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July 28, 2020

Tyler Dawson, President
Alberta Legislature Press Gallery Association
tdawson@postmedia.com

Katherine Kay
Stikeman Elliott LLP
5300 Commerce Court West
199 Bay Street
Toronto, Ontario M5L 1B9
kkay@stikeman.com

Dear Ms. Kay and Mr. Dawson:

**Re: Anti-Competitive Conduct by Postmedia Network Inc. (“Postmedia”) and the
Alberta Legislature Press Gallery Association (“ALPGA”)**

I am writing on behalf of our clients, Sheila Gunn Reid, Kean Bexte, and Rebel News Network Ltd. (“**Rebel News**”). Please direct all future correspondence to the undersigned.

We understand that our clients applied for membership with the ALPGA, and on July 27, 2020, as newly-elected president of the ALPGA, Mr. Dawson communicated its denial to Rebel News as follows (the “**Denial**”):

Good morning,

I have been elected as president of the Alberta Legislature Press Gallery Association as of our annual general meeting this morning.

I'm writing to inform you that the gallery has voted to reject the applications of Sheila Gunn Reid and Kean Bexte of the Rebel News Network Ltd. for membership to the Alberta Legislature Press Gallery Association.

Take care,

Tyler Dawson

—

Tyler Dawson

Alberta correspondent
National Post
tdawson@postmedia.com

The Denial was communicated without reasons — the only stated reason for this decision is that the ALPGA “voted to reject the applications”.

We understand that prior to the Denial, the ALPGA unnecessarily delayed consideration of Rebel News’ applications, and that in the interim, lack of membership was cited for denying Mr. Bexte access to Question Period and an opposition press conference. In fact, Mr. Bexte was forcibly removed from the Federal Building while attempting to interview opposition members. Now, Rebel News’ membership applications have been denied without reasons.

The ALPGA is a Postmedia-dominated trade association. Postmedia benefits from a dominant position in Alberta’s media landscape — Postmedia owns Alberta’s largest daily newspapers (in Calgary, the Calgary Herald and the Calgary Sun) (in Edmonton, the Edmonton Journal and the Edmonton Sun), and has no significant rivals in either city. Rebel News, on the other hand, is a direct competitor of Postmedia, drawing heavily from the same audience in Canada and specifically, Alberta. Additionally, Rebel News is currently engaged in a legal dispute with Postmedia, having commenced proceedings in Ontario’s Superior Court of Justice claiming Postmedia infringed on and/or passed off Rebel’s media property. Despite repeated requests since March 2020, Postmedia has failed to defend this action.

The ALPGA’s denial of membership to Rebel News serves to demonstrate the anti-competitive nature and practices of Postmedia and the ALPGA, and in particular, their efforts to prevent/lessen competition in Alberta’s media landscape. As was the concern of the Competition Bureau upon Postmedia’s acquisition of Quebecor Media Inc.’s English-language newspapers, and despite Postmedia’s claims to the contrary at the time, it appears from the above-noted conduct that this transaction resulted in a substantial lessening or prevention of competition in the media market.¹

Our clients are hereby seeking an immediate reversal of the Denial by the ALPGA, failing which, we have instructions to commence formal proceedings against Postmedia pursuant to the *Competition Act*, R.S.C., 1985, c. C-34, which regulates anti-competitive business practices in Canada.

In the interim, we trust Postmedia will preserve all records for the purposes of these proceedings, including but not limited to internal correspondence, the grounds for the Denial, the rules and by-laws applicable to such decisions, and the list of members that made the Decision. In addition, we understand that you have publicly declared your personal animus towards Rebel News, and trust that you will preserve all public statements (including tweets) referring to our clients and confirm whether you and/or other members recused themselves from the vote to deny Rebel News membership in relation thereto.

¹ Competition Bureau statement regarding the proposed acquisition by Postmedia Network Inc. of the English-language newspapers of Quebecor Media Inc. - <https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/03899.html>

Yours very truly,

RE-LAW LLP

A handwritten signature in black ink, appearing to read 'A. Rosenberg', with a long horizontal flourish extending to the right.

Aaron Rosenberg

cc: client