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January 24, 2022

Hon. Justice Labrosse  
Ontario Superior Court of Justice  
161 Elgin Street  
Ottawa, ON K2P 2K1

Dear Justice Labrosse :

**ClubLink Corporation ULC ats City of Ottawa  
Court File No. 19-81809/C69176 (OCA)**

We are counsel to ClubLink Corporation ULC in the above captioned proceeding. I am writing to request a case conference/conference call with Your Honour and counsel to discuss a hearing that is to be held in accordance with the decision of the Court of Appeal for Ontario in this proceeding.

I attach the decision of the Court of Appeal for Ontario. In the decision, the Court allowed ClubLink's appeal and determined that "[S]ections 5(4) and 9 of the 1981 Agreement are void and unenforceable".

In accordance with paragraph 70, the Court of Appeal directed that issues concerning severance should be remitted to Your Honour if the parties were unable to agree on the issues. I can advise that the parties were unable to agree on the issues and therefore a hearing to determine these issues is required.

I have copied counsel to the City of Ottawa and the Kanata Greenspace Protection Coalition. It is our position that the Coalition does not have standing to take part in this hearing but the parties will obviously make submissions on that issue as appropriate.

Thank you and we look forward to hearing from you.

Yours truly,

A handwritten signature in blue ink, appearing to read "Matthew P. Gottlieb", is written over a light blue circular scribble.

Matthew P. Gottlieb

MPG/jlc

Encl.

cc: Kirsten Crain, BLG  
Alyssa Tomkins, Caza Saikaley