

File No.: 04-1000-20-2018-089

February 27, 2018

s.22(1)

Dear s.22(1)

Re: Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")

I am responding to your request dated February 9, 2018 under the *Freedom of Information and Protection of Privacy Act, (the Act)*, for:

1. The total amount in fees paid by the City of Vancouver and/or Vancouver Park Board to its own legal team to fight the Vancouver Aquarium's challenge of its cetacean bylaw; and
2. The full dollar amount of the Vancouver Aquarium's legal fees that the City of Vancouver and/or Vancouver Park Board have been ordered to pay as a result of the February 9 ruling by the BC Supreme Court on the aquarium's challenge of the Park Board's cetacean bylaw.

Date Range: May 1, 2017 to February 9, 2018

For part one of your request, the information you are requesting is legally privileged and excepted from disclosure under section 14 of the Act:

14 The head of a public body may refuse to disclose to an applicant information that is subject to solicitor client privilege.

For part two of your request, this information will be publicly available through the court process when the costs are settled. Currently to the best of our understanding, the costs have not yet been settled. You can access court records through the BC Government web pages here: <https://www2.gov.bc.ca/gov/content/justice/courthouse-services/documents-forms-records/access-court-records>. An access to information request is not necessary or required for publicly available records.

Under section 52 of the Act you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your request. The Act allows you 30 business days from the date you receive this notice to request a review by writing to: Office of the

Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number assigned to your request (04-1000-20-2018-089); 2) a copy of this letter; 3) a copy of your original request for information sent to the City of Vancouver; and 4) detailed reasons or grounds on which you are seeking the review.

Please do not hesitate to contact me if you have any questions.

Yours truly,



Barbara J. Van Fraassen, BA
Director, Access to Information & Privacy

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