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<b>Warman v. Lemire</b> <b>CHRT Nos. T1073/5405</b>  Please find attached our letter of today's date.  Should you have any problems with the transmission of this fax please contact Katie Hammell @ (613) 957-4886.			
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Our File No. 2-366872

May 20, 2008

**BY FACSIMILE**

Canadian Human Rights Tribunal  
160 Elgin Street, 11th Floor  
Ottawa, ON K1A 1J4

*Attention: Carol Ann Hartung*

Dear Sirs, Mesdames:

**Re: *Warman v. Lemire*, CHRT No. T1073/5405**

We write in response to the request by Marc Lemire and other parties for a further postponement of the dates for filing written submissions and for presenting oral arguments.

After numerous delays and postponements, the Tribunal set May 12, 2008 as the date upon which the principal parties, including Mr. Lemire, would file and serve their initial written submissions in relation to the constitutional issues. In order to ensure that all parties received the Attorney General's written submissions by this date, we filed and began the process for serving them the previous Friday, May 9, 2008.

It was not until approximately 3:00 p.m. on May 12, 2008 that the Tribunal issued its direction to postpone the deadline for the principal parties' initial submissions to June 9, 2008. As a result, the Attorney General of Canada is the only party to have complied with the previously set deadline of May 12, 2008.

The Attorney General of Canada is a respondent to the constitutional challenge brought by Mr. Lemire to ss. 13, 54(1) and 54(1.1) of the *Canadian Human Rights Act*. The Attorney General has a right to reasonable notice of the case we are expected to meet, and to a reasonable opportunity to respond.

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- 2 -

Due to the late issuance of the Tribunal's decision to postpone the deadline, Mr. Lemire now has the benefit of the Attorney General's initial submissions when preparing his initial submissions, together with a further opportunity to reply by June 25, 2008. By contrast, the Attorney General will not receive Mr. Lemire's initial submissions until June 9, 2008, and will then have only until June 25, 2008 to reply.

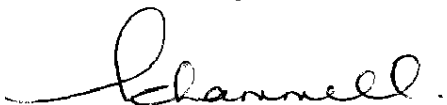
The existing imbalance will only be exacerbated if Mr. Lemire is given until the end of August to file his initial submissions in relation to the constitutional issues. We reiterate that the Attorney General is a respondent to Mr. Lemire's constitutional challenge, and yet we find ourselves in the position of having filed our initial submissions while Mr. Lemire's initial submissions are not required until June 9, 2008.

Given the real risk of unfairness, and the already protracted nature of these proceedings, the Attorney General of Canada opposes Mr. Lemire's and other parties' request for a further postponement of the dates for filing written submissions and for presenting oral arguments.

To the extent that the requests are intended to provide an opportunity to address additional documents disclosed by the Canadian Human Rights Commission or to hear testimony from additional witnesses, the Attorney General of Canada repeats the position advanced in our written submissions: the additional evidence sought to be adduced is not relevant to any issue properly before the Tribunal.

We trust that the foregoing is satisfactory.

Yours truly,



per: Simon Fothergill

Senior Counsel  
Civil Litigation Section

c.c. Mr. Richard Warman, c/o the Canadian Human Rights Tribunal  
Ms. Barbara Kulaszka, counsel for Mr. Marc Lemire  
Ms. Margot Blight, counsel for the Canadian Human Rights Commission  
Mr. Paul Fromm, Canadian Association for Free Expression  
Mr. Douglas Christie, Canadian Free Speech League  
Mr. Marvin Kurz, counsel for the League for the Human Rights of B'Nai Brith Canada  
Mr. Ryder Gilliland, counsel for the Canadian Jewish Congress  
Mr. Steven Skurka, counsel for the Friends of the Simon Wiesenthal Center for Holocaust Studies