00011992
899	YVR00012012
900	YVR00012019
901	YVR00012035
902	YVR00012065
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904	YVR00012073
905	YVR00012075
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925	YVR00012172
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927	YVR00012177
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929	YVR00012219
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931	YVR00012221
932	YVR00012223
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942	YVR00012598
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947	YVR00012612
948	YVR00012630
949	YVR00012671
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951	YVR00012673
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953	YVR00012701
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976	YVR00013078
977	YVR00013188
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979	YVR00013294
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986	YVR00013385
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992	YVR00013398
993	YVR00013399
994	YVR00013457
995	YVR00013458
996	YVR00013472
997	YVR00013474
998	YVR00013523
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1001	YVR00013602
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1005	YVR00013775
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1017	YVR00013989
1018	YVR00013990
1019	YVR00013993
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1032	YVR00014124
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1035	YVR00014153
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1092	YVR00014420
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Count	Document Id
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1105	YVR00014732
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1108	YVR00014735
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1112	YVR00014744
1113	YVR00014745
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1115	YVR00014751
1116	YVR00014753
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1139	YVR00014869
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1154	YVR00014952
1155	YVR00014957
1156	YVR00014962
1157	YVR00014963
1158	YVR00014992
1159	YVR00014996
1160	YVR00015000
1161	YVR00015006
1162	YVR00015007
1163	YVR00015008
1164	YVR00015009
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1173	YVR00015073
1174	YVR00015079
1175	YVR00015084
1176	YVR00015120
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1181	YVR00015181
1182	YVR00015186
1183	YVR00015204
1184	YVR00015206
1185	YVR00015208
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1187	YVR00015232
1188	YVR00015234
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1190	YVR00015288
1191	YVR00015358

Count	Document Id
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1196	YVR00016565
1197	YVR00016566
1198	YVR00016567
1199	YVR00016568
1200	YVR00016569
1201	YVR00016571
1202	YVR00016572
1203	YVR00016573
1204	YVR00016575
1205	YVR00016576
1206	YVR00016577
1207	YVR00016578
1208	YVR00016580
1209	YVR00016581
1210	YVR00016583
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1214	YVR00016609
1215	YVR00016613
1216	YVR00016617
1217	YVR00016619
1218	YVR00016622
1219	YVR00016623
1220	YVR00016626
1221	YVR00016628
1222	YVR00016634
1223	YVR00016636
1224	YVR00016644
1225	YVR00016648
1226	YVR00016654
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1231	YVR00016672
1232	YVR00016673
1233	YVR00016684
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1235	YVR00016702
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Count	Document Id
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1249	YVR00016837
1250	YVR00016847
1251	YVR00016851
1252	YVR00016854
1253	YVR00016861
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1255	YVR00016865
1256	YVR00016875
1257	YVR00016880
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1259	YVR00016890
1260	YVR00016903
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1263	YVR00016929
1264	YVR00016944
1265	YVR00016955
1266	YVR00016958
1267	YVR00016962
1268	YVR00016968
1269	YVR00016981
1270	YVR00016996
1271	YVR00016997
1272	YVR00016998
1273	YVR00017001
1274	YVR00017005
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1277	YVR00017035
1278	YVR00017046
1279	YVR00017047
1280	YVR00017058
1281	YVR00017060
1282	YVR00017064
1283	YVR00017076

Count	Document Id
1284	YVR00017087
1285	YVR00017099
1286	YVR00017113
1287	YVR00017114
1288	YVR00017127
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1291	YVR00017144
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1293	YVR00017169
1294	YVR00017173
1295	YVR00017196
1296	YVR00017228
1297	YVR00017252
1298	YVR00017276
1299	YVR00017300
1300	YVR00017324
1301	YVR00017349
1302	YVR00017401
1303	YVR00017416
1304	YVR00017430
1305	YVR00017444
1306	YVR00017455
1307	YVR00017458
1308	YVR00017461
1309	YVR00017462
1310	YVR00017464
1311	YVR00017465
1312	YVR00017470
1313	YVR00017475
1314	YVR00017491
1315	YVR00017519
1316	YVR00017560
1317	YVR00017584
1318	YVR00017608
1319	YVR00017611
1320	YVR00017645
1321	YVR00017702
1322	YVR00017704
1323	YVR00017709
1324	YVR00017762
1325	YVR00017827
1326	YVR00017861
1327	YVR00017872
1328	YVR00017931
1329	YVR00017935

Count	Document Id
1330	YVR00017992
1331	YVR00018066
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1333	YVR00018197
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1336	YVR00018395
1337	YVR00018397
1338	YVR00018403
1339	YVR00018468
1340	YVR00018470
1341	YVR00018472
1342	YVR00018473
1343	YVR00018476
1344	YVR00018487
1345	YVR00018495
1346	YVR00018508
1347	YVR00018540
1348	YVR00018569
1349	YVR00018592
1350	YVR00018616
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1356	YVR00018891
1357	YVR00018895
1358	YVR00019082
1359	YVR00019147
1360	YVR00019212
1361	YVR00019214
1362	YVR00019219
1363	YVR00019244
1364	YVR00019309
1365	YVR00019358
1366	YVR00019360
1367	YVR00019361
1368	YVR00019362
1369	YVR00019379
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1371	YVR00019382
1372	YVR00019457
1373	YVR00019474
1374	YVR00019475
1375	YVR00019476

Count	Document Id
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1377	YVR00019504
1378	YVR00019593
1379	YVR00019603
1380	YVR00019604
1381	YVR00019605
1382	YVR00019606
1383	YVR00019607
1384	YVR00019612
1385	YVR00019613
1386	YVR00019615
1387	YVR00019628
1388	YVR00019705
1389	YVR00019718
1390	YVR00019723
1391	YVR00019799
1392	YVR00019817
1393	YVR00019822
1394	YVR00019831
1395	YVR00019832
1396	YVR00019868
1397	YVR00019881
1398	YVR00019895
1399	YVR00019903
1400	YVR00019910
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1402	YVR00019935
1403	YVR00019938
1404	YVR00019949
1405	YVR00019958
1406	YVR00019990
1407	YVR00020000
1408	YVR00020001
1409	YVR00020002
1410	YVR00020003
1411	YVR00020004
1412	YVR00020005
1413	YVR00020010
1414	YVR00020019
1415	YVR00020021
1416	YVR00020025
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1418	YVR00020032
1419	YVR00020036
1420	YVR00020037
1421	YVR00020038



Count	Document Id
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1424	YVR00020046
1425	YVR00020047
1426	YVR00020048
1427	YVR00020049
1428	YVR00020050
1429	YVR00020060
1430	YVR00020062
1431	YVR00020065
1432	YVR00020066
1433	YVR00020068
1434	YVR00020072
1435	YVR00020078
1436	YVR00020082
1437	YVR00020083
1438	YVR00020087
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1440	YVR00020089
1441	YVR00020091
1442	YVR00020097
1443	YVR00020099
1444	YVR00020102
1445	YVR00020104
1446	YVR00020107
1447	YVR00020113
1448	YVR00020114
1449	YVR00020119
1450	YVR00020120
1451	YVR00020133
1452	YVR00020146
1453	YVR00020159
1454	YVR00020173
1455	YVR00020181
1456	YVR00020195
1457	YVR00020197
1458	YVR00020203
1459	YVR00020205
1460	YVR00020207
1461	YVR00020209
1462	YVR00020223
1463	YVR00020246
1464	YVR00020249
1465	YVR00020250
1466	YVR00020252
1467	YVR00020255

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1470	YVR00020319
1471	YVR00020321
1472	YVR00020334
1473	YVR00020335
1474	YVR00020338
1475	YVR00020342
1476	YVR00020349
1477	YVR00020360
1478	YVR00020366
1479	YVR00020375
1480	YVR00020376
1481	YVR00020449
1482	YVR00020523
1483	YVR00020525
1484	YVR00020676
1485	YVR00020680
1486	YVR00020751
1487	YVR00020753
1488	YVR00020828
1489	YVR00020831
1490	YVR00020901
1491	YVR00020902
1492	YVR00020977
1493	YVR00020979
1494	YVR00021065
1495	YVR00021081
1496	YVR00021129
1497	YVR00021133
1498	YVR00021174
1499	YVR00021204
1500	YVR00021241
1501	YVR00021383
1502	YVR00021386
1503	YVR00021389
1504	YVR00021391
1505	YVR00021394
1506	YVR00021442
1507	YVR00021480
1508	YVR00021483
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1510	YVR00021570
1511	YVR00021606
1512	YVR00021607
1513	YVR00021611

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1523	YVR00021888
1524	YVR00021892
1525	YVR00021899
1526	YVR00021904
1527	YVR00021908
1528	YVR00021914
1529	YVR00021917
1530	YVR00021920
1531	YVR00021924
1532	YVR00021927
1533	YVR00021940
1534	YVR00021957
1535	YVR00021975
1536	YVR00022003
1537	YVR00022031
1538	YVR00022059
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1540	YVR00022242
1541	YVR00022280
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1543	YVR00022284
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1552	YVR00022302
1553	YVR00022306
1554	YVR00022311
1555	YVR00022313
1556	YVR00022314
1557	YVR00022315
1558	YVR00022316
1559	YVR00022324

Count	Document Id
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1562	YVR00022342
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1565	YVR00022349
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1567	YVR00022354
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1571	YVR00022361
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1573	YVR00022368
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1575	YVR00022376
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1577	YVR00022387
1578	YVR00022391
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1582	YVR00022408
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1584	YVR00022411
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1588	YVR00022592
1589	YVR00022597
1590	YVR00022606
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1596	YVR00022771
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1604	YVR00022864
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1608	YVR00022898
1609	YVR00022903
1610	YVR00022912
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1613	YVR00022934
1614	YVR00022936
1615	YVR00023016
1616	YVR00023084
1617	YVR00023141
1618	YVR00023145
1619	YVR00023155
1620	YVR00023163
1621	YVR00023164
1622	YVR00023168
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1624	YVR00023172
1625	YVR00023180
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1645	YVR00023460
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1659	YVR00023549
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1661	YVR00023601
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1663	YVR00023705
1664	YVR00023806
1665	YVR00023872
1666	YVR00023881
1667	YVR00024090
1668	YVR00024269
1669	YVR00024271
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1688	YVR00024816
1689	YVR00024850
1690	YVR00024852
1691	YVR00024853
1692	YVR00024861
1693	YVR00024887
1694	YVR00024890
1695	YVR00024956
1696	YVR00024957
1697	YVR00024989

Count	Document Id
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1699	YVR00024996
1700	YVR00025059
1701	YVR00025176
1702	YVR00025358
1703	YVR00025382
1704	YVR00025416
1705	YVR00025452
1706	YVR00025524

This document is confidential and was removed from the Public Version of this Motion Record pursuant to the Confidentiality Order of Justice Gascon dated March 20, 2017.



# EXHIBIT 8

**From:** Hood, Jonathan (IC)  
**Sent:** December-12-17 9:40 AM  
**To:** Olscher, Rebecca; Rosenthal, Julie  
**Cc:** Koch, Michael; Cookson, Ryan; Goldman, Calvin; Foster, Alicia (IC); Antonio Di Domenico (adidomenico@fasken.com); Caron, Ryan (IC)  
**Subject:** RE: VAA -- Discovery  
**Attachments:** PAAH00000818 - CONFIDENTIAL LEVEL A.PDF

Rebecca:

Attached is a revised version of PAAH00000818.

Further to your request for the notes that continue PAAH957, PAAH957 are notes from an interview with a witness that were created for the dominant purpose of this application. This document is protected by litigation privilege and was inadvertently produced. Please confirm that you will destroy all copies of this record. For the same reason, it is protected by litigation privilege, we will not be producing the first half of this document.

Regards,

Jonathan

THIS IS EXHIBIT.....<sup>8</sup>.....TO THE  
AFFIDAVIT OF Alicia Foster  
.....  
SWORN BEFORE ME THIS.....<sup>20</sup>.....DAY  
OF.....February.....20.....<sup>18</sup>.....  
.....H. Rydman.....  
COMMISSIONER OF OATHS

**Jonathan Hood**  
**Counsel - Avocat**  
Tel: (416) 954-5925 | Fax: (416) 973-5131  
jonathan.hood@canada.ca  
Department of Justice - Ministère de la Justice  
Services juridiques - Bureau de la concurrence  
Competition Bureau - Legal Services  
151 Yonge Street, 3rd Floor, Toronto, Ontario. M5C 2W7  
Gouvernement du Canada | Government of Canada  
www.cb-bc.gc.ca

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**From:** Olscher, Rebecca [mailto:rolscher@goodmans.ca]  
**Sent:** December-11-17 2:58 PM  
**To:** Hood, Jonathan (IC); Rosenthal, Julie  
**Cc:** Koch, Michael; Cookson, Ryan; Goldman, Calvin; Foster, Alicia (IC); Antonio Di Domenico (adidomenico@fasken.com); Caron, Ryan (IC)  
**Subject:** RE: VAA -- Discovery

Jonathan,

Thank you for providing the transcriptions. We have three follow-up requests with respect to the information provided:

- We do not see the transcription for PAAH00000957 in the zip folder provided. Please provide a transcription of that document as soon as possible.
- The transcription of document PAAH00000818 provided appears to have the incorrect document ID number on the first page. Please provide a revised version of the transcription with the proper document ID.
- Your email does not address our questions regarding PAAH00000957. The first half of that document, which is entitled "Alicia Foster's Officer's Notebook, p. 1-8: Call with Newrest" and which is dated November 16, 2016, begins with the notation "Continued from Book #4". Please provide the pages from "Book 4" that contain Ms. Foster's notes from the first part of the call with Newrest.

Regards,

**Rebecca Olscher**

Goodmans LLP

416.849.6984

[rolscher@goodmans.ca](mailto:rolscher@goodmans.ca)

goodmans.ca

---

**From:** Hood, Jonathan (IC) [<mailto:jonathan.hood@canada.ca>]

**Sent:** Monday, December 11, 2017 12:02 PM

**To:** Rosenthal, Julie

**Cc:** Koch, Michael; Cookson, Ryan; Goldman, Calvin; Olscher, Rebecca; Foster, Alicia (IC); Antonio Di Domenico ([adidomenico@fasken.com](mailto:adidomenico@fasken.com)); Caron, Ryan (IC)

**Subject:** RE: VAA -- Discovery

Julie,

Further to your email on Friday, please find attached transcriptions of the handwritten notes highlighted in yellow on your list. We would note that PAAH00000078 is a duplicate of PAAH00000743.

We have not included transcriptions of handwritten notes for Jennifer Hefler or Alex Anderson. These Officers are no longer at the Bureau. In addition, these notes were prepared in relation to merger matter. Therefore, we are in no better position to interpret these notes.

With respect to your request relating to PAAH00000179, these are handwritten notes from a call with Strategic Aviation in January 2015. During this interview, electronic notes were also prepared, see PAAH00143\_00002365 (which was produced in Tranche 1 on Nov 23). Toward the end of the interview when the electronic note taker began asking questions, Alicia Foster "continued" the notes in her notebook to supplement the electronic notes. There is no missing set of notes, as Ms. Foster began taking notes part way through the interview.

Regards,

Jonathan

---

**From:** Rosenthal, Julie [<mailto:jrosenthal@goodmans.ca>]

**Sent:** December-11-17 10:40 AM

**To:** Hood, Jonathan (IC)

**Cc:** Koch, Michael; Cookson, Ryan; Goldman, Calvin; Olscher, Rebecca; Foster, Alicia (IC); Antonio Di Domenico

([adidomenico@fasken.com](mailto:adidomenico@fasken.com)); Caron, Ryan (IC)

**Subject:** RE: VAA -- Discovery

Jonathan,

I am very sorry to bother you again, but do you think you could send me a response to my emails below?

Thanks so much in advance,

Julie

---

**From:** Rosenthal, Julie

**Sent:** December-10-17 11:49 AM

**To:** Hood, Jonathan (IC)

**Cc:** Koch, Michael; Cookson, Ryan; Goldman, Calvin; Olscher, Rebecca; Foster, Alicia (IC); Antonio Di Domenico ([adidomenico@fasken.com](mailto:adidomenico@fasken.com)); Caron, Ryan (IC)

**Subject:** RE: VAA -- Discovery

Jonathan,

Just following up on my email below. As you can appreciate, the lack of typed transcriptions for the notes is hindering our preparation for the Rushton discovery on Wednesday. Anything you could do to speed along the delivery of the transcriptions along with the other documents requested below would be greatly appreciated.

Thanks so much in advance,

Julie

---

**From:** Rosenthal, Julie

**Sent:** Friday, December 08, 2017 1:53 PM

**To:** Hood, Jonathan (IC)

**Cc:** Koch, Michael; Cookson, Ryan; Goldman, Calvin; Olscher, Rebecca; Foster, Alicia (IC); Antonio Di Domenico ([adidomenico@fasken.com](mailto:adidomenico@fasken.com)); Caron, Ryan (IC)

**Subject:** RE: VAA -- Discovery

Jonathan,

What your chart seems to reference is not an actual transcription of the handwritten notes, but a typed document memorializing of certain (but not all) aspects of the the discussions that appear to be reflected in the notes.

We would like a typed version of the handwritten notes so that there is no misunderstanding as to what those handwritten notes say. To that end, I've attached a PDF of a list of the notes. On that list, I have highlighted those handwritten notes in respect of which we are having difficulty and in respect of which we request a typed transcription.

In addition, I've realized that there is an additional missing set out notes. Specifically, the document bearing Bates number PAAH00000179 begins as follows: "Continuation of notes; Call began at 3:00 pm". Could you please provide the first part of those notes, in addition to what is set out in my email below.

Thanks,

Julie

**From:** Hood, Jonathan (IC) [<mailto:jonathan.hood@canada.ca>]  
**Sent:** December-08-17 12:59 PM  
**To:** Rosenthal, Julie  
**Cc:** Koch, Michael; Cookson, Ryan; Goldman, Calvin; Olscher, Rebecca; Foster, Alicia (IC); Antonio Di Domenico ([adidomenico@fasken.com](mailto:adidomenico@fasken.com)); Caron, Ryan (IC)  
**Subject:** RE: VAA -- Discovery

Julie:

The table below indicates any handwritten notes that have corresponding typed notes that may be referenced in the production:

Document ID(s) of any Notebooks	Document ID(s) of any Typed Notes
PAAH00000179	PAAH00031_00000586, PAAH00031_00000618
PAAH00000118	PAAH00031_00000603, PAAH00031_00000624, PAAH00143_00002371
PAAH00000128	PAAH00031_00000630, PAAH00031_00000646
PAAH00000060	PAAH00031_00000464
PAAH00000066	PAAH00031_00000478
PAAH00000074, PAAH00000078, PAAH00000743	PAAH00031_00000968
PAAH00000111	PAAH00143_00002365
PAAH00000792	PAAH00146_00000130
PAAH00000797	PAAH00146_00000126

Any handwritten notes of Kevin's, you can ask him about during his examination. For any other handwritten notes, please send us the document ids of those notes you consider illegible and we will consider your request to transcribe them.

Regards,

Jonathan

**Jonathan Hood**  
**Counsel - Avocat**  
 Tel: (416) 954-5925 | Fax: (416) 973-5131  
[jonathan.hood@canada.ca](mailto:jonathan.hood@canada.ca)  
 Department of Justice - Ministère de la Justice  
 Services juridiques - Bureau de la concurrence  
 Competition Bureau - Legal Services  
 151 Yonge Street, 3rd Floor, Toronto, Ontario. M5C 2W7  
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---

**From:** Rosenthal, Julie [<mailto:jrosenthal@goodmans.ca>]  
**Sent:** December-08-17 12:43 PM  
**To:** Hood, Jonathan (IC)  
**Cc:** Koch, Michael; Cookson, Ryan; Goldman, Calvin; Olscher, Rebecca; Foster, Alicia (IC); Antonio Di Domenico ([adidomenico@fasken.com](mailto:adidomenico@fasken.com)); Caron, Ryan (IC)  
**Subject:** RE: VAA -- Discovery

Thanks so much Jonathan. That's very helpful. With respect to the documents, if you could get those to us by the end of the day, that would be great. (As you can appreciate, time is pretty tight for preparation for the discovery.)

Regards,

Julie

---

**From:** Hood, Jonathan (IC) [<mailto:jonathan.hood@canada.ca>]  
**Sent:** December-08-17 9:18 AM  
**To:** Rosenthal, Julie  
**Cc:** Koch, Michael; Cookson, Ryan; Goldman, Calvin; Olscher, Rebecca; Foster, Alicia (IC); Antonio Di Domenico ([adidomenico@fasken.com](mailto:adidomenico@fasken.com)); Caron, Ryan (IC)  
**Subject:** RE: VAA -- Discovery

Julie:

Wednesday works best for us. Half of our legal team, Mr. Rushton, and the case team all live in Ottawa so the examination will happen in Gatineau at the Bureau offices. We are considering your other requests.

Regards,

Jonathan

---

**From:** Rosenthal, Julie [<mailto:jrosenthal@goodmans.ca>]  
**Sent:** December-07-17 5:23 PM  
**To:** Hood, Jonathan (IC)  
**Cc:** Koch, Michael; Cookson, Ryan; Goldman, Calvin; Olscher, Rebecca; Foster, Alicia (IC); Antonio Di Domenico ([adidomenico@fasken.com](mailto:adidomenico@fasken.com)); Caron, Ryan (IC)  
**Subject:** VAA -- Discovery

Jonathan,

Please advise whether Mr. Rushton is available on either next Wednesday or Thursday for his examination for discovery.

In addition, could you please provide as soon as possible the following:

- Typed transcriptions of the various hand-written notes that were produced;

- The first half of the document which bears Bates No. PAAH-00000957 and which is entitled "Alicia Foster's Officer's Notebook, p. 1-8: Call with Newrest" and which is dated November 16, 2016. The document that was produced begins with the notation "Continued from Book #4". Please provide the pages from "Book 4" that contain Ms. Foster's notes from the first part of the call with Newrest.

Finally, given that all counsel are in Toronto, it would seem to make more sense to have the discovery in Toronto. Please let me know if you agree.

Regards,

**Julie Rosenthal**

Goodmans LLP

416.597.4259

[jrosenthal@goodmans.ca](mailto:jrosenthal@goodmans.ca)

[goodmans.ca](http://goodmans.ca)

\*\*\*\* Attention \*\*\*\*

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# EXHIBIT 9



SWORN BEFORE ME THIS...<sup>20</sup>.....DAY

OF...*February*.....20...*18*.....

*K Rydel*  
COMMISSIONER OF OATHS

**From:** Hood, Jonathan (IC)  
**Sent:** December-21-17 4:53 PM  
**To:** Rosenthal, Julie  
**Cc:** Goldman, Calvin; Koch, Michael; Olscher, Rebecca; Rydel, Katherine (IC); Caron, Ryan (IC); Antonio Di Domenico (adidomenico@fasken.com); Rushton, Kevin (IC); Foster, Alicia (IC); Bergeron, Francis (IC)  
**Subject:** RE: Commissioner of Competition v. Vancouver Airport Authority (CT-2016-015)  
**Attachments:** 2017-12-21 CB Answers to Undertakings.pdf; 2017 12 21 Supplemental AOD No2 Schedule C updated.pdf; 2017 12 21 Supplemental AOD No.1 Schedule C updated.pdf; 2017 12 21 Supplemental AoD No3 Schedule C updated.pdf; 2017 12 21 Amended AoD Schedule C (Dec 6) Updated.pdf; PAAH00142\_00000622 - CONFIDENTIAL - LEVEL B.PDF; PAMC00004\_00000002 Confidential - Level B.PDF; 2017 12 21 Index Dec 21 Production.pdf

Julie:

Attached are certain answers to undertakings and questions taken under advisement at the further examination of Mr. Rushton held on December 13, 2017. This concludes our responses to VAA's request. The production of today's records are being sent by overnight courier. The password for the USB key is C0mpet1t10n. We have attached an index of these files to this email. Let me know if you have not received the USB file by lunch and I will make alternate arrangements to get them to you tomorrow.

With respect to Requests 35-43 and further to the Commissioner's response of December 15, 2017, attached are the unredacted versions of Schedule C of the Commissioner's Affidavits of Documents. In preparing these versions, we discovered the following:

- a. Records listed on lines 510 and 1249 of the Schedule C to the March Affidavit of Documents (filename: 2017 12 21 Amended AoD Schedule C (Dec 6) Updated), which are only marginally relevant, were inadvertently not previously produced. These two records are attached.
- b. Records listed on lines 676, 677 and 678 of the Schedule C to the March Affidavit of Documents (filename: 2017 12 21 Amended AoD Schedule C (Dec 6) Updated) are subject to litigation privilege, although previously only listed in Schedule C as subject to public interest privilege. The attached Schedule C has been updated to reflect this change.

Lastly, happy holidays everyone!

Regards,

Jonathan

---

**From:** Hood, Jonathan (IC)  
**Sent:** December-20-17 5:41 PM  
**To:** Rosenthal, Julie  
**Cc:** Goldman, Calvin; Koch, Michael; Olscher, Rebecca; Rydel, Katherine (IC); Caron, Ryan (IC); Antonio Di Domenico (adidomenico@fasken.com); Rushton, Kevin (IC); Foster, Alicia (IC); Bergeron, Francis (IC)  
**Subject:** RE: Commissioner of Competition v. Vancouver Airport Authority (CT-2016-015)

Julie:

Attached are certain answers to undertakings and questions taken under advisement at the further examination of Mr. Rushton held on December 13, 2017. Again, I will send you alone the email with the referenced additional productions. You will see we revised the language of 2 of the requests to match the transcripts.

Also, we have one correction to make to yesterday's responses. For Request 211, the bullet reference should be to page 61, 1<sup>st</sup> bullet from the top.

Regards,

Jonathan

**From:** Hood, Jonathan (IC)

**Sent:** Tuesday, December 19, 2017 4:55 PM

**To:** Rosenthal, Julie <[jrosenthal@goodmans.ca](mailto:jrosenthal@goodmans.ca)>

**Cc:** Goldman, Calvin <[cgoldman@goodmans.ca](mailto:cgoldman@goodmans.ca)>; Koch, Michael <[mkoch@goodmans.ca](mailto:mkoch@goodmans.ca)>; Olscher, Rebecca <[rolscher@goodmans.ca](mailto:rolscher@goodmans.ca)>; Rydel, Katherine (IC) <[katherine.rydel@canada.ca](mailto:katherine.rydel@canada.ca)>; Caron, Ryan (IC) <[ryan.caron@canada.ca](mailto:ryan.caron@canada.ca)>; Antonio Di Domenico ([adidomenico@fasken.com](mailto:adidomenico@fasken.com)) <[adidomenico@fasken.com](mailto:adidomenico@fasken.com)>; Rushton, Kevin (IC) <[kevin.rushton@canada.ca](mailto:kevin.rushton@canada.ca)>; Foster, Alicia (IC) <[alicia.foster@canada.ca](mailto:alicia.foster@canada.ca)>; Bergeron, Francis (IC) <[francis.bergeron@canada.ca](mailto:francis.bergeron@canada.ca)>

**Subject:** RE: Commissioner of Competition v. Vancouver Airport Authority (CT-2016-015)

Julie:

Attached are certain answers to undertakings and questions taken under advisement at the further examination of Mr. Rushton held on December 13, 2017. The additional records referenced will be sent in two separate emails. One of them is large so to spare everyone's inbox I will send it to you only. I would appreciate if you could confirm receipt of both those emails.

Regards,

Jonathan

**Jonathan Hood**

**Counsel - Avocat**

Tel: (416) 954-5925 | Fax: (416) 973-5131

[jonathan.hood@canada.ca](mailto:jonathan.hood@canada.ca)

Department of Justice - Ministère de la Justice

Services juridiques - Bureau de la concurrence

Competition Bureau - Legal Services

151 Yonge Street, 3rd Floor, Toronto, Ontario. M5C 2W7

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---

**From:** Hood, Jonathan (IC)  
**Sent:** December-16-17 3:44 PM  
**To:** 'Rosenthal, Julie'  
**Cc:** Goldman, Calvin; Koch, Michael; Olscher, Rebecca; Rydel, Katherine (IC); Caron, Ryan (IC); Antonio Di Domenico ([adidomenico@fasken.com](mailto:adidomenico@fasken.com)); Rushton, Kevin (IC); Foster, Alicia (IC); Bergeron, Francis (IC)  
**Subject:** Commissioner of Competition v. Vancouver Airport Authority (CT-2016-015)

Julie:

Attached are certain answers to undertakings and questions taken under advisement at the further examination of Mr. Rushton held December 13, 2017.

Regards,

Jonathan

**Jonathan Hood**  
**Counsel - Avocat**  
Tel: (416) 954-5925 | Fax: (416) 973-5131  
[jonathan.hood@canada.ca](mailto:jonathan.hood@canada.ca)  
Department of Justice - Ministère de la Justice  
Services juridiques - Bureau de la concurrence  
Competition Bureau - Legal Services  
151 Yonge Street, 3rd Floor, Toronto, Ontario. M5C 2W7  
Gouvernement du Canada | Government of Canada  
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# EXHIBIT 10



Department of Justice  
Canada

Competition Bureau  
Legal Services

Toronto Regional Office  
151 Yonge Street, 3rd Floor  
Toronto, Ontario  
M5C 2W7

Ministère de la Justice  
Canada

Services juridiques Bureau  
de la Concurrence

Bureau régional de Toronto  
151, rue Yonge, 3<sup>ème</sup> étage  
Toronto (Ontario)  
M5C 2W7

Cote de sécurité – Security classification

PROTÉGÉ B – PROTECTED B

Notre référence – Our file

No. : CA-2215-200

Date : 18-02-12 (AA/YY-MM-JJDD)

Telephone / Téléphone Telephone/ Télécopieur  
(416) 954-5925 (416) 973-5131

Julie Rosenthal  
Goodmans LLP  
Bay Adelaide Centre – West Tower  
333 Bay Street, Suite 3400  
Toronto, ON M5H 2S7

VIA EMAIL

THIS IS EXHIBIT 10 TO THE  
AFFIDAVIT OF Alivia Ester  
.....  
SWORN BEFORE ME THIS 20 DAY  
OF February 20 18  
K. Rydel  
COMMISSIONER OF OATHS

Ms. Rosenthal:

**Re: Commissioner of Competition v Vancouver Airport Authority (CT-2016-015)**

- Further to the decision of the Federal Court of Appeal on 24 January 2018, to remit VAA's public interest privilege motion to the Tribunal for redetermination, I write with the Commissioner's position on records over which the Commissioner has asserted a claim of public interest privilege in his Affidavit of Documents affirmed 14 February 2017, Amended Affidavit of Documents affirmed 21 March 2017, Supplemental Affidavit of Documents No. 1 affirmed 27 April 2017, Supplemental Affidavit of Documents No. 2 affirmed 12 July 2017, Supplemental Affidavit of Documents No. 3 affirmed 29 September 2017, and Supplemental Affidavit of Documents No. 4 affirmed 12 January 2018 (collectively, the "**Commissioner's Affidavits**").
- The Commissioner will not advance claims of public interest privilege on a document-by-document basis over any records in the Commissioner's Affidavits over which the Commissioner previously claimed only public interest

privilege.<sup>1</sup> Therefore, you will be receiving shortly a USB key containing 111 relevant records over which the Commissioner no longer claims any form of privilege.

3. The Commissioner continues to consult with third parties who have provided information contained in relevant records in the Commissioner's Affidavits over which the Commissioner previously had claimed public interest privilege and one or more other privileges (predominantly, litigation privilege), with a view to determining whether the Commissioner will continue to assert public interest privilege over these records on a document-by-document basis. The Commissioner anticipates providing his position on public interest privilege claims on these records by 19 February 2018. Note, however, that regardless of the Commissioner's position in this respect (i.e., whether the Commissioner will continue to assert public interest privilege over one or more of these records), the Commissioner continues to maintain his claims of one or more privileges other than public interest privilege over these records, as such privileges have already been noted in the Commissioner's Affidavits, with the exception of the records specifically discussed at paragraphs 10 and 11 below.
4. On reviewing the records in the Commissioner's Affidavits over which the Commissioner previously had asserted claims of public interest privilege, the Commissioner has identified 114 internal Bureau records that were included as relevant in error. These records are irrelevant because they are internal Bureau records that relate to, among other things, the conduct of the investigation and are not the "fruits" of the Commissioner's investigation (e.g., they are not call notes with third parties or records provided to the Commissioner by third parties). The Commissioner will therefore be removing these records from the Commissioner's Affidavits.
5. Note that of the 114 irrelevant records referred to in paragraph 4, above, the Commissioner had asserted public interest privilege (and no other privilege) over 39 records.<sup>2</sup> Over the remaining 75 irrelevant records referred to in paragraph 4, above, the Commissioner had claimed public interest privilege

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<sup>1</sup> See paragraphs 7, 8 and 9, below, where the Commissioner indicates that he will assert claims of solicitor-client privilege or litigation privilege over certain records in the Commissioner's Affidavits over which he previously had asserted claims of public interest privilege only.

<sup>2</sup> Amended Affidavit of Documents affirmed 21 March 2017, Schedule C, Count No. 389, 412, 415, 420, 421, 423, 425, 427, 428, 429, 430, 445, 454, 455, 485, 507, 516, 533, 556, 561, 565, 566, 567, 568, 569, 589, 602, 610, 613, 632, 633, 634, 635, 636, 637, 638, 639, 640, and 642.

and one or more other privileges (predominantly, litigation privilege).<sup>3</sup> For these 75 irrelevant records, even if they were found to be relevant, which the Commissioner denies, the Commissioner would continue to maintain his claims of one or more privileges other than public interest privilege over these records, as such privileges have already been noted in the Commissioner's Affidavits.

6. An additional 25 records in the Commissioner's Affidavits, over which the Commissioner claimed one or more privileges other than public interest privilege, were included as relevant in error.<sup>4</sup> These records are irrelevant because they are internal Bureau records that relate to, among other things, the conduct of the investigation and are not the "fruits" of the Commissioner's investigation (e.g., they are not call notes with third parties or records provided to the Commissioner by third parties). The Commissioner will therefore be removing these records from the Commissioner's Affidavits.
7. Over two records, listed at count no. 581 and 723 of Schedule C to the Commissioner's Amended Affidavit of Documents affirmed 21 March 2017, the Commissioner inadvertently omitted to assert a claim of litigation privilege. This omission will be corrected in an amended consolidated affidavit of documents.
8. Over two records, listed at count no. 519 and 520 of Schedule C to the Commissioner's Amended Affidavit of Documents affirmed 21 March 2017, the Commissioner inadvertently omitted to assert a claim of solicitor-client privilege. This omission will be corrected in an amended consolidated affidavit of documents.

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<sup>3</sup> Amended Affidavit of Documents affirmed 21 March 2017, Schedule C, Count No. 286, 288, 289, 290, 301, 307, 313, 314, 319, 321, 322, 331, 359, 392, 402, 448, 451, 453, 456, 457, 497, 498, 499, 525, 526, 527, 528, 532, 559, 560, 572, 575, 576, 577, 583, 586, 587, 588, 592, 593, 594, 595, 596, 599, 600, 601, 603, 604, 605, 606, 608, 611, 612, 704, 706, 707, 708, 709, 710, 713, 714, 725, 726, 727, and 736.

Supplemental Affidavit of Documents No. 1 affirmed 27 April 2017, Schedule C, Count No. 11, 19 and 31.

Supplemental Affidavit of Documents No. 2 affirmed 12 July 2017, Schedule C, Count No. 7.

Supplemental Affidavit of Documents No. 3 affirmed 29 September 2017, Schedule C, Count No. 1, 2, 5 and 116.

Supplemental Affidavit of Documents No. 4 affirmed 12 January 2018, Schedule C, Count No. 187 and 188.

<sup>4</sup> Supplemental Affidavit of Documents No. 3 affirmed 29 September 2017, Schedule C, Count No. 36, 62, 63, 64, 65, 70, 75, 79, 88, 89, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, and 115.

9. Over another two records, listed at count no. 295 and 323 of Schedule C to the Commissioner's Amended Affidavit of Documents affirmed 21 March 2017, the Commissioner inadvertently omitted to assert a claim of litigation privilege. This omission will be corrected in an amended consolidated affidavit of documents. Note as well that the Commissioner intends to maintain a claim of public interest privilege over these two records on a document-by-document basis, as well as over the three records listed at count no. 344, 716 and 717 of Schedule C to the Commissioner's Amended Affidavit of Documents affirmed 21 March 2017 over which the Commissioner previously had claimed both litigation privilege and public interest privilege.
10. Over four records, listed at count no. 118, 119, 120 and 121 of Schedule C to the Commissioner's Supplemental Affidavit of Documents No. 3 affirmed 29 September 2017, the Commissioner inadvertently claimed litigation privilege. This inadvertence will be corrected in an amended consolidated affidavit of documents.
11. Nine of the records contained on the USB key<sup>5</sup> are records over which the Commissioner inadvertently had claimed litigation privilege in his Amended Affidavit of Documents affirmed 21 March 2017. This inadvertence will be corrected in an amended consolidated affidavit of documents.
12. Pursuant to Rule 63 of the Tribunal Rules, the Commissioner will deliver to VAA an amended consolidated affidavit of documents that reflects the above, once the Commissioner has determined his position on the records described in paragraph 3, above.

Regards,



Jonathan Hood

cc.: Calvin Goldman, Q.C., Goodmans LLP  
Michael Koch, Goodmans LLP  
Antonio Di Domenico, Fasken Martineau DuMoulin LLP  
Katherine Rydel, Competition Bureau Legal Services  
Ryan Caron, Competition Bureau Legal Services

---

<sup>5</sup> PAAH00000395, PAAH00000576, PAAH00000946, PAAH00001130, PAAH00001133, PAAH00001140, PAAH00001145, PAAH00001147, and PAAH00812\_00000653



# EXHIBIT 11



Department of Justice  
Canada

Competition Bureau  
Legal Services

Toronto Regional Office  
151 Yonge Street, 3rd Floor  
Toronto, Ontario  
M5C 2W7

Ministère de la Justice  
Canada

Services juridiques Bureau  
de la Concurrence

Bureau régional de Toronto  
151, rue Yonge, 3<sup>ème</sup> étage  
Toronto (Ontario)  
M5C 2W7

Cote de sécurité – Security classification

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Notre référence – Our file

No. : CA-2215-200

Date : 18-02-19 (AA/YY-MM-JJDD)

Telephone / Téléphone Telephone/ Télécopieur  
(416) 954-5925 (416) 973-5131

Julie Rosenthal  
Goodmans LLP  
Bay Adelaide Centre – West Tower  
333 Bay Street, Suite 3400  
Toronto, ON M5H 2S7

VIA EMAIL

THIS IS EXHIBIT.....<sup>11</sup>.....TO THE  
AFFIDAVIT OF.....*Alicia Foster*.....  
.....  
SWORN BEFORE ME THIS.....<sup>20</sup>.....DAY  
OF.....*February*.....20.....<sup>18</sup>.....  
.....*K. Rydzek*.....  
COMMISSIONER OF OATHS

Ms. Rosenthal:

**Re: Commissioner of Competition v Vancouver Airport Authority (CT-2016-015)**

Further to my letter to you dated February 12, 2018 (the “**February 12 Letter**”), and paragraph 3 of that letter, this is to advise that the Commissioner will not advance claims of public interest privilege on a document-by-document basis over the records which the Commissioner previously claimed public interest privilege and one or more other privileges, except as indicated in paragraph 9 of the February 12 Letter.

As indicated at paragraph 10 of the February 12 letter, the Commissioner inadvertently claimed litigation privilege over four records. In light of the Commissioner’s position as described above, you will be receiving a USB key containing these four records<sup>1</sup>. The USB key will also contain an additional eight records<sup>2</sup> that the Commissioner had inadvertently omitted to include in his Supplemental Affidavit of Documents No. 4 affirmed 12 January 2018.

<sup>1</sup> PAAH01754\_00000001, PAAH01754\_00000003, PAAH01754\_00000005 and PAAH01754\_00000161

<sup>2</sup> PAAH00002035, PAAH02044\_00000001, PAAH02044\_00000006, PAAH02044\_00000013, PAAH02044\_00000021, PAAH02044\_00000036, PGJE00001\_00000001 and PGJE00001\_00000008


Also contained on the USB key are 14 records<sup>3</sup> over which the Commissioner had inadvertently asserted claims of litigation privilege in the Commissioner's Affidavits<sup>4</sup>. This inadvertence will be corrected in an amended consolidated affidavit of documents.

The USB key contains one additional record<sup>5</sup> that was inadvertently listed in Schedule C to the Commissioner's Supplemental Affidavit of Documents No. 1 affirmed 27 April 2017. This inadvertence will be corrected in an amended consolidated affidavit of documents.

An additional eight records in the Commissioner's Affidavits, over which the Commissioner claimed one or more privileges other than public interest privilege, were included as relevant in error.<sup>6</sup> These records are irrelevant because they relate to the conduct of the investigation. The Commissioner will therefore be removing these records from the Commissioner's Affidavits. To the extent any of these documents or documents identified in paragraph 6 of the February 12 Letter are subsequently found to be relevant, the Commissioner reserves his rights to claim all applicable privileges.

As indicated in my February 12 letter, and pursuant to Rule 63 of the Tribunal Rules, the Commissioner will deliver to VAA an amended consolidated affidavit of documents that reflects the above by 21 February 2018.

Regards,



Jonathan Hood

cc.: Calvin Goldman, Q.C., Goodmans LLP  
Michael Koch, Goodmans LLP  
Antonio Di Domenico, Fasken Martineau DuMoulin LLP  
Katherine Rydel, Competition Bureau Legal Services  
Ryan Caron, Competition Bureau Legal Services

<sup>3</sup> PAAH00031\_00003849, PAAH00144\_00007605, PAAH00807\_00000027, PAAH01153\_00000519, PAAH01438\_00000182, PAAH01505\_00000001, PAAH01505\_00000004, PAAH01505\_00000009, PAAH01505\_00000013, PAAH01505\_00000016, PAAH01505\_00000019, PAAH01505\_00000022, PAAH01765\_00001113 and PAAH01968\_00000823

<sup>4</sup> As defined in the February 12 Letter.

<sup>5</sup> PACD00000002

<sup>6</sup> Supplemental Affidavit of Documents No. 2, Schedule C, Count No. 28, 29, 30, 31, 32, 33 and 34

Supplemental Affidavit of Documents No. 3, Schedule C, Count No. 52

# EXHIBIT 12

THIS IS EXHIBIT 12 TO THE  
AFFIDAVIT OF Alicia Foster

SWORN BEFORE ME THIS 20 DAY  
OF February 2018

L. Rydel  
COMMISSIONER OF OATHS

Commissioner of Competition v. Vancouver Airport Authority  
Consolidated Amended Affidavit of Documents of the Commissioner of Competition  
Schedule A - February 20, 2018

Count	Document Id	Document Type	Main Date	Title	People/Organizations Between	People/Organizations Author
1	MMFF00012_00000096	Business Record	01/10/2008	Competition Policy Review Panel: Sharpening Canada's Competitive Edge Stakeholder Views Submitted to: Competition Policy Review Panel		Aéroports de Montréal Greater Toronto Airports Authority Vancouver Airport Authority
2	MMFF00044_00000013	Other External	08/03/2017	Concession Information		Vancouver Airport Authority
3	PAAH00031_00000019	Reports	04/01/2013	One Size Doesn't Fit All: The future Growth and Competitiveness of Canadian Air Travel		Standing Senate Committee on Transport and Communications
4	PAAH00031_00000045	Financial_Records	12/31/2013	2013 Consolidated Financial Statements - Vancouver Airport Authority		Vancouver Airport Authority
5	PAAH00031_00000079	Reports	4/24/2014	Vancouver Airport Authority 2013 Annual and Sustainability Report		Vancouver Airport Authority
6	PAAH00031_00000133	Financial_Records	12/31/2013	2013 Unaudited Non-consolidated Financial Statements - Vancouver Airport Authority		Vancouver Airport Authority
7	PAAH00031_00000256	Reports	4/30/2015	Vancouver Airport Authority 2014 Annual Report		Vancouver Airport Authority
8	PAAH00031_00000337	Financial_Records	12/31/2014	Consolidated Financial Statements Vancouver Airport Authority		Vancouver Airport Authority
9	PAAH00031_00000374	Reports	4/22/2015	Vancouver Airport Authority 2014 Economic Report		Vancouver Airport Authority
10	PAAH00031_00000390	Financial_Records	12/31/2014	Unaudited Non-consolidated Financial Statements Vancouver Airport Authority		Vancouver Airport Authority
11	PAAH00031_00000890	Other External	5/22/2015	Airlines at YVR & Destinations		Vancouver Airport Authority
12	PAAH00031_00003819	Reports	11/01/2014	Air Carrier Traffic at Canadian Airports 2013		Statistics Canada
13	PAAH00031_00003849	Articles	7/27/2014	Abus(e) of dominance: the Arriva v Luton case		Oxera Consulting LLP
14	PAAH00031_00003929	Articles	11/25/2015	The elaborate journey of serving thousands of airline meals		Air Canada / Air Canada The Globe and Mail
15	PAAH00031_00003932	Reports	09/05/2007	Airport Governance Reform in Canada and Abroad		Padova, Allison / Library of Parliament
16	PAAH00031_00004020	Reports	1/23/2002	Price Regulation of Airport Services - Inquiry Report - Report No. 19		Productivity Commission (Australia)

Count	Document Id	Document Type	Main Date	Title	People/Organizations Between	People/Organizations Author
17	PAAH00031_00004526	Board Document	02/10/2011	Vancouver International Airport Authority Governance Rules and Practices Board of Directors Manual		Vancouver International Airport Authority
18	PAAH00031_00004710	Court Filing	9/30/2015	Application Record	CLS Catering Services Ltd Commissioner of Competition / Competition Bureau	
19	PAAH00031_00004854	Board Document	7/22/2013	Vancouver Airport Authority Governance Rules and Practices Board of Directors Manual		Vancouver Airport Authority
20	PAAH00031_00005080	Reports	3/23/2016	Pathways: Connecting Canada's Transportation System to the World - Volume 1		Transport Canada
21	PAAH00031_00005366	Reports	3/23/2016	Pathways: Connecting Canada's Transportation System to the World - Volume 2 - Appendices		Transport Canada
22	PAAH00031_00005596	Corporate_Information	06/03/2015	Rechercher une entreprise au registre - Les Cuisines de l'air culin-air inc.		Revenu Québec
23	PAAH00031_00006636	Reports	10/02/2012	Driven Away: Why More Canadians are Choosing Cross Border Airports - Conference Board of Canada		Gill, Vijay / Conference Board of Canada
24	PAAH00031_00006686	Corporate_Information	1/21/2013	Certificate of Continuance - - Vancouver Airport Authority		Industry Canada
25	PAAH00031_00006730	Corporate_Information	6/19/2015	BC Company Summary for CLS Catering Services Ltd.		BC Registry Services
26	PAAH00031_00006733	Corporate_Information	6/19/2015	Corporations Canada - Federal Corporation Information - Gate Gourmet Canada Inc.		Industry Canada
27	PAAH00031_00006735	Corporate_Information	6/18/2015	Corporations Canada - Federal Corporations Information - Newrest Servair Holding Canada Intd.		Industry Canada
28	PAAH00031_00006746	Other External	7/14/2015	The Executive Committee		Vancouver Airport Authority
29	PAAH00031_00006751	Other External	9/21/2015	CLS Catering Services Ltd - Airline Catering Services		CLS Catering Services Ltd.
30	PAAH00031_00006752	Other External	9/21/2015	Gate Gourmet's Global Network		Gate Gourmet
31	PAAH00031_00006757	Other External	9/21/2015	Overview of Strategic Aviation		Strategic Aviation Holdings Ltd.
32	PAAH00031_00006759	Other External	5/13/2015	Corporations Canada - Federal Corporation Information - Vancouver Airport Authority		Industry Canada

Count	Document Id	Document Type	Main Date	Title	People/Organizations Between	People/Organizations Author
33	PAAH00031_00007061	Court Filing	9/30/2015	Application Record	Commissioner of Competition / Competition Bureau Gate Gourmet Canada Inc.	
34	PAAH00031_00007226	Reports	09/01/2013	Growing Canada's Economy - A New National Air Transportation Policy		Gill, Vijay / Conference Board of Canada Raynor, Neil / Conference Board of Canada
35	PAAH00031_00007468	Court Filing	9/30/2015	Application Record	Commissioner of Competition / Competition Bureau Newrest Holding Canada Inc.	
36	PAAH00031_00007697	Court Filing	9/30/2015	Application Record	Commissioner of Competition / Competition Bureau Strategic Aviation Holdings Ltd.	
37	PAAH00031_00007875	Court Order	10/15/2015	Order for the Production of Records and Written Returns of Information	CLS Catering Services Ltd Commissioner of Competition / Competition Bureau	
38	PAAH00031_00007892	Court Order	10/15/2015	Order for the Production of Records and Written Returns of Information	Commissioner of Competition / Competition Bureau Gate Gourmet Canada Inc.	
39	PAAH00031_00007910	Court Order	10/15/2015	Order for the Production of Records and Written Returns of Information	Commissioner of Competition / Competition Bureau Strategic Aviation Holdings Ltd.	
40	PAAH00031_00007927	Court Order	10/15/2015	Order for the Production of Records and Written Returns of Information	Commissioner of Competition / Competition Bureau Newrest Holding Canada Inc.	
41	PAAH00031_00007948	Reports	5/30/2012	Transportation in Canada 2011 Comprehensive Review		Transport Canada
42	PAAH00031_00008103	Reports	5/14/2014	Transportation in Canada 2013 Overview Report		Transport Canada
43	PAAH00031_00008516	Articles	7/28/2015	Westjet profit soars 19% as jet fuel costs plummet - Business - CBC News		Thomson Reuters / CBC
44	PAAH00031_00008523	Business_Plans	12/15/2008	YVR: Your Airport 2027 - 20 Year Master Plan		Vancouver Airport Authority
45	PAAH00032_00000480	Reports	3/17/2010	gategroup Holding AG Annual Report 2009		gategroup Holding AG
46	PAAH00142_00001178	Corporate_Information	6/18/2015	Sole Proprietorship Summary for CLS Catering Services		BC Registry Services
47	PAAH00142_00001180	Corporate_Information	6/19/2015	Notice of Articles for CLS Catering Services Ltd.		BC Registry Services
48	PAAH00142_00001181	Corporate_Information	6/19/2015	Notice of Change of Directors for CLS Catering Services Ltd.		BC Registry Services
49	PAAH00142_00001182	Corporate_Information	6/19/2015	Notice of Articles of CLS Catering Services Ltd.		BC Registry Services

Count	Document Id	Document Type	Main Date	Title	People/Organizations Between	People/Organizations Author
50	PAAH00142_00001183	Corporate_Information	6/19/2015	Notice of Change of Directors for CLS Catering Services Ltd.		BC Registry Services
51	PAAH00142_00001184	Corporate_Information	6/19/2015	Annual Report of CLS Catering Services Ltd.		BC Registry Services
52	PAAH00142_00001185	Corporate_Information	6/19/2015	Notice of Articles of CLS Catering Services Ltd.		BC Registry Services
53	PAAH00142_00001186	Corporate_Information	6/19/2015	Notice of Change of Directors of CLS Catering Services Ltd.		BC Registry Services
54	PAAH00142_00001187	Corporate_Information	6/19/2015	Notice of Articles of CLS Catering Services Ltd.		BC Registry Services
55	PAAH00142_00001188	Corporate_Information	6/19/2015	Notice of Change of Directors of CLS Catering Services Ltd.		BC Registry Services
56	PAAH00142_00001189	Corporate_Information	6/19/2015	Notice of Articles of CLS Catering Services Ltd.		BC Registry Services
57	PAAH00142_00001190	Corporate_Information	6/19/2015	Notice of Change of Directors for CLS Catering Services Ltd.		BC Registry Services
58	PAAH00142_00001192	Corporate_Information	6/22/2015	Corporation Profile Report for Strategic Aviation Holdings Ltd.		Province of Ontario, Ministry of Government Services
59	PAAH00142_00001194	Corporate_Information	6/22/2015	Strategic Aviation Services Ltd. Corporate History		BC Registry Services
60	PAAH00142_00001195	Corporate_Information	6/22/2015	Profile - Strategic Aviation Services Ltd.		Government of Nova Scotia
61	PAAH00142_00001434	Court Filing	7/16/2015	Application Record	Commissioner of Competition / Competition Bureau Craig Richmond / Vancouver Airport Authority Tony Gugliotta / Vancouver Airport Authority Vancouver Airport Authority	
62	PAAH00143_00000125	Reports	05/07/1998	Competition Policy and International Airport Services - 1997		OECD Competition Committee
63	PAAH00143_00001759	Court Order	7/29/2015	Order for the Production of Records and Written Returns of Information	Commissioner of Competition / Competition Bureau Gugliotta, Tony / Vancouver Airport Authority Richmond, Craig / Vancouver Airport Authority Vancouver Airport Authority	



Count	Document Id	Document Type	Main Date	Title	People/Organizations Between	People/Organizations Author
64	PAAH00143_00001787	Court Order	11/19/2015	Order	Commissioner of Competition / Competition Bureau Craig Richmond / Vancouver Airport Authority Tony Gugliotta / Vancouver Airport Authority Vancouver Airport Authority	
65	PAAH00143_00001998	Reports	4/22/2015	Vancouver Airport Authority 2014 Governance Report		Vancouver Airport Authority
66	PAAH00143_00002614	Reports	04/01/2010	The economic market power of Amsterdam Airport Schiphol		Netherlands Competition Authority
67	PAAH00143_00002636	Court Decision	10/24/2002	Aéroports de Paris v. EC Commission and Alpha Flight Services SAS		European Court of Justice
68	PAAH00143_00002637	Court Decision	12/12/2000	Aéroports de Paris v. Commission of the European Communities		Court of First Instance
69	PAAH00143_00002638	Court Decision	06/11/1998	Alpha Flight Services/Aéroports de Paris		Commission of the European Communities
70	PAAH00143_00002658	Corporate_Information	6/19/2015	Notice of Articles of CLS Catering Services Ltd.		BC Registry Services
71	PAAH00143_00002660	Corporate_Information	6/19/2015	Notice of Change of Directors of CLS Catering Services Ltd.		BC Registry Services
72	PAAH00143_00002662	Corporate_Information	6/19/2015	Annual Report of CLS Catering Services Ltd.		BC Registry Services
73	PAAH00143_00002664	Corporate_Information	6/19/2015	Annual Report of CLS Catering Services Ltd.		BC Registry Services
74	PAAH00143_00002666	Corporate_Information	6/19/2015	Notice of Articles of CLS Catering Services Ltd.		BC Registry Services
75	PAAH00143_00002668	Corporate_Information	6/19/2015	Notice of Change in Directors of CLS Catering Services Ltd.		BC Registry Services
76	PAAH00143_00002670	Corporate_Information	6/19/2015	Notice of Articles of CLS Catering Services Ltd.		BC Registry Services
77	PAAH00143_00002672	Corporate_Information	6/19/2015	Notice of Change of Directors of CLS Catering Services Ltd.		BC Registry Services
78	PAAH00143_00002674	Corporate_Information	6/19/2015	Notice of Articles of CLS Catering Services Ltd.		BC Registry Services
79	PAAH00143_00002676	Articles	6/19/2015	Notice of Change of Directors - BC Registry Services - CLS Catering Services		BC Registry Services
80	PAAH00143_00002678	Corporate_Information	6/19/2015	Annual Report of CLS Catering Services Ltd.		BC Registry Services

Count	Document Id	Document Type	Main Date	Title	People/Organizations Between	People/Organizations Author
81	PAAH00143_00002680	Corporate_Information	6/19/2015	Annual Report for CLS Catering Services Ltd.		BC Registry Services
82	PAAH00143_00002958	Court Order	7/29/2015	Order for the Production of Records and Written Returns of Information	Commissioner of Competition / Competition Bureau Craig Richmond / Vancouver Airport Authority Tony Gugliotta / Vancouver Airport Authority Vancouver Airport Authority	
83	PAAH00143_00003315	Court Order	7/29/2015	Order for the Production of Records and Written Returns of Information	Commissioner of Competition / Competition Bureau Craig Richmond / Vancouver Airport Authority Tony Gugliotta / Vancouver Airport Authority Vancouver Airport Authority	
84	PAAH00144_00004775	Pleading	9/29/2016	Notice of Application	Commissioner of Competition / Competition Bureau Vancouver Airport Authority	
85	PAAH00144_00007605	Articles	01/01/2015	Ground rules on airport access: the Arriva v Luton case		Granatstein, Michele / Oxera Consulting LLP Neils, Gunnar / Oxera Consulting LLP
86	PAAH00144_00009495	Presentation	4/19/2016	CMA Impact Report: Evaluation of BAA Airports Divestiture		Kwoka, John / Northeastern University
87	PAAH00144_00017413	Other External	9/29/2016	Vancouver Airport Authority Responds to Competition Tribunal Filing		Vancouver Airport Authority
88	PAAH00144_00019177	Reports	05/05/2016	YVR Connects 2015 Sustainability Report		Vancouver Airport Authority
89	PAAH00770_00000044	Corporate_Information	11/29/2016	LinkedIn Profile - Mark Brown		LinkedIn
90	PAAH00770_00000096	Pleading	11/28/2016	Reply of the Commissioner of Competition	Commissioner of Competition / Competition Bureau Vancouver Airport Authority	
91	PAAH00770_00000104	Pleading	11/28/2016	Reply of the Commissioner of Competition	Commissioner of Competition / Competition Bureau Vancouver Airport Authority	
92	PAAH00770_00000148	Pleading	11/28/2016	Reply of the Commissioner of Competition	Commissioner of Competition / Competition Bureau Vancouver Airport Authority	
93	PAAH00770_00000410	Corporate_Information	11/29/2016	Corporation Profile Report for Strategic Aviation Holdings Ltd.		Province of Ontario, Ministry of Government Services
94	PAAH00807_00000027	Articles	01/01/1986	Free entry and social inefficiency		Mankiw, Gregory N. Whinston, Michael

Count	Document Id	Document Type	Main Date	Title	People/Organizations Between	People/Organizations Author
95	PAAH00807_00000156	Pleading	11/14/2016	Response of Vancouver Airport Authority	Commissioner of Competition / Competition Bureau Vancouver Airport Authority	
96	PAAH00808_00000021	Other External	11/01/2016	United Airlines North America Route Map		United Airlines
97	PAAH00808_00000028	Pleading	11/14/2016	Response of Vancouver Airport Authority	Commissioner of Competition / Competition Bureau Vancouver Airport Authority	
98	PAAH00808_00000078	Corporate_Information	11/09/2016	Société Air France		Registraire des entreprises Quebec
99	PAAH00809_00000036	Reports	3/19/2014	Annual Report 2013		gategroup Holding AG
100	PAAH00810_00000001	Articles	9/14/2016	COFECE sanctions Mexico City's International Airport for relative monopolistic practices in the market of access to the provision of public taxi services		COFECE
101	PAAH00812_00000001	Financial_Records	12/31/2015	Consolidated Financial Statements - Vancouver Airport Authority		Vancouver Airport Authority
102	PAAH00812_00000036	Reports	2/18/2016	Chorus Aviation Inc. 2015 Annual Information Form		Chorus Aviation Inc.
103	PAAH00812_00000078	Reports	2/18/2016	2015 Management's Discussion and Analysis of Results of Operations and Financial Condition		Chorus Aviation Inc.
104	PAAH00812_00000150	Reports	12/14/2015	Transat A.T. Inc. Annual Report 2015		Transat AT
105	PAAH00812_00000238	Financial_Records	12/31/2015	Unaudited Non-consolidated Financial Statements - Vancouver Airport Authority		Vancouver Airport Authority
106	PAAH00812_00000474	Articles	08/11/2016	Airline caterers at Vancouver International Airport threaten strike, say travel may be affected		CBC
107	PAAH00812_00000626	Reports	05/12/2016	First Quarter 2016 Management's Discussion and Analysis of Results of Operations and Financial Condition		Chorus Aviation Inc.
108	PAAH00812_00000671	Other External	4/26/2016	Chorus Aviation to acquire five Bombardier CRJ900 aircraft		Chorus Aviation Inc.
109	PAAH00812_00001432	Articles	10/24/2016	Restaurateurs look to the sky for new sales channels		Korstrom, Glen / Business Vancouver
110	PAAH00812_00001837	Presentation	09/07/2016	Long Term Transformation And Growth Plan Investors Presentation September 2016		Transat AT
111	PAAH00812_00001966	Reports	02/02/2016	Newrest Activity Report 2014-15		Newrest Group International SAS

Count	Document Id	Document Type	Main Date	Title	People/Organizations Between	People/Organizations Author
112	PAAH00812_00002035	Reports	12/14/2016	Transat A.T. Inc. Annual Information Form For the Year Ended October 31, 2016		Transat AT
113	PAAH00812_00002092	Articles	8/23/2016	Airline food strike could hit Vancouver airport   Metro News		Metro News
114	PAAH00812_00002098	Other External	10/18/2016	American Airlines Map		American Airlines
115	PAAH00812_00002102	Other External	10/18/2016	American Airlines Map		American Airlines
116	PAAH00812_00002107	Other External	10/18/2016	American Airlines Map		American Airlines
117	PAAH00812_00002111	Reports	12/14/2016	Transat A.T. Inc. Annual Report 2016		Transat AT
118	PAAH00812_00002245	Presentation	6/13/2016	Chorus Aviation Inc. Investor Presentation June 2016		Chorus Aviation Inc.
119	PAAH00812_00002276	Other External	05/11/2016	Atmosphere May-October 2016		AIR TRANSAT
120	PAAH00812_00002352	Other External	11/18/2016	Atmosphere December-June 2016-2017		AIR TRANSAT
121	PAAH00812_00002426	Other External	10/17/2016	Food and Drinks: Delta Air Lines		Delta Air Lines
122	PAAH00812_00002431	Other External	10/17/2016	Delta Air Lines Map		Delta Air Lines
123	PAAH00812_00002437	Other External	10/17/2016	Delta Air Lines Map		Delta Air Lines
124	PAAH00812_00002443	Other External	10/17/2016	Delta Air Lines Map		Delta Air Lines
125	PAAH00812_00002448	Other External	10/18/2016	Dining - Travel information - American Airlines		American Airlines
126	PAAH00812_00002468	Other External	10/06/2016	Euro Bistro Menu 2016		AIR TRANSAT
127	PAAH00812_00002520	Presentation	10/03/2016	Chorus Aviation Inc. Investor Presentation September 2016		Chorus Aviation Inc.
128	PAAH00812_00002685	Other External	11/29/2016	Strategic Aviation		Strategic Aviation Holdings Ltd.
129	PAAH00812_00002695	Other External	8/26/2016	Flight Fuel Autumn 2016		Delta Air Lines
130	PAAH00812_00002697	Other External	8/26/2016	Flight Fuel Premium Autumn 2016		Delta Air Lines
131	PAAH00812_00002699	Articles	07/09/2015	Flights delayed after outlet mall shoppers jam traffic near YVR   CTV Vancouver News		CTV
132	PAAH00812_00002861	Other External	6/13/2016	HNA Group makes cash offer to acquire gategroup		Gategroup
133	PAAH00812_00002898	Presentation	11/22/2016	Chorus Aviation Inc. Investor Presentation November 2016		Chorus Aviation Inc.
134	PAAH00812_00002932	Reports	3/29/2016	Lufthansa Group Annual Report 2015		Deutsche Lufthansa AG
135	PAAH00812_00003140	Other External	10/18/2016	Main Cabin Food - Dining - American Airlines		American Airlines
136	PAAH00812_00003142	Other External	10/24/2016	Menu   Air Transat		AIR TRANSAT

Count	Document Id	Document Type	Main Date	Title	People/Organizations Between	People/Organizations Author
137	PAAH00812_00003388	Other External	06/10/2016	South & United States Bistro Menu 2016		AIR TRANSAT
138	PAAH00812_00003397	Reports	3/29/2016	Air Canada Annual Report 2015		Air Canada
139	PAAH00812_00003535	Other External	6/13/2016	About Jazz - Fleet		Jazz Aviation LP
140	PAAH00812_00003550	Other External	5/20/2016	Newrest Workers Join the Teamsters		Teamsters Canada
141	PAAH00812_00003553	Articles	3/18/2016	Grève générale de huit heures chez Newrest-Servair Montréal		TVA Nouvelles
142	PAAH00812_00003760	Other External	11/14/2016	About Air Canada - Executive Biographies		Air Canada
143	PAAH00812_00004021	Other External	11/15/2016	Air Canada Corporate Profile		Air Canada
144	PAAH00812_00004055	Other External	11/16/2016	Meals and beverages		Air Canada
145	PAAH00812_00004306	Other External	11/17/2016	Toronto - LSG Sky Chefs		LSG Sky Chefs
146	PAAH00812_00004686	Other Internal	11/17/2016	Vancouver - LSG Sky Chefs		LSG Sky Chefs
147	PAAH00812_00004691	Other External	11/17/2016	Where we operate - Serving customers worldwide   LSG		LSG Sky Chefs
148	PAAH00813_00000002	Articles	12/01/2016	Toronto's Pearson Airport wants to be a mega-hub, but high costs and congestion stand in the way		Owram, Kristine / Financial Post
149	PAAH00813_00000622	Reports	10/06/2011	Reduce Costs to Improve Canadian Aviation Competitiveness		cvanallen
150	PAAH00813_00000651	Presentation	10/07/2011	Why are Canadians Driving to U.S. Airports - The Issue for Canada		Canadian Airports Council
151	PAAH01149_00000001	Transcript	12/07/2016	House of Commons Debates, Vol. 148, No. 123, 1st Session, 42nd Parliament		House of Commons
152	PAAH01152_00000173	Other External	01/12/2017	Investor Presentation		Stuart, Manon / Chorus Aviation Inc.
153	PAAH01153_00000336	Other External	1/16/2017	Customer Solutions, Airline Catering		Gate Gourmet
154	PAAH01153_00000338	Other External	1/16/2017	Customer Solutions, Facility Options		Gate Gourmet
155	PAAH01153_00000340	Other External	1/16/2017	Customer Solutions, Provisioning		Gate Gourmet
156	PAAH01153_00000363	Reports	03/09/2016	gategroup Annual Report 2015		gategroup Holding AG
157	PAAH01153_00000519	Other External	08/12/2016	Gate Gourmet workers hold press conference, issue travel alert		www.uniteherelocal40.org
158	PAAH01153_00000522	Other External	12/22/2016	HNA completes the settlement of the Offer for gategroup Shares		Gategroup
159	PAAH01153_00000524	Other External	12/29/2016	gategroup to acquire Servair, creating clear world leader		Gategroup
160	PAAH01153_00000526	Other External	10/24/2016	Material Change Report		Hanson, Kevin / Squire Mining Ltd.

Count	Document Id	Document Type	Main Date	Title	People/Organizations Between	People/Organizations Author
161	PAAH01153_00000529	Other External	10/17/2016	Squire Mining Ltd. Enters into Binding Letter of Intent with Strategic Aviation Holdings Ltd. to Complete a Proposed Business Combination		Hanson, Kevin / Squire Mining Ltd.
162	PAAH01153_00000533	Other External	1/17/2017	About Gategroup		Gategroup
163	PAAH01153_00000535	Other External	01/05/2017	Squire Mining Ltd. Enters into Binding Letter of Intent with Strategic Aviation		Strategic Aviation Holdings Ltd.
164	PAAH01153_00000538	Other External	01/06/2017	Strategic Aviation Contact		Strategic Aviation Holdings Ltd.
165	PAAH01153_00000545	Other External	01/06/2017	Sky Café Contact		Sky Cafe Ltd.
166	PAAH01153_00000550	Other External	1/16/2017	About Gate Gourmet		Gate Gourmet
167	PAAH01161_00000001	Reports	02/03/2017	Newrest Catering Unlimited Activity Report 2015-2016		Newrest Group International SAS
168	PAAH01161_00001045	Other External	01/06/2017	Air Canada Café Menu Volume 17 / 02		Air Canada
169	PAAH01434_00000503	Reports	03/01/2016	ISAGO Standards Manual 5th Edition		IATA
170	PAAH01438_00000182	Articles	11/28/2016	Hong Kong Airlines Soars in to YVR		Vancouver Airport Authority
171	PAAH01505_00000001	Articles	11/09/2016	Explore Europe in 2017 with Air Canada		Vancouver Airport Authority
172	PAAH01505_00000004	Articles	9/28/2016	Air Canada Introduces Non-Stop Service to Nagoya and Taipei		Vancouver Airport Authority
173	PAAH01505_00000009	Articles	10/20/2016	YVR Lights Up With the First Non-Stop Flight From Vancouver to Delhi		Vancouver Airport Authority
174	PAAH01505_00000013	Articles	8/17/2016	YVR lands new carrier: Beijing Capital Airlines		Vancouver Airport Authority
175	PAAH01505_00000016	Articles	11/24/2016	China Eastern to Connect YVR with Nanjing		Vancouver Airport Authority
176	PAAH01505_00000019	Articles	7/25/2016	Xiamen Airlines touches down in Canada for the first time		Vancouver Airport Authority
177	PAAH01505_00000022	Articles	8/24/2016	Sichuan Airlines adds Zhengzhou as a new destination		Vancouver Airport Authority
178	PAAH01505_00000024	Financial_Records	12/31/2016	Consolidated financial statements - Vancouver Airport Authority		Vancouver Airport Authority
179	PAAH01505_00002858	Business Record	5/23/2017	Non-Stop Destinations 2015/2016		Vancouver Airport Authority
180	PAAH01505_00002860	Business Record	5/23/2017	Non-Stop Destinations 2016/17		Vancouver Airport Authority
181	PAAH01505_00002862	Reports	4/27/2017	YVR 2016 Annual and Sustainability Report		Vancouver Airport Authority
182	PAAH01523_00000966	Other External	5/21/1992	Privy Council Decision		Privy Council

Count	Document Id	Document Type	Main Date	Title	People/Organizations Between	People/Organizations Author
183	PAAH01527_00000542	Articles	6/29/2012	Canadian flyers boost Bellingham airport to \$17-million expansion		Vancouver Sun
184	PAAH01529_00000004	Corporate_Information	3/21/2017	2016 Annual Information Form - WestJet		MGreenberg@westjet.com / WestJet Airlines Ltd.
185	PAAH01529_00000146	Corporate_Information	3/21/2017	2016 Annual Report - WestJet		Thakor, Ujal / WestJet Airlines Ltd.
186	PAAH01529_00000247	Business Record	05/01/2017	Management's Discussion and Analysis of Financial Condition and Operating Results - WestJet Airlines Ltd.		WestJet Airlines Ltd.
187	PAAH01530_00001639	Corporate_Information	04/12/2017	Bistro-Europe-Menu-2017 - Air Transat		AIR TRANSAT
188	PAAH01530_00003057	Other External	06/01/2017	Sky Café - Contact Head Office		Sky Cafe Ltd.
189	PAAH01530_00003062	Other External	06/01/2017	Strategic Aviation - Contact Head Office		Strategic Aviation Holdings Ltd.
190	PAAH01530_00003069	Other External	04/12/2017	Sud-Etats-Unis-Bistro-menu-2017		AIR TRANSAT
191	PAAH01546_00000892	Articles	10/13/2000	Report of the Auditor General of Canada - Chapter 10 - Transport Canada - Airport Transfers: National Airports System		Transport Canada
192	PAAH01749_00002220	Reports	8/18/2017	Ottawa International Airport Authority Submission to CTA's Air Transat Inquiry		Ottawa International Airport Authority
193	PAAH01749_00002357	Letter	8/18/2017	Letter to Canadian Transportation Agency from Ottawa International Airport Authority		
194	PAAH01749_00002374	Business Record	08/09/2017	Ottawa Airport Authority Offers Full Support to Canadian Transportation Agency Inquiry Into Diversions of Air Transat Flights TS157 and TS507		Ottawa International Airport Authority
195	PAAH01749_00002393	Business Record	08/03/2017	Request For Expression of Interest RFEOI # CBD-2017-001		Vancouver Airport Authority
196	PAAH01753_00000006	Articles	9/19/2016	Travelling Public Program		Government of Canada
197	PAAH01754_00000011	Other External	12/14/2011	HC Guidelines for Time & Temperature Requirements for Potentially Hazardous Foods		Health Canada - Santé Canada
198	PAAH01754_00000014	Other External	09/02/2016	Guidelines for Time & Temperature Requirements for Ready-to-Eat, Potentially Hazardous Foods by The Travelling Public Program Office of Border and Travel Health Public Health Agency of Canada		Public Health Agency of Canada
199	PAAH01754_00000018	Other External	05/01/2016	Audit and Inspection Guidelines for Aircraft		Public Health Agency of Canada
200	PAAH01754_00000071	Other External	4/26/2013	Inspection Guidelines for Flight Kitchens		Health Canada - Santé Canada

Count	Document Id	Document Type	Main Date	Title	People/Organizations Between	People/Organizations Author
201	PAAH01754_00000115	Other External	9/22/2016	Assessment and Inspection Guidelines for Potable Water on Passenger Conveyances		Public Health Agency of Canada
202	PAAH01765_00001113	Other External	09/07/2017	Mark Brown LinkedIn Profile		Sarabura, Alex / Competition Bureau
203	PAAH01968_00000823	Articles	9/30/2017	Corporate News		DO & CO
204	PACD00005_00000057	Business Record	5/23/2013	Health Canada Inspection Guidelines for Flight Kitchens		Health Canada
205	PACD00005_00000101	Business Record	09/02/2016	Changes to TPP's Food Safety Audit and Inspection Guidelines		Health Canada
206	PCED02309_00000002	Corporate_Information	2/18/2016	Chorus Aviation Inc. Annual Information Form		Chorus Aviation Inc.
207	PCED02309_00000003	Reports	3/23/2017	Air Canada Annual Report 2016		Air Canada
208	PCED02309_00000004	Corporate_Information	3/24/2017	Air Canada 2016 Annual Information Form		Air Canada
209	PCED02309_00000005	Other External	8/29/2017	WestJet 737 Onboard Menu		WestJet
210	PCED02309_00000006	Other External	8/23/2017	WestJet 767 Onboard Menu		WestJet
211	PCED02309_00000007	Reports	5/16/2017	gategroup Annual Report 2016		Gategroup
212	PCED02309_00000008	Other External	05/10/2017	Atmosphere - Issue No. 10		AIR TRANSAT
213	PCED02309_00000009	Other External	7/25/2017	Air Transat Bistro Europe Menu		AIR TRANSAT
214	PCED02309_00000013	Other External	8/23/2017	WestJet Encore Onboard Menu		WestJet
215	PCED02309_00000015	Business Record	1/13/2010	IATA Catering Quality Assurance Programme		IATA Medina Quality
216	PCED02309_00000023	Reports	04/01/2015	gategroup Annual Report 2014		Gategroup
217	PCED02309_00000028	Other External	8/30/2017	NAVI Issue No. 7		Air Canada
218	PCED02309_00000070	Other External	7/25/2017	Air Transat Bistro Menu		AIR TRANSAT
219	PCED02309_00000082	Business Record	1/13/2010	IATA Catering Quality Assurance Programme		IATA Medina Quality
220	PCED02315_00000001	Presentation	3/20/2017	Chorus Aviation Inc. Investor Presentation		Stuart, Manon / Chorus Aviation Inc.
221	PDJF00009_00001208	Other External	10/23/2017	Directions to YVR Offices		Joan Colvin
222	PEHH00002_00000130	Business Record	8/31/2017	Menu Air Canada		Air Canada



# EXHIBIT 13

This document is confidential and was removed from the Public Version of this Motion Record pursuant to the Confidentiality Order of Justice Gascon dated March 20, 2017.

# EXHIBIT 14

This document is confidential and was removed from the Public Version of this Motion Record pursuant to the Confidentiality Order of Justice Gascon dated March 20, 2017.

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CT-2016-15

**THE COMPETITION TRIBUNAL**

**IN THE MATTER OF** the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

**AND IN THE MATTER OF** certain conduct of Vancouver Airport Authority relating to the supply of in-flight catering at Vancouver International Airport;

**AND IN THE MATTER OF** an application by the Commissioner of Competition for one or more orders pursuant to section 79 of the *Competition Act*.

**BETWEEN:**

**COMMISSIONER OF COMPETITION**

**Applicant**

– and –

**VANCOUVER AIRPORT AUTHORITY**

**Respondent**

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**SUPPLEMENTAL AFFIDAVIT OF DOCUMENTS NO. 5  
OF THE COMMISISONER OF COMPETITION  
AFFIRMED 23 MARCH 2018**

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I, **ALICIA FOSTER**, of the City of Ottawa, in the Province of Ontario, solemnly affirm that:

1. I am Senior Competition Law Officer with the Competition Bureau. I am an authorized representative of the Commissioner of Competition (the "**Commissioner**") for the purpose of this affidavit.
2. I have participated in and overseen a review of the Commissioner's potentially relevant records and have made appropriate inquiries of others to inform myself in order to make this affidavit.
3. I make this affidavit further to the Affidavit of Documents of the Commissioner of Competition affirmed 14 February 2017, the Amended Affidavit of Documents of the Commissioner of Competition affirmed 21 March 2017, the Supplemental Affidavit of Documents No. 1 of the Commissioner of Competition affirmed 27 April 2017, the Supplemental Affidavit of Documents No. 2 of the Commissioner of Competition affirmed 12 July 2017, the Supplemental Affidavit of Documents No. 3 of the Commissioner of Competition affirmed 29 September 2017, and the Supplemental Affidavit of Document No. 4 of the Commissioner of Competition affirmed 12 January 2018, each of which is in respect of this Application (the "**Commissioner's Affidavits**").
4. Further to the Commissioner's Affidavits, on 20 February 2018, the Commissioner produced to the Respondent the Consolidated Amended Affidavit of Documents of the Commissioner of Competition (affirmed the same date), which reflects a series of amendments to the Commissioner's Affidavits as well as combines each of the Schedules A, B and C from the Commissioner's Affidavits into one consolidated version of each schedule.

5. This affidavit discloses, to the full extent of my knowledge, information and belief, all of the records relevant to matters in issue in this Application that are in the possession, power or control of the Commissioner for the period 1 January 2018 through 28 February 2018. In respect of this time period, the Commissioner has never had in his possession, power or control any records relevant to any matter in issue in this Application that were or are no longer in the possession, power or control of the Commissioner.
6. I have listed and described in **Schedule A** to this affidavit the relevant records that are in the Commissioner's possession, power or control that do not contain confidential information.
7. I have listed and described in **Schedule B** to this affidavit the relevant records that are in the Commissioner's possession, power or control that contain confidential information and for which no privilege is claimed or for which the Commissioner waives privilege for the purpose of this Application.
8. I have listed and described in **Schedule C** to this affidavit the relevant records that are in the Commissioner's possession, power or control that contain confidential information and for which, at this time, privilege is claimed by the Commissioner, including the grounds for each such claim.
9. Pursuant to the Competition Tribunal's Order Amending the Scheduling Order of 21 March 2018, I will continue to oversee the review of any potentially relevant records that the Commissioner has come to possess and produce a final supplementary affidavit of documents by 14 September 2018 for documents obtained between 1 March 2018 and 31 July 2018.



**AFFIRMED BEFORE ME** at the City of Gatineau in the Province of Québec  
this 23 day of March 2018.

K. Ryall  
A Commissioner for Taking Oaths

LSUC : 58 143 I

Alicia Foster  
Alicia Foster

THIS IS EXHIBIT Schedule A TO THE  
 AFFIDAVIT OF A. Foster  
 SWORN BEFORE ME THIS 23 DAY  
 OF March 20 18  
K. Piquel  
 COMMISSIONER OF OATHS

**Commissioner of Competition v. Vancouver Airport Authority  
 Supplemental Affidavit of Documents No. 5 of the Commissioner of Competition  
 Schedule A**

Count	Document Id	Document Type	Main Date	Title	People/Organizations Author
1	PAAH02014_00001013	Corporate_Information	31/03/2011	Air Canada Annual Report 2010	Air Canada
2	PAAH02014_00001157	Corporate_Information	30/03/2012	Air Canada Annual Report 2011	Air Canada
3	PAAH02014_00001307	Corporate_Information	05/04/2013	Air Canada Annual Report 2012	Air Canada
4	PAAH02014_00001457	Corporate_Information	31/03/2014	Air Canada Annual Report 2013	Air Canada
5	PAAH02014_00001605	Corporate_Information	30/03/2015	Air Canada Annual Report 2014	Air Canada
6	PAAH02014_00002013	Financial_Records	10/02/2011	Air Canada 2010 Consolidated Financial Statements	Air Canada
7	PAAH02014_00002067	Financial_Records	09/02/2012	Air Canada 2011 Consolidated Financial Statements and Notes	Air Canada
8	PAAH02014_00002141	Financial_Records	07/02/2013	Air Canada 2012 Consolidated Financial Statements and Notes	Air Canada
9	PAAH02014_00002206	Financial_Records	12/02/2014	Air Canada 2013 Consolidated Financial Statements and Notes	Air Canada
10	PAAH02014_00002271	Financial_Records	11/02/2015	Air Canada 2014 Consolidated Financial Statements and Notes	Air Canada
11	PAAH02014_00002337	Financial_Records	17/02/2016	Air Canada 2015 Consolidated Financial Statements and Notes	Air Canada
12	PAAH02014_00002402	Financial_Records	17/02/2017	Air Canada 2016 Consolidated Financial Statements and Notes	Air Canada
13	PAAH02016_00000488	Financial_Records	19/01/2018	VAA Consolidated statement of operations	Vancouver Airport Authority
14	PAAH02104_00000266	Other External	22/01/2018	LSG Group by the numbers	LSG Sky Chefs

This document is confidential and was removed from the Public Version of this Motion Record pursuant to the Confidentiality Order of Justice Gascon dated March 20, 2017.

6

CT-2016-015

**THE COMPETITION TRIBUNAL**

**IN THE MATTER OF** the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

**AND IN THE MATTER OF** certain conduct of Vancouver Airport Authority relating to the supply of in-flight catering at Vancouver International Airport;

**AND IN THE MATTER OF** an application by the Commissioner of Competition for one or more orders pursuant to section 79 of the *Competition Act*.

**BETWEEN:**

COMPETITION TRIBUNAL TRIBUNAL DE LA CONCURRENCE  FILED / PRODUIT CT-2016-015 September 29, 2016  Jos LaRose for / pour REGISTRAR / REGISTRARIE	
OTTAWA, ONT	# 1

**COMMISSIONER OF COMPETITION**

**Applicant**

– and –

**VANCOUVER AIRPORT AUTHORITY**

**Respondent**

**I hereby certify this to be a true copy of the original document/  
 Je certifie par la présente que ceci est une copie conforme au document original**

**Dated this / Fait ce** 29th of September 2016



**For Registrar, Competition Tribunal /  
 Pour Registrare, Tribunal de la concurrence**

**NOTICE OF APPLICATION**

**TAKE NOTICE** that the Applicant, the Commissioner of Competition (the “Commissioner”), will make an application to the Competition Tribunal (the “Tribunal”), on a day and place to be determined by the Tribunal, pursuant to section 79 of the *Competition Act*, R.S.C. 1985, c. C-34, as amended (the “Act”), for:

- (a) an order pursuant to subsections 79(1) and 79(2) of the Act:
  - (i) prohibiting the Respondent, Vancouver Airport Authority (“**VAA**”), from directly or indirectly engaging in the practice of anti-competitive acts set out in the Statement of Grounds and Material Facts (“**SGMF**”), below;
  - (ii) requiring VAA to issue authorization, on non-discriminatory terms, to any firm that meets customary health, safety, security and performance requirements, so as to entitle that firm to access the airside at Vancouver International Airport (the “**Airport**”), from one or more facilities used by the firm whether located on Airport property or off Airport property, for the purposes of supplying Galley Handling (defined in paragraph 12 of the SGMF); and
  - (iii) otherwise requiring VAA to take any action, or to refrain from taking any action, as may be required to give effect to the foregoing prohibitions and requirements;
- (b) an order directing VAA to pay costs;
- (c) an order directing VAA to establish, and thereafter maintain, a corporate compliance program consistent with the Commissioner’s bulletin entitled “Corporate Compliance Programs”, as such bulletin may be revised from time-to-time; and
- (d) such further and other relief as the Commissioner may request and this Tribunal may consider appropriate.

**AND TAKE NOTICE** that if you do not file a response with the Registrar of the Tribunal within 45 days of the date upon which this Application is served upon you, the Tribunal may, upon application by the Commissioner and without further

notice, make such order or orders as it may consider just, including the orders sought in this Application.

**AND TAKE FURTHER NOTICE** that the Commissioner will rely on the SGMF in support of this Application and on such further or other material as counsel may advise and the Tribunal may permit.

**AND TAKE FURTHER NOTICE** that a concise statement of the economic theory of the case is attached as Schedule "A" to the SGMF.

**THE ADDRESSES FOR SERVICE ARE:**

For Vancouver Airport Authority:

Goodmans LLP  
Bay Adelaide Centre  
333 Bay Street, Suite 3400  
Toronto, ON M5H 2S7  
Tel: 416.979.2211  
Fax: 416.979.1234

Attention: Calvin S. Goldman, Q.C.  
Michael Koch  
Richard Annan

For Commissioner of Competition:

Department of Justice Canada  
Competition Bureau Legal Services  
Place du Portage, Phase I  
50 Victoria Street, 22<sup>nd</sup> Floor  
Tel.: 819.994.7714  
Fax: 819.953.9267

Attention: Antonio Di Domenico  
Jonathan Hood  
Katherine Rydel  
Ryan Caron

The Applicant proposes that the hearing of this matter be held in the City of Ottawa, Ontario and be heard in English. The Applicant proposes that documents be filed electronically.



## STATEMENT OF GROUNDS AND MATERIAL FACTS

### I. OVERVIEW AND GROUNDS

1. The Vancouver Airport Authority has abused its dominant market position by excluding and denying the benefits of competition to the In-flight Catering marketplace at Vancouver International Airport. It has no legitimate explanation to justify the substantial prevention or lessening of competition that has resulted in higher prices, dampened innovation and lower service quality.
2. New-entrant firms have sought, and continue to seek, to provide In-flight Catering, comprising Catering and Galley Handling (each as defined in paragraph 12, below), at the Airport. Airlines operating commercial passenger air transportation services wish to procure In-flight Catering at the Airport from these new-entrant firms, to realize substantial cost savings and other benefits. Standing as a wall between these buyers and sellers of In-flight Catering is VAA.
3. VAA substantially or completely controls the market for access to the airside at the Airport for the supply of Galley Handling. Without VAA's authorization to access the airside, firms cannot supply Galley Handling at the Airport. VAA thus also substantially or completely controls the market for the supply of Galley Handling at the Airport.
4. Despite repeated requests from new-entrant firms seeking to provide In-flight Catering at the Airport, and unlike other airport authorities in Canada, VAA unjustifiably refuses to authorize their access to the airside. VAA also requires firms providing In-flight Catering at the Airport to lease land from VAA for the operation of Catering kitchen facilities, as a condition of

authorizing access to the airside. VAA's conduct is a practice of anti-competitive acts, the purpose and effect of which is to exclude new-entrant firms from providing In-flight Catering or Galley Handling at the Airport.

5. VAA's practice with respect to airside access for the supply of Galley Handling has had, is having and is likely to have the effect of preventing or lessening competition substantially in the market for the supply of Galley Handling at the Airport. But for VAA's practice, the market for the supply of Galley Handling at the Airport would be substantially more competitive, including by way of lower prices, enhanced innovation and/or more efficient business models, and higher service quality.
6. Ultimately, what the Commissioner seeks in this case is to maintain and encourage competition, by allowing airlines and In-flight Catering firms that wish to do business with each other to do so, such that all In-flight Catering firms – both incumbents and new-entrants – are afforded an opportunity to succeed or fail on the basis of their respective ability to compete. In these circumstances, an order of the Tribunal is necessary and appropriate.

## **II. THE PARTIES**

### **A. THE COMMISSIONER**

7. The Applicant, the Commissioner, is an officer appointed by the Governor in Council pursuant to section 7 of the Act and is responsible for the administration and enforcement of the Act.

### **B. VAA**

8. The Respondent, VAA, is a not-for-profit corporation continued under the *Canada Not-for-profit Corporations Act*. VAA operates the Airport pursuant to a Ground Lease entered into in 1992 with the Government of

Canada, as represented by the Minister of Transport (the “**Ground Lease**”).

9. In the fiscal year ended 31 December 2014, VAA generated consolidated revenue of \$465.6 million, and had an excess of revenue over expenses for the year of \$105.6 million. In the fiscal year ended 31 December 2015, VAA generated consolidated revenue of \$485.5 million, and had an excess of revenue over expenses of \$131.5 million.

**III. VAA HAS ABUSED A DOMINANT MARKET POSITION, IN CONTRAVENTION OF SECTION 79 OF THE ACT**

10. VAA has engaged in and continues to engage in an abuse of a dominant market position relating to the supply of In-flight Catering at the Airport.

**A. VAA SUBSTANTIALLY OR COMPLETELY CONTROLS THE MARKET FOR AIRPORT AIRSIDE ACCESS FOR THE SUPPLY OF GALLEY HANDLING, AS WELL AS THE MARKET FOR GALLEY HANDLING AT THE AIRPORT**

**(i) Relevant Markets**

11. Two markets are relevant for purposes of the Commissioner’s Application – the market for the supply of Galley Handling at the Airport, and the market for Airport airside access for the supply of Galley Handling.

Market for the Supply of Galley Handling at the Airport

12. **In-flight Catering** comprises two principal bundles of products and services purchased by airlines operating commercial passenger air transportation services – Catering and Galley Handling. **Catering** consists primarily of the preparation of meals for distribution, consumption or use on-board a commercial aircraft by passengers and crew, and includes buy-on-board offerings and snacks. **Galley Handling** consists primarily of the loading and unloading of Catering, commissary products (typically non-food items and non-perishable food items) and ancillary products

- (such as duty-free products, linen and newspapers) on a commercial aircraft, including in relation thereto: warehousing; inventory management; assembly of meal trays and aircraft trolley carts (including bar and boutique assembly); transportation of Catering, commissary and ancillary products between aircraft and warehouse or Catering kitchen facilities; equipment cleaning; handheld point-of-sale device management; and trash removal.
13. Historically, both Catering and Galley Handling have been provided in Canada by full-service In-flight Catering firms, namely Gate Gourmet Canada Inc. ("**Gate Gourmet**"), at most airports nationally, and CLS Catering Services Ltd. ("**CLS**"), in Toronto and Vancouver. In 2009, another full-service In-flight Catering firm, Newrest Servair Holding Canada Inc., began operating in Canada, and is now present in Calgary, Montreal and Toronto.
  14. The way in which In-flight Catering is provided in Canada has changed in recent years, as airlines have sought to reduce costs, including the cost of In-flight Catering. Freshly-prepared meals, once served to all passengers, are now largely reserved for those travelling in business or first class. In their place, economy class passengers are increasingly served lower-cost frozen meals, sourced in many cases on a national basis from foodservice firms.
  15. With airline demand driving change in In-flight Catering service requirements, Catering and Galley Handling can be, and are, provided by separate firms. Today, a variety of firms specialize in Catering, such as by manufacturing large volumes of frozen meals, or by sourcing freshly-prepared meals from local restaurants proximate to airports. Other firms specialize in Galley Handling, such as by leveraging their existing airport infrastructure or expertise. Catering products are delivered to Galley

- Handling firms or full-service In-flight Catering firms, which, as part of their suite of Galley Handling services, load the meals onto aircraft. The separate supply of Catering and Galley Handling can deliver efficiencies to service providers and savings to airline customers.
16. Airlines periodically select a provider of In-flight Catering (or Catering or Galley Handling), principally based on price and service. Airlines can, and do, obtain In-flight Catering from different service providers at different airports. At some airports, the value proposition to an airline can be enhanced by the generally lower-cost “off-airport” location of the In-flight Catering firm, on land not leased from the airport authority. Airlines may select an In-flight Catering firm not presently serving a particular airport, conditional on that firm obtaining authorization from the airport authority to provide service at the airport.
  17. Airlines have the option of self-supplying all or a portion of their In-flight Catering needs. This includes so-called “double catering”, or transporting extra meals and ancillary supplies from one airport for service during a flight departing a second airport. Self-supply, including double catering, is not a feasible or preferable substitute for In-flight Catering for most airlines in Canada, including for logistical and financial reasons.
  18. Galley Handling constitutes a relevant product market. The relevant sellers or suppliers in this market are Galley Handling or In-flight Catering firms, while the relevant purchasers are airlines operating commercial passenger air transportation services.
  19. A sole profit-maximizing seller (*i.e.*, a hypothetical monopolist) would profitably impose and sustain a small but significant and non-transitory increase in price in the sale or supply of Galley Handling. For the vast

- majority of airlines, there are no acceptable substitutes to the purchase of Galley Handling.
20. The Airport is the relevant geographic market for the sale or supply of Galley Handling. For the vast majority of airlines, there are no acceptable substitutes to the purchase of Galley Handling at the Airport.
  21. One relevant market is therefore the supply of Galley Handling at the Airport.

#### Market for Airport Airside Access for the Supply of Galley Handling

22. Access to the airside is required to provide Galley Handling at an airport. The airside generally comprises that portion of an airport's property that lies inside the security perimeter. It includes runways and taxiways, as well as the apron, where, among other things, an aircraft is parked, Catering products and ancillary supplies, as well as baggage and cargo, are loaded and unloaded, and passengers board.
23. Airport authorities are the only entities in Canada from which a Galley Handling or In-flight Catering firm may obtain authorization to access the airside. Typically, airport authorities grant access to the airside by way of agreements or arrangements. Under the terms of these agreements or arrangements, firms generally pay a fee to the airport authority in exchange for authorization to access the airside to provide Galley Handling. The fee is commonly set as a percentage of the gross revenue generated by a firm from supplying Catering or Galley Handling at or from the airport. In-flight Catering firms usually pass on all or a part of this airport charge as a "port fee" to their airline customers.
24. Access to the airside for the supply of Galley Handling also constitutes a relevant product market. The relevant sellers or suppliers in this market

are airport authorities, while the relevant purchasers are Galley Handling or In-flight Catering firms.

25. A sole profit-maximizing seller (*i.e.*, a hypothetical monopolist) would profitably impose and sustain a small but significant and non-transitory increase in price in the sale or supply of access to the airside for the supply of Galley Handling. There are no acceptable substitutes to access to the airside for the supply of Galley Handling.
26. The Airport is the relevant geographic market for the sale or supply of access to the airside for the supply of Galley Handling. There are no acceptable substitutes to access to the airside at the Airport for the supply of Galley Handling.
27. A second relevant market is therefore access to the Airport airside for the supply of Galley Handling.

**(ii) *VAA Substantially or Completely Controls the Relevant Markets***

28. VAA substantially or completely controls the market for access to the Airport airside for the supply of Galley Handling, as well as the market for the supply of Galley Handling at the Airport.

Market for Airport Airside Access for the Supply of Galley Handling

29. VAA has a substantial degree of market power in the market for access to the Airport airside for the supply of Galley Handling.
30. VAA is a monopolist in the market for access to the Airport airside for the supply of Galley Handling. VAA is the only entity from which a Galley Handling or In-flight Catering firm may obtain access to the Airport airside; there are no other sellers or suppliers of access to the Airport airside.

31. Barriers to entry and expansion in the market for access to the Airport airside for the supply of Galley Handling are absolute. No entity other than VAA may sell or supply access to the Airport airside. Entry of an alternative source of supply of access to the Airport airside simply is not possible.
32. VAA is generally able to dictate the terms upon which it sells or supplies access to the Airport airside for the supply of Galley Handling. For example, in 2010-2011, VAA was able to impose and sustain a more than 40% increase in the fee it charges firms under Airport airside access agreements to provide In-flight Catering at the Airport. Similarly, VAA is able to require firms providing In-flight Catering Services at the Airport to lease land from VAA for the operation of Catering kitchen facilities, as a condition of authorizing access to the Airport airside (as explained in greater detail at paragraph 42, below).
33. VAA's substantial degree of market power in the market for access to the Airport airside for the supply of Galley Handling is not constrained by Galley Handling or In-flight Catering firms or otherwise.

Market for the Supply of Galley Handling at the Airport

34. By virtue of its control over access to the Airport airside – a necessary input to the supply of Galley Handling – VAA also has a substantial degree of market power in the market for the supply of Galley Handling at the Airport.
35. VAA has considerable latitude to determine or influence price and non-price dimensions of competition in the market for the supply of Galley Handling at the Airport, including the terms upon which Galley Handling and In-flight Catering firms carry on business in this market. For example, VAA has the power to exclude, and has excluded, new-entrant Galley



Handling and In-flight Catering firms from supplying services at the Airport, by refusing to grant those firms access to the Airport airside.

**B. VAA’S REFUSAL TO GRANT AIRSIDE ACCESS TO ADDITIONAL IN-FLIGHT CATERERS AND ITS TYING OF AIRSIDE ACCESS TO LAND LEASING IS A PRACTICE OF ANTI-COMPETITIVE ACTS**

36. VAA has engaged in and is engaging in a practice of anti-competitive acts (the “**Practice**”) through: (i) its ongoing refusal to grant access to the Airport airside to new-entrant firms for the supply of Galley Handling at the Airport; and (ii) its continued tying of access to the Airport airside for the supply of Galley Handling to the leasing of Airport land from VAA for the operation of Catering kitchen facilities. The purpose and effect of VAA’s Practice is an intended negative effect on competitors that is exclusionary.

**(i) VAA’s Refusal to Grant Airside Access to Additional In-flight Caterers**

37. Gate Gourmet and CLS are currently the only firms authorized by VAA to provide In-flight Catering at the Airport. They (or their predecessors) have operated at the Airport since at least 1992, when VAA entered into the Ground Lease with the Government of Canada. VAA has never conducted a request for proposals or similar competitive process to select one or more firms to supply Galley Handling and/or Catering at the Airport, and has no immediate plans to do so. As such, no new entry in the In-flight Catering marketplace at the Airport has occurred in more than 20 years. The businesses of Gate Gourmet and CLS at the Airport are profitable.

38. In 2014, VAA refused requests from two new-entrant firms for authorization to access the airside to provide In-flight Catering at the Airport. While these firms would be new entrants to the In-flight Catering marketplace in Vancouver, they are both well-established businesses that

- provide In-flight Catering at other airports in Canada. In this regard, airport authorities in Edmonton, Calgary, Regina, Winnipeg, Ottawa, Toronto, Montreal and Halifax have granted one or more of these firms access to the airside at airports in those cities.
39. Today, VAA continues to refuse to permit anyone other than Gate Gourmet and CLS to provide In-flight Catering at the Airport. VAA does so over the objections of several airlines, which have expressed to VAA their desire to see greater In-flight Catering competition at the Airport.
  40. VAA has consistently and purposely intended to exclude new-entrant firms from the market for the supply of Galley Handling at the Airport, by refusing to grant such firms access to the Airport airside. Since access to the Airport airside is required to supply Galley Handling at the Airport, it was and is reasonably foreseeable or expected that the effect of VAA's refusal to grant access to the airside to new-entrant firms for the supply of Galley Handling would be an exclusionary effect on those firms. In fact, VAA's ongoing refusal to grant airside access to new-entrant In-flight Catering firms has resulted in the total and complete exclusion of such firms from the Airport.
  41. VAA's refusal to grant access to the Airport airside to new-entrant firms for the supply of Galley Handling at the Airport has negatively impacted the businesses of excluded firms, including by way of lost contracts with airlines, reduced revenues, higher costs and delayed entry and expansion in Canada.
- (ii) VAA's Tying of Airside Access to Land Leasing**
42. In addition to its outright refusal to authorize new-entrant firms to access the airside to provide Galley Handling or In-flight Catering at the Airport, VAA's practice with respect to incumbent providers of In-flight Catering at

the Airport has been to tie their authorization to access the Airport airside for the supply of Galley Handling to their leasing of Airport land from VAA for the operation of Catering kitchen facilities. In other words, VAA does not permit a firm to access the Airport airside for the supply of Galley Handling if that firm does not operate a Catering kitchen located on Airport property (i.e., if the firm's kitchen were to be located on land not managed by VAA). VAA's airside access agreements with Gate Gourmet and CLS terminate if and when Gate Gourmet or CLS ceases to rent land from VAA for the operation of Catering kitchens on Airport property.

43. VAA has consistently and purposely intended to exclude new-entrant firms from the market for the supply of Galley Handling at the Airport by requiring that any firms accessing the airside to supply Galley Handling also lease Airport land for the operation of Catering kitchen facilities. It was and is reasonably foreseeable or expected that the effect of VAA's tying, of access to the Airport airside for the supply of Galley Handling to the leasing of Airport land from VAA for the operation of Catering kitchen facilities, would be an exclusionary effect on competitors. In-flight Catering firms are not permitted to locate their Catering kitchens on less expensive off-Airport land, and firms that may wish to provide only Galley Handling are excluded from operating at the Airport altogether.
44. VAA's tying of Airport airside access to the leasing of Airport land for the operation of Catering kitchens has negatively impacted the businesses of excluded firms, including by way of lost contracts with airlines, reduced revenues, higher costs and delayed entry and expansion in Canada.

**(iii) VAA's Competitive Interest in Excluding Competition**

45. VAA has a competitive interest in the market for the supply of Galley Handling at the Airport, and in insulating the incumbent In-flight Catering firms at the Airport from new sources of competition.
46. Each of Gate Gourmet and CLS rents land from VAA, pursuant to lease agreements, for the operation of Catering kitchens located on Airport property. Gate Gourmet and CLS pay VAA several million dollars per year, representing rent payments under these lease agreements, as well as fees under airside access agreements. In recent years, VAA has increased both the land lease rates and the amount of the percentage-based airside access fee it charges to Gate Gourmet and CLS.
47. VAA thus shares in the revenue generated from the supply of Galley Handling and In-flight Catering at or from the Airport, and benefits financially, through the lease and access fees, from the protection from competition it confers on the incumbent In-flight Catering firms at the Airport.

**(iv) Absence of a Legitimate Business Justification**

48. After deciding to exclude new-entrant firms from supplying Galley Handling at the Airport, VAA put forth a variety of factors that, it claims, justify its anti-competitive conduct. None of VAA's explanations constitute a legitimate business justification; they are not credible efficiency or pro-competitive rationales for VAA's Practice that are independent of the anti-competitive effects of its conduct, and in any event, they do not outweigh VAA's subjective intent to exclude or the reasonably foreseeable or expected exclusionary effects of the Practice.

49. Moreover, VAA's conduct with respect to airside access for the supply of In-flight Catering is opposite to its policy concerning airside access for the supply of ground handling (such as baggage handling) at the Airport. VAA places no restriction on the number of firms it permits to access the airside to supply ground handling to airlines at the Airport.
50. Firms seeking authorization from VAA to access the airside to supply In-flight Catering at the Airport are well-established businesses that provide In-flight Catering at other airports in Canada, where they have been permitted to operate by the relevant airport authority.
51. The overall character or purpose of VAA's Practice is anti-competitive.

**C. VAA'S CONDUCT HAS HAD, IS HAVING AND IS LIKELY TO HAVE THE EFFECT OF PREVENTING AND/OR LESSENING COMPETITION SUBSTANTIALLY IN THE MARKET FOR GALLEY HANDLING AT THE AIRPORT**

52. VAA's ongoing refusal to grant access to the Airport airside to new-entrant firms for the supply of Galley Handling at the Airport, and its continued tying of access to the Airport airside for the supply of Galley Handling to the leasing of Airport land from VAA for the operation of Catering kitchen facilities, has had, is having and is likely to have the effect of preventing or lessening competition substantially in the market for the supply of Galley Handling at the Airport. But for this ongoing practice of anti-competitive acts, the market for the supply of Galley Handling at the Airport would be substantially more competitive.
53. In the absence of VAA's Practice, significant new entry into the market for the supply of Galley Handling at the Airport would likely occur. New entrants have already sought authorization to access the airside to provide In-flight Catering at the Airport, and would be likely to begin operations at the Airport in the absence of VAA's Practice.

54. VAA's conduct insulates the incumbent In-flight Catering firms at the Airport from these new sources of competition, enabling those firms to exercise a materially greater degree of market power, through materially higher prices and materially lower levels of service quality, than would otherwise prevail in the absence of VAA's practice.
55. Enhanced rivalry from new entry would result in a substantially more competitive market for the supply of Galley Handling at the Airport. The ability of airlines seeking Galley Handling or In-flight Catering at the Airport to contract with alternatives to the incumbent providers would result in materially lower prices for the supply of Galley Handling at the Airport and materially greater service and product quality. Airlines have already realized these benefits at airports in Canada where new entry has been permitted to occur.
56. New entry would also bring to the Airport the introduction of innovative and/or more efficient Galley Handling business models. For example, airlines would gain the ability to choose to procure Galley Handling at the Airport from other than a full-service In-flight Catering firm, or from an In-flight Catering firm with a lower-cost off-Airport location, delivering efficiencies to service providers and savings to airlines.
57. In sum, but for VAA's practice of anti-competitive acts, the market for the supply of Galley Handling at the Airport would be substantially more competitive, including by way of materially lower prices, materially enhanced innovation and/or materially more efficient business models, and materially higher service quality.

#### **IV. A TRIBUNAL ORDER IS NECESSARY**

58. An order of the Tribunal is necessary and appropriate in the circumstances, including for the following reasons:

- a. VAA's ongoing refusal to grant access to the Airport airside to new-entrant firms for the supply of Galley Handling at the Airport, and its continued tying of access to the Airport airside for the supply of Galley Handling to the leasing of Airport land from VAA for the operation of Catering kitchen facilities, has had, is having and is likely to have the effect of preventing or lessening competition substantially in the market for the supply of Galley Handling at the Airport;
- b. an order, and more particularly, the relief sought by the Commissioner herein, is reasonable and necessary to overcome the anti-competitive effects of VAA's practice in the market for the supply of Galley Handling at the Airport and to restore or stimulate competition in the market;
- c. an order ensures an enforceable mechanism is in place to prevent VAA from engaging in the same or similar conduct likely to have the effect of preventing or lessening competition substantially in the market for the supply of Galley Handling at the Airport; and
- d. an order will indicate to the Canadian marketplace more broadly that the practices described by the Commissioner herein are anti-competitive.

## **V. RELIEF SOUGHT**

59. The Commissioner therefore seeks an order of the Tribunal:

- a. pursuant to subsections 79(1) and 79(2) of the Act:
  - i. prohibiting VAA from directly or indirectly engaging in the practice of anti-competitive acts set out in this Application, namely: (i) VAA's ongoing refusal to grant access to the

Airport airside to new-entrant firms for the supply of Galley Handling at the Airport; and (ii) VAA's continued tying of access to the Airport airside for the supply of Galley Handling to the leasing of Airport land from VAA for the operation of Catering kitchen facilities;

- ii. requiring VAA to issue authorization, on non-discriminatory terms, to any firm that meets customary health, safety, security and performance requirements, so as to entitle that firm to access the airside at the Airport, from one or more facilities used by the firm whether located on Airport property or off Airport property, for the purposes of supplying Galley Handling; and
  - iii. otherwise requiring VAA to take any action, or to refrain from taking any action, as may be required to give effect to the foregoing prohibitions and requirements;
- b. directing VAA to pay costs;
  - c. directing VAA to establish, and thereafter maintain, a corporate compliance program consistent with the Commissioner's bulletin entitled "Corporate Compliance Programs", as such bulletin may be revised from time-to-time; and
  - d. containing such further and other relief as the Commissioner may request and this Tribunal may consider appropriate.



DATED AT Gatineau, Quebec, this 29<sup>th</sup> day of September, 2016



John Pecman  
Commissioner of Competition

**SCHEDULE "A"****CONCISE STATEMENT OF ECONOMIC THEORY**

1. Despite requests from both airlines and In-flight Catering firms, VAA refuses to grant authorization to new-entrant firms to access the Airport airside to supply Galley Handling at the Airport. VAA also ties access to the Airport airside for the supply of Galley Handling to the leasing of Airport land from VAA for the operation of Catering kitchen facilities, by requiring firms providing In-flight Catering at the Airport to lease land from VAA for the operation of Catering kitchen facilities as a condition of authorizing access to the airside.
2. VAA's conduct is anti-competitive, having the purpose and effect of an intended negative effect on competitors that is exclusionary. VAA's exclusionary conduct has negatively impacted, and is likely to negatively impact, the businesses of firms that provide Galley Handling or In-flight Catering, leading to, among other things, lost contracts with airlines, reduced revenues, higher costs and delayed entry and expansion in Canada.
3. VAA's anti-competitive conduct has had, is having and is likely to have the effect of preventing or lessening competition substantially in the market for the supply of Galley Handling at the Airport.

**MARKET POWER**

4. The relevant product markets are: (i) access to the airside for the supply of Galley Handling; and (ii) Galley Handling. The Airport is the relevant geographic market for both product markets.

5. VAA substantially or completely controls the market for access to the Airport airside for the supply of Galley Handling, as well as the market for the supply of Galley Handling at the Airport.
6. VAA has a substantial degree of market power in the market for access to the Airport airside for the supply of Galley Handling. In fact, VAA is a monopolist in this market, being the only entity from which a Galley Handling or In-flight Catering firm may obtain access to the Airport airside. As a monopolist, VAA is generally able to dictate the terms upon which it sells or supplies access to the Airport airside for the supply of Galley Handling. Barriers to entry and expansion in the market for access to the Airport airside for the supply of Galley Handling are absolute. Entry of an alternative source of supply of access to the Airport airside simply is not possible. VAA's substantial degree of market power in the market for access to the Airport airside for the supply of Galley Handling is not constrained by Galley Handling or In-flight Catering firms or otherwise.
7. By virtue of its control over access to the Airport airside – a necessary input to the supply of Galley Handling – VAA also has a substantial degree of market power in the market for the supply of Galley Handling at the Airport. VAA has considerable latitude to determine or influence price and non-price dimensions of competition in the market for the supply of Galley Handling at the Airport, including the terms upon which Galley Handling and In-flight Catering firms carry on business in this market.

#### **ANTI-COMPETITIVE CONDUCT**

8. VAA has engaged in and is engaging in a practice of anti-competitive acts through: (i) its ongoing refusal to grant access to the Airport airside to new-entrant firms for the supply of Galley Handling at the Airport; and (ii) its continued tying of access to the Airport airside for the supply of Galley

Handling to the leasing of Airport land from VAA for the operation of Catering kitchen facilities. The purpose and effect of VAA's conduct is an intended negative effect on competitors that is exclusionary.

9. VAA has a competitive interest in the market for the supply of Galley Handling at the Airport, and in insulating the incumbent In-flight Catering firms at the Airport from new sources of competition. VAA shares in the revenue generated from the supply of Galley Handling and In-flight Catering at or from the Airport, and benefits, through lease and access fees, from the protection from competition it confers on the incumbent In-flight Catering firms at the Airport.

#### **Substantial Lessening and/or Prevention of Competition**

10. VAA's ongoing refusal to grant access to the Airport airside to new-entrant firms for the supply of Galley Handling at the Airport, and its continued tying of access to the Airport airside for the supply of Galley Handling to the leasing of Airport land from VAA for the operation of Catering kitchen facilities, has had, is having and is likely to have the effect of preventing or lessening competition substantially in the market for the supply of Galley Handling at the Airport.
11. In the absence of VAA's anti-competitive conduct, the market for the supply of Galley Handling at the Airport would be substantially more competitive. Significant new entry would likely occur, enhancing rivalry with incumbent suppliers of In-flight Catering and resulting in materially lower prices for the supply of Galley Handling at the Airport, materially enhanced innovation and/or materially more efficient business models, and materially higher service quality.

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CT-2016-015

**THE COMPETITION TRIBUNAL**

**IN THE MATTER OF** the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

**AND IN THE MATTER OF** certain conduct of Vancouver Airport Authority relating to the supply of in-flight catering at Vancouver International Airport;

**AND IN THE MATTER OF** an application by the Commissioner of Competition for one or more orders pursuant to section 79 of the *Competition Act*.

**BETWEEN:**

**COMMISSIONER OF COMPETITION**

**Applicant**

—and—

**VANCOUVER AIRPORT AUTHORITY**

**Respondent**

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**RESPONSE OF VANCOUVER AIRPORT AUTHORITY**

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**PART I - OVERVIEW**

1. Pursuant to its statutorily-derived mandate, the Vancouver Airport Authority (referred to hereinafter as the “**Authority**”) is charged with operating the Vancouver International Airport (the “**Airport**” or “**YVR**”) – Canada’s second largest airport – in a safe and efficient manner, to generate economic development for Vancouver, and more broadly, for British Columbia and the rest of Canada, in furtherance of the public interest. The fulfilment of that mandate involves countless operational decisions, requiring the application of the Authority’s experience and expertise in exercising its business judgment relating

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to such matters as how best to assist in the movement of people and goods between Canada and the rest of the world.

2. In order for the Authority to achieve its goals, it must be able to compete with other similarly-situated airports (such as San Francisco and Seattle) in attracting the business of major international airlines to the Airport. Despite its relatively small size (as compared to some of its competitors), the Authority has succeeded in attracting major international airlines to YVR as a gateway to the Pacific Rim. The Authority has done so, in large part, by taking an active approach to managing the Airport with an eye to maximizing efficiency and value for all airlines and other stakeholders. The Airport's ability to compete depends upon a number of factors, including the services that are available at YVR. Among the services demanded by many airlines on numerous routes is the supply of catering and related services. Such services and, in particular, the provision of high quality, fresh catered meals are an important requirement for first-class and business class passengers, who, in turn, are key to airline profitability and the viability of existing and future airline routes to and from YVR. Given YVR's geographic location and unique ground access issues, in order to ensure delivery of such high quality, fresh meals on a timely and flexible basis, it is necessary that catering firms be located at the Airport.
3. Accordingly, it is particularly important for the Airport to ensure that the full range of catering and related services, including high quality, fresh catered meals, are available to airlines operating out of YVR. At the same time, the provision of catering services involves substantial capital investment, such that a departing catering firm cannot be easily (or quickly) replaced. In addition, to the best of the Authority's knowledge, the demand for catering and related services at the Airport is not sufficient to support additional entry at this time. As a result, the Authority believes that the entry of additional catering firms would imperil the continued viability of the operations of the two existing catering firms at the Airport. The Authority is particularly concerned about the significant disruptions of service that would follow the exit of either of the catering firms from the Airport.

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4. It was for these reasons, in order to ensure that the Airport continues to be served by two competitive, on-site catering firms, that the Authority decided that it would not be in the public interest to permit an additional firm to operate at the Airport at this time. This decision was based on the Authority's experience and expertise having regard to the consideration of all relevant factors in operating one of the Canada's largest airports and in ensuring that the Airport, which is uniquely situated as Canada's primary gateway to the Pacific Rim, can compete with larger airports on the US west coast. Thus, far from committing any anti-competitive acts, the Airport has at all times acted in a manner designed to foster competition and ensure the overall efficiency of the Airport's operations.
5. Notwithstanding the Authority's expertise and experience in navigating the complex set of considerations at play in the operation of an airport such as YVR, the Commissioner of Competition (the "**Commissioner**") has brought the within proceeding and seeks an order substituting the Commissioner's judgment for that of the Authority as to what would best serve the public interest. Indeed, the very content of the order being sought by the Commissioner, which would require the Authority "to issue authorization, on non-discriminatory terms, to any firm that meets customary health, safety, security and performance requirements, so as to entitle that firm to access the airside at [YVR]" incorrectly assumes away the myriad factors the Authority must take into consideration when exercising its public interest mandate to provide access to the Airport, particularly airside.
6. As is discussed more fully below, the proceeding suffers from a number of fundamental flaws and should be dismissed by the Tribunal.
7. First, the proceeding wholly fails to take into account the fact that, at all times, the Authority as the regulator of access at the Airport has been acting in accordance with its statutory mandate to operate the Airport in furtherance of the public interest. Accordingly, section 79 of the *Competition Act* (the "**Act**") as a matter of fact and law does not apply to the actions of the Authority that are at issue, having regard to the application of the regulated conduct exemption.



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8. Second, the Authority does not substantially or completely control the alleged market for access to the Airport airside for the purpose of providing “Galley Handling” (defined below), contrary to the allegations made in the Commissioner’s Notice of Application and Statement of Material Grounds and Facts (“**SMGF**”) (together, the “**Application**”).
9. Third, with respect to the market for Galley Handling (which is inaccurately defined by the Application and which is accurately defined below), the Authority does not itself provide Galley Handling or have a commercial interest in any entity providing Galley Handling at YVR. The Authority does not have market power in, and does not control – let alone substantially or completely control – that market.
10. Fourth, the Authority doesn’t represent entities involved in the provision of Galley Handling at YVR, nor does it have any plausible competitive interest in the market for Galley Handling, in respect of which it is alleged to have committed anti-competitive acts. This case is clearly distinguishable from, and represents an unwarranted attempt by the Commissioner to extend the reach of section 79 well beyond what was articulated in, the *Toronto Real Estate Board* case (“**TREB**”).
11. Fifth, as noted above, far from having an anti-competitive purpose, the Authority was at all times motivated by a desire to preserve and foster competition, and had a valid business justification that was both pro-competitive and efficiency-enhancing.
12. Sixth, the conduct of the Authority will not, and is not likely to, lessen or prevent competition substantially. On the contrary, the Authority’s conduct has ensured continuing vigorous competition between the two existing in-flight caterers. Moreover, the ability of airlines to self-supply, including by “ferrying” food and snacks from other airports, effectively limits the ability of the existing catering firms from imposing a significant, non-transitory increase in prices.

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13. The Authority therefore respectfully requests that the Tribunal dismiss the Application, with costs.

## **PART II – ADMISSIONS AND DENIALS**

14. Except as expressly admitted below, the Authority denies all allegations contained in the SMGF.
15. The Authority admits paragraphs 7, 8 and the first two sentences of paragraph 17, the first sentence of paragraph 38, and the first two sentences of paragraph 46 of the SMFG.

## **PART III – MATERIAL FACTS UPON WHICH THE AUTHORITY RELIES**

### **(a) The Authority and its Public Interest Mandate**

16. The Airport is located on Sea Island, approximately 12 kilometres from downtown Vancouver. It is the second busiest airport in Canada by aircraft movements and passengers. It is also an important driver of economic growth for Vancouver and, more broadly, for British Columbia and the rest of Canada, as it serves to connect Vancouver to other cities around the world and, in particular, serves as a gateway between Asia and the Americas.
17. The federal government decided in the early 1990s to cede operational control of major airports in Canada to not-for-profit, community-based organizations. To that end, the Authority was created pursuant to Part II of the *Canada Corporations Act*, R.S.C. 1970, c. C-32 (and, in 2013, continued under the *Canada Not-for-profit Corporations Act*, S.C. 2009, c. 23.) The Authority's Articles of Continuance set out a "Statement of Purposes of the Corporation", which include:
  - a) to acquire all of, or an interest in, the property comprising the Vancouver International Airport to undertake the management and operation of the Vancouver International Airport in a safe and efficient manner for the general benefit of the public;

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- b) to undertake the development of the lands of the Vancouver International Airport for uses compatible with air transportation; and
  - c) to generate, suggest and participate in economic development projects and undertakings which are intended to expand British Columbia's transportation facilities, or contribute to British Columbia's economy, or assist in the movement of people and goods between Canada and the rest of the world.
18. Most of the members of the Authority's Board of Directors are nominated by various levels of government and local professional organizations, including the Government of Canada, the City of Vancouver, the City of Richmond, Metro Vancouver, the Vancouver Board of Trade, the Law Society of British Columbia, the Institute of Chartered Accountants of British Columbia, and the Association of Professional Engineers and Geoscientists of British Columbia. In addition, there are currently five members who serve as "at large" directors (one of whom is the Authority's Chief Executive Officer; the others are local business people).
19. By Order-in-Council No. P.C. 1992-18/501,<sup>1</sup> the Minister of Transport was authorized to enter into an agreement to transfer operational control of the Airport to the Authority. To that end, the Minister of Transport entered into a ground lease dated June 30, 1992 with Authority. Among other things, the lease provides that the Authority shall "manage, operate, and maintain the Airport ...in an up-to-date and reputable manner befitting a First Class Facility and a Major International Airport, in a condition and at a level of service to meet the capacity demands for airport services from users within seventy-five kilometres."
20. Since that time, the operation of the Airport has been carried out by the Authority, which is a not-for-profit corporation and which re-invests all revenues net of expenses back into the Airport. Any excess of revenue over expenses that may

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<sup>1</sup> The Order-in-Council was made pursuant to the authority under the *Airport Transfers (Miscellaneous Matters) Act* (S.C. 1992, c. 5) which permits the Minister of Transport to designate a body to which the Minister is to "sell, lease or otherwise transfer an airport."

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accrue in any given year are re-invested in capital projects for the Airport, pursuant to the Authority's public interest mandate.

21. The not-for-profit nature of the Authority reinforces its mandate to manage the Airport in the public interest, all as reflected in its "mission", "vision" and "values" which are as follows: mission: connecting British Columbia proudly to the world; vision: a world-class sustainable gateway between Asia and the Americas; and values: safety, teamwork, accountability and innovation.
22. The Authority grants licences and permits to businesses that wish to operate at the Airport and that comply with applicable regulations (relating to health & safety, security and otherwise), including airlines and related airline service businesses (such as ground handling, de-icing, fueling, maintenance and in-flight catering services). In deciding whether to grant any given licence or permit, the Authority carefully considers whether the addition of the particular business to the Airport would be consistent with, and further, the Authority's mandate to operate the Airport in the best interests of the public. Accordingly, the Authority cannot agree to any and all requests for access.

**(b) Catering and Galley Handling at YVR**

23. The Authority does not provide catering services or Galley Handling (defined below), or any other related service at YVR or elsewhere, nor does it have a commercial interest in, or represent, entities involved in providing any such service.
24. Virtually all commercial airlines operating out of YVR offer some type of food and drink service on virtually every flight. The level of food and drink service varies by airline, by route and by seat class, with the offerings ranging from drinks and peanuts or pretzels, at one extreme, to freshly prepared meals, including hot entrées, at the other extreme. For the vast majority of flights operated out of YVR, freshly cooked meals are offered in only two situations: on overseas flights; and to business/first class passengers (who are particularly important to airlines' profitability).

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25. The Airport's ability to ensure the availability of a competitive choice of freshly prepared meals is very important to its efforts to attract new airlines and routes and retain existing flights and routes at the Airport. Asia-based airlines, in particular, place a premium on the availability of a competitive choice of freshly prepared meals.
26. There are currently two companies offering freshly prepared meals for airlines at the Airport, Gate Gourmet Canada Inc. ("**Gate Gourmet**") and CLS Catering Services Ltd. ("**CLS**"). Each company operates a full kitchen, in respect of which each has made significant investments on-site at the Airport.
27. In addition to the fresh meals, Gate Gourmet and CLS each provide a full range of other perishable food (such as fresh snacks and other buy-on-board offerings). They also provide a full range of non-perishable food items (chips and peanuts and the like) and drinks.
28. And, each of Gate Gourmet and CLS offers an additional service: the loading and unloading of all food and drink products onto aircraft, as well as ancillary services, such as the assembly of meal trays and aircraft trolley carts and the transportation of food and drink products between the warehouse or kitchen facility and aircraft.
29. In this Response, the preparation and loading onto aircraft of fresh meals and other perishable food offerings is referred to as "**Catering**", while the provision and loading onto aircraft of non-perishable food items and drinks, as well as other items such as duty free products are referred to collectively as "**Galley Handling**". The Authority specifically denies the market definitions set out at paragraph 12 of the SMFG.
30. Gate Gourmet and CLS compete with each other to meet the Catering and Galley Handling needs of airlines operating at YVR.
31. As acknowledged by the Commissioner, airlines also have the option of meeting all or a portion of their Catering and Galley Handling needs through self-supply or

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“double catering”. (“Double catering”, also sometimes called “ferrying”, refers to the practise of transporting extra meals and supplies from one airport for service during a flight departing a second airport.)

32. The Authority specifically denies the Commissioner’s allegation, in the third sentence of paragraph 13 of the SMFG, that such self-supply or double catering is not a “feasible or preferable” substitute for in-flight catering for most airlines in Canada.
33. With respect to self-supply, all airlines are free to self-supply at YVR without being granted specific access for this purpose by the Authority. This includes the option for airlines to source meals and provisions from wherever they choose and to load all meals and provisions onto their aircraft at YVR themselves. WestJet, Canada’s second largest airline, with the second most flights serving YVR, self-supplies from its own facility at the Airport.
34. In addition, Alaska Airlines and Horizon both use double catering to fulfill their in-flight catering needs at YVR. And Air Canada, Canada’s largest airline with the most flights serving YVR, double caters, bringing into YVR frozen main course economy class meals prepared by a flight kitchen located at the Montréal airport. To the Authority’s knowledge, self-supply and double catering are widespread not only at YVR, but also at other airports throughout Canada.
35. Gate Gourmet and CLS (and their respective predecessors) have operated at YVR since approximately 1970 and 1983 respectively, under long term leases first entered into by the Minister of Transport and later assumed by the Authority.
36. The Authority charges competitive rents to Gate Gourmet and CLS, based in large part on the market value of the land occupied by their respective operations, as determined through an arbitration mechanism under each lease. The land rents charged to Gate Gourmet and CLS reflect the opportunity cost of the land being used at the Airport, which is in high demand given the prime location. The Authority would have no difficulty in finding other tenants at similar market rates for the space used by these two firms at the Airport.

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37. In addition, like all suppliers at YVR with access to the airside, Gate Gourmet and CLS also entered into licence agreements with the Authority, setting out the terms and conditions under which they operate and obtain access to the airside. Under the licence agreements, Gate Gourmet and CLS pay to the Authority a percentage of their respective revenues from the sale of Catering and Galley Handling Services, as well as a percentage of the revenues earned from off-Airport catering services.
38. Gate Gourmet (including its predecessors) first occupied land at YVR in or about 1970. It operates pursuant to both a licence agreement and lease. The licence agreement, dated June 1, 1996, provides for a fee on revenues at a rate no higher than 3.5% until January 1, 2002. From January 1, 2002 to December 31, 2010, the Authority was able to increase the percentage rate under the licence agreement, provided it raised it for all operators. A supplemental agreement was entered into effective June 1, 1996 whereby off-airport sales were made subject to a lower percentage rate (i.e. 1.143% on the first \$4 million of revenues, 1.643% on revenues between \$4 million and \$6 million and 2.143% on revenues above \$6 million). The Authority increased the percentage rate for sales at the Airport on January 1, 2010, to 4.5%, and on January 1, 2011, to 5%.
39. CLS (including its predecessors) first occupied land at YVR in or about 1983. It operates pursuant to both a license agreement and lease. Its licence agreement, dated September 15, 1998, and its supplemental agreement effective September 15, 1998, provide for the same fee percentages and structure as described above in respect of Gate Gourmet's licence agreement. For CLS, as for Gate Gourmet, the Authority increased the percentage rate for sales at the Airport on January 1, 2010, to 4.5%, and on January 1, 2011, to 5%.
40. Gate Gourmet currently operates under a lease dated April 1, 2002. At that time, Gate Gourmet's predecessor leased, in addition to the land previously occupied by it, an additional 8.78 acres of adjacent land (the "Expansion Lands") for the purpose of building new and expanded facilities. Effective November 1, 2007, the Authority agreed to take back 4.54 acres of the Expansion Lands. Effective

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October 1, 2012, the Authority agreed to take back a further 2.03 acres from Gate Gourmet. On July 1, 2013, Gate Gourmet agreed to take 0.22 acres of this land back from the Authority, by way of an easement to install a security fence.

41. Gate Gourmet's current rent of \$937,190.25 per annum became effective April 1, 2012, and is applicable to the five year rent review period from April 1, 2012 to March 31, 2017.
42. CLS currently occupies a smaller piece of land than Gate Gourmet where it operates under a lease dated July 1, 2008. The current rent of \$271,066.78 became effective July 1, 2013 and is applicable to the lease's five year rent review period from July 1, 2013 to June 30, 2018.
43. These lease agreements and licence agreements generate revenues that are, relatively speaking, *de minimis* as a fraction of the Authority's total revenues, amounting to approximately 1% of the Authority's total revenues.
44. It is efficient for each of Gate Gourmet and CLS to provide both Catering Services and Galley Handling, using its same facilities, equipment and personnel.
45. It is also efficient for Gate Gourmet and CLS and, more particularly, for their respective kitchens to be located on-site at YVR. Sea Island, on which the Airport is located, is only accessible from the City of Vancouver by one bridge, and from the City of Richmond by three bridges. These bridges often act as bottlenecks, significantly slowing access to the Airport, particularly during rush hour traffic. In addition, vehicles that access the Airport airside must first pass through a security check-point and individuals in the vehicle are also subject to security checks. Given the unique ground access issues at YVR arising from it being located on an island and the importance of fresh food being provided to aircraft on a timely basis, and given that flight manifests are subject to last-minute changes, it is not desirable for Catering services to be located off-airport at YVR. On-airport Catering facilities provide the best assurance of an ability to meet such last-minute demands, thereby limiting the possibility either of



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dissatisfied passengers (and, accordingly, dissatisfied airlines) or delayed flights. In that regard, it should be noted that the costs of flight delays are borne not only by the airline in question and its passengers, but also by other airlines and their respective passengers, as the delay of one flight at one gate can create a “domino effect” resulting in further delays at the Airport.

46. In addition, given the substantial investment required to set up a commercial kitchen, companies that provide Catering services from on-airport facilities are more committed to staying at the Airport even if business conditions deteriorate in the short term, which provides the Authority with greater assurance of the continuity of supply of such services and the avoidance of service disruptions.

**(c) Declining Demand for In-flight Catering Services at YVR**

47. In 1992, when the Authority took over responsibility for operating the Airport, there were three companies offering Catering and Galley Handling services at the Airport: Gate Gourmet, CLS and a third company, LSG Sky Chefs. However, LSG Sky Chefs exited the Airport following the acquisition of Canadian Airlines by Air Canada in 2003, due (to the best of the Authority’s knowledge) to a lack of demand.
48. The first decade of this century saw the commercial aviation industry experience a number of significant challenges, including 9-11 in 2001, the outbreak of SARs in 2003-2004 and the recession of 2007-2009. During this period, the market for Catering services changed dramatically in North America, with carriers eliminating meal service to the economy cabin and replacing it with “buy on board” offerings. Service of fresh meals became restricted to overseas flights and to the premium cabins.
49. As a result of this shrinking demand for Catering services, the revenues of the Catering operations at YVR declined. That drop in revenues persisted even when the number of passengers using the Airport experienced significant growth towards the end of the decade.

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50. Over that ten-year period, although the Authority had the right under the terms of its licences with Gate Gourmet and CLS to raise the concession fees, it chose not to do so. Rather, over the period from the mid-to-late 1990s up until 2010, the concession fee rates were kept below comparable rates at other airports. When the Authority finally did increase the rates in 2010-2011, it raised them only to the bottom of the prevailing range charged at other Canadian airports, i.e., to 4.5% and then 5% of revenues earned from Catering and Galley Handling. Moreover, for revenues generated from off-Airport catering, it agreed to continue to hold the concession fees to below market rates. As described above, the Authority from time to time also allowed Gate Gourmet to surrender significant portions of the land it leased at YVR from the Authority, and to reduce its rent accordingly. The Authority took these measures in order to ensure the continued viability of the two companies' operations at the Airport and thereby to ensure continued competition for Catering services at YVR.
51. The Authority therefore specifically denies the Commissioner's inaccurate allegation, at paragraph 32 of the SMFG, that in 2010-2011, the Authority was able to impose and sustain a more than 40% increase in the fee it charges.

**(d) Requests by Potential New Entrants**

52. In or about December 2013, the Authority was contacted by a representative of Newrest Canada ("**Newrest**"), seeking a licence to access the airside at the Airport for the purpose of providing both Galley Handling and Catering services. With respect to the Catering services that it wished to provide at the Airport, Newrest was proposing to do so from a kitchen located off-Airport.
53. In or about April 2014, the Authority was contacted by a representative of Strategic Aviation Services Ltd. ("**Strategic**"), seeking a licence to access the airside at the Airport for the purpose of providing Galley Handling services.
54. Upon being contacted by Newrest and Strategic, the Authority applied its experience and expertise to carefully review the markets for Catering and Galley Handling at YVR, with a view to determining whether there was sufficient

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demand to permit new entry without jeopardizing the existing operational excellence and competition for the full range of services, including the provision of meals freshly-prepared on-site at the Airport.

55. Ultimately, the Authority concluded and advised Newrest and Strategic that the licences requested would not be granted at that time. As Newrest and Strategic were advised, the reasons included: the presence of two competitive flight kitchen operations at YVR; the fact that a third – LSG SkyChef – had left the Airport in 2003 for reasons that the Authority understood were due to the size of the market at YVR; and the setbacks that the airline industry had undergone since that time, including the declining market for Catering services. The Authority advised Newrest and Strategic that it believed that the local market demand was simply not able to support the addition of a new entrant.
56. At all times, representatives of the Authority explained that, while the Authority was of the view that additional entry was not warranted at that time, the Authority would review the situation from time-to-time. It was further explained that if, upon such review, a different conclusion was reached, the Authority would likely issue a Request for Proposal (“**RFP**”) for the selection of an additional provider or providers of Galley Handling and Catering services at YVR.
57. In 2015, the Authority received one further request for a licence for airside access from each of Newrest and Strategic. The Authority has not received any other requests for licences to provide either Galley Handling or Catering services at the Airport.
58. The Authority has continued to assess the advisability of issuing a RFP for additional Catering and/or Galley Handling-service providers at YVR.
59. In 2015, the Authority removed the restriction on the number of ground handling operators at YVR, in favour of a policy to license all those providers who could meet the Authority’s requirements. The Authority’s decision to open ground handling in this manner was based on its experience and its expertise, involving consideration of a wide range of considerations specific to the market for ground

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handling, including, among other factors, the merger of two non-airline providers of ground handling services, the ability of ground handlers to enter or exit the market because they can easily move their equipment and operations among airports, and the Authority's desire to incentivize environmentally-friendly performance in the provision of these services.

60. In or about February, 2016, Strategic was among the companies granted a licence to provide ground handling at YVR.

**PART IV – STATEMENT OF THE GROUNDS ON WHICH THE APPLICATION IS OPPOSED**

**(a) Section 79 of the Act Does Not Apply to the Authority's Decision Not to Permit Additional Firms to Offer Galley Handling Services at the Airport**

61. Section 79 of the Act does not apply to a regulator acting pursuant to a validly enacted legislative or regulatory mandate. Accordingly, section 79 does not apply as a matter of fact and law to the Authority when exercising its public interest mandate pursuant to legislative enactment, including the applicable Order in Council.

**(b) In the Alternative, the Requirements of Section 79 Are Not Made Out**

62. In the alternative, if section 79 of the Act does apply to the Authority's decision not to permit additional firms to offer Galley Handling services at the Airport, then the requirements under paragraphs 79(1)(a), (b) and (c) of the Act have not been met.

**(i) *The Authority does not Substantially or Completely Control Either the Market for Airport Airside Access for the Supply of Galley Handling or the Market for Galley Handling***

63. The Authority denies that it substantially or completely controls either the market for access to the YVR airside for the supply of Galley Handling, or the market for the supply of Galley Handling.

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64. The Authority denies that it substantially or completely controls the market for access to the Airport airside for the supply of Galley Handling. The Authority is not generally able to dictate the terms upon which it sells or supplies access to the Airport airside for the supply of Galley Handling, among other reasons, because airlines are free to meet their Galley Handling needs through self-supply or double catering and, accordingly, do not need to obtain access to the Airport airside for that purpose.
65. As well, the Authority, which competes with other airports to attract airlines, including through offering an efficient mix of services to those airlines, is constrained in its ability to dictate the terms upon which it sells or supplies access to the Airport airside for the supply of Galley Handling. The fact that the Authority chose not to raise the rates of the concession fees it charges to Gate Gourmet and CLS for more than a 10-year period demonstrates that it was, and continues to be, constrained in its ability to dictate terms upon which it sells or supplies access to the airside for the supply of Galley Handling.
66. The Authority further denies that it substantially or completely controls the market for Galley Handling. Because airlines can meet their Galley Handling needs through self-supply or double catering, the relevant geographic market for Galley Handling is broader than the Airport.
67. The Authority does not provide Galley Handling and does not own any interest in, or represent, any provider of Galley Handling.
68. The Authority does not have any market power in the market for Galley Handling. Contrary to the Commissioner's allegation, the Authority does not have "considerable latitude" to determine or influence price and non-price dimensions of competition in the market for Galley Handling. In the alternative, if the Authority did have such latitude (which is denied), that would not amount to market power in the relevant product market.
69. In the further alternative, if a provider of an input into a downstream market can be viewed as having market power in that downstream market, then the Authority

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does not have market power in that market, for the same reasons cited above at paragraphs 64 and 65 – it does not completely or substantially control the market for access airside at the Airport for providing Galley Handling.

***(ii) The Authority Has Not Engaged in a Practice of Anti-Competitive Acts***

70. The Authority has not engaged in a practice of anti-competitive acts, within the meaning of paragraph 79(1)(b) of the Act.
71. The Authority has at all times acted, and continues to act, for the purpose of fulfilling its public interest mandate in operating the Airport and for no anti-competitive or other improper purpose.

The Authority's Purpose

72. The Authority did not at any time have any anti-competitive purpose. On the contrary, it had (and continues to have) a valid, efficiency-enhancing, pro-competitive business justification for not permitting new entry at this time.
73. In the exercise of its business judgement, informed by its expertise and experience, the Authority was (and remains) concerned that there is insufficient demand to justify the entry of additional firms providing Galley Handling services at the Airport.
74. The Authority carefully considered the complex set of factors affecting its decision in the unique context of YVR's competition with other airports – including major U.S. airports such as San Francisco and Seattle – to attract flights and grow as a gateway to the Pacific Rim and other destinations of major international long-haul carriers.
75. In view of the importance of Catering services to these carriers, the Authority acted to ensure that the existing companies providing Catering and Galley Handling services are able to operate efficiently at the Airport by, among other things, each sharing its costs over both the Catering and the Galley Handling services it provides. Having experienced the exit of one firm providing Catering

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and Galley Handling services at the Airport, the Authority is concerned that, if one or more new firms were permitted to provide Galley Handling services at the Airport, one or both of the two existing firms – who provide both Catering and Galley Handling – would no longer be viable. Such an eventuality would eliminate the existing choice of, and competition between, at least two Catering providers at the Airport. Moreover, if one or both of these Catering firms were to exit the market, the Authority believes that it would be difficult to attract another on-Airport provider to provide Catering services at YVR, thereby affecting quality and service levels.

76. The decision made by the Authority was therefore directed at fulfillment of its public interest mandate, including ensuring to the greatest extent possible, the competitiveness of the Airport.
77. Thus, the Authority's purpose was at all times to ensure that it is able to retain and attract additional airline business to the Airport, by providing these airlines – in particular, long-haul carriers – with a competitive choice of at least two Catering companies at YVR.
78. Further, there is no factual or legal foundation for, and the Authority specifically denies, the Commissioner's allegations of "tying" set out at paragraphs 42 through 44 of the SMFG regarding the Authority's requirement for firms providing Catering services to be located on-site at YVR.
79. At all material times, the Authority had a valid business justification for requiring Catering firms to be located on-site at the Airport. The Authority reasonably believes that the presence of Catering firms on-site at the Airport is important to ensure optimal levels of quality and service, which, in turn, are important to ensuring the efficient operation of the Airport as a whole, including achieving its public interest mandate, mission and vision.
80. Any exclusionary negative effect on Newrest and/or Strategic, which is not admitted but denied, was never the goal of the Authority. Moreover, any such effect (which is denied) is outweighed by the Authority's legitimate business

justification for refusing entry to an additional Galley Handling operation, at this time.

No Plausible Competitive Interest in Adversely Impacting Competition

81. As described above, unlike the respondent in prior cases decided by the Tribunal under section 79 of the Act, the Authority is not involved in the business in question, and does not have any similar commercial interest in the relevant markets as has been reflected in prior section 79 cases.
82. In any event, for the reasons discussed below, the Authority specifically denies that it has any plausible competitive interest in adversely impacting competition in the market for Galley Handling such as would be necessary to a finding that the Authority had committed anti-competitive acts within the meaning of paragraph 79(1)(b) of the Act.
83. The Authority specifically denies that a landlord and tenant relationship, such as that between the Authority on the one hand, and Gate Gourmet and CLS on the other hand, is of such a nature as to give rise to a plausible competitive interest in adversely impacting competition in the market in which the tenant competes.
84. In the alternative, as explained in further detail in the Authority's Concise Statement of Economic Theory set out in Schedule "A" to this Response, even if one assumes that the Authority was acting as a sole profit-maximizing monopolist with respect to control over airside access at the Airport, in order to maximize the revenues it earns from complementary service providers, such as from Galley Handling firms at the Airport, as alleged by the Commissioner, a monopoly supplier of access to the Airport airside for the purpose of supplying Galley Handling would have an interest in ensuring the most efficient market structure for the provision of Galley Handling at the Airport. Therefore, it follows that, even on the Commissioner's theory, the Authority would have no plausible interest in adversely affecting competition in Galley Handling.



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85. In any event, as outlined above, the Authority had a number of efficiency-enhancing and pro-competitive reasons for refusing further entry at this time.

***(iii) No Substantial Lessening or Prevention of Competition***

86. The Authority denies that its refusal to permit any additional companies to offer Galley Handling services at the Airport at this time has lessened or prevented, or is likely to lessen or prevent, competition for Galley Handling substantially.

87. First, because there is insufficient demand at the Airport to sustain additional entry at this time, if the Authority had permitted additional entrants to provide Galley Handling services at the airport, the likely result would have been less competition at the Airport for the provision of Catering services.

88. Second, the Authority's impugned acts in this case have not enabled, and are unlikely to enable, Gate Gourmet and CLS to exercise materially greater market power than they would have exercised in the absence of the acts.

89. There is vigorous competition between Gate Gourmet and CLS at the Airport as evidenced by significant shifts in the share of Galley Handling business and Catering business between them. Airlines can and do change Galley Handling and Catering firms at any given airport in response to price and service competition. The presence of only two Galley Handling and Catering firms at YVR is consistent with the number of such competitors located at other comparable North American airports.

90. In addition, the airlines, which are increasingly joining together in large international alliances, have considerable negotiating power with Galley Handling firms and exercise countervailing market power to play one Galley Handling provider off against the other in order to drive down prices and increase service levels.

91. The airlines' negotiating power is increased (and the Galley Handling firms' market power is correspondingly decreased) by the fact that they have the option

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of self-supplying or double catering all or a portion of their Galley Handling needs.

92. In any event, the Authority's judgment that providers of Catering and Galley Handling should be located on-site at the Airport cannot have had any "but for" effect on competition since the Authority determined that, in any event, no additional entry was warranted at this time.
93. Finally, the Authority's impugned acts have not had, and are unlikely to have, an impact on the existing providers' market power that extends through a material part of the market for Galley Handling, as to the best of the Authority's understanding, only Jazz and, possibly, Air Transat have sought to contract with a new entrant supplier of Galley Handling at the Airport.

#### **PART V – STATEMENT OF ECONOMIC THEORY**

94. The Authority's Concise Statement of Economic Theory is set out in Schedule "A" to this Response.

#### **PART VI – RELIEF SOUGHT**

95. The Authority requests an Order dismissing the Application with costs payable to the Authority. The Authority submits that the circumstances warrant the awarding of costs to the Authority on a full indemnity basis.

**PART VII – PROCEDURAL MATTERS**

96. The Authority agrees that the Application be heard in English. The Authority proposes that the Application be heard in the City of Vancouver in addition to Ottawa. The Authority agrees with the Commissioner's proposal that documents be filed electronically.

All of which is respectfully submitted this 14th day of November, 2016.



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GOODMANS LLP

Bay Adelaide Centre  
333 Bay Street, Suite 3400  
Toronto, ON M5H 2S7

**Calvin S. Goldman, QC**

Tel: (416) 597-5914

Fax: (416) 979-1234

**Michael Koch**

Tel: (416) 597-5156

**Julie Rosenthal**

Tel: (416) 597-4259

**Ryan Cookson**

Tel: (416) 597-6012

Counsel for Vancouver Airport Authority

**Schedule A - Concise Statement of Economic Theory**

1. The Authority is a non-profit corporation operating in the public interest. Part of its mandate is to maximize traffic at the Airport by providing attractive services at the lowest possible fees to airlines and airline passengers. To accomplish that objective, it is in the interest of the Authority to ensure that its complementary service providers, including firms supplying Catering and Galley Handling, operate as efficiently as possible.
2. The Authority derives no benefit from restricting competition among firms providing Catering and Galley Handling, if the resulting market structure is inefficient. On the contrary, even if one assumes that the Authority was acting as a sole profit-maximizing monopolist with respect to control over airside access at the Airport as alleged by the Commissioner, such a monopoly supplier of access to the Airport airside for the purpose of supplying Galley Handling would have an interest in ensuring the most efficient market structure for the provision of Galley Handling at the Airport, as that would enable such a monopolist to maximize the revenues it earns from complementary service providers, including Catering and Galley Handling service providers.

**Market Power**

3. One of the key responsibilities of the Authority in executing its public interest mandate is to control access to the Airport airside. In addition to ensuring safety at the airport, this control allows the Authority to authorize an efficient number of providers across the full range of complementary service providers, including Catering and Galley Handling.
4. The Airport is the relevant geographic market for the provision of Catering to airlines using the Airport. The relevant geographic market for Galley Handling is broader than the Airport. Airlines can and do self-supply Galley Handling. Accordingly, Galley Handling services are not required at every airport. For example, Galley Handling may occur at any of the origin, destination or connecting airports. A number of airlines at the Airport meet their respective

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needs for Galley Handling for flights to and from Vancouver through services offered by third party suppliers at other airports or by providing those services themselves.

5. Airside access is an input to Catering at the Airport. Airside access is also an input to any Galley Handling that occurs at the Airport. However, airside access in Vancouver is not required to provide airlines with Galley Handling services since airlines can use multiple airports for Galley Handling services. The Authority charges fees for airside access to providers of Galley Handling and Catering, just as the Authority charges fees for airside access to other complementary service providers operating at the Airport.
6. The Authority does not supply any Galley Handling or Catering services. The Authority does not compete with any Galley Handling or Catering firms, and does not provide services that are a substitute for Galley Handling and Catering services. The Authority has no market power in any market for Galley Handling or Catering services.
7. Any influence that the Authority has on the prices charged by Galley Handling or Catering services to airlines is through the fees that the Authority charges for airside access. This is no different from the influence that a shopping mall owner has on the retail prices charged by its tenants to consumers for merchandise purchased at the shopping mall, when tenant rent is set as a percentage of retail revenues. The total revenues earned by the Authority from fees charged for airside access to Galley Handling and Catering services firms are a very small fraction of the Authority's total revenues.

#### **The Authority's Conduct is Pro-Competitive**

8. Catering and Galley Handling are complementary products to the services offered by the Authority. Therefore, it is in the Authority's interest that the markets for these complementary products be as competitive and efficient as possible, in order to maximize the value of the package of services offered by the Authority to airlines and passengers.

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9. Any inefficiency in the provision of Catering or Galley Handling at the Airport reduces the fees that the Authority can recover from those services while still maintaining attractive pricing to airlines.
10. It is well established in the economics literature that entry may not be “socially efficient” even if it is profitable for the entrant. With respect to services offered at the Airport, “social efficiency” means maximizing the value of services offered to airlines and passengers net of the total cost of providing those services. It is in the Authority’s interest to ensure that only socially efficient entry takes place in complementary markets, since socially efficient complementary markets will allow the Authority to maximize the value of its offering to airlines and passengers.
11. It is the Authority’s experience that having three Catering service providers at the Airport was not efficient, as one provider exited and the market for Catering services has been in decline. Further, it is the Authority’s experience that timely, high-quality Catering services can only be provided at YVR with on-site kitchen facilities.
12. If it were socially efficient to alter its conditions of airside access for a third supplier of Galley Handling and Catering at the Airport, it would be in Authority’s interest to do so because the Authority would benefit from the improved efficiency of its complementary service providers.
13. Requiring Catering suppliers to lease facilities at the Airport provides no additional exclusionary power to the Authority beyond that associated with limiting the number of Catering suppliers that have airside access. As a result, there is no possible exclusionary purpose for tying airside access to the condition of operating a catering kitchen on-site. Rather, the on-site requirement for Catering services at the Airport is necessary to guarantee timely service to airlines.
14. If Catering service could be provided at lower cost from an off-airport location while meeting the same service requirements such as timely and flexible

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delivery, it would be in the Authority's interest to allow suppliers to operate off-airport, since then the Authority could generate the same total revenues from Catering services while prices paid by airlines for Catering services would be reduced.

### **No Substantial Lessening of Competition**

15. Incumbent Catering suppliers operating at the Airport rely on Galley Handling revenues to contribute to covering the shared fixed costs of providing Catering and Galley Handling services at the Airport. The Authority has determined that giving airside access to a firm offering only Galley Handling services would not be efficient because it would not allow current Catering and Galley Handling providers to cover costs, forcing one to exit, thereby eliminating competition for Catering services at the Airport. Similarly, given the Authority's past experience, it expects that entry by a third Catering service provider would cause the subsequent exit of one Catering supplier, thereby resulting in no increase in competition but with the Authority bearing some of the costs of such exit. Thus the decision not to authorize airside access for additional Catering and Galley Handling firms has not resulted in a substantial lessening of competition.
16. But-for the Authority's restrictions on airside access at the Airport, there would not be substantially more competition for Catering services at the Airport as there would remain either the same number of Catering firms or one fewer. But-for the Authority's requirements related to Galley Handling at the Airport, there would not be substantially more competition for Galley Handling services since airside access at the Airport is not required for airlines to have these services.

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CT-2016-015

**THE COMPETITION TRIBUNAL**

**IN THE MATTER OF** the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

**AND IN THE MATTER OF** certain conduct of Vancouver Airport Authority relating to the supply of in-flight catering at Vancouver International Airport;

**AND IN THE MATTER OF** an application by the Commissioner of Competition for one or more orders pursuant to section 79 of the *Competition Act*.

**BETWEEN:**

**COMMISSIONER OF COMPETITION**

**Applicant**

– and –

**VANCOUVER AIRPORT AUTHORITY**

**Respondent**

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**REPLY OF THE COMMISSIONER OF COMPETITION**

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## I. OVERVIEW

1. To justify its abuse of dominance – dominance that has substantially harmed competition for Galley Handling at Vancouver International Airport – VAA attempts to cloak itself as acting in the “public interest”. In seeking to do so, VAA ignores its obligation to comply with the *Competition Act*, a law of general application that has as its purpose to maintain and encourage competition in Canada, to the benefit of all Canadians.
2. VAA also makes the illogical argument it needs to *restrict* competition in the market for Galley Handling at the Airport to *preserve* competition. To try and support this argument, VAA makes allegations that have no evidentiary basis and also misapprehends the applicable legal test to evaluate VAA’s abusive conduct.
3. The fact is that VAA has abused its dominant market position by excluding and denying the benefits of competition to the Galley Handling market at the Airport. It has no legitimate explanation to justify the substantial prevention or lessening of competition that has resulted in higher prices, dampened innovation and lower service quality. In these circumstances, an order of the Tribunal to grant the relief sought by the Commissioner is necessary and appropriate.
4. The Commissioner repeats and relies upon the allegations in the Notice of Application, Statement of Grounds and Material Facts and Concise Statement of Economic Theory (the “**Application**”) and, except as hereinafter expressly admitted, denies each of the allegations in the Response of the Vancouver Airport Authority (the “**Response**”). Capitalized terms used herein are as defined in the Application.

## II. THE *COMPETITION ACT* APPLIES TO VAA

5. Contrary to the allegations in the Response, section 79 of the Act applies to VAA's conduct. No "regulated conduct exemption" is available to VAA.
6. First, VAA is not a regulator. It is a corporation under the *Canada Not-for-profit Corporations Act* that has entered into a Ground Lease with the Minister of Transport to operate the Airport. The federal statute – *Airport Transfers (Miscellaneous Matters) Act* – that permits the Minister of Transport to enter into the Ground Lease does not confer a regulatory function on VAA.
7. Second, no provision in any Act of Parliament or any statutory instrument specifies that the *Competition Act* shall not apply, in whole or in part, to the activities of VAA. To the contrary, section 8.06.01 of the Ground Lease specifically requires VAA to observe and comply with any applicable law. VAA is a "person" within the meaning of section 79 of the Act, such that the Act's abuse of dominance provisions apply to VAA.
8. Third, there is no operational conflict or inconsistency between the application of the Act and VAA's operation of the Airport pursuant to the Ground Lease. VAA has the ability to carry out the operation of the Airport pursuant to the Ground Lease while simultaneously complying with the Act, and VAA's compliance with the Act would in no way frustrate the fulfillment of any Parliamentary intent.
9. VAA, by its conduct, acknowledges that its licensing of firms to access the Airport's airside is subject to the Act. Section 8.12 of VAA's standard-form "Ground Handling Licence" agreement specifically provides that nothing in that agreement applies or is enforceable to the extent it would be contrary to the Act.

### III. NO LEGITIMATE BUSINESS JUSTIFICATIONS

10. To justify its abusive conduct, VAA relies on several alleged business justifications. As described below, VAA's explanations for its conduct in this case do not constitute legitimate business justifications for the purposes of section 79 of the Act. None of VAA's explanations are credible efficiency or pro-competitive rationales for VAA's Practice that are *independent* of the anti-competitive effects of its conduct. Even if credible justifications exist, which is denied, VAA's justifications are insufficient to outweigh VAA's clear subjective intent to exclude or the reasonably foreseeable or expected exclusionary effects of the Practice.
11. **First**, VAA's argument that new entry is not supported because of alleged shrinking demand is countered by the fact that airlines operating at the Airport wish to procure In-Flight Catering from new-entrant firms. At least three international airlines have written letters advocating for additional In-flight Catering competition at the Airport. These letters have been in VAA's possession while new-entrant firms were requesting (and continue to request) authorization to access the airside to provide In-flight Catering at the Airport.
12. Regardless of the size of the market, open competition should determine the number and identity of firms serving the In-Flight Catering marketplace at the Airport, not VAA. Markets are most efficient and consumers are best served when competing firms are free to decide how to compete.
13. **Second**, VAA claims that it is not desirable for In-flight Catering facilities to be located off-Airport, due to ground access issues arising from the Airport's location on an island, and because firms that make investments in facilities off-Airport are less committed to continuing to serve the Airport in the event of a business downturn.

14. Even if access issues exist, which is denied, In-flight Catering firms already operate in Canada from off-airport locations. Their level of service, including on-time performance, meets airline requirements, and is backstopped by level-of-service commitments, and penalties, in contracts with airlines. Whether located on- or off-airport, In-flight Catering firms make significant investments in establishing and maintaining their facilities, and firms located off-airport do not take lightly the commitments and investments they have made.
15. **Third**, VAA claims that after being contacted by new-entrant firms seeking authorization to access the airside to provide In-flight Catering at the Airport it conducted a careful review of the marketplace prior to making any decision. In fact, it was only after VAA had already rejected new entry did VAA conduct any kind of detailed analysis, and the analysis that VAA did conduct cannot, as a matter of fact, support the conclusions that VAA seeks to draw in this case.

**IV. VAA'S ILLOGICAL ARGUMENT THAT A LESS COMPETITIVE MARKET IS IN FACT A MORE COMPETITIVE MARKET**

16. VAA asserts that there can be no lessening or prevention of competition owing to "vigorous competition" between the incumbent providers of In-flight Catering at the Airport – Gate Gourmet and CLS. The test for a substantial prevention or lessening of competition for the purposes of section 79 of the Act is a relative rather than an absolute one; that there may be competition between Gate Gourmet and CLS is irrelevant to the assessment of whether the relevant market would be substantially more competitive but for VAA's ongoing practice of anti-competitive acts, which it would be in this case.
17. The Commissioner also rejects VAA's proposition that the absolute number of In-flight Catering firms operating at the Airport is indicative of

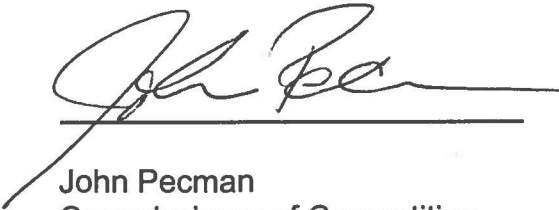
the competitiveness of the relevant market. That new entry may cause an incumbent firm to exit the market does not mean that the result is a less competitive market. To the contrary, vigorous competition in a market, participation in which is not blocked by a gatekeeper's refusal to permit access to a critical input, will deliver quality products and services to customers at competitive prices, including in this case.

18. Finally, airlines cannot exercise material countervailing buyer power at the Airport as VAA asserts. Countervailing buyer power only works if there is a free and contestable market that provides options to airlines for In-flight Catering. VAA's conduct in this case ensures that airlines are captive to the incumbents at the Airport and cannot exercise material countervailing buyer power.

## **V. CONCLUSION**

19. VAA has engaged in and continues to engage in an abuse of a dominant market position relating to the supply of In-flight Catering at the Airport. As described in the Application, VAA has a competitive interest in the market for the supply of Galley Handling at the Airport, and in insulating the incumbent In-flight Catering firms at the Airport from new sources of competition. VAA's practice of anti-competitive acts has, and continues, to harm competition. Accordingly, the Commissioner respectfully requests the Tribunal to grant the relief sought in paragraph 59 of the Application.

DATED AT Gatineau, Quebec, this 28<sup>th</sup> day of November, 2016.



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John Pecman  
Commissioner of Competition

**ATTORNEY GENERAL OF CANADA**

Department of Justice Canada  
Competition Bureau Legal Services  
Place du Portage, Phase I  
50 Victoria Street, 22<sup>nd</sup> Floor  
Fax: 819.953.9267

**Jonathan Hood**  
Tel: 416.954.5925  
jonathan.hood@canada.ca

**Katherine Rydel**  
Tel: 819.994.4045  
katherine.rydel@canada.ca

**Ryan Caron**  
Tel: 819.953.3889  
ryan.caron@canada.ca

Counsel to the Applicant, the Commissioner

TO: **Calvin S. Goldman, Q.C.**  
**Michael Koch**  
**Julie Rosenthal**  
**Ryan Cookson**  
Goodmans LLP  
Bay Adelaide Centre

333 Bay Street, Suite 3400  
Toronto, ON M5H 2S7  
Tel: 416.979.2211  
Fax: 416.979.1234

Counsel to the Respondent, Vancouver Airport Authority

AND TO: **The Registrar**  
Competition Tribunal  
Thomas D'Arcy McGee Building  
90 Sparks Street, Suite 600  
Ottawa, ON K1P 5B4



**PUBLIC VERSION**

CT-2016-015

**THE COMPETITION TRIBUNAL**

**IN THE MATTER OF** the *Competition Act*, R.S.C. 1985, c. C-34, as amended;

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—and—

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**Respondent**

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**MOTION RECORD OF  
VANCOUVER AIRPORT AUTHORITY  
Volume 2 of 2**

*(Respondent's Motion for Further Productions)*

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**GOODMANS LLP**

Bay Adelaide Centre  
333 Bay Street, Suite 3400  
Toronto, ON M5H 2S7

**Calvin S. Goldman, QC**

**Michael Koch**

**Julie Rosenthal**

**Ryan Cookson**

Tel: 416.979.2211

Fax: 416.979.1234

Counsel for Vancouver Airport Authority