Sarah Example
12 Sample Street
BN1 1AA Brighton
United Kingdom
sarah@example.com

easyJet
Customer Relations / Passenger Claims

Brighton, 31 October 2026

Subject: Objection to your rejection – compensation claim for flight U28385 on 21 August 2026 (LGW–BOD), booking K7Q2PX, your ref. EZY-2026-61188

Dear Sir or Madam,

I was a passenger with a confirmed reservation (booking reference K7Q2PX) on your flight U28385 on 21 August 2026 from London Gatwick Airport (LGW) to Bordeaux–Mérignac Airport (BOD) (scheduled departure 18:30, scheduled arrival 21:10, actual arrival 00:26 the following day). The flight reached its final destination more than 3 hours late.

Regulation (EC) No 261/2004 as retained in UK law ("UK261") applies to this flight (Article 3(1)). An arrival delay of three hours or more gives rise to the right to compensation under Article 7 in the same way as a cancellation (CJEU, Sturgeon, C-402/07 and C-432/07; Nelson, C-581/10 and C-629/10). The great-circle distance between the place of departure and the final destination is 704 km, so compensation under Article 7(1)(a) amounts to £220 per passenger.

You rejected my claim of 28 August 2026 relying on a technical problem / unscheduled maintenance. I object to this rejection. Technical problems identified during maintenance or resulting from a failure to maintain an aircraft are inherent in the normal exercise of an air carrier's activity and are not "extraordinary circumstances" (CJEU, Wallentin-Hermann, C-549/07, paras 25–26; van der Lans, C-257/14, paras 41–43). Only hidden manufacturing defects disclosed by the manufacturer or the authorities, or damage caused by sabotage or terrorism, fall outside this rule. You have not shown any such exception.

For clarity, I quote your reasoning: "We are sorry for the delay to flight EZY8385. The aircraft suffered an unexpected technical fault which constitutes an extraordinary circumstance, so no compensation is payable under UK261."

As to the evidence: According to the flight movement data (AeroDataBox), the scheduled arrival was 21:10 and the actual arrival 00:26, a delay of 196 minutes. According to the published Eurocontrol Performance Review Unit data, no ATFM delay is recorded at Bordeaux–Mérignac Airport (LFBD) for 21 August 2026; at London Gatwick Airport (EGKK) Eurocontrol records 448 minutes of ATFM arrival delay across 451 arrivals for 21 August 2026 (average 1.0 min per flight; aerodrome 448 min). For the airspaces, Eurocontrol records 3,346 minutes of en-route ATFM delay across 8,755 flights in United Kingdom airspace (average 0.4 min per flight; ATC capacity/staffing 1,865 min, weather 1,481 min) and 26,870 minutes of en-route ATFM delay across 11,982 flights in France airspace (average 2.2 min per flight; ATC capacity/staffing 11,523 min, weather 14,415 min, ATC industrial action 439 min); this does not establish a regulation that affected my flight in particular. The official METAR weather observations for 21 August 2026 (UTC) show – EGKK: visibility >= 10 km, gusts up to 16 kt, no significant weather phenomena; LFBD: minimum visibility 2000 m, wind up to 15 kt, phenomena: TS – partly restricted conditions; however, no evidence has

been provided that my flight in particular could not be operated. The complete data are enclosed as Annex 1.

I require payment of £220 by 14 November 2026. Please let me know if you need further details for the transfer. If payment is not received by then, I will refer the matter to the ADR scheme or issue a claim in the County Court (Money Claim Online) without further notice, claiming interest at 8 % per annum under s. 69 County Courts Act 1984 and court fees.

Yours faithfully,

Sarah Example

Enclosures:
– Booking confirmation / boarding pass
– Annex 1: Evidence pack (Eurocontrol ATFM data and METAR weather reports for the flight day)
– Your rejection letter

Annex 1 – Evidence pack

A. Eurocontrol ATFM delay data

Entity	Flights	ATFM	Weather	ATC	ATC strike	Strike	Aerodrome	Other
Arrival LFBD	-	0	0	0	0	0	0	0
Departure EGKK	451	448	0	0	0	0	448	0
FIR United Kingdom	8755	3346	1481	1865	0	0	0	0
FIR France	11982	26870	14415	11523	439	0	0	493

Source: EUROCONTROL Performance Review Unit, daily values 21 August 2026. Minutes = total ATFM delay minutes across all flights; 0 = no regulation delay recorded. Covered: departure/arrival airports and the airspaces of the departure/arrival states, not those overflown in between. https://ansperformance.eu/data/

B. METAR weather observations (UTC)

Departure: London Gatwick Airport (EGKK)

Summary: 24 reports; minimum visibility >= 10 km; max wind 12 kt, gusts 16 kt; no significant weather phenomena.

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00:50  EGKK 210050Z 05003KT 9999 SCT023 SCT033 15/12 Q1010
01:50  EGKK 210150Z 35006KT CAVOK 15/12 Q1010
02:50  EGKK 210250Z 36005KT 9999 FEW020 15/12 Q1010
03:50  EGKK 210350Z 36005KT CAVOK 15/11 Q1010
04:50  EGKK 210450Z 34004KT 280V010 9999 SCT048 14/11 Q1011
05:50  EGKK 210550Z 32006KT 280V350 CAVOK 14/11 Q1011
06:50  EGKK 210650Z 36008KT 330V040 CAVOK 15/11 Q1011
07:50  EGKK 210750Z 02009KT 9999 FEW020 16/11 Q1012
08:50  EGKK 210850Z 04010KT 9999 FEW024 17/11 Q1012
09:50  EGKK 210950Z 01007KT 340V130 9999 SCT030 18/10 Q1013
10:50  EGKK 211050Z 01008KT 340V110 9999 FEW037 19/08 Q1013
11:50  EGKK 211150Z 33006KT 290V030 9999 SCT042 20/09 Q1013
12:50  EGKK 211250Z VRB06G16KT 9999 SCT047 20/08 Q1013
13:50  EGKK 211350Z 36008KT 320V110 9999 FEW048 21/08 Q1013
14:50  EGKK 211450Z 34007KT 310V030 9999 FEW048 21/07 Q1013
15:50  EGKK 211550Z 34009KT CAVOK 20/06 Q1014
16:50  EGKK 211650Z 32007KT 190V360 CAVOK 20/06 Q1014
17:50  EGKK 211750Z 31007KT 280V040 CAVOK 20/06 Q1014
18:50  EGKK 211850Z 32006KT CAVOK 20/06 Q1015
19:50  EGKK 211950Z 03012KT CAVOK 18/09 Q1016
20:50  EGKK 212050Z 02007KT 340V080 CAVOK 16/09 Q1017
21:50  EGKK 212150Z 02006KT CAVOK 15/09 Q1018
22:50  EGKK 212250Z 02006KT CAVOK 14/09 Q1018
23:50  EGKK 212350Z 34005KT CAVOK 14/09 Q1018
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Arrival: Bordeaux–Mérignac Airport (LFBD)

Summary: 24 reports; minimum visibility 2000 m; max wind 15 kt; phenomena: TS.

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00:00  LFBD 210000Z AUTO 30004KT 250V340 9999 SCT031 BKN048 BKN060 18/16 Q1014 TEMPO 4000 -SHRA BKN040TCU
01:00  LFBD 210100Z AUTO 22005KT 9999 RA SCT027/// BKN035/// BKN042/// ///CB 18/16 Q1014 TEMPO 4000 -SHRA BKN0
02:00  LFBD 210200Z AUTO 22006KT 9999 FEW030/// SCT056/// OVC070/// ///TCU 18/17 Q1013 TEMPO 4000 -SHRA SCT040
03:00  LFBD 210300Z AUTO 24004KT 9999 FEW029/// BKN060/// BKN088/// ///TCU 18/17 Q1013 TEMPO 4000 -SHRA SCT040
04:00  LFBD 210400Z AUTO 21004KT 9999 FEW029 BKN090 BKN110 17/17 Q1013 TEMPO 4000 -SHRA SCT040CB
05:00  LFBD 210500Z AUTO 22006KT 9999 BKN025/// BKN031/// BKN040/// ///TCU 17/17 Q1013 TEMPO 4000 -SHRA SCT040
06:00  LFBD 210600Z AUTO 23006KT 9999 SCT004/// SCT024/// BKN062/// ///TCU 18/17 Q1013 TEMPO 2000 -TSRA BKN025
07:00  LFBD 210700Z AUTO 23005KT 9999 FEW007/// SCT047/// BKN060/// ///CB 19/17 Q1014 TEMPO 2000 -TSRA
08:00  LFBD 210800Z AUTO 22005KT 9999 SCT007/// SCT038/// BKN054/// ///CB 19/18 Q1014 TEMPO 4000 SHRA
09:00  LFBD 210900Z AUTO 24005KT 210V270 9999 BKN010/// BKN034/// BKN086/// ///TCU 20/17 Q1015 TEMPO 4000 SHRA
10:00  LFBD 211000Z AUTO 25007KT 9999 SCT025/// SCT050/// BKN064/// ///CB 22/16 Q1015 TEMPO 4000 SHRA BKN010 B
11:00  LFBD 211100Z AUTO 33005KT 270V020 9999 FEW037/// SCT100/// ///CB 23/15 Q1015 TEMPO 4000 SHRA BKN010 BKN
12:00  LFBD 211200Z AUTO 28012KT 250V330 9999 NSC 25/12 Q1015 TEMPO 4000 SHRA BKN010 BKN035TCU
13:00  LFBD 211300Z AUTO 29012KT 260V320 CAVOK 25/11 Q1015 TEMPO 4000 SHRA BKN010 BKN035TCU
14:00  LFBD 211400Z AUTO 29014KT CAVOK 25/11 Q1016 TEMPO 4000 SHRA BKN010 BKN035TCU
15:00  LFBD 211500Z AUTO 29015KT 260V320 9999 4400 NSC 25/11 Q1016 NOSIG
16:00  LFBD 211600Z AUTO 29013KT 250V310 CAVOK 25/11 Q1016 NOSIG
17:00  LFBD 211700Z AUTO 31011KT 280V030 9999 FEW046 24/12 Q1017 NOSIG
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18:00  LFBD 211800Z AUTO 28010KT CAVOK 23/12 Q1017 NOSIG
19:00  LFBD 211900Z AUTO 32007KT 280V340 CAVOK 21/13 Q1017 NOSIG
20:00  LFBD 212000Z AUTO 29004KT CAVOK 20/14 Q1018 NOSIG
21:00  LFBD 212100Z AUTO 31004KT CAVOK 19/14 Q1018 NOSIG
22:00  LFBD 212200Z AUTO VRB03KT CAVOK 17/13 Q1018 NOSIG
23:00  LFBD 212300Z AUTO 26003KT 9999 FEW034 17/13 Q1019 NOSIG
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C. Flight movement data

Status: Arrived; scheduled arrival 2026-08-21 21:10+02:00; actual arrival 2026-08-22 00:26+02:00; delay 196 min (AeroDataBox, 2026-10-31).

Source: Iowa Environmental Mesonet, archive of official METAR reports (https://mesonet.agron.iastate.edu/request/download.phtml). CAVOK = visibility >= 10 km, no significant cloud/weather.

Escalation plan

Prospects: high. The stated reason is not an extraordinary circumstance under CJEU case law. Flight movement data confirms an arrival delay of 196 minutes.

How to submit to easyJet

Form: https://www.easyjet.com/en/claim/EU261

Channel: Compensation Claims Portal, no login

Needed: Booking reference (7 characters) + flight number and date

Attachments: PDF, PNG, JPG, GIF, BMP, HTML under 5 MB each

Turnaround: Not stated by easyJet; about 28 days reportedly

1. Open the portal, enter booking reference, flight number and date. The lead passenger can list all passengers on the booking; a non-lead passenger can only claim for themselves.

2. There is no free-text box: upload the letter PDF as your statement, plus booking confirmation and boarding passes.

3. Enter your bank country and currency when asked; easyJet arranges the transfer after approval. The portal does not email a copy, so screenshot the confirmation.

What to expect

- Reportedly template refusals citing “severe weather” or air traffic control, sometimes different from the reason given on the day; a UK court accepted a thunderstorm-related ATC restriction as extraordinary in 2019, so check Annex 1 before relying on a weather argument.

- One submission per booking; a second submission for the same flight is usually rejected as a duplicate.

UK: AviationADR after a final answer or 8 weeks. Germany: easyJet is a member of the Schlichtungsstelle Reise & Verkehr (söp).

Date	Step
23 October 2026	8 weeks since first complaint: ADR possible (already possible)
31 October 2026	Send the letter
14 November 2026	Payment deadline expires
21 August 2032	Indicative end of limitation period (6 years)

Airline deadline

If the airline does not pay by the deadline in your letter, send one short reminder referring to this letter. Keep every email.

ADR after 8 weeks or a final answer

Once you have the airline’s final response or 8 weeks have passed since your first complaint, file with the airline’s ADR scheme: AviationADR (https://www.aviationadr.org.uk/complaints-process/) (online portal (https://portal.aviationadr.eu/register)) or CEDR (https://www.cedr-assist.com/consumer/aviation/make-a-complaint/). Which scheme your airline belongs to: CAA list of ADR schemes (https://www.caa.co.uk/air-passengers/travel-problems-and-rights/travel-complaints/alternative-dispute-resolution/). Free for passengers; the decision binds the airline if you accept it. Attach this letter, the airline’s replies and the evidence pack.

Airline not in any scheme

Use the CAA’s Passenger Advice and Complaints Team: how the CAA can help

(https://www.caa.co.uk/air-passengers/travel-problems-and-rights/travel-complaints/how-the-caa-can-help/). The CAA cannot order payment but records the case.

Small claims (Money Claim Online)

Alternatively or afterwards, issue a claim at Money Claim Online (https://www.moneyclaim.gov.uk/web/mcol/welcome) (guidance on gov.uk (https://www.gov.uk/make-court-claim-for-money)). Court fee £35 for claims up to £300, £50 up to £500 (recoverable if you win). Claim statutory interest at 8 % under s. 69 County Courts Act 1984. Most airlines settle after service.

Time limit

Six years from the flight date in England and Wales (five in Scotland).

Pre-written ADR / regulator complaint

Complaint against easyJet – compensation under Regulation (EC) 261/2004

Complainant: Sarah Example, 12 Sample Street, BN1 1AA Brighton, sarah@example.com
Flight: U28385 on 21 August 2026, London Gatwick Airport (LGW) – Bordeaux–Mérignac Airport (BOD), booking K7Q2PX, 1 passenger(s)
Facts: arrival delay of more than three hours; amount claimed: £220.
History: claim sent to the airline on 28 August 2026; rejected relying on a technical problem / unscheduled maintenance; formal demand with deadline 14 November 2026.
Grounds: the airline has not proven extraordinary circumstances specific to the flight (Article 5(3); CJEU C-549/07). Enclosed: letter, airline reply/replies, Eurocontrol ATFM data and METAR weather reports for the flight day, booking documents.
Request: payment of £220 plus interest.

Second reminder

Subject: Final reminder – Objection to your rejection – compensation claim for flight U28385 on 21 August 2026 (LGW–BOD), booking K7Q2PX, your ref. EZY-2026-61188

Dear Sir or Madam,

Despite my deadline of 14 November 2026 you have not settled my claim of £220. You are in default. I grant a final period of seven days from receipt of this letter. Thereafter I will, without further notice, commence the ADR procedure or issue a claim via Money Claim Online and claim interest and all costs.

Yours faithfully,
Sarah Example
Booking K7Q2PX