

**THE CORNWALL  
PUBLIC INQUIRY**



**L'ENQUÊTE PUBLIQUE  
SUR CORNWALL**

**Public Hearing**

**Audience publique**

**Commissioner**

The Honourable Justice /  
L'honorable juge  
G. Normand Glaude

**Commissaire**

**VOLUME 163**

**Held at :**

Hearings Room  
709 Cotton Mill Street  
Cornwall, Ontario  
K6H 7K7

Tuesday, November 20 2007

**Tenue à:**

Salle des audiences  
709, rue de la Fabrique  
Cornwall, Ontario  
K6H 7K7

Mardi, le 20 novembre 2007

**Appearances/Comparutions**

Mr. Peter Engelman	Lead Commission Counsel
Ms. Julie Gauthier	Registrar
Ms. Maya Hamou	Commission Counsel
Mr. Peter Manderville	Cornwall Police Service Board
Mr. Neil Kozloff	Ontario Provincial Police
Ms. Suzanne Costom	
M <sup>e</sup> Claude Rouleau	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Mr. Darrell Kloeze	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Ms. Helen Daley	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. David Bennett	The Men's Project
Mr. David Sherriff-Scott	Diocese of Alexandria-Cornwall and Bishop Eugene LaRocque
Mr. Michael Neville	The Estate of Ken Seguin and Scott Seguin and Father Charles MacDonald
Mr. William Carroll	Ontario Provincial Police Association
Mr. Frank T. Horn	Mr. Carson Chisholm
Mr. Ian Paul	

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1 --- Upon commencing at 10:24 a.m. /

2 L'audience débute à 10h24

3 **THE REGISTRAR:** Order; all rise. A l'ordre;  
4 veuillez vous lever.

5 This hearing of the Cornwall Public Inquiry  
6 is now in session. The Honourable Mr. Justice Normand  
7 Glaude, Commissioner, presiding.

8 Please be seated. Veuillez vous asseoir.

9 **THE COMMISSIONER:** Thank you. Good morning,  
10 all.

11 **MR. ENGELMANN:** Good Morning, Mr.  
12 Commissioner.

13 I apologize for the delay and I also  
14 apologize to those members of the public who are present  
15 and those on the website. The reason for the delay is we  
16 received a forensic report from a forensic document  
17 examiner that we had retained last week, given concerns  
18 about Mr. Guzzo's notes and some blackouts or obliterations  
19 in those notes, and we were seeking by way of this expert  
20 to determine, if we could, the actual writing under the  
21 blackout and other questions that were thought to be of  
22 import.

23 The document -- the forensic document  
24 examiner has given his report as I've said and he's also  
25 available to testify and, given the quality of the imaging,

1 has suggested to us that we might actually have better  
2 quality imaging here using our screens and a direct feed  
3 into our computer system.

4 **THE COMMISSIONER:** Right.

5 **MR. ENGELMANN:** Of course, we have our  
6 screens for counsel and our larger screens as well. So  
7 with that in mind, what I propose we do is that we not sit  
8 this morning, we come back at 2:00 o'clock, when  
9 Mr. Brian Lindblom is available. That will give him time  
10 to try out his technology here in the hearing room to make  
11 sure that it is of assistance to us.

12 **THE COMMISSIONER:** M'hm.

13 **MR. ENGELMANN:** And he could give us his  
14 report and then we would carry on with the evidence in-  
15 chief of Mr. Guzzo. That's my proposal. I've spoken to  
16 counsel.

17 **THE COMMISSIONER:** Right.

18 **MR. ENGELMANN:** There was a consensus  
19 amongst counsel that that was the best way to proceed given  
20 the information that we have just received today.

21 **THE COMMISSIONER:** All right. And that's to  
22 be able to assist us in finding out -- determining what  
23 names were underneath there and how that might impact the  
24 witness's testimony.

25 **MR. ENGELMANN:** Correct.

1                   **THE COMMISSIONER:** All right. Well, I --  
2                   it's unfortunate that we have to loose the time, but I  
3                   think given the fact that we have determined that we should  
4                   go that route, I think we should follow it some more and so  
5                   we'll adjourn until -- what time again?

6                   **MR. ENGELMANN:** 2:00 o'clock, sir.

7                   **THE COMMISSIONER:** 2:00 o'clock. Right.  
8                   Good. Thank you.

9                   **MR. ENGELMANN:** Thank you

10                  **THE REGISTRAR:** Order; all rise. A l'ordre;  
11                  veuillez vous lever.

12                  This hearing will resume at 2:00 p.m.

13                  --- Upon recessing at 10:27 a.m. /

14                  L'audience est suspendue à 10h27

15                  --- Upon resuming at 2:08 m.m. /

16                  L'audience est reprise à 14h08

17                  **THE REGISTRAR:** This hearing is now resumed.  
18                  Please be seated. Veuillez vous asseoir.

19                  **THE COMMISSIONER:** Thank you. Good  
20                  afternoon, all.

21                  Mr. Engelmann, good afternoon.

22                  **MR. ENGELMANN:** Good afternoon, Mr.  
23                  Commissioner.

24                  The next witness for the Commission is  
25                  Mr. Brian Lindblom.

1                   **THE COMMISSIONER:** M'hm.

2                   **MR. ENGELMANN:** And he's present and if the  
3 witness could be affirmed.

4                   **BRIAN LINDBLOM, Affirmed/Sous affirmation solennelle:**

5                   **THE COMMISSIONER:** Thank you. Good  
6 afternoon, sir.

7                   **MR. LINDBLOM:** Good afternoon.

8                   **THE COMMISSIONER:** Thank you for coming on  
9 such short notice.

10                  **MR. LINDBLOM:** No problem.

11                  **THE COMMISSIONER:** So Mr. Engelmann, I take  
12 it -- how are we going to do this? We're going -- you're  
13 going to qualify this gentlemen and ---

14                  **MR. ENGELMANN:** Yes.

15                  **THE COMMISSIONER:** --- go through that and  
16 then at some point when we get to a comparison we may have  
17 to go in camera, or have you ---

18                  **MR. ENGELMANN:** We may have to go in camera,  
19 or I was just trying to explain to Mr. Lindblom, that these  
20 names have monikers ---

21                  **THE COMMISSIONER:** Right.

22                  **MR. ENGELMANN:** --- and publication bans, so  
23 the important thing is that we not say the name out loud  
24 because we are over the webcast. I'd like to do as much of  
25 this ---

1                   **THE COMMISSIONER:** Yes.

2                   **MR. ENGELMANN:** --- in open hearings as we  
3 can. I don't want to exclude people.

4                   **THE COMMISSIONER:** No.

5                   **MR. ENGELMANN:** I know there are people here  
6 in the gallery now.

7                   **THE COMMISSIONER:** M'hm.

8                   **MR. ENGELMANN:** I've also invited  
9 Mr. Guzzo to be here and I think he's in the gallery as  
10 well.

11                   **THE COMMISSIONER:** Yes, he is.

12                   **MR. ENGELMANN:** So I'd like to try and do  
13 this in an open way and both Mr. Lindblom and myself will  
14 be careful about referring to people by name.

15                   **THE COMMISSIONER:** All right.

16                   **MR. ENGELMANN:** So we'll try and do this  
17 openly if we can.

18                   **THE COMMISSIONER:** Thank you.

19                   **MR. ENGELMANN:** If it becomes necessary at  
20 some point to go in camera I'll cross that bridge when we  
21 get there.

22                   **THE COMMISSIONER:** All right. Thank you.

23 ---EXAMINATION ON QUALIFICATION BY/INTERROGATOIRE SUR  
24 QUALIFICATIONS PAR MR. PETER ENGELMANN :

25                   **MR. ENGELMANN:** So, Mr. Lindblom, you've

1 done some quick work for us and what I wanted to do first  
2 of all was qualify you but just before doing so, you have  
3 provided a report in a booklet form?

4 MR. LINDBLOM: Yes, I have.

5 MR. ENGELMANN: And as I understand it you  
6 have provided the Commission with four originals?

7 MR. LINDBLOM: Yes, I did.

8 MR. ENGELMANN: And what is contained in the  
9 report, first of all, is a five-page report that you would  
10 have prepared?

11 MR. LINDBLOM: Correct.

12 MR. ENGELMANN: And that's answering some  
13 questions that you would have received from us?

14 MR. LINDBLOM: Yes.

15 MR. ENGELMANN: As well, there is curriculum  
16 vitae?

17 MR. LINDBLOM: Yes.

18 MR. ENGELMANN: As well, we have in the  
19 original -- the notes that you were sent -- the pages of  
20 the notes that you were sent with obliterations?

21 MR. LINDBLOM: Yes.

22 MR. ENGELMANN: And that's in colour form?

23 MR. LINDBLOM: Yes.

24 MR. ENGELMANN: And you've tried to make  
25 things as legible and as clear to read as possible?

1 MR. LINDBLOM: Correct.

2 MR. ENGELMANN: Is that fair?

3 And aside from that, we also have what you  
4 called photocopies and those are copies of what, sir?

5 MR. LINDBLOM: They are colour copies of the  
6 documents that were submitted for analysis and I put an  
7 exhibit number at the bottom of each for reference  
8 purposes.

9 MR. ENGELMANN: All right. And that is of  
10 original notes and of a faxed version?

11 MR. LINDBLOM: And of a fax as well, yes.

12 MR. ENGELMANN: And the originals start with  
13 the letter "D"?

14 MR. LINDBLOM: Yes.

15 MR. ENGELMANN: The faxed copy with the  
16 letter "F"?

17 MR. LINDBLOM: Yes.

18 MR. ENGELMANN: All right. So, sir, just  
19 before I -- well, let's go to your curriculum vitae if we  
20 can. My understanding is you are what is known as a  
21 forensic document examiner?

22 MR. LINDBLOM: Yes.

23 MR. ENGELMANN: And you've been qualified on  
24 many occasions as a forensic document examiner. Is that  
25 right?

1                   **MR. LINDBLOM:** I have, yes.

2                   **MR. ENGELMANN:** And, Mr. Commissioner, I  
3 will be seeking to qualify Mr. Lindblom as a forensic  
4 document examiner.

5                   **THE COMMISSIONER:** Yes.

6                   **MR. ENGELMANN:** And, sir, for that you have  
7 had some specific employment background that was useful.  
8 Is that correct?

9                   **MR. LINDBLOM:** That's correct.

10                  **MR. ENGELMANN:** And that was with the Royal  
11 Canadian Mounted Police?

12                  **MR. LINDBLOM:** Yes, it was.

13                  **MR. ENGELMANN:** And can you tell us when you  
14 worked there and what you did when you worked there?

15                  **MR. LINDBLOM:** I was first engaged there as  
16 trainee and I started working there in 1980. Completed my  
17 training at the end of 1981, then for seven years I worked  
18 as a full-time document examiner in the Questioned Document  
19 Section and then for two years after that I worked as a  
20 specialist in counterfeit examinations, having taken  
21 supplementary training.

22                  **MR. ENGELMANN:** All right.

23                  **MR. LINDBLOM:** And after that two-year  
24 period I left the RCMP and opened a private practice.

25                  **MR. ENGELMANN:** And that was in or around

1 1987?

2 MR. LINDBLOM: That's right.

3 MR. ENGELMANN: And since then you've been  
4 in private practice doing this work full time?

5 MR. LINDBLOM: Yes.

6 MR. ENGELMANN: So that's some twenty years?

7 MR. LINDBLOM: Yes.

8 MR. ENGELMANN: All right. And, sir, just  
9 briefly, on the first page of your CV -- and I'm not sure  
10 if we're able to put this up on the screen -- under  
11 forensic training ---

12 MR. LINDBLOM: Yes.

13 MR. ENGELMANN: --- you've set out some of  
14 the training that you would have had when you were with the  
15 RCMP?

16 MR. LINDBLOM: That's correct.

17 MR. ENGELMANN: And is some of that training  
18 useful for the work that you did for us?

19 MR. LINDBLOM: Yes. Some of the examination  
20 techniques that we were taught at the time had to do with  
21 infra-red and other enhancement techniques for revealing  
22 writing that would otherwise not be legible. So  
23 obliterations or faded writing, which is certainly  
24 pertinent to this issue.

25 MR. ENGELMANN: I note just under that

1 paragraph you have examinations of altered, eradicated and  
2 indented writing.

3 MR. LINDBLOM: That's right and, in fact,  
4 all three of those subjects are a part of the examinations  
5 that I conducted over the last couple of days.

6 MR. ENGELMANN: I note as well, sir, you  
7 have a Diploma in Forensic Document Examination?

8 MR. LINDBLOM: Yes, I do.

9 MR. ENGELMANN: Can you tell us what that  
10 is?

11 MR. LINDBLOM: In the mid-1980s, the  
12 Forensic Science Society in England commenced a diploma  
13 program through the free universities in England and in the  
14 first year of the diploma program if you had sufficient  
15 qualifications, publications, expertise and so on, you  
16 could be grandfathered into the diploma.

17 After that first year, you would have to  
18 write comprehensive exams. I applied in the first year and  
19 qualified under the grandfathering clause.

20 MR. ENGELMANN: All right. And I  
21 understand, sir, as well, that you've been certified;  
22 you've gone through a certification program as a forensic  
23 document examiner?

24 MR. LINDBLOM: Yes, I have, through an  
25 organization called the American Board of Forensic Document

1 Examiners, which is sponsored and endorsed by the Canadian  
2 Society of Forensic Science, The American Society of  
3 Questioned Document Examiners and other U.S.-based  
4 organizations.

5 These societies recognize the certification  
6 program as having merit and that one who has gone through  
7 the testing program can be considered to have sufficient  
8 qualifications to do the work.

9 **MR. ENGELMANN:** I understand, sir, since  
10 being certified you've carried on with a variety of  
11 continuing education courses and other work?

12 **MR. LINDBLOM:** Yes, I have, through various  
13 professional organizations and through private companies.

14 **MR. ENGELMANN:** And, sir, on the second page  
15 of your CV, you list your professional membership in some  
16 associations?

17 **MR. LINDBLOM:** Yes, I do.

18 **MR. ENGELMANN:** And can you tell us just  
19 very briefly the importance of those associations?

20 **MR. LINDBLOM:** Yes. Since I've been a  
21 qualified document examiner, I've been a member of the  
22 locally based Canadian Society of Forensic Science, which  
23 is the only all-encompassing forensic organization in  
24 Canada.

25 In that same year, I also qualified for

1 membership and eventually wrote examinations for the  
2 American Society of Questioned Document Examiners; that's  
3 the largest organization with membership of specifically  
4 document examiners in North America.

5 And the final organization is the American  
6 Academy of Forensic Sciences, for which you also have --  
7 have to have certain credentials to qualify for membership,  
8 although there's no testing program and it is the largest  
9 forensic science society in the world.

10 **MR. ENGELMANN:** And, sir, I understand over  
11 the last 25 plus years, you've examined several thousand  
12 documents?

13 **MR. LINDBLOM:** Yes, I have.

14 **MR. ENGELMANN:** And I note in the second  
15 paragraph of that page, some of those examinations have  
16 included photocopy manipulation?

17 **MR. LINDBLOM:** Yes.

18 **MR. ENGELMANN:** Facsimile copies?

19 **MR. LINDBLOM:** Yes.

20 **MR. ENGELMANN:** Alterations?

21 **MR. LINDBLOM:** Correct.

22 **MR. ENGELMANN:** And, sir, in addition, you  
23 have performed this work for a number of different agencies  
24 ---

25 **MR. LINDBLOM:** Yes, I have.

1 MR. ENGELMANN: --- and individuals?

2 MR. LINDBLOM: Yes.

3 MR. ENGELMANN: Including a number of  
4 regulatory bodies?

5 MR. LINDBLOM: Correct.

6 MR. ENGELMANN: Sir, you've given evidence  
7 at civil and criminal trials?

8 MR. LINDBLOM: I have.

9 MR. ENGELMANN: And when you've given that  
10 evidence, you've given that evidence as an expert?

11 MR. LINDBLOM: Yes, always.

12 MR. ENGELMANN: And you've been qualified in  
13 all cases as an expert forensic document examiner?

14 MR. LINDBLOM: Yes.

15 MR. ENGELMANN: And aside from both civil  
16 and criminal trials, it has also been done in labour  
17 arbitration cases?

18 MR. LINDBLOM: Yes, quite a few of them.

19 MR. ENGELMANN: And a number of other  
20 settings?

21 MR. LINDBLOM: Yes.

22 MR. ENGELMANN: And you have given this  
23 testimony in a number of Canadian provinces?

24 MR. LINDBLOM: I have.

25 MR. ENGELMANN: And also in the State of

1 Illinois?

2 MR. LINDBLOM: Yes.

3 MR. ENGELMANN: As well, sir, I understand  
4 at the following page of your CV, you have a listing of  
5 some of your publications and presentations?

6 MR. LINDBLOM: That's correct.

7 MR. ENGELMANN: And I would just like to ask  
8 you about one? Scientific Examination of Questioned  
9 Documents, Second Edition?

10 MR. LINDBLOM: Yes.

11 MR. ENGELMANN: Can you tell us about that?

12 MR. LINDBLOM: That was a book for which I  
13 was the co-author and a principal editor -- I'm sorry, a  
14 co-editor and principal author. It was worked on over a  
15 period of about four years and was published by CRC Press  
16 in the fall of 2006.

17 MR. ENGELMANN: Mr. Commissioner, those are  
18 my questions on qualifications.

19 I seek to qualify Mr. Lindblom as an expert  
20 as a forensic document examiner; to give expert evidence in  
21 that way.

22 And I'll just see if any of my friends have  
23 any questions for him.

24 THE COMMISSIONER: All right.

25 Ms. Daley, do you have any questions on the

1 qualifications?

2 **MS. DALEY:** We accept this gentleman's  
3 qualifications.

4 **THE COMMISSIONER:** Thank you.  
5 Mr. Horn?

6 **MR. HORN:** We accept the qualifications.

7 **THE COMMISSIONER:** Thank you.  
8 Mr. Lee?

9 **MR. LEE:** No questions.

10 **THE COMMISSIONER:** Thank you.  
11 Mr. Bennett?

12 **MR. BENNETT:** No questions.

13 **THE COMMISSIONER:** Mr. Neville?

14 **MR. NEVILLE:** No questions.

15 **THE COMMISSIONER:** Mr. Chisholm?

16 **MR. CHISHOLM:** No questions, thank you.

17 **THE COMMISSIONER:** Maître Rouleau?

18 **MR. ROULEAU:** No questions for me.

19 **THE COMMISSIONER:** Mr. Kloeze?

20 **MR. KLOEZE:** No questions, thank you.

21 **THE COMMISSIONER:** Mr. Sheriff-Scott?

22 **MR. SHERIFF-SCOTT:** Nothing, thank you, sir.

23 **THE COMMISSIONER:** Mr. Manderville?

24 **MR. MANDERVILLE:** No questions.

25 **THE COMMISSIONER:** Mr. Kozloff -- I'm sorry,

1 Ms. Costom?

2 **MS. COSTOM:** No questions.

3 **THE COMMISSIONER:** Thank you.

4 Mr. Carroll?

5 **MR. CARROLL:** No, thank you.

6 **THE COMMISSIONER:** Thank you.

7 All right, so that being the case and having  
8 heard the evidence, I will qualify him as an expert to  
9 provide us with an opinion with respect to the  
10 documentations in questions.

11 So can I see the document there?

12 **MR. ENGELMANN:** Yes.

13 Sir, what I would like to do, then, is enter  
14 the forensic report booklet that Mr. Lindblom described to  
15 us as the next exhibit.

16 **THE COMMISSIONER:** And it is subject to a  
17 publication ban?

18 **MR. ENGELMANN:** Yes.

19 **THE COMMISSIONER:** All right, thank you.

20 **MR. ENGELMANN:** And, I'm sorry, Mr.

21 Commissioner, the exhibit number is?

22 **THE COMMISSIONER:** Nine-seventy-five (975).

23 --- **EXHIBIT NO./PIÈCE NO 975:**

24 Forensic Report

25 **MR. ENGELMANN:** And just before getting into

1 the report, if the witness could be shown a letter dated  
2 November 15<sup>th</sup> 2007, from my colleague, Maya Hamou.

3 (SHORT PAUSE/COURTE PAUSE)

4 THE COMMISSIONER: Thank you.

5 Exhibit 976.

6 --- EXHIBIT NO./PIÈCE NO 976:

7 Letter fr Maya Hamou to Brian Lindblom dated  
8 15 Nov 07

9 ---EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR MR.  
10 PETER ENGELMANN :

11 MR. ENGELMANN: Mr. Lindblom, is this the  
12 engagement letter or the letter with questions of what we  
13 were asking you to do?

14 MR. LINDBLOM: Yes, it is.

15 MR. ENGELMANN: All right. And I understand  
16 this was delivered to you on November 15th ---

17 MR. LINDBLOM: Yes, it was.

18 MR. ENGELMANN: --- together with the  
19 original notes and a facsimile version?

20 MR. LINDBLOM: That's correct.

21 MR. ENGELMANN: Perhaps we can then start  
22 with some questions that you were unable to answer.

23 And, sir, if you want to look at either your  
24 report in Exhibit 975 or the instruction letter in Exhibit  
25 976, and just briefly tell us what it is you were unable to

1 answer?

2 **MR. LINDBLOM:** Yes, one of the questions I  
3 was asked in the retainer letter was to determine the  
4 timing of the blackout names and, in particular, were the  
5 blackouts done at the same time or on different occasions,  
6 and also were the blackouts done with the same pen or  
7 different pens.

8 As to the timing of the entries, there are  
9 no forensic exams that I would be able to perform that  
10 would tell you when the obliterations or blackouts occurred  
11 on the document.

12 **MR. ENGELMANN:** All right.

13 **MR. LINDBLOM:** And with respect to the  
14 second question about how many writing instruments or pens  
15 were used, I can give opinions on the number of writing  
16 instruments used for a particular obliteration, but I  
17 cannot tell you whether, for instance, a pen used in the  
18 first obliteration is the same pen that was used five  
19 obliterations further on in the documents. There's no  
20 possible testing that I could perform given that we have  
21 overlapping types of ink being involved.

22 **MR. ENGELMANN:** All right. Can you tell us  
23 then, sir, whether the obliterations had one ink or two or  
24 more inks in each case?

25 **MR. LINDBLOM:** Yes, I can answer that

1 question.

2 **MR. ENGELMANN:** And was there a consistent  
3 pattern there, sir?

4 **MR. LINDBLOM:** Yes, there was.

5 In each instance I found the presence of at  
6 least two inks.

7 Now does -- that should not be construed as  
8 meaning that there's only two inks, but rather the non-  
9 destructive testing that I performed distinguished two  
10 inks.

11 **MR. ENGELMANN:** All right. So there could  
12 have been more than two pens used, but on a particular  
13 obliteration typically you saw two different inks?

14 **MR. LINDBLOM:** I know that there are  
15 definitely two inks used in the obliteration; I can't say  
16 whether there are more than that.

17 **MR. ENGELMANN:** All right. Were there any  
18 other questions, sir, that you were unable to answer?

19 **MR. LINDBLOM:** No, those were the two  
20 primary questions that I couldn't answer.

21 **MR. ENGELMANN:** All right. So let's then  
22 look at question number 3, if we can: Determine if the  
23 blackouts or the obliterations, as you call them, on the  
24 original match those on the fax copy?

25 **MR. LINDBLOM:** Yes, I was able to answer

1           that question.

2                       **MR. ENGELMANN:** All right. And is that --  
3           where would I find that in your report, sir?

4                       **MR. LINDBLOM:** That is addressed on page 2  
5           of my report, under the heading "Methods and Observations",  
6           and it is the -- point number one addresses that issue  
7           where I'm comparing the facsimile transmission copies with  
8           the 12 documents that were submitted in original form.

9                       **MR. ENGELMANN:** All right.  
10                      And you're also answering question 4 at the  
11           same time, are you not?

12                      **MR. LINDBLOM:** Yes, I am.

13                      **MR. ENGELMANN:** All right.

14                      So we're seeing the same reproduction, save  
15           and except the names written in pencil, on certain pages of  
16           the original notes?

17                      **MR. LINDBLOM:** That's correct.

18                      **MR. ENGELMANN:** And some small x's which  
19           appear on certain pages in the facsimile copy?

20                      **MR. LINDBLOM:** That's right; x's that appear  
21           up, adjacent to the page number.

22                      **MR. ENGELMANN:** All right.

23                      What about the obliterations themselves?  
24           Because quite frankly, just in looking at them, it appeared  
25           that some of them were slightly different from the faxed

1 version to that of the original notes.

2 **MR. LINDBLOM:** Yes. I should state, first  
3 of all, that any faxed document that you're looking at will  
4 always be of significantly poorer quality, and that's  
5 because in fax technology, when a document is being  
6 scanned, it's typically at a resolution of between 100 and  
7 200 dots per inch. The higher the resolution number, the  
8 clearer the reproduction is. By contrast, a photocopy is  
9 typically at a resolution of 300 or 600 dots per inch, so  
10 it's a much sharper image.

11 When you compare any faxed copy with an  
12 original, you will always see a cruder reproduction; where  
13 the edge detail of lines, whether they be typed or  
14 handwritten or graphic images will always be more stare-  
15 step or erratic in appearance on the fax copy than is the  
16 case with the original document or even a photocopy.

17 **MR. ENGELMANN:** So in effect you expect  
18 differences?

19 **MR. LINDBLOM:** Yes. They're superficial  
20 differences. They're not fundamental, suggesting that one  
21 is not a copy of the other.

22 **MR. ENGELMANN:** And you refer to that in  
23 your conclusion, sir?

24 **MR. LINDBLOM:** Yes, I do. I concluded at  
25 page 4 of my reports, at conclusion one, that the documents

1 I identified as F2 to F14, which are the faxed copies, F-1  
2 is simply the fax cover page, but at F2 to F14 constitute  
3 an accurate reproduction of the original notes, which I  
4 have labelled for identification purposes as D1 to D3, the  
5 reverse side of D4 and D5 to D12.

6 The document presented as the front side of  
7 D4 was not amongst the faxed copies that I received.

8 **MR. ENGELMANN:** And again, you make  
9 reference to the x's appearing only on the facsimile  
10 version?

11 **MR. LINDBLOM:** That's right. The x's appear  
12 only on certain pages of the fax version of the documents;  
13 they're absent from the original documents.

14 **MR. ENGELMANN:** And you comment on that, to  
15 some extent, at the bottom of the page. Is that correct?

16 **MR. LINDBLOM:** Yes. At point 1 of the  
17 comments section on page 4 I have stated that:

18 "Given a presence of X marks that are  
19 absent from the original that there  
20 must have been an intermediate  
21 photocopy involved."

22 So for instance the individual possessing  
23 the documents could have made a photocopy and then put some  
24 writing on that document and subsequently, faxed the  
25 document.

1                   **MR. ENGELMANN:** All right.

2                   Now, you've determined, therefore, that the  
3                   blackouts or obliterations are the same on the original  
4                   notes and on the facsimile that was received by the  
5                   Commission?

6                   **MR. LINDBLOM:** That's correct. Nothing's  
7                   been added or subtracted from the obliterations themselves.

8                   **MR. ENGELMANN:** You've noted, though, that  
9                   there must have been an intermediate copy?

10                  **MR. LINDBLOM:** Correct.

11                  **MR. ENGELMANN:** To come to that conclusion,  
12                  that the blackouts are the same, would it be important to  
13                  look at the intermediate copy?

14                  **MR. LINDBLOM:** No.

15                  **MR. ENGELMANN:** Why is that?

16                  **MR. LINDBLOM:** Because I'm sort of comparing  
17                  the best possible documents to one another. The original  
18                  with the actual handwriting and obliterations on it, with  
19                  the corresponding faxed copy. So that's the best situation  
20                  to have.

21                                **(SHORT PAUSE/COURTE PAUSE)**

22                  **MR. ENGELMANN:** So let's then turn to the  
23                  principal questions that you were asked, or the principal  
24                  question. First question:

25                                "Identify and/or provide an image of

1                                   the names blacked out in the original  
2                                   document."

3                   **MR. LINDBLOM:** Yes.

4                   **MR. ENGELMANN:** Could you start by just  
5                   giving us a brief summary of what you did, and if you can  
6                   put it in sort of layperson's terms, for us, if that's  
7                   possible -- and, in doing so, perhaps talk to us about if  
8                   there were some challenges or specific challenges in this  
9                   case, given what you received?

10                   **MR. LINDBLOM:** Yes. The first examination  
11                   that I conducted was microscopic at various levels of  
12                   magnification and using a variety of different light  
13                   sources. The objective there is to just get a general feel  
14                   for what I'm dealing with; how extensive is the  
15                   obliteration; are there any strokes or parts of letters  
16                   showing that aren't concealed by the obliteration; might I  
17                   find something that gives me a clue as to how many inks  
18                   were used and so forth.

19                   So I conducted that test and it was fairly  
20                   clear that for the majority of the obliterations or  
21                   blackouts that I was looking at, that they were fairly  
22                   extensive. There were a few exceptions but, for the most  
23                   part, they were so extensive that I would not be able to  
24                   read the name just under magnification.

25                   I then scanned each of the documents and

1 used a graphic software form of Adobe Photoshop in which  
2 I'm able to attempt the various filtering techniques and  
3 contrasting techniques, and I did that in the hope that any  
4 one or a combination of those techniques might produce an  
5 image in which some of the obliterating lines were filtered  
6 out or, in a sense, made invisible.

7 And not one of those techniques worked; it  
8 did not improve the underlying writing at all, did not make  
9 it more legible.

10 **MR. ENGELMANN:** Why is that, sir? Would you  
11 have expected some of those to work, typically?

12 **MR. LINDBLOM:** Sometimes you can have  
13 considerable access using this filtering technique and it  
14 basically makes invisible all the obliterating lines and  
15 you can read what is underneath with no effort at all.

16 I discovered in doing this exam, that I was  
17 probably faced with two types of ink being used for the  
18 obliteration and then, possibly a third although I don't  
19 know that for certain, being used for the underlying  
20 writing.

21 So the complexities of looking at entries  
22 such a combination of inks, means that the filtering  
23 technique may use for -- may be useful for penetrating one  
24 ink that's obliterating but may not work for the other and,  
25 in this situation, the filtering actually did not work for

1           either obliterating ink in each instance.

2                       The next examination I -- technique I used  
3           is called indentation analysis which doesn't have anything  
4           to do with how much a sentence is indented but has a lot to  
5           do with the handwriting. Because of the pressure in  
6           writing on a sheet of paper, if you have another document  
7           underlying that sheet of paper, indentations or troughs  
8           will be created from the pressure of the pen and document  
9           examiners have available equipment that allows us to make  
10          visible those indentations in the paper.

11                      So what I did is look at which pages were --  
12          had obliterations on them and then, based on the way the  
13          documents came to me, I examined every underlying page of  
14          the sheet that had an obliteration on it in the hope that  
15          maybe the original writing was done while the pages were on  
16          top of one another but the obliterations were done with the  
17          individual pages sitting by themselves, rather than on top  
18          of one another.

19                      Of the pages that I tested I found no  
20          indentations whatsoever, which indicates that, in all  
21          likelihood, at the time the original writing was executed  
22          on each sheet there was no other sheet underneath, or if  
23          there was another sheet, it wasn't any of the ones that  
24          were submitted to me for analysis.

25                      **MR. ENGELMANN:** All right.

1                   So the indentation analysis didn't exist?

2                   **MR. LINDBLOM:** That's right.

3                   **MR. ENGELMANN:** All right.

4                   **MR. LINDBLOM:** The final test that I  
5 performed was to use infrared analysis which is a very,  
6 very common technique in our profession.

7                   Why infrared can work to distinguish inks is  
8 because it allows us to view the inks in a part of the  
9 light spectrum that is beyond what we can see visually with  
10 our naked eye. So there is a conversion system involved  
11 that allows us to see things that we wouldn't otherwise be  
12 able to see and I use various colour filters in combination  
13 with filters over top of the camera that's viewing the  
14 documents to attempt to penetrate the obliterating ink  
15 lines and make legible the entries that are underneath.

16                   I had some success in using this technique  
17 in that for every single entry that I examined, I was able  
18 to make transparent or invisible, to put it in lay terms,  
19 one of the obliterating inks.

20                   Unfortunately, I didn't have luck with the  
21 second ink in each instance which did not lessen in terms  
22 of its visibility. However, getting rid of one ink allowed  
23 me to read certain letters that I would not have been able  
24 to see or decipher had both inks remained absorbent or  
25 black or blue depending on the colour that was used for a

1 particular entry.

2 MR. ENGELMANN: So of those three techniques  
3 it was that third one, the infra-red analysis, that -- at  
4 least took away one of the inks?

5 MR. LINDBLOM: That's correct. It's the  
6 only technique that allowed me to read some of the  
7 underlying, original handwriting.

8 MR. ENGELMANN: And then how do you -- and  
9 sorry, were there other tests as well?

10 MR. LINDBLOM: No, that's the battery of  
11 exams that are appropriate for the questions put to me.

12 MR. ENGELMANN: All right. And how do you  
13 then, sir -- how are you able to create what you have  
14 created for us in your report, that being the illustrated  
15 charts?

16 MR. LINDBLOM: Well, first of all, when I'm  
17 looking at the infra-red results, I'm looking at them on a  
18 monitor similar to a computer monitor and I can capture the  
19 individual images and save them into a graphics file. I  
20 did that for each of the results of the infra-red exam and  
21 then already having a colour scan of the documents that I  
22 was examining, what I did is create a layer in which I  
23 placed the results of the infrared exam in enlarged format  
24 over top of where the obliteration -- the corresponding  
25 obliteration was on the original document.

1                   So, for instance, if you were to look at the  
2                   first page of the illustrations ---

3                   **MR. ENGELMANN:** Yes.

4                   **MR. LINDBLOM:** --- we'll see that there are  
5                   four areas of obliteration and the first area that I have  
6                   shown -- it's about half way down the page in the middle of  
7                   the document ---

8                   **MR. ENGELMANN:** Okay, I'm wondering is this  
9                   something that we can now get up on the screen?

10                  **THE COMMISSIONER:** Should be able to.

11                  **MR. ENGELMANN:** Okay. All right.

12                  It's my understanding, Mr. Lindblom, that  
13                  what we have available are the larger obliterations that  
14                  you have, as I understand it, blown up.

15                  **MR. LINDBLOM:** That's what's on the computer  
16                  screen but in the reports that have been distributed ---

17                  **MR. ENGELMANN:** Yes.

18                  **MR. LINDBLOM:** --- you can see what I made  
19                  up originally.

20                  **MR. ENGELMANN:** Okay.

21                  **MR. LINDBLOM:** So on that chart, we have  
22                  enlargements of the resulting infra-red exam over top of  
23                  the general area where the obliteration is. So, basically,  
24                  I just dropped the infra-red image on top of the  
25                  obliteration so that those reading the report would know --

1 -

2 MR. ENGELMANN: All right. On D1, there are  
3 four?

4 MR. LINDBLOM: That's correct.

5 MR. ENGELMANN: And some of them have more  
6 than one writing underneath?

7 MR. LINDBLOM: That's correct.

8 MR. ENGELMANN: And then, for example, on  
9 D2, there were two?

10 MR. LINDBLOM: Yes.

11 MR. ENGELMANN: D3, I'm not sure how many --  
12 do you have images that go together?

13 MR. LINDBLOM: I would say that there's four  
14 areas identified.

15 MR. ENGELMANN: All right. On D4, on the  
16 front page ---

17 MR. LINDBLOM: The front page there are two,  
18 yes.

19 MR. ENGELMANN: On D4, on the reverse, you  
20 have two more?

21 MR. LINDBLOM: Yes.

22 MR. ENGELMANN: And on D9, there are three?

23 MR. LINDBLOM: Yes.

24 MR. ENGELMANN: All right.

25 Now, before we go into the larger versions

1           that we'll be putting up on the computer screen, I  
2           understand that you were able to come to some conclusions,  
3           at the bottom of page 3 and the top of page 4, with respect  
4           to some of these writings?

5                       **MR. LINDBLOM:** Yes.

6                       **MR. ENGELMANN:** And, in particular, whether  
7           these writings matched or didn't match some -- some names  
8           that had been printed on the original notes ---

9                       **MR. LINDBLOM:** That's correct.

10                      **MR. ENGELMANN:** --- in pencil?

11                      **MR. LINDBLOM:** Yes.

12                      **MR. ENGELMANN:** And without mentioning the  
13           names, can you tell us, in summary fashion, what it is you  
14           were able to conclude?

15                      **MR. LINDBLOM:** Yes. I picked some examples,  
16           as indicated at the bottom of page 3, in which the names  
17           were very clearly different than the name that was  
18           suggested. So if we turn to the first page of the chart  
19           and look in the bottom-right corner, there are two  
20           obliterations with the numbers "1" and "2" circled beside  
21           them.

22                      **MR. ENGELMANN:** All right. And just to  
23           assist those who might not have the report, this is --  
24           these are the two writings that are obliterated next to  
25           November '96.

1                   MR. LINDBLOM: That's correct.

2                   MR. ENGELMANN: And we have number 1 and  
3 then number 2?

4                   MR. LINDBLOM: Yes.

5                   MR. ENGELMANN: And what is it you're  
6 saying, sir?

7                   MR. LINDBLOM: I'm -- I'm referring to  
8 number 1. I was able to decipher most, if not all, of the  
9 letters in the surname.

10                  MR. ENGELMANN: Yes.

11                  MR. LINDBLOM: It appears to be a given and  
12 surname. The given name, I could not read at all. The  
13 surname, I have a very good idea of what it is.

14                  MR. ENGELMANN: All right.

15                  MR. LINDBLOM: And it is not -- it is not  
16 the name that was indicated in pencil or any variation of  
17 that name.

18                  MR. ENGELMANN: All right. So there's no  
19 correspondence that you've been able to get between those  
20 two names?

21                  MR. LINDBLOM: No.

22                  MR. ENGELMANN: They -- they are clearly  
23 different?

24                  MR. LINDBLOM: That's correct.

25                  MR. ENGELMANN: All right. And in your

1 second bullet point ---

2 **THE COMMISSIONER:** Just a second.

3 **MS. COSTOM:** I just wanted to make sure  
4 there were no names on all the sheets.

5 **THE COMMISSIONER:** Oh, that's fine. Thank  
6 you. I appreciate that.

7 **MR. ENGELMANN:** Publication ban and monikers  
8 and we've decided before that they can -- they're available  
9 in the courtroom?

10 **THE COMMISSIONER:** Yes.

11 **MR. ENGELMANN:** And we're not using the  
12 names because we're on the webcast.

13 **THE COMMISSIONER:** That's right.

14 **MR. ENGELMANN:** Sir, what was the next  
15 obvious difference that you noted or another obvious  
16 difference ---

17 **MR. LINDBLOM:** If we go to the page I've  
18 identified as D2 in the charts which is the next sheet, at  
19 the bottom of the page there is an obliteration and ---

20 **MR. ENGELMANN:** That would be next to the  
21 date March '97?

22 **MR. LINDBLOM:** That's right, next to March  
23 '97. The first name is quite legible which is not an  
24 individual's given name, but ---

25 **MR. ENGELMANN:** Okay.

1                   **MR. LINDBLOM:** --- a title.

2                   **MR. ENGELMANN:** Right.

3                   **MR. LINDBLOM:** And the name that follows, I  
4                   can clearly read the first three letters and those first  
5                   three letters do not correspond with any of the names that,  
6                   I believe, were suggested as possibly being who the  
7                   individual is.

8                   **MR. ENGELMANN:** All right. So they don't --  
9                   doesn't relate to any of the four names that were listed in  
10                  pencil.

11                  **MR. LINDBLOM:** That's correct.

12                  **MR. ENGELMANN:** And on your -- in your third  
13                  bullet?

14                  **MR. LINDBLOM:** Yes, in the next example, if  
15                  we turn to page D3, the front side, and if we look at the  
16                  example where -- it's in the middle of the page, I guess we  
17                  would say -- and there appear to be three names or three  
18                  writings running across the width of the page.

19                  **MR. ENGELMANN:** Yes. Right in the middle of  
20                  the page?

21                  **MR. LINDBLOM:** That's right. The very first  
22                  name at the left-hand side in the middle of the page, I  
23                  think it's quite clear what letter it begins with. You can  
24                  see that in the image and several other letters, in my  
25                  opinion, are legible within that semi-obliterated name and

1           they do not correspond to the name that was suggested for  
2           that particular entry in the group of three names.

3                       **MR. ENGELMANN:** All right.

4                       **MR. LINDBLOM:** The next example appears on  
5           page D9, which is the last page in my chart, and here I'm  
6           talking about the obliteration at the very top of the page.

7                       **MR. ENGELMANN:** Right under the caption,  
8           "November US Thanksgiving"?

9                       **MR. LINDBLOM:** Yes. In that instance, I was  
10          able to read several letters in both the -- in both names  
11          that appear and they do not correspond in any way to the  
12          names that were suggested along the left-hand margin in  
13          pencil.

14                      **MR. ENGELMANN:** All right.

15                      **MR. LINDBLOM:** And, in fact, the -- there  
16          was an ampersand symbol between the two names ---

17                      **MR. ENGELMANN:** Suggesting to ---

18                      **MR. LINDBLOM:** --- suggesting it's two  
19          different peoples' names, not one individual's given and  
20          surname.

21                      **MR. ENGELMANN:** All right.

22                      **MR. LINDBLOM:** So those are the examples  
23          that I've drawn out in my report where I know for certain  
24          that the suggested name does not correspond with the name  
25          that was -- name or names that were obliterated.

1                   **MR. ENGELMANN:** Now, with other names, what,  
2                   if anything, could assist you in knowing with more  
3                   certainty whether they are the same or different?

4                   **MR. LINDBLOM:** Well, I'm not familiar with  
5                   the individual's hand writing that produced the notes. If  
6                   I had samples of that -- extensive samples of that  
7                   individual's handwriting I could basically teach myself the  
8                   character styles that that individual uses and then maybe  
9                   going back through some of the more heavily obliterated  
10                  writings I may be able to recognize some of the letters  
11                  that I would not have -- that I would not know in the first  
12                  instance, not being familiar with the handwriting.

13                  **MR. ENGELMANN:** And, sir, you have no  
14                  context either from this hearing or this case?

15                  **MR. LINDBLOM:** No, I have no idea what names  
16                  might or might not be expected to appear in these notes.

17                  **MR. ENGELMANN:** Sir, in your report on page  
18                  4 you list some examples of instances where the name that  
19                  is under the obliteration corresponds to the penciled name.

20                  **MR. LINDBLOM:** That's correct.

21                  **MR. ENGELMANN:** All right.

22                  **MR. LINDBLOM:** I've listed three instances.  
23                  The first appears on page D3 in my chart.

24                  **MR. ENGELMANN:** And is that D3 front?

25                  **MR. LINDBLOM:** It's D3 front and it would be

1 the image at the top right.

2 MR. ENGELMANN: Yes.

3 MR. LINDBLOM: It's a fairly large  
4 obliteration and I think we can all see what the first  
5 letter of the obliteration is. It's quite clear. The name  
6 that was suggested, both the given and the surname,  
7 corresponds with what I can see in the obliteration. So I  
8 believe that's a correct interpretation.

9 MR. ENGELMANN: All right.

10 MR. LINDBLOM: The next one also appears on  
11 that same page, D3, and it is the obliteration just down  
12 and to the left of the one that we were just talking about.

13 MR. ENGELMANN: Just immediately to the  
14 left, sir?

15 MR. LINDBLOM: Just immediately to the left.  
16 We would say on the same line I guess.

17 MR. ENGELMANN: Yes.

18 MR. LINDBLOM: And I could not decipher all  
19 of the first name although I know what the first letter is  
20 quite clearly, but in the second name appearing I feel that  
21 it does correspond to the name that has been suggested in  
22 pencil.

23 MR. ENGELMANN: All right.

24 And your third bullet --

25 MR. LINDBLOM: And the final instance is

1 again on D3 and it's the next set of obliterations.

2 MR. ENGELMANN: The middle --

3 MR. LINDBLOM: The middle there seems to be  
4 three names and there's a plus sign between the second and  
5 the third name or an ampersand. I found that the second  
6 and third names did correspond with what was suggested in  
7 the margin and I had already addressed the first name  
8 earlier in my evidence where I said that it was --

9 MR. ENGELMANN: Definitely not --

10 MR. LINDBLOM: ---definitely not that name.

11 Yes.

12 MR. ENGELMANN: Now, with the others you  
13 were able to decipher a letter or perhaps letters?

14 MR. LINDBLOM: That's correct.

15 MR. ENGELMANN: All right.

16 And I understand, sir, that you have, using  
17 the technology that I'm not familiar with but your  
18 technology, been able to blow these up for us so that they  
19 are larger in size?

20 MR. LINDBLOM: Yes. I converted the images  
21 from Adobe Shop files to Microsoft PowerPoint and broke the  
22 images down into individual sets so that when displayed on  
23 the monitor and printed out they would be much larger and  
24 perhaps easier for people to have a look at independently.

25 MR. ENGELMANN: And I believe counsel have

1 these. These are the large printouts of the obliterations.

2 MR. LINDBLOM: Yes.

3 MR. ENGELMANN: Okay. Madame Clerk if -- I  
4 mean, Mr. Commissioner, if that could be the next Exhibit.

5 THE COMMISSIONER: Thank you.

6 Exhibit number 977 are enlarged copies of  
7 the obliterations.

8 --- EXHIBIT NO./PIÉCE NO. P-977

9 Obliterations PowerPoint Presentation

10 MR. ENGELMANN: So just to situate us in the  
11 original notes, Mr. Lindblom, can you tell us where we find  
12 the first page -- where you say the first two obliterations  
13 on D1?

14 MR. LINDBLOM: Yes. What I'd suggest is  
15 using the images in my report ---

16 MR. ENGELMANN: Yes.

17 MR. LINDBLOM: --- that show the whole page  
18 in conjunction with the enlargements. I think it will be  
19 easier to follow along. I've labeled the -- each of the  
20 individual enlargements with an identifier at the bottom as  
21 to whether, for instance, it's the first two obliterations,  
22 the third obliteration on a given page.

23 MR. ENGELMANN: All right.

24 And, sir, I don't know if you had an  
25 opportunity to look at our larger screens at all.

1 MR. LINDBLOM: Yes.

2 MR. ENGELMANN: Is the quality of the image  
3 or the ability to see any better on the large screen to  
4 your knowledge?

5 MR. LINDBLOM: I think in general the images  
6 are better on the screens overall than they are in the  
7 printed copy because the printed copy you have is one  
8 photocopy generation removed from what I have.

9 MR. ENGELMANN: So we're having better  
10 quality on our screen ---

11 MR. LINDBLOM: On the monitors.

12 MR. ENGELMANN: Is it even better on the  
13 larger screen, or does it make much difference?

14 MR. LINDBLOM: I don't think there's a  
15 difference.

16 MR. ENGELMANN: Just invite counsel, if they  
17 want to, to take a look at the larger screen if it's at all  
18 helpful.

19 All right, so the first page of Exhibit 977  
20 are in fact the first two obliterations that appear on D1  
21 and they are on the left?

22 MR. LINDBLOM: Yes, they'd be in roughly the  
23 middle of the page and it's the left enlargement box on D1.

24 MR. ENGELMANN: All right.

25 And it appears that we're looking at either

1 two full names or four names?

2 MR. LINDBLOM: That's correct. One of the  
3 two options.

4 MR. ENGELMANN: And are we able to make out  
5 any letters, sir?

6 MR. LINDBLOM: Yes. In the upper of the two  
7 obliterations, so at the top of the box I believe that the  
8 name begins with a "P-R" or "B", "B" as in Brian.

9 MR. ENGELMANN: M'hm. And are you talking  
10 about the first name, sir, or the second name?

11 MR. LINDBLOM: The first name.

12 MR. ENGELMANN: All right.

13 Are you able to tell us anything about the  
14 second name?

15 MR. LINDBLOM: Yes, I think it's quite  
16 likely that the second name begins with a capital or  
17 uppercase "R", and that it concludes with either an "L" or  
18 a "B" like Brian with possibly some other smaller letters  
19 for instance, I'm just giving these as an examples, I'm not  
20 sure that that's what they are, an "E-S" or an "E-R".

21 MR. ENGELMANN: And, sir, the bottom  
22 obliteration?

23 MR. LINDBLOM: In the bottom obliteration  
24 the only letters that I could make a determination on if we  
25 are looking at the first name is towards the end of it

1           there seems to be a very large loop which I interpret to be  
2           the letter "L". And at the end of the second name I  
3           believe that the last two letters are "E-R".

4                   **MR. ENGELMANN:** And, in fact, sir, these are  
5           partially exposed, are they not on the -- I don't know if  
6           you need the original for that but --

7                   **MR. LINDBLOM:** Yes, some of the strokes in  
8           the letters are positioned above where the key portion of  
9           the obliteration are.

10                   **MR. ENGELMANN:** Is there anything else that  
11           you wanted to tell us about the first slide?

12                   **MR. LINDBLOM:** Not within those images.

13                   **MR. ENGELMANN:** So then let's look at the  
14           third obliteration on D1.

15                   **MR. LINDBLOM:** Yes.

16                   **MR. ENGELMANN:** And just to situate this on  
17           the page, you are talking about the obliteration to the top  
18           right?

19                   **MR. LINDBLOM:** Yes, it's immediately to the  
20           right of the obliteration box we were just talking about a  
21           moment ago.

22                   **MR. ENGELMANN:** All right.

23                           And what, if anything, can you tell us about  
24           that; are there some letters that you can make out?

25                   **MR. LINDBLOM:** Yes, I believe that the

1 first letter is a capital "J" and most of that letter is  
2 outside the obliteration lines. Midway through the  
3 signature is a large looping movement which is either an  
4 "L" or a "B" like Brian, and towards the end of the  
5 signature -- not signature, I'm sorry; -- towards the end  
6 of the name or word is likely a "T" or "L-Y". And those  
7 are the only letters that I can make out with any degree of  
8 certainty.

9 **MR. ENGELMANN:** All right.

10 So if we look then at the next obliteration  
11 which contains the fourth, fifth and sixth.

12 And, Mr. Commissioner, the only thing I'm  
13 concerned about is if we get too many letters, it might be  
14 an identifier.

15 **THE COMMISSIONER:** Well, at some point -- I  
16 thought what we'd do -- what you did quite rightfully is  
17 you go through and went through and all the things we  
18 couldn't see and identified which were consistent with the  
19 pencil marks, so now if we're going to get into the area  
20 where there are a lot of initials and things were you can  
21 identify a name, I think we should consider going in  
22 camera.

23 **MR. ENGELMANN:** I could do that for the rest  
24 of this exercise ---

25 **THE COMMISSIONER:** M'hm.

1                   **MR. ENGELMANN:** --- just out of prudence.

2                   **THE COMMISSIONER:** M'hm.

3                   **MR. ENGELMANN:** --- but perhaps that's what  
4 we should do.

5                   **THE COMMISSIONER:** Any comments? Yes, Mr.  
6 Sherriff-Scott.

7                   **MR. SHERRIFF-SCOTT:** Rather than going back-  
8 and-forth, if we just run through what he can see and then  
9 run through what he can't see in camera.

10                   **THE COMMISSIONER:** Yes. Let's get as much  
11 as we can done publicly, so if there are any more things  
12 that we can go through that he can't see.

13                   **MR. ENGELMANN:** All right. So maybe if we  
14 could just -- are there some of the obliterations where you  
15 can't make out any letters?

16                   **MR. LINDBLOM:** Yes, there are a few.

17                   **MR. ENGELMANN:** Can you take us to those?

18                   **MR. LINDBLOM:** Yes, I can.

19                   If we go to the bottom of D1, this is the  
20 page in my report that we're already on, and go to the very  
21 bottom strikeout or blackout in the right corner where we  
22 have the two entries identified as number one and number  
23 two, the second entry ---

24                   **MR. ENGELMANN:** All right. So let me just  
25 stop you for a minute. That's the next page then?

1 THE COMMISSIONER: No, no. D-1.

2 MR. LINDBLOM: No, still on D-1.

3 MR. ENGELMANN: Sorry, the next page of the  
4 slide.

5 MR. LINDBLOM: Yes. In the enlargement,  
6 it's the next page which is up on the screen right now.

7 MR. ENGELMANN: The caption underneath is  
8 "Final to Obliterations on D-1"?

9 MR. LINDBLOM: Yes.

10 MR. ENGELMANN: Yes?

11 MR. LINDBLOM: The second of those final  
12 two. There's only a single letter in the whole  
13 obliteration that I could decipher.

14 MR. ENGELMANN: And what is that, sir?

15 MR. LINDBLOM: It's the very last letter  
16 which is a "Y".

17 MR. ENGELMANN: Okay.

18 MR. LINDBLOM: If we go to page 2, which is  
19 the next page in my report ---

20 MR. ENGELMANN: That's D2?

21 MR. LINDBLOM: Yes. And this is the  
22 obliteration that sort of falls right in the middle of the  
23 page.

24 MR. ENGELMANN: Yes?

25 MR. LINDBLOM: And it's two names or two

1 entries, one below the other.

2 The second entry I was not able to  
3 determine, with any degree of confidence, any of the letter  
4 structures that were present.

5 MR. ENGELMANN: So that's the sheet that's  
6 on the screen now? First two obliterations on D2?

7 MR. LINDBLOM: That's correct.

8 MR. ENGELMANN: And it's the bottom name?

9 MR. LINDBLOM: Yes.

10 MR. ENGELMANN: Are you at least able to  
11 tell us if there is either one very long name or two names?

12 MR. LINDBLOM: It's much more likely that  
13 it's two names than a single name.

14 THE COMMISSIONER: Why is that?

15 MR. LINDBLOM: Pardon?

16 THE COMMISSIONER: Why would that -- how do  
17 you come to that?

18 MR. LINDBLOM: Because I can see a break.  
19 Even though there's obliteration, I can see a break mid-way  
20 through the obliterated area where there do not appear to  
21 be any letter structures.

22 THE COMMISSIONER: Thank you.

23 MR. ENGELMANN: All right. Any other slides  
24 or obliterations where you can make out nothing but perhaps  
25 just one letter?

1                   **MR. LINDBLOM:** Yes. On page 9, which is the  
2 last page in my chart.

3                   **MR. ENGELMANN:** Yes.

4                   **MR. LINDBLOM:** There is an obliteration -- I  
5 guess we would call it number two -- which is not what  
6 we're seeing on the screen now. We need to go down ---

7                   **THE COMMISSIONER:** Keep going.

8                   **MR. LINDBLOM:** --- to D4. I'm sorry, to D9.

9                   **MR. ENGELMANN:** Right here.

10                  **MR. LINDBLOM:** Right, the image that you  
11 have right now.

12                  **MR. ENGELMANN:** So it says at the bottom  
13 "Third Obliteration on D9"?

14                  **MR. LINDBLOM:** That's right. It's the third  
15 obliteration ---

16                  **MR. ENGELMANN:** But it's the second box.

17                  **MR. LINDBLOM:** It's the second box but third  
18 obliteration.

19                               I was not able to decipher any information,  
20 including how many words or names may be there.

21                  **MR. ENGELMANN:** And the others? You're able  
22 to give us something on?

23                  **MR. LINDBLOM:** Yes, to greater or lesser  
24 degrees.

25                  **MR. ENGELMANN:** All right. Before we go in

1 camera, you've talked to us about the tests you performed.  
2 You talked to us about filtering, indentation and infra-  
3 red?

4 MR. LINDBLOM: Yes.

5 MR. ENGELMANN: If you'd had more time, are  
6 there other tests that you could perform that would give us  
7 more information?

8 MR. LINDBLOM: No. Nothing that would make  
9 the image any clearer than what you see here.

10 MR. ENGELMANN: All right. So aside from  
11 becoming more familiar with the writer's handwriting, is  
12 there anything else that we would learn having more time?

13 MR. LINDBLOM: No.

14 MR. ENGELMANN: I think those are the  
15 questions that I have in this portion.

16 If we could then, Mr. Commissioner, perhaps  
17 we could go in camera and I will ask the witness about some  
18 of the other letters or names that he was able to  
19 determine.

20 THE COMMISSIONER: Sure.

21 Before we do that, I just want to comment to  
22 the folks that are looking in that when we do go in camera  
23 -- and the purpose of that, of course, is to protect the  
24 identity of people that we -- that I've ordered and largely  
25 folks have agreed that they should remain confidential.

1 I also want to remind the public that while  
2 we are in camera, there are a number of parties here that  
3 represent a wide spectrum of interest from police agencies  
4 to individuals to community interests and so that we have  
5 the CCR, we have the Coalition and we have the Victims'  
6 Group that are also counterbalancing all of that, and so  
7 I'm sure that if there's anything that is worthy of being  
8 publicized that there will be one of those parties who will  
9 make a recommendation to me once we're back on the website,  
10 to restate the position or events that took place during  
11 the in camera hearing.

12 Mr. Lee?

13 **MR. LEE:** Can I ---

14 **THE COMMISSIONER:** Sure.

15 **MR. ENGELMANN:** Mr. Lee is making a point,  
16 which he often does, and perhaps this doesn't have to be a  
17 true in camera ---

18 **THE COMMISSIONER:** No, no.

19 **MR. ENGELMANN:** --- in the sense that we  
20 simply turn off the webcast, but those that are here could  
21 stay as in the normal course because this is a -- in  
22 effect, a courtroom then without the camera into the  
23 outside world.

24 **THE COMMISSIONER:** M'hm.

25 So long as none of the names have been --

1           there are a couple of people who had complete in camera  
2           hearings, so -- but I ---

3                       **MR. ENGELMANN:** What we have right now on  
4           these names is a publication ban and a moniker, so there's  
5           a prohibition against anybody in attendance publicizing  
6           these names or any identifiers in any way.

7                       **THE COMMISSIONER:** I understand. Okay.

8                       It's your work, all right. So, again, so  
9           then that means that anyone who is a member of the public  
10          here could stay and so those people in the webcast can all  
11          drive down and meet with you in 15 minutes, Mr. Engelmann.

12                      **MR. ENGELMANN:** I'm not sure if this is  
13          faster than to go just off the webcast or if this is our  
14          usual ten minutes.

15                      **THE COMMISSIONER:** It's our usual 10  
16          minutes.

17                      **MR. ENGELMANN:** All right.

18                      **THE COMMISSIONER:** Sir, we'll take a 10-  
19          minute break and we'll come right back.

20                      Thank you.

21                      **THE REGISTRAR:** Order; all rise. À l'ordre;  
22          veuillez vous lever.

23                      This hearing will resume at 3:15 p.m.

24          --- Upon recessing in public at 3:03 p.m./

25                      L'audience publique est suspendue à 15h03

1 --- Upon resuming in Public Session at 4:11 p.m. /

2 L'audience publique est reprise à 16h11

3 **THE REGISTRAR:** This hearing is now resumed.

4 Please be seated. Veuillez vous asseoir.

5 **THE COMMISSIONER:** Thank you.

6 Mr. Engelmann?

7 **MR. ENGELMANN:** Mr. Commissioner, just for  
8 the public following on the webcast, we have gone through  
9 in detail Mr. Lindblom's report and he has identified for  
10 us names and-or letters that he was able to decipher  
11 through the forensic analysis he did of the documents. I  
12 have finished the questions I had for him in-chief.

13 Thank you very much for evidence and thank  
14 you for doing it on such short notice.

15 **MR. LINDBLOM:** Thank you.

16 **MR. ENGELMANN:** Some of my friends may have  
17 questions for you and when they do they will identify  
18 themselves and let you know who it is they are representing  
19 here at the Inquiry.

20 Thank you.

21 **MR. LINDBLOM:** Thank you.

22 **THE COMMISSIONER:** Thank you.

23 Ms. Daley?

24 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MS.

25 **DALEY:**

1                   **MS. DALEY:** Thank you.

2                   Mr. Lindblom, my name is Helen Daley and I'm  
3                   counsel for Citizens for Community Renewal which is a group  
4                   here that has standing.

5                   I just have a few questions principally to  
6                   clarify some aspects of your opinion. If that's all right?

7                   **MR. LINDBLOM:** Yes.

8                   **MS. DALEY:** Did I understand you correctly  
9                   that you're -- one of the questions that you could not  
10                  answer was whether the obliteration marks were applied at  
11                  the same time or different times. That was something that  
12                  you couldn't determine?

13                  **MR. LINDBLOM:** That's correct. I don't know  
14                  the answer to that.

15                  **MS. DALEY:** But you were able to determine  
16                  that for each obliteration there are at least two different  
17                  inks used?

18                  **MR. LINDBLOM:** Yes.

19                  **MS. DALEY:** Based on your experience as a  
20                  person as a person working with documents, does the  
21                  presence of two different inks suggest, more likely than  
22                  not, that the obliterations occurred at different times?

23                  **MR. LINDBLOM:** Not necessarily.

24                  **MS. DALEY:** It's possible that somebody took  
25                  two different colours of ink and obliterated one after the

1 other?

2 **MR. LINDBLOM:** Yes. I think one possible  
3 scenario would be that an obliteration is done to the whole  
4 group of documents in one ink. The person then looks at it  
5 and realizes that some of the names can still be read and  
6 chooses another perhaps darker ink to obliterate.

7 **MS. DALEY:** All right.

8 **MR. LINDBLOM:** Or it could be done in two  
9 different episodes. I'm not able to say which is more  
10 likely.

11 **MS. DALEY:** I understood you to say that the  
12 timing of the blackouts or the time at which those markings  
13 were put on could not be ascertained by you. Is that  
14 correct?

15 **MR. LINDBLOM:** No, because you have three  
16 inks overlapping one another, if you were to attempt  
17 chemical testing, one ink would be contaminated by the  
18 other ink and by the other ink. So it wouldn't be possible  
19 to get a pure sample for dating purposes.

20 **MS. DALEY:** Is there any possible way that  
21 the timing of the notes themselves could be determined? In  
22 other words, is there any test you could do that could tell  
23 us when the notes were created?

24 **MR. LINDBLOM:** There is a form of chemical  
25 ink testing that could provide some parameters as to the

1 possible timing but it would be in very general terms. The  
2 test that I'm thinking of looks at the -- for the presence  
3 of volatile components or solvents in the ink.

4 If there is still a significant reading of  
5 the presence of solvents, it -- speaking in broad terms, it  
6 generally means that the entries are less than two years  
7 old, but any entries made after two years would all have  
8 the same reading.

9 So if it was done eight years ago versus  
10 seven years ago, the analyst would not be able to tell  
11 that.

12 **MS. DALEY:** So the only thing that you could  
13 determine if you did that test was whether the document was  
14 two years old or younger?

15 **MR. LINDBLOM:** That's right.

16 **MS. DALEY:** I -- as I understand it, and I  
17 apologize because I haven't seen the physical documents  
18 you're working with, but the original which was the yellow  
19 paper ---

20 **MR. LINDBLOM:** Yes.

21 **MS. DALEY:** --- had handwriting in pencil on  
22 it?

23 **MR. LINDBLOM:** Yes, there's pencil adjacent,  
24 usually along the left-hand side, adjacent to the  
25 obliterations.

1                   **MS. DALEY:** And I assume there's no way for  
2 you to determine when the pencil markings were applied?

3                   **MR. LINDBLOM:** When they were applied?

4                   **MS. DALEY:** Yes.

5                   **MR. LINDBLOM:** There's no forensic testing  
6 available.

7                   **MS. DALEY:** Just one final question.

8                   My friend asked you whether there were  
9 additional -- whether there was additional information that  
10 would help you recognize some of the other names that you  
11 were unable to determine and you said that handwriting  
12 samples from the writer would be one helpful thing as well  
13 as knowledge -- you know, knowledge of the names that we  
14 have heard or knowledge about names that might have been  
15 used. Is that ---

16                   **MR. LINDBLOM:** Well, I think actually what I  
17 said is that sample handwriting would be -- could  
18 potentially be of assistance as I could learn or become  
19 familiar with a person's handwriting.

20                   I don't think I said that having -- I was  
21 not asked if context would make a difference, in terms of  
22 deciphering what it says.

23                   **MS. DALEY:** All right.

24                   Staying with the sample of handwriting, if  
25 you were provided with samples of the writer's handwriting,

1 can you give us some sense of how lengthy, difficult or  
2 time-consuming a process it would be for you to try to  
3 determine additional names?

4 **MR. LINDBLOM:** Well, making some  
5 assumptions, the first would be that a substantial amount  
6 of comparison writing was provided and that within that  
7 writing we had letter combinations that happened to appear  
8 in the obliterations as well.

9 It might take three or four days from the  
10 time that I commence the exam to completion of it to become  
11 familiar with the writing and then decipher, attempt to  
12 decipher, further letter structures.

13 **MS. DALEY:** Based on your experience, could  
14 you give us any probability as to how successful you think  
15 that effort might be?

16 **MR. LINDBLOM:** I can tell you that it's very  
17 unlikely that it would result in a full decipherment of  
18 every name or word that appears. I can guarantee that  
19 won't happen.

20 What more likely would happen is that a  
21 greater number of letters within a word could be  
22 deciphered.

23 **MS. DALEY:** Thank you very much, sir.

24 **THE COMMISSIONER:** Thank you.

25 Mr. Horn?

1           --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

2           HORN:

3                       MR. HORN: Yes. Now, the document that you  
4           had ---

5                       THE COMMISSIONER: Mr. Horn?

6                       MR. HORN: Yeah?

7                       THE COMMISSIONER: Could you identify  
8           yourself?

9                       MR. HORN: Yes, I'm sorry.

10                      Frank Horn. I'm with the Coalition for  
11           Action, which is a -- one of the citizen's groups that are  
12           involved in this -- these hearings.

13                      And what -- I'm interested in asking  
14           questions in regards to -- what were you told about the  
15           original document that you were given? Were you told that  
16           it was done by a certain individual or not?

17                      MR. LINDBLOM: I wasn't specifically told  
18           that. What was mentioned is that there were several pages  
19           that had obliterations, that a witness was testifying and  
20           they were interested in knowing what may be underneath the  
21           obliterations, also some suggestions as to what the names  
22           might be were written in by that witness in pencil.

23                      THE COMMISSIONER: Okay.

24                      MR. LINDBLOM: That is basically the only  
25           information I was provided with.

1                   **MR. HORN:** Okay. So you wouldn't know that  
2                   it was the -- whether the document that you were given was  
3                   done by Mr. Guzzo?

4                   **MR. LINDBLOM:** Well, I would because there's  
5                   an accompanying fax which has his name on the front page,  
6                   so it doesn't take too much to figure that out.

7                   **MR. HORN:** Okay. So you would have quite a  
8                   number of pages of his handwriting then?

9                   **MR. LINDBLOM:** Within the yellow pages that  
10                  were submitted for analysis, yes.

11                  **MR. HORN:** That's right.

12                  So you would have handwritings of him,  
13                  writing through the -- how many pages were you given?

14                  **THE COMMISSIONER:** Nine.

15                  **MR. LINDBLOM:** I think there are 12 pages in  
16                  total.

17                  **MR. HORN:** And the number of characters and  
18                  the number of different words that were in there, do you  
19                  think that was enough for you to be able to discern his  
20                  handwriting?

21                  **MR. LINDBLOM:** I don't think that in itself  
22                  would be enough, no.

23                  I would need more handwriting than that.

24                  **MR. HORN:** Pardon?

25                  **MR. LINDBLOM:** I would need more handwriting

1 than what is here.

2 MR. HORN: would he have to write -- what  
3 about the writing that was on the side that was added  
4 afterwards? Do you -- can you tell whether that was the  
5 same handwriting as was the original document?

6 MR. LINDBLOM: Well, I believe that every  
7 one of those names in pencil are printed and the  
8 handwriting that's in pen ink is principally cursive  
9 handwriting, connected handwriting. So they are not  
10 comparable.

11 MR. HORN: So you couldn't tell if that --  
12 the -- if what was added was done by the person who  
13 originally made the document?

14 MR. LINDBLOM: Well, it wasn't a question  
15 that was asked to begin with, but even if I had been asked,  
16 I would have advised that that exam is not possible because  
17 attempting to compare hand printing with handwriting does -  
18 - that can't be done.

19 MR. HORN: Now, if you had been asked to use  
20 the handwriting that was given to you as part of your  
21 analysis to, say, compare the letter writing that was done  
22 besides just narrowing in on just the obliterated areas ---

23 MR. LINDBLOM: Yes.

24 MR. HORN: --- by comparing the signature  
25 and the handwriting, do you think you would have been able

1 to do a better job in basically deciphering what was  
2 underneath the obliteration?

3 **MR. LINDBLOM:** Well, I don't -- I certainly  
4 considered that, because the documents are right there in  
5 front of me when I was doing the analysis, but I don't feel  
6 there is enough handwriting to lead to a stronger opinion  
7 than what I've given already in terms of what the  
8 underlying handwriting was.

9 As I said, I would need considerably more  
10 handwriting than what's here.

11 **MR. HORN:** What -- how much here are you  
12 talking about?

13 **MR. LINDBLOM:** I would say I would need at  
14 least 20 or 30 pages more.

15 **MR. HORN:** And that would be in different  
16 formats and different situations?

17 **MR. LINDBLOM:** It would have to be writing  
18 done over time, not writing where the person just sits down  
19 and does it by dictation. It would have to be documents in  
20 existence already and hopefully from the same general  
21 timeframe.

22 **MR. HORN:** Okay. So the original document  
23 that was there that had been -- that hadn't been  
24 obliterated itself would have been a document that was --  
25 you could have looked at and you would have been able to

1 read it quite clearly, if you could discern exactly what  
2 was said?

3 MR. LINDBLOM: I don't think I could say  
4 that in the absence of obliterations I could read every  
5 word. I think there's an issue of penmanship and  
6 abbreviating words and so on that would make some of the  
7 entries non-decipherable to me.

8 MR. HORN: Is there any possibility that  
9 some of the words -- the names that were under the  
10 obliteration were also altered in order to change the names  
11 in that way?

12 MR. LINDBLOM: I couldn't tell you. Because  
13 of the extent of the obliteration, it wouldn't be possible  
14 to know that.

15 MR. HORN: So you couldn't tell if that had  
16 been done afterwards?

17 MR. LINDBLOM: After the original writing or  
18 ---

19 MR. HORN: After the original writing ---

20 MR. LINDBLOM: Yes.

21 MR. HORN: --- and then somebody would try  
22 to alter it in any way that way?

23 MR. LINDBLOM: Yes, I don't know whether  
24 that happened or not.

25 MR. HORN: You couldn't tell?

1                   **MR. LINDBLOM:** I can't tell.

2                   **MR. HORN:** So the only way that it happened  
3 was, there was an original document in which there was  
4 maybe two or three layers of obliteration that went over it  
5 and you say you can't tell exactly what happened -- I mean,  
6 you wouldn't be able to tell what the original was in a lot  
7 of these cases?

8                   **MR. LINDBLOM:** That's correct.

9                   **MR. HORN:** That's all.

10                  **THE COMMISSIONER:** Thank you.

11                  Mr. Lee.

12                  **MR. LEE:** No questions.

13                  **THE COMMISSIONER:** Mr. Bennett.

14                  **MR. BENNETT:** No questions.

15                  **THE COMMISSIONER:** Thank you.

16                  Mr. Neville.

17                  **MR. NEVILLE:** Thank you, Mr. Commissioner.

18                  ---CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

19                  **MR. NEVILLE:**

20                  **MR. NEVILLE:** Good afternoon, Mr. Lindblom.

21                  **MR. LINDBLOM:** Good afternoon.

22                  **MR. NEVILLE:** My name is Michael Neville.

23                  You and I know each other.

24                  **MR. LINDBLOM:** Yes.

25                  **MR. NEVILLE:** I represent Father MacDonald.

1 I just have a couple of questions for you,  
2 if I may.

3 If I understood your evidence in-chief with  
4 Mr. Engelmann, you indicated for our Commissioner that the  
5 faxed set of notes is a faxed copy, right?

6 **MR. LINDBLOM:** Yes.

7 **MR. NEVILLE:** And it differs in quality from  
8 a photocopy?

9 **MR. LINDBLOM:** Yes.

10 **MR. NEVILLE:** And a photocopy has much  
11 higher resolution, more dots or whatever the phrase was you  
12 used?

13 **MR. LINDBLOM:** Yes, and much better  
14 resolution; more dots per inch.

15 **MR. NEVILLE:** So if you had a photocopy of  
16 -- well, you wouldn't know this, but for your purposes, Mr.  
17 Commissioner, I'm referring in particular to our  
18 Exhibit 848B and I'm not sure if it should be put on the  
19 screen, just because of the question of names, but I'll  
20 just hold it up for you.

21 **THE COMMISSIONER:** Yes.

22 **MR. NEVILLE:** It was the set that was faxed.

23 **THE COMMISSIONER:** Yes, yes.

24 **MR. NEVILLE:** With obliterations and no  
25 additions.

1                   **THE COMMISSIONER:** M'hm.

2                   **MR. NEVILLE:** So we understand, Mr.

3 Lindblom, that this set was faxed to our Commission office  
4 and, in turn, faxed out to counsel and then subsequently  
5 the original yellow pages that you worked with were  
6 provided.

7                   **MR. LINDBLOM:** Yes.

8                   **MR. NEVILLE:** All right.

9                   Now, the set that was faxed, if the set that  
10 was used to do the faxing was itself a photocopy, would it  
11 not have higher resolution?

12                   **MR. LINDBLOM:** Definitely.

13                   **MR. NEVILLE:** And would it be of assistance  
14 to you in doing the kind of work you did and testified to  
15 today?

16                   **MR. LINDBLOM:** Not in terms of deciphering.

17                   **MR. NEVILLE:** It wouldn't help you?

18                   **MR. LINDBLOM:** No. The original document is  
19 always the best because I can do filtering techniques ---

20                   **MR. NEVILLE:** Right.

21                   **MR. LINDBLOM:** --- that would not be  
22 available to me otherwise.

23                   **MR. NEVILLE:** Right.

24                   **MR. LINDBLOM:** If we're dealing with either  
25 a photocopy or a fax, those filtering techniques cannot be

1 used.

2 **MR. NEVILLE:** Now, one of the concerns that  
3 was raised about the two sets of notes was whether the  
4 obliterations in their appearance -- literally their  
5 physical appearance -- appeared different from one set of  
6 notes to the other.

7 **MR. LINDBLOM:** Yes.

8 **MR. NEVILLE:** And if I could have you look  
9 at two side by side -- and, again, Mr. Commissioner,  
10 perhaps for sake of names we won't put them on the board,  
11 but I presume you have them or have access and I think  
12 everybody does -- so if we could look just by way of  
13 illustration, Mr. Lindblom, I'm looking at what is our  
14 Exhibit 848B, Mr. Commissioner, page 1, and at the  
15 originals, page 1 of the text, Mr. Lindblom, because on the  
16 front there's a circular document that you may not have.

17 **MR. LINDBLOM:** Yes, I have that here.

18 **MR. NEVILLE:** All right.

19 So if we look in the middle ---

20 **MR. ENGELMANN:** Just so it's clear for the  
21 record, the witness has the original yellow sheets and he  
22 also has the original fax.

23 **MR. NEVILLE:** Right.

24 **MR. ENGELMANN:** What we have here is a  
25 scanned version of the -- like 848B is a scanned version of

1           that fax, so it may be different again.

2                       **MR. NEVILLE:** Got it. Thank you.

3                       So looking -- and again for the record, I  
4           guess, Mr. Commissioner, the originals or our version of  
5           the originals, we have designated as Exhibit C-848C; so  
6           you'll have that for the record.

7                       **THE COMMISSIONER:** Yes.

8                       **MR. LINDBLOM:** So do you have both there,  
9           Mr. Lindblom?

10                      **MR. LINDBLOM:** Yes, I do.

11                      **MR. NEVILLE:** All right.

12                      So if we look at the first page of text,  
13           there's a heading just above centre page, "Abuse Contacts".

14                      **MR. LINDBLOM:** I'm sorry; can you repeat  
15           that?

16                      **MR. NEVILLE:** Yes. Page 1 of the text.

17                      **MR. LINDBLOM:** Yes.

18                      **MR. NEVILLE:** It starts at the top "PMB" and  
19           a date.

20                      **MR. LINDBLOM:** Yes.

21                      **MR. NEVILLE:** And if you look just about the  
22           middle, you'll see the date "December 1995"?

23                      **MR. LINDBLOM:** All right.

24                      **MR. NEVILLE:** Do you have that?

25                      **MR. LINDBLOM:** Yes.

1                   **MR. ENGELMANN:** And beside that are two  
2                   obliterated names with the numbers "1" and "2" beside them.

3                   **MR. LINDBLOM:** Correct.

4                   **MR. NEVILLE:** Now, if we look, for example  
5                   -- and I'm just going to have you look at a couple -- the  
6                   second one down, the one with the number "2", if we place  
7                   it, so to speak, side by side with the version that's on  
8                   the original, physically looking at them they look  
9                   different.

10                  **MR. LINDBLOM:** Yes, I agree.

11                  **MR. NEVILLE:** We can see, for example, on  
12                  the 848B, the fax copy, there's a down stroke or something  
13                  hanging down from the bottom that doesn't appear on the  
14                  original.

15                  **MR. LINDBLOM:** Maybe you could point them  
16                  out so I'm certain that we're looking at the same ---

17                  **MR. NEVILLE:** I will just approach.

18                               **(SHORT PAUSE/COURTE PAUSE)**

19                  **MR. NEVILLE:** For the record, Mr. Lindblom,  
20                  I approached you and had you look at the obliteration  
21                  beside the number "2" and we can see extending down  
22                  underneath that what looks like a tail or a down stroke,  
23                  for want of a better term, but doesn't appear on the copy  
24                  or on the original.

25                  **MR. LINDBLOM:** Correct.

1                   **MR. NEVILLE:** Like when I say "copy", I mean  
2                   on my copy of the original.

3                   **MR. LINDBLOM:** Yes.

4                   **MR. NEVILLE:** So there's what appears  
5                   physically looking at it, a difference?

6                   **MR. LINDBLOM:** Yes.

7                   **MR. NEVILLE:** And if we can look, again by  
8                   way of illustration, at the next page.

9                   And for you, Mr. Commissioner, it starts at  
10                  the top "January '97" with the word "Day-Timer" beside it  
11                  and I won't have it displayed for reasons of any names.

12                  And if we look mid-page where the first two  
13                  obliterations are.

14                  **MR. LINDBLOM:** M'hm.

15                  **MR. NEVILLE:** And if we look at the top or  
16                  first one or almost directly beside the word "August" ---

17                  **MR. LINDBLOM:** Yes.

18                  **MR. NEVILLE:** --- we can see on the original  
19                  -- or my copy of the original, it's rather fat at the left  
20                  end and doesn't extend out towards the "Aug", A-u-g.

21                  **MR. LINDBLOM:** Yes.

22                  **MR. NEVILLE:** But if we look at the fax  
23                  copy, physically it looks much narrower, especially on ---

24                  **MR. LINDBLOM:** Yes.

25                  **MR. NEVILLE:** --- its left side and extends

1 out very close to the "g" of August?

2 MR. LINDBLOM: Yes.

3 MR. NEVILLE: And again if we look at the  
4 page that has at the top of it, and they seem to be  
5 different somewhat in the sequence, but it has at the top  
6 "September 00", for 2000, and the sentence at the top is  
7 "31 new victim calls"; do you see that page? The sequence  
8 seems to differ, depending which copy. It looks like -- I  
9 think it's page 3, but in some sets it's page 4.

10 THE COMMISSIONER: It's D3 in your book.

11 MR. NEVILLE: Yes, sir.

12 In the originals it appears to be page 4,  
13 and at the top it has the date "September 00"; have you  
14 found that one?

15 MR. LINDBLOM: I have that one.

16 MR. NEVILLE: And that's the one where  
17 you've identified, in the fourth line, a name and there's  
18 three names in the middle, correct?

19 MR. LINDBLOM: Yes.

20 MR. NEVILLE: All right, we're on the same  
21 page literally.

22 MR. LINDBLOM: Yes.

23 MR. NEVILLE: So if we look, then, in the  
24 upper part, the name -- the second of the names where  
25 you've identified or compared the last name, and again we

1 look at the left side of the obliteration, it looks  
2 physically in appearance quite different than it does on  
3 the fax copy?

4 MR. LINDBLOM: Correct.

5 MR. NEVILLE: All right.

6 So without overly belabouring the point,  
7 because there's a couple more, are you telling Mr.  
8 Commissioner that those differences in appearance are  
9 caused by the technology of faxing?

10 MR. LINDBLOM: Well, I guess there's a few  
11 answers to that question.

12 MR. NEVILLE: Okay.

13 MR. LINDBLOM: The first is where we're  
14 seeing, in simplistic terms, to say fewer lines on the fax  
15 copy where it appears to be thinner, an explanation for  
16 that can be that the scanner in the fax machine is not  
17 picking up all the colours equally.

18 If you may have had experience in  
19 photocopying various documents, sometimes you notice that a  
20 particular colour doesn't copy very well, so an  
21 intermediate blue may not copy as well as a black.

22 And there are some differences occurring  
23 here. I think that are certainly the result of the scanner  
24 not being sensitive to a particular colour.

25 Now, obviously that does not explain why one

1 line looks thicker or longer on the fax than it does on the  
2 original document and I would say ---

3 **MR. NEVILLE:** Or perhaps the line appearing  
4 on one and not on the other?

5 **MR. LINDBLOM:** Or on the other, yes. Any  
6 scenario such as that.

7 Some of the explanations for why that might  
8 occur is accidental anomalies, which I would not put great  
9 weight on because why would the accident anomaly only  
10 happen in the obliteration. You can have other markings  
11 and so on being picked up.

12 So if -- when the original photocopy was  
13 made, there -- the reverse side of the page, where there  
14 was writing on the reverse side, is showing through, so the  
15 fax has -- scan has actually picked up both sides of the  
16 page.

17 So in some cases we have markings in the  
18 area of an obliteration where you're actually -- you've got  
19 show-through from the reverse side of the document when it  
20 was photocopied and ultimately scanned. That explains, to  
21 some extent, the -- a few of the lines.

22 But I agree with you that there are a couple  
23 of anomalies that suggest a potential change in the  
24 obliteration.

25 **MR. NEVILLE:** Right.

1                   **MR. LINDBLOM:** When I did the exam, I was  
2 focussing on whether the obliterations that were there in  
3 the original were reproduced in the -- in the fax copy and  
4 I stand by that opinion that those obliterations were.

5                   There may be other -- the odd marking that's  
6 appearing that wasn't in the original obliteration, but I  
7 can assure you that every obliteration we see on the  
8 original is accurately reproduced on the fax copy.

9                   **MR. NEVILLE:** So would it be correct to say  
10 or suggest that one reasonable possibility is there's  
11 another version somewhere with obliteration?

12                   **MR. LINDBLOM:** With -- yes, it could be that  
13 more than one photocopy was made.

14                   **MR. NEVILLE:** Right. And different ---

15                   **MR. LINDBLOM:** And subsequently ---

16                   **MR. NEVILLE:** With different shaped  
17 obliterations?

18                   **MR. LINDBLOM:** Well, it would have to have  
19 the bulk of the obliterations that we see here.

20                   **MR. NEVILLE:** But not all?

21                   **MR. LINDBLOM:** They -- they had to be --  
22 well, I think that all of the obliterations that we see in  
23 the original are reproduced on the fax copy.

24                   **MR. NEVILLE:** Okay.

25                   **MR. LINDBLOM:** There may be other markings

1 present, but I do not feel that there are obliterations  
2 absent from the fax copy that are found in the original.

3 MR. NEVILLE: Yes. That's not really where  
4 I'm going, though.

5 What I'm suggesting, is it a possibility  
6 there are other iterations, other versions of these notes  
7 with obliterations?

8 MR. LINDBLOM: There can be other versions,  
9 but they have to include at the root the obliterations that  
10 I see on the original.

11 MR. NEVILLE: All right.

12 MR. LINDBLOM: Yeah.

13 MR. NEVILLE: Now the other thing I would  
14 like to ask you, just quickly, if we could look at what is  
15 our Exhibit 848B, which is the fax copy.

16 MR. LINDBLOM: Yes.

17 MR. NEVILLE: At page 2, which is the page  
18 that has "January '97 Day-Timer" at the top, left corner.

19 MR. LINDBLOM: Yes.

20 MR. NEVILLE: And maybe if I could just  
21 approach the witness for a moment to compare something,  
22 sir?

23 (SHORT PAUSE/COURTE PAUSE)

24 MR. LINDBLOM: Okay.

25 MR. NEVILLE: I was able to point out to you

1 on that copy, Mr. Lindblom, down in the upper-left quadrant  
2 there looks like almost spiral markings.

3 You're holding up a page for me, which is  
4 probably my answer that I'm asking you. I take it you're  
5 holding up an original of that page?

6 **MR. LINDBLOM:** Yes.

7 **MR. NEVILLE:** And on the back there are  
8 markings?

9 **MR. LINDBLOM:** On the back are scribbles and  
10 that comes back to the point I was raising earlier.

11 **MR. NEVILLE:** I understand.

12 **MR. LINDBLOM:** Some of the writing from the  
13 reverse side is showing through to the front side. In this  
14 case it's just squiggles; they don't seem to say anything.

15 **MR. NEVILLE:** And it shows through and they  
16 show very, very faintly on our copy of ---

17 **MR. LINDBLOM:** That's correct.

18 **MR. NEVILLE:** So that's an explanation that  
19 covers that?

20 **MR. LINDBLOM:** Yes.

21 **MR. NEVILLE:** All right. With those  
22 questions, Mr. Commissioner, that is all, thank you.

23 **THE COMMISSIONER:** Thank you. And where  
24 were we now?

25 Mr. Chisholm?

1                   **MR. CHISHOLM:** Good afternoon, Mr.  
2 Commissioner.

3                   **THE COMMISSIONER:** Good afternoon, sir.

4 --- **CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

5                   **MR. CHISHOLM:**

6                   **MR. CHISHOLM:** Good afternoon, sir. My name  
7 is Peter Chisholm. I'm counsel for the local Children's  
8 Aid Society.

9                   Just following up on Mr. Neville's  
10 questions, is it possible what you see between the original  
11 document and the document that was faxed to the Commission,  
12 that before the fax went to the Commission ---

13                   **MR. LINDBLOM:** What ---

14                   **MR. CHISHOLM:** --- some of the obliterations  
15 were added to in terms of making it more certain that the  
16 redaction had taken place?

17                   **MR. LINDBLOM:** They could have been  
18 expanded.

19                   **MR. CHISHOLM:** Thank you.

20                   **MR. LINDBLOM:** But it would have to be an  
21 intermediate copy.

22                   **MR. CHISHOLM:** Those are my only questions,  
23 thank you.

24                   **THE COMMISSIONER:** Thank you.

25                   Maître Rouleau?

1                   **MR. ROULEAU:** Nothing.

2                   **THE COMMISSIONER:** Thank you.

3                   Mr. Kloeze.

4                   **MR. KLOEZE:** Nothing.

5                   **THE COMMISSIONER:** Thank you.

6                   Mr. Sherriff-Scott?

7                   --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR MR.

8                   **SHERRIFF-SCOTT:**

9                   **MR. SHERRIFF-SCOTT:** Good afternoon, sir.

10                  **MR. LINDBLOM:** Good afternoon.

11                  **MR. SHERRIFF-SCOTT:** My name is David

12                  Sherriff-Scott. I act for the local diocese here.

13                                 Just picking up on where Mr. Neville was.

14                  If you could hold the two exhibits side-by-side, the  
15                  original and then the copies of D1 and following that were  
16                  faxed. Just tell me when you have both of those handy.

17                  **MR. LINDBLOM:** I've got them both here. Is  
18                  there a particular page you want me to be looking at?

19                  **MR. SHERRIFF-SCOTT:** Well, we'll start on  
20                  the first page.

21                                 Mr. Neville took you to the entry number two  
22                  beside "December 1995", and just for completeness sake, if  
23                  we look at the right marginal area immediately across from  
24                  "1" and "2", there's a large blackout?

25                  **MR. LINDBLOM:** Yes.

1                   **MR. SHERRIFF-SCOTT:** You opined commenced  
2 possibly with the letter "J" and terminated with other  
3 letters. Can I get you to look at the two versions, the  
4 original and then the fax copy?

5                   **MR. LINDBLOM:** Yes.

6                   **MR. SHERRIFF-SCOTT:** And if you look at what  
7 might be the letter "J" at the bottom, there's a large  
8 angled protrusion out on the fax copy which doesn't appear  
9 to be on the original.

10                  **MR. LINDBLOM:** I wonder if I could get you  
11 to point to that; I'm not quite sure where you're looking  
12 at. Is it at the bottom of the "J" you're talking about?

13                  **MR. SHERRIFF-SCOTT:** Yes, it is. And it  
14 protrudes towards the middle of the page in a downward  
15 slope right here.

16                  **MR. LINDBLOM:** Yes, I know where you're  
17 talking about.

18                  **THE COMMISSIONER:** Can you just point that  
19 out for me, sir?

20                  **THE COMMISSIONER:** Yes. M'hm.

21                  **MR. SHERRIFF-SCOTT:** So those appear to be  
22 different, do they not?

23                  **MR. LINDBLOM:** That would be an example of  
24 where something in an intermediate copy may have been added  
25 to an existing obliteration.

1                   **MR. SHERRIFF-SCOTT:** And it would be  
2 unlikely that would be accounted for merely by the  
3 facsimile transmission?

4                   **MR. LINDBLOM:** I don't think so.

5                   **MR. SHERRIFF-SCOTT:** Okay. And so if -- I  
6 just want to, for completeness sake, run through a few more  
7 of these and then I'll stop, but the middle three entries -  
8 - there are two entries on the bottom of D1, which are  
9 marked "1" and "2", but above that there are three entries.  
10 Do you see that?

11                   **MR. LINDBLOM:** Yes.

12                   **MR. SHERRIFF-SCOTT:** Now, if we hold up and  
13 compare those three entries, if we can look at the middle  
14 one, and at the commencement of the middle one there's a  
15 large rectangular protrusion coming down from the bottom of  
16 the front of the obliteration.

17                   **MR. LINDBLOM:** Yes.

18                   **MR. SHERRIFF-SCOTT:** Which doesn't appear to  
19 be indicated on the original. Am I correct?

20                   **MR. LINDBLOM:** I'm not sure that that would  
21 be a significant difference because you have to consider  
22 the low resolution scanning of the fax machine.

23                   So if you have a whole bunch of strokes that  
24 are close to one another on an original, when they're  
25 reproduced on a fax they will become solid.

1                   **MR. SHERRIFF-SCOTT:** Become ---

2                   **MR. LINDBLOM:** And they won't be as --  
3 anywhere near as defined. This could be an instance where  
4 that has happened.

5                   **MR. SHERRIFF-SCOTT:** It could be either,  
6 couldn't it?

7                   **MR. LINDBLOM:** Yes, that's right; equally as  
8 possible.

9                   **MR. SHERRIFF-SCOTT:** And the one below it  
10 certainly has a large rectangular protrusion going towards  
11 the left margin on the fax which doesn't appear to be in  
12 any way indicated on the original?

13                   **MR. LINDBLOM:** That's right. And I -- that  
14 is certainly not attributed to a filling-in ---

15                   **MR. SHERRIFF-SCOTT:** On the fax.

16                   **MR. LINDBLOM:** --- during the scanning.

17                   **MR. SHERRIFF-SCOTT:** Okay. That would be  
18 more suggestive, I submit, of an intermediate copy.

19                   **MR. LINDBLOM:** Yeah.

20                   **MR. SHERRIFF-SCOTT:** And when you talked to  
21 Mr. Neville about what was on one versus the other, I guess  
22 the intermediate copy, from the point of view of the  
23 facsimile transmission, would appear to have more  
24 obliterations than the original. Is that what's suggested  
25 here?

1                   In other words, it may contain all of the  
2                   obliterations -- both versions may have the same amount  
3                   underlying, but the fax copy appears to have what amounts  
4                   to additional obliterations?

5                   **MR. LINDBLOM:** I think I'd agree. I think -  
6                   - as I said earlier, the obliterations that are present on  
7                   the original documents are reproduced on the fax.

8                   **MR. SHERRIFF-SCOTT:** They are there in the  
9                   underlying version but ---

10                  **MR. LINDBLOM:** They are there and in a few  
11                  instances there seem to be extensions or additional  
12                  markings that certainly could be from an intermediate copy  
13                  being marked and then subsequently faxed.

14                  **THE COMMISSIONER:** So that would give us  
15                  then in your opinion, if that occurred, on the intermediate  
16                  copy there would have been at least three attempts; two on  
17                  the original as you've indicated to obliterate?

18                  **MR. LINDBLOM:** And when you ask that  
19                  question, do you mean because there's two colours ---

20                  **THE COMMISSIONER:** No, no.

21                  **MR. LINDBLOM:** --- of ink?

22                  **THE COMMISSIONER:** I'm saying, you testified  
23                  that in the original document, the obliterations were made  
24                  by at least two pen marks?

25                  **MR. LINDBLOM:** Correct.

1                   **THE COMMISSIONER:** Right.

2                   So the intermediary one would have -- if  
3                   you're saying that they took a photocopy of the original,  
4                   obliterated it some more to make sure and then faxed it,  
5                   that there would be at least three pen marks on that  
6                   intermediate one?

7                   **MR. LINDBLOM:** I see what you're asking.  
8                   Yes, that's correct.

9                   **THE COMMISSIONER:** Okay.

10                  **MR. SHERRIFF-SCOTT:** Mr. Commissioner, if I  
11                  could take a crack at that from a different angle, would  
12                  that not be more suggestive that the obliterations were  
13                  made at different times?

14                  **MR. LINDBLOM:** Well, certainly you couldn't  
15                  make an obliteration on the fax copy at the same time as  
16                  the original or a photocopy.

17                  **MR. SHERRIFF-SCOTT:** So the answer is yes?

18                  **MR. LINDBLOM:** That's right. They have --  
19                  well, the obliteration to the intermediate copy has to be  
20                  done at a different time than the two earlier, but as to  
21                  the timing of the two earlier, I cannot say.

22                  **MR. SHERRIFF-SCOTT:** That's what I was  
23                  looking for. Thank you very much, sir. Those are my  
24                  questions.

25                  **THE COMMISSIONER:** Thank you.

1 Mr. Manderville?

2 **MR. MANDERVILLE:** No questions for this  
3 witness.

4 **THE COMMISSIONER:** Ms. Costom?

5 **MS. COSTOM:** No questions for this witness.

6 **THE COMMISSIONER:** Thank you.

7 Mr. Carroll?

8 **MR. CARROLL:** No questions, thank you.

9 **THE COMMISSIONER:** Thank you.

10 Mr. Engelmann, any further questions?

11 **MR. ENGELMANN:** I'll just be a moment.

12 **THE COMMISSIONER:** Thank you.

13 **MR. ENGELMANN:** I have no further questions.

14 **THE COMMISSIONER:** Mr. Lindblom, it's been a  
15 pleasure having you here. I thank you again for your  
16 assistance and wish you a safe trip home.

17 Thank you.

18 **MR. LINDBLOM:** Thank you.

19 **THE COMMISSIONER:** Mr. Engelmann, it's  
20 quarter-to-five. I don't know that any good would be  
21 served by starting the witness again tonight.

22 So I'd rather start tomorrow morning.

23 **MR. ENGELMANN:** Very well.

24 **THE COMMISSIONER:** So that's at 9:30 a.m.  
25 Could we get some idea -- tomorrow's

1 Wednesday. You will have the day -- how long will you be  
2 with the witness. Do you know?

3 **MR. ENGELMANN:** I'll be with the witness  
4 most of the day ---

5 **THE COMMISSIONER:** All right.

6 **MR. ENGELMANN:** --- if not the whole day but  
7 most of the day in any event.

8 **THE COMMISSIONER:** Any idea of the cross-  
9 examination, in the sense that are we going to be able to  
10 finish this witness on Thursday?

11 **MR. ENGELMANN:** I'm going to try and do what  
12 you've instructed Commission counsel to do, to put some  
13 questions that, you know, in the normal course to try to  
14 cover some of that. So I'm not sure, but I'll canvass that  
15 with my colleagues perhaps some time tomorrow afternoon.

16 **THE COMMISSIONER:** Terrific.

17 Mr. Guzzo, you're required here tomorrow  
18 morning at 9:30 a.m., sir.

19 **MR. GUZZO:** Nine-thirty ---

20 **THE COMMISSIONER:** Thank you.

21 **THE REGISTRAR:** Order; all rise. À l'ordre;  
22 veuillez vous lever.

23 This hearing is adjourned until 9:30 a.m.

24 --- Upon adjourning at 4:45 p.m. /

25 L'audience est ajournée à 16h45

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C E R T I F I C A T I O N

I, Dale Waterman a certified court reporter in the Province of Ontario, hereby certify the foregoing pages to be an accurate transcription of my notes/records to the best of my skill and ability, and I so swear.

Je, Dale Waterman, un sténographe officiel dans la province de l'Ontario, certifie que les pages ci-hautes sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



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Dale Waterman, CVR-CM