

**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 180

Held at :

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

Tenue à:

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

Wednesday, December 19 2007

Mercredi, le 19 décembre 2007

Appearances/Comparutions

Ms. Julie Gauthier	Registrar
M ^e Pierre Dumais M ^e Simon Ruel	Commission Counsel
Mr. Peter Manderville	Cornwall Police Service Board
Mr. Neil Kozloof Ms. Suzanne Costom	Ontario Provincial Police
Mr. David Rose M ^e Claude Rouleau	Ontario Ministry of Community and Correctional Services and Adult Community Corrections
Ms. Leslie McIntosh	Attorney General for Ontario
Mr. Peter Chisholm	The Children's Aid Society of the United Counties
Mr. Allan Manson	Citizens for Community Renewal
Mr. Dallas Lee	Victims Group
Mr. Mark Wallace	Ontario Provincial Police Association

Table of Contents / Table des matières

	Page
List of Exhibits :	iv
House Keeping Matters by/Matières administratives par Me Pierre Dumais	1
Submissions by/Représentation par Mr. David Rose	2
Comments by/Commentaires par Mr. Allan Manson	12
Comments by/Commentaires par Ms. Leslie McIntosh	13
Comments by/Commentaire par Mr. Neil Kozloff	14
Comments by/Commentaires par Mr. Mark Wallace	14
Submissions by/Représentations par M ^e Simon Ruel	14
Submissions by/Représentations par Mr. Allan Manson	17
Ruling by the Commissioner/Décision par le Commissaire	19

LIST OF EXHIBITS/LISTE D'EXHIBITS

NO.	DESCRIPTION	PAGE NO
M12-A1	Motion Record	2
M12-A2	Book of Authorities	2
M12-A3	Supplemental Motion Record	2
M13-A1	Letter from David Rose to Peter Engelmann Dated December 7th, 2007	3

1 --- Upon commencing at 9:49 a.m./

2 L'audience débute à 9h49

3 **THE REGISTRAR:** Order; all rise. À 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 **MR. DUMAIS:** Good morning, Commissioner.

10 Two matters before you this morning.

11 Neither of them involve a witness.

12 So the first one is a motion, an informal
13 motion, so there is no actual paper documents being filed.
14 We had agreed to that process with Mr. Rose from Probations
15 and Corrections.

16 Essentially, he is going to be asking you to
17 consider calling an additional witness for their
18 institutional response.

19 Mr. Ruel will be addressing the Commissioner
20 -- Commission counsel's position on that issue.

21 The second motion before you this morning --
22 I guess firstly I should file that motion. The first
23 document -- it's a motion from the Citizens for Community
24 Renewal. Mr. Manson is here this morning to address this
25 matter. The Motion Record should be M12-A1.

1 **--- EXHIBIT NO./PIÈCE NO. M12-A1:**

2 Motion Record by the Citizens for Community
3 Renewal

4 **MR. DUMAIS:** The Brief of Authorities, M12-
5 A2.

6 **--- EXHIBIT NO./PIÈCE NO. M12-A2:**

7 Brief of Authorities by the Citizens for
8 Community Renewal

9 **MR. DUMAIS:** And there's a third record, I
10 believe, with an additional affidavit that should be M12-
11 A3.

12 **--- EXHIBIT NO./PIÈCE NO. M12-A3:**

13 Additional Affidavit on behalf of the
14 Citizens for Community Renewal

15 **THE COMMISSIONER:** Thank you.

16 **MR. DUMAIS:** So that will be the second
17 motion that we'll deal with this morning. Mr. Manson will
18 address that issue after we're done.

19 So if Mr. Rose can address his matter?

20 **THE COMMISSIONER:** Thank you.

21 **--- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. ROSE:**

22 **MR. ROSE:** Good morning, Mr. Commissioner.

23 **THE COMMISSIONER:** Good morning, sir.

24 **MR. ROSE:** I've actually passed up to Madam
25 Registrar a letter that I sent to Commission counsel on

1 December 7th and, in fact, what I agreed with Mr. Engelmann
2 was that if a motion would be necessary, then the letter
3 that I was sending to him on December 7th would form the
4 factual basis for the motion ---

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

6 **MR. ROSE:** --- for purposes. So I've handed
7 that up and I suppose, properly speaking, that should be
8 marked as an exhibit and passed up ---

9 **THE COMMISSIONER:** All right.

10 **MR. ROSE:** --- to you, Mr. Commissioner.

11 **THE COMMISSIONER:** Thank you.

12 Exhibit Number M13-A1 is the letter dated
13 December 7th addressed to Mr. Engelmann signed by Mr. David
14 Rose.

15 **--- EXHIBIT NO./PIÈCE NO. M13-A1:**

16 Letter to Mr. Peter Engelmann from Mr. David
17 Rose, dated December 7, 2007

18 **MR. ROSE:** Yes. Thank you, Mr.
19 Commissioner.

20 And so we're in a stage now where this is a
21 motion properly under Rule 17 of the Rules of the
22 Commission because Mr. Zbar, Z-B-A-R, who we've asked
23 Commission counsel to call as a witness during the
24 institutional phase of the Ministry of Correctional
25 Services ---

1 **THE COMMISSIONER:** Yes.

2 **MR. ROSE:** --- Community Safety and
3 Correctional Services part of the Inquiry, Commission
4 counsel has refused to call Mr. Zbar. So I'm bringing a
5 motion under Rule 17 which says that:

6 "Where Commission counsel refuse to
7 call a witness, a party may apply to
8 the Commissioner for an order that such
9 witness be called for such evidence and
10 that such evidence be presented if the
11 Commissioner is satisfied that the
12 witness or evidence is needed."

13 And I take it although there has never been,
14 to my knowledge, a Rule 17 Motion before you thus far ---

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

16 **MR. ROSE:** --- that the test is one of
17 relevance and need.

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

19 **MR. ROSE:** And so that's what I would like
20 to address.

21 As I've indicated in my letter of December
22 7th and in the motion exhibit, just to help you, Mr.
23 Commissioner, a little bit more, Mr. Zbar joined the
24 Ministry in 1975 originally as a correctional officer, and
25 he had a variety of roles within the Ministry through the

1 relevant period; in other words, up to 2002.

2 Someone asked me earlier what was he doing
3 in 1993, and I do not believe that he was involved with
4 Probation Services in 1993 ---

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

6 **MR. ROSE:** --- such that he would have
7 specific knowledge, for instance, of the David Silmser
8 allegations.

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

10 **MR. ROSE:** Significantly, in 1998, he was --
11 he had left the Ministry for a few years. In 1998, he was
12 -- came back to the Ministry as an Assistant Deputy
13 Minister in Corrections and then two years later, in 2000,
14 he was promoted to the role of Deputy Minister.

15 He left the Ministry in 2002, and although
16 he has been retired from the Ministry since 2002, he still
17 continues to be involved in correctional services.

18 I understand that he is a member of the
19 Federal Corrections Audit Committee and so forth and
20 travels across the country, looking at jails. I understand
21 from Mr. Manson, just before I rose, that Mr. Zbar is also
22 on the John Howard Society Committee and so forth. So, in
23 other words, he continues to be involved in the corrections
24 process.

25 The reason why ---

1 **THE COMMISSIONER:** It says in the letter he
2 retired in 2000. I don't know ---

3 **MR. ROSE:** Yes, I realize that, and that's
4 actually a typographical error on my part.

5 **THE COMMISSIONER:** It's a mistake?

6 **MR. ROSE:** Yes.

7 **THE COMMISSIONER:** Okay.

8 **MR. ROSE:** In fact, what happened, as I say,
9 in 1998 he became an Assistant Deputy Minister and in 2000
10 became a Deputy Minister and left in 2002.

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

12 **MR. ROSE:** So there's really two reasons or
13 two issues with the Ministry that I believe that Mr. Zbar
14 is needed.

15 You have heard some evidence during the
16 corporate presentation of what we call service delivery
17 model. In places it's called PPSDM, which is Probation and
18 Parole Service Delivery Model, and other places it's just
19 called service delivery. But that, in and of itself,
20 although we heard something in the corporate presentation
21 about that, Mr. Zbar was instrumental in bringing about
22 that shift in how Probation and Parole Services delivered
23 services to clients to the service delivery model, because
24 he was the Assistant Deputy Minister and then the Deputy
25 Minister during that timeframe.

1 So in terms of what that meant for the
2 Ministry, I can give you a brief synopsis. The corporate
3 presentation was some time ago, and we've never really
4 focussed on it much in the last several weeks during our
5 institutional phase, but what it amounts to, Mr.
6 Commissioner, is a shift in focus. And the focus,
7 according to the service delivery model, is on criminogenic
8 factors and positive outcomes.

9 So what the Ministry does now when it
10 acquires a client through a probation order or a parole
11 order is to look at the client, the probationer or parolee,
12 with a view to what are the criminogenic risk factors and
13 how do we address that by means and services.

14 Whereas before, prior to 1998, prior to
15 2000, prior to the implementation of service delivery, you
16 will see and start to glean from the evidence that it's a
17 question of complying with a court order or a Parole Board
18 order. We haven't really focussed on that too much, but
19 probation orders mainly. You'll see was the person
20 reporting? Were they abiding by the conditions of the
21 order as opposed to now, where the shift is, how do we
22 supply services to the client such that we reduce the risk
23 of recidivism?

24 So it's a really focussed targeting, and Mr.
25 Zbar was responsible for bringing that into implementation

1 within the Ministry. He was there and he can discuss this
2 as to why this was perceived to be an important need and
3 why the shift happened and certainly the challenges that
4 were involved in bringing about the shift.

5 And I can't emphasize enough; it is a
6 fundamental shift in how probation services deliver ---

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

8 **MR. ROSE:** --- their services to clients.

9 So in my respectful submission, Mr. Zbar is
10 needed, from an institutional standpoint, to address that
11 fact.

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

13 **MR. ROSE:** Now, the second thing that Mr.
14 Zbar can talk about, which is another policy implementation
15 of his while he was an Assistant Deputy Minister and a
16 Deputy Minister, is the case management system in terms of
17 what we -- you've heard, I think, Mr. Commissioner, the
18 OTIS, the phrase OTIS?

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

20 **MR. ROSE:** Which is electronic record
21 gathering.

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

23 **MR. ROSE:** So piecing things together, you
24 will have heard how in the early '90s and going back,
25 probation notes were kept on a hard copy by a probation

1 officer and in circumstances you've heard, well, that was
2 effectively locked away in someone's office and when
3 another probation officer would have enquired about
4 clientele, there's this reluctance to divulge client files.

5 Another probation officer would only have
6 access to those hard copies if, for instance, they were
7 assigned that client during the course of the order or if
8 they were taking over for that probation officer because of
9 illness or vacation or something. But otherwise, those
10 probation files very much kept within the realm of that
11 probation officer.

12 With the transition to electronic note-
13 taking and the OTIS system, there is much greater
14 transparency, and you'll see in -- I think Mr. Zbar can
15 really flesh out and give full colour to why it was seen
16 that a transition from case notes, hard copies right within
17 the file that were not widely available, was deemed to be
18 something that we needed to move away from into this OTIS,
19 the case management system.

20 Again, this was something -- this is a
21 policy implementation that Mr. Zbar brought about, which
22 had very practical effects. So he was there, he was the
23 Deputy Minister at the time, and in my respectful
24 submission he is needed in order to explain this in a more
25 fulsome way to the Commission, to this Inquiry.

1 This is institutional response, it's trite
2 to point out, is the focus of this Inquiry, and this, from
3 our institutions perspective, would be of fundamental
4 importance in terms of any recommendations that you, Mr.
5 Commissioner, may make.

6 **THE COMMISSIONER:** I can understand that --
7 your point. I guess what I'm looking at is why didn't we
8 hear from him at the beginning when we were talking about
9 policy and the evolution of policies.

10 What I'm more interested in now is the
11 dérroulement, the unfolding of events, and to stick someone
12 in with policy right now, well, it seems to be out of
13 order. It should have been at the beginning.

14 Do you have any comment on that?

15 **MR. ROSE:** Well, I think, Mr. Commissioner,
16 as we were starting the corporate policy presentation there
17 was a certain steep learning curve.

18 As we understood our task at the very
19 beginning it was to present ideas and to explain to you,
20 Mr. Commissioner, how the Ministry operated.

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

22 **MR. ROSE:** Now, I don't believe that going
23 back two years that it would have been in our mind that the
24 significance of a transition would be a focal point. I
25 don't think anyone could have.

1 **THE COMMISSIONER:** Okay.

2 **MR. ROSE:** And in my respectful submission,
3 Mr. Zbar, now it's apparent to us, is important.

4 And I'd also add, if the concern that, Mr.
5 Commissioner, you're inferring is we've gone beyond that
6 and we've got time constraints ---

7 **THE COMMISSIONER:** No.

8 **MR. ROSE:** Well, let me add -- fill that out
9 for you, Mr. Commissioner, anyway. I don't believe that
10 Mr. Zbar would be a lengthy witness. I don't think we have
11 to allot days of evidence for him.

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

13 **MR. ROSE:** I would have thought that his
14 testimony in-chief could be, for instance, two hours, and I
15 don't believe that he has -- you can see that he, for
16 instance, has -- was copied on some of the documentation in
17 the year 2000. His name appears on documentation, for
18 instance, with Mr. Downing. I don't believe that he would
19 have had specific intimate knowledge of some of those
20 details simply because he was the Deputy Minister.

21 So he was there but I don't believe that
22 there would be, for instance, the cross-examination that
23 would be lengthy and so forth. You can never entirely
24 predict that but I just don't believe that he's going to be
25 a lengthy witness.

1 Board of Directors with the John Howard Society of Ontario.

2 **THE COMMISSIONER:** So you'll have to declare
3 a conflict.

4 **MR. MANSON:** That's right.

5 I'm not saying I would be putting questions
6 to him but there may be some overview or historical matters
7 that he can address. He is a very thoughtful,
8 knowledgeable person in this area.

9 **THE COMMISSIONER:** Thank you.

10 Mr. Lee, any comments?

11 **MR. LEE:** No position.

12 **THE COMMISSIONER:** Thank you.

13 Mr. Chisholm.

14 **MR. CHISHOLM:** No position. Thank you.

15 **THE COMMISSIONER:** Ms. McIntosh?

16 --- COMMENTS BY/COMMENTAIRES PAR Ms. McINTOSH:

17 **MS. McINTOSH:** I'm certainly not opposed to
18 the calling of Mr. Zbar.

19 **THE COMMISSIONER:** Thank you.

20 Mr. Manderville -- no -- yes. I can't see
21 you behind the monitor there.

22 **MR. MANDERVILLE:** These big screens. No
23 position.

24 **THE COMMISSIONER:** You stand tall in my
25 mind, Mr. Manderville.

1 (LAUGHTER/RIRES)

2 THE COMMISSIONER: Mr. Kozloff.

3 MR. KOZLOFF: Good morning, sir.

4 THE COMMISSIONER: Good morning.

5 MR. KOZLOFF: The short answer is yes.

6 THE COMMISSIONER: Thank you.

7 --- COMMENTS BY/COMMENTAIRES PAR MR. KOZLOFF:

8 MR. KOZLOFF: And I will just add I
9 apologize profusely for not having the exact words of the
10 mandate in my head, but it seems to me that it refers to
11 improvements that were made as a result in order to allow
12 you to make recommendations for further improvements, and
13 it seems to me that what Mr. Rose is proposing, by way of
14 the evidence of this witness, speaks directly to that so
15 it's squarely in the mandate.

16 THE COMMISSIONER: All right.

17 Mr. Wallace.

18 --- COMMENTS BY/COMMENTAIRES PAR MR. WALLACE:

19 MR. WALLACE: I'm not opposed, sir.

20 THE COMMISSIONER: Thank you.

21 Monsieur Ruel.

22 MR. RUEL: Thank you, Mr. Commissioner.

23 --- SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. RUEL:

24 MR. RUEL: Briefly, this is an issue of
25 rationalizing witnesses. As you know, Commission counsel

1 and Commission staff are interviewing many witnesses in
2 preparation for the institutional evidence.

3 Not all of those witnesses are called. We
4 apply a test and we determine whether or not the witness
5 brings a piece of evidence or perspective that will not be
6 covered by other witnesses and the degree of involvement of
7 the witness and the issues at stake is also a
8 consideration.

9 We've interviewed Mr. Zbar. We understand
10 he's been a long-standing Ministry employee rising up
11 through the ranks. He's been Deputy Minister. But the
12 issues that my friend, Mr. Rose, is suggesting we cover
13 with Mr. Zbar were already discussed in the corporate
14 presentation evidence, for example, the service delivery
15 model was covered in the evidence of Marg Hughes for the
16 Ministry. The OTIS electronic case note reporting system
17 was also covered in the corporate evidence.

18 Further, I would say that the Commission
19 will call current Deputy Minister Deborah Newman. She's
20 also a long-standing Ministry official. She can -- she has
21 either direct knowledge of those policy changes or she can
22 inform herself and she can testify about those points for
23 the Ministry.

24 Lastly, you know that the factual overview
25 will be a file by the Ministry with respect to the

1 complaints that were received by members of the probation
2 office concerning Mr. Seguin and Mr. Barque. So there's
3 going to be some discussion about those points in the
4 overview as well.

5 So we didn't feel there was a need to call
6 Mr. Zbar to cover those points. He can speak to it
7 eloquently. He's an interesting witness, but in substance
8 the points have been or will be covered by other witnesses.

9 The other issue is that Mr. Zbar had some
10 involvement in the Downing review. He was the Deputy
11 Minister during that period. But our interview with Mr.
12 Zbar and discussions or interviews we had with other
13 witnesses point to a very narrow involvement.

14 Essentially, he was the Deputy Minister but
15 he's received -- I mean, he was briefed on the steps taken
16 by Mr. Downing, but essentially our understanding was that
17 Ms. Deborah Newman, who was the Assistant Deputy Minister
18 for Community and Young Offender Services, was essentially
19 coordinating that review for the Ministry.

20 So in the circumstances, we thought that Mr.
21 Zbar had little to bring to the Inquiry. He may be an
22 interesting witness but we felt we had to rationalize, and
23 this is what we've done.

24 And, in any event, should you decide to call
25 this witness I can tell you we will be ready fairly

1 quickly. We've interviewed Mr. Zbar and we can prepare a
2 summary of anticipated evidence very quickly.

3 Thank you.

4 **THE COMMISSIONER:** Thank you.

5 Thank you, Mr. Rose.

6 Can we go to the next matter now?

7 **---SUBMISSIONS BY/REPRÉSENTATIONS PAR MR. MANSON:**

8 **MR. MANSON:** Thank you, Mr. Commissioner.

9 There's been many days of discussion about
10 this motion and so I'm going to speak slowly and choose my
11 words carefully.

12 First, Mr. Commissioner, you have our motion
13 record with a Notice of Motion and affidavit and a decision
14 of Justice Linden from Ipperwash.

15 I want to point out there's also been a
16 supplementary affidavit filed, the affidavit of Helen Daley
17 correcting an oversight in the original affidavit, and I
18 apologize to any parties, particularly the OPP, for any
19 misunderstanding arising from that oversight.

20 This is an application for production and
21 disclosure to us of certain records from the Cornwall
22 Police Service and the Ontario Provincial Police. I can
23 tell you that there is -- the relief sought is set out in
24 paragraph 2(a), (b) and (c).

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

1 **MR. MANSON:** And there is absolutely no
2 issue with 2(a) and 2(b) the training and experience files
3 and in fact, I'm advised that the Cornwall Police had
4 produced those.

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

6 **MR. MANSON:** And Commission counsel will try
7 to get us those Cornwall Police files by January 10th. I am
8 proposing that we adjourn this motion to January 15th ---

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

10 **MR. MANSON:** --- on the understanding that
11 with respect to the contentious issue of disciplinary files
12 that the Cornwall Police Service, the Ontario Provincial
13 Police and the Ontario Provincial Police Association
14 counsel will be seeking instructions with respect to a way
15 to resolve this issue. I'm advised by the Cornwall Police
16 counsel that they will have instructions by the end of this
17 week.

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

19 **MR. MANSON:** If the instructions support the
20 resolution that I'm seeking, I'm advised that we will have
21 the disciplinary material produced to Commission counsel no
22 later than January 15th.

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

24 **MR. MANSON:** So by the return date of the
25 motion that matter -- assuming the instructions are

1 provided -- will be resolved. The Ontario Provincial
2 Police will need longer to get instructions, but I'm
3 advised they should have those instructions by January 10th,
4 and that they'll aim for -- assuming the instructions are
5 provided, that they will aim for the production of the
6 material that I'm seeking no later than the end of March.
7 Given the scheduling for the various institutional
8 responses, using those three dates: January 10th for
9 training and experience files to come to us from Commission
10 counsel, January 15th for the relevant disciplinary files to
11 go from Cornwall Police to Commission counsel, and the end
12 of March for relevant disciplinary files and whatever
13 training and experience files aren't there at the moment
14 for OPP, we'll be able to proceed with our exam -- with our
15 preparation for the various institutional responses.

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

17 Does anybody want to oppose this request for
18 an adjournment or qualify it in any way or does Mr. Manson
19 speak for all?

20 Mr. Manson speaks for all so that matter
21 will be adjourned to January 15th at 9:30.

22 **MR. DUMAIS:** Correct.

23 **--- RULING BY THE COMMISSIONER/DÉCISION PAR LE COMMISSAIRE:**

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

25 With respect to Mr. Rose's motion, I've

1 given it some serious thought and I will grant the motion.
2 Now I'm going to tell you why -- the reasons why I'm not --
3 why you shouldn't take this as a licence to -- to start
4 calling witnesses that the Commission opts not to, but in
5 the circumstances I find given the fact that it will be a
6 couple of hours in-chief that the witness has already been
7 interviewed, that I think it's important to give the
8 institutions and any of the parties a little bit of leeway
9 with respect to calling people and I am persuaded by the
10 fact that while it may well be that this gentleman ought to
11 have been called in the policy part of it, as Mr. Rose
12 quite aptly pointed out, we really didn't know where
13 exactly all of this would lead and so I think I have to
14 give some leeway to the applicant in this matter. So we
15 will hear from the witness in due course and I'll leave it
16 to the parties to pick an appropriate date and have the
17 proper disclosure done; all right?

18 Thank you.

19 s that everything then? Then I should, of
20 course, wish all of you and yours the very best in this
21 festive season.

22 Et pour nos amis francophones, une bonne et
23 heureuse nouvelle année pleine de santé et de beaux
24 sourires.

25 That's it. Merci.

1 We're adjourning to January 14th at 9:30.

2 **MR. DUMAIS:** That's ---

3 **THE COMMISSIONER:** Pardon me?

4 **MR. DUMAIS:** That's correct, Commissioner.

5 **THE COMMISSIONER:** At 1:00 p.m.?

6 **MR. DUMAIS:** Yes.

7 **THE COMMISSIONER:** Yes, 1:00 p.m. Thank you
8 very much.

9 **MR. DUMAIS:** Thank you.

10 **THE COMMISSIONER:** Have a good holiday.

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

13 This hearing is adjourned until January 14,
14 2008 at 1:00 p.m.

15 --- Upon adjourning at 10:14 a.m./

16 L'audience est ajournée à 10h14

17

18

19

20

21

22

23

24

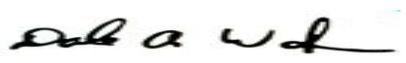
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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-hauts sont une transcription conforme de mes notes/enregistrements au meilleur de mes capacités, et je le jure.



Dale Waterman, CVR-CM