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File No. 304995-525

May 1, 2020

Delivered by Email - tina.johanson@ontario.ca

Tina Johanson
SCJ Trial Coordinator
Superior Court of Justice - Civil
161 Elgin Street, 2nd Floor
Ottawa ON K2P 2K1

Dear Ms. Johanson:

Re: ClubLink Corporation ULC ats City of Ottawa, Court File No. 19-81809

We are lawyers for the City of Ottawa in the above application. I would be grateful if you would bring this letter to the attention of Regional Senior Justice MacLeod and Justice Labrosse.

This is a brief status update on behalf of all parties. Counsel for Imperial Tobacco Canada Ltd. has advised that it will not seek to be added as a party or to intervene in this application at this time. Accordingly, the parties are ready to set this down for a 2-day hearing as soon as the Court is able to do so. We understand that the Court is not currently scheduling in-person attendances for most civil matters. The City and the Coalition are prepared to argue the application by videoconference, if the court would permit it. However, ClubLink does not agree to a hearing by videoconference given the length and complexity of the hearing. Accordingly, in light of ClubLink's position, the City will not be seeking leave to have this argued by videoconference at this time, but will reassess the matter in a month. We propose to provide the court with another status update at that time.

Yours very truly,



Kirsten Crain
/ch

cc. Mathew Gottlieb, James Renihan, Mark Flowers, Alyssa Tomkins, Charles Daoust, Deborah Glendinning, Nancy Roberts