

*Commission of Inquiry*  
*Into the Wrongful*  
*Conviction of David Milgaard*  
*before*  
**THE HONOURABLE MR. JUSTICE**  
**EDWARD P. MacCALLUM**

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Transcript of Proceedings

and

Testimony before the Commission  
sitting at the  
Sheraton Cavalier Hotel at  
Saskatoon, Saskatchewan

\*\*\*\*\*

On Wednesday, September 28th, 2005

Volume 78

Inquiry Proceedings



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**Appearances :**

*Ms. Cheryl Stanley,*                    **for** Mr. David Milgaard  
*Mr. James Lockyer, Esq.,*        **for** Ms. Joyce Milgaard  
*Ms. Lana Krogan,*                    **for** Government of Saskatchewan  
*Mr. Si Halyk, Q.C.,*                **for** Mr. T.D.R. (Bobs) Caldwell  
*Mr. Garrett Wilson, Q.C.,* **for** Mr. Serge Kujawa  
*Mr. Rick Elson, Esq.,*               **for** the Saskatoon Police Service  
*Mr. Chris Boychuk, Esq.,*        **for** Mr. Eddie Karst  
*Mr. Bruce Gibson and Ms. Rochelle Wempe,* **for** the RCMP  
*Mr. Eamon O'Keefe, Esq.,*        **for** Mr. Larry Fisher  
*Mr. David Frayer, Q.C.,*        **for** Minister of Justice  
*and Ms. Jennifer Cox,*            (Canada), The Hon. Irwin Cotler  
*Mr. Alexander Pringle, Q.C.,* **for** Justice Calvin Tallis  
  
(Retired)



INDEX OF PROCEEDINGS

DESCRIPTION:

PAGE:

LINDA LILLIAN FISHER, CONTINUED

|                  |       |
|------------------|-------|
| - BY MR. LOCKYER | 15532 |
| - BY MR. GIBSON  | 15650 |
| - BY MR. O'KEEFE | 15658 |
| - BY MR. FRAYER  | 15673 |

BRYAN DAVID WRIGHT, SWORN

|                 |       |
|-----------------|-------|
| - BY MR. HODSON | 15691 |
| - BY MR. GIBSON | 15728 |



Transcript of Proceedings

(Reconvened at 9:00 a.m.)

COMMISSIONER MacCALLUM: Good morning.

ALL COUNSEL: Good morning.

LINDA LILLIAN FISHER, continued:

BY MR. LOCKYER:

00:00 5  
6  
7 Q Good morning, Ms. Fisher. I'm here for Joyce.  
8 Just one thing that there's been a little bit of  
9 uncertainty about that I wanted to start with  
00:00 10 quickly is whether you saw Joyce's flier offering  
11 a reward before you went in to see the police on  
12 August the 28th of 1980, and it came out during  
13 your evidence, if you remember, that it was just  
14 around that time that David's name had re-appeared  
00:00 15 in the media because he had escaped. Do you  
16 remember being asked about that?

17 A Yes.

18 Q And the suggestion that that may be what was the  
19 catalyst for you going in on August 28th, that you  
00:01 20 had just found out that he had escaped and was  
21 still maintaining his innocence. And the flier,  
22 if we can go to 119816, please, it would seem to  
23 have been generated or distributed, at least  
24 according to this document, four months after you  
00:01 25 went in to see the police. If you look at this



1 document, do you see on the side of it, that's the  
2 hand bill that was distributed by Joyce to the  
3 locale of where Gail was murdered; right?

4 A Yes.

00:01 5 Q And if you look on the side, it says, "Hand bill  
6 circulated in Saskatoon December 22, 1980," you  
7 see that?

8 A Yes.

9 Q Four months after you went in to the police. And  
00:01 10 if you then go to the next page, please, you'll  
11 see that Mrs. Milgaard actually put out a news --  
12 a press release, and that's what you are looking  
13 at there, and it's a news release dated December  
14 23rd of 1980 and it says:

00:02 15 "Attached you will find a copy of a  
16 \$10,000 reward poster that will be  
17 delivered to the residents of Saskatoon,  
18 on Tuesday, December 23rd. Our family,  
19 as the poster indicates, believes our  
00:02 20 son is innocent. Throughout his 11  
21 years of imprisonment he has steadfastly  
22 maintained his innocence even though if  
23 he did not admit to being guilty he  
24 would never be paroled. Somewhere out  
00:02 25 there is someone who can help prove



1                   this."

2                   And so on, and then it says if you would like  
3                   further information, at the bottom, how you can  
4                   reach Mrs. Milgaard. So at least looking at that  
00:02 5                   document, it would seem that the flier didn't get  
6                   distributed until four months after you went to  
7                   the police which, if it's so, it would mean the  
8                   flier really had nothing to do with you going in  
9                   in August. Do you follow the reasoning?

00:03 10                  A                   Yes. It seems I seen a flier, but I don't know if  
11                   this one is the one we seen, but it said to, ah,  
12                   contact the police or Joyce Milgaard.

13                  Q                   That's right. But this is four months after  
14                   you've already done it.

00:03 15                  A                   Umm. It seems to me that I seen it around that  
16                   time. I don't know.

17                  Q                   All right. Now, I just want to -- there's really  
18                   two areas I want to question you about, and the  
19                   first area was raised by Mr. Elson in  
00:03 20                   cross-examination of you yesterday when he  
21                   suggested to you and you agreed that you could  
22                   understand why the police hadn't followed up on  
23                   your interview of August 28th of 1980 because of  
24                   the difference between the knife you described and  
00:04 25                   the knife that was found under Gail Miller's body?



1 A Yes.

2 Q Do you remember that yesterday?

3 A Yes.

4 Q I just want to go through that and see if when you  
00:04 5 really examine things a little more closely, if  
6 that's a fair proposition, that you would not have  
7 expected the police to follow up under those  
8 circumstances. First of all, when you went in on  
9 August the 28th of 1980, the officer to whom you  
00:04 10 spoke, whose name we know to be Wagner, he told  
11 you, did he not, that he really didn't know much  
12 about the case at all, he had no involvement in it  
13 at the time?

14 A Ah, it seems I heard something like that. I can't  
00:04 15 remember what he said at the time.

16 Q And if you accept that for a moment, did he tell  
17 you as well that he would talk to an officer who  
18 had familiarity with the case and that that's, he  
19 would have that person get back to you?

00:04 20 A I can't remember. It seemed like he said he did.

21 Q If you go to -- if we go to 106701, this is a  
22 report that he prepared as a result of talking to  
23 you on August the 28th, the officer who spoke to  
24 you, Wagner, all right, and he said, if you look  
00:05 25 down here at the bottom, in view -- this is what



1 he said, just going up a couple of lines, that you  
2 seemed quite sincere, you had a slight od our of  
3 alcoholic beverage on your breath but you were  
4 sober. And then he said:

00:05 5 "In view of this development, I decided  
6 to take a statement from her, and she  
7 was advised that the investigating  
8 officers that handle the original case,  
9 would no doubt be in touch with her, to  
00:05 10 obtain further information from her, and  
11 probably could enlighten her on the case  
12 to clear her mind. I advised her that  
13 it would be better if the investigating  
14 officers did it, since I myself was not  
00:05 15 familiar with the case, since I was not  
16 directly involved in it at the time."

17 Is that what happened?

18 A That sounds right, yes.

19 Q Uh-huh. So what I thought we might do quickly is  
00:06 20 just put ourselves in the shoes of an  
21 investigating officer, or someone certainly who is  
22 familiar with the case, to see whether one might  
23 or might not have expected him to follow up on the  
24 case, on your report, and I'm only doing this in  
00:06 25 light of the questions and answers that were posed



1           yesterday to you by Mr. Elson. First of all, you  
2           told Inspector Wagner, and we'll presuppose it was  
3           him you were talking to, that your ex-husband had  
4           lived in the very house that David Milgaard had  
00:06 5           visited that day; is that right?

6           A           Yes.

7           Q           And of course any investigating officer or officer  
8           familiar with the case might not only appreciate  
9           the significance of that, but also the  
00:07 10           significance of the fact that that means that your  
11           husband lived right in the area of where Gail  
12           Miller lived; right?

13          A           Yes.

14          Q           And right in the area of where she was murdered?

00:07 15          A           Yes.

16          Q           And went to work from the bus stop right in the  
17           area of where she was murdered; right?

18          A           Yes.

19          Q           And also if we suppose for a moment that there was  
00:07 20           such a trail of evidence, that a trail of evidence  
21           led in the direction of the very house where you  
22           were living with your husband on January 31st of  
23           1969; right?

24          A           Yes.

00:07 25          Q           So any competent investigator might have had bells



1           ringing as a result of that first of all; do you  
2           not agree?

3           A        Yes.

4           Q        And you would think that that investigator might  
00:07 5           also have ascertained that your husband had been  
6           spoken to a matter of a day or two after the  
7           murder standing at the very bus stop where Gail  
8           Miller used to catch a bus every morning?

9           A        Oh, yes.

00:08 10          Q        Is that reasonable? You had also advised the  
11          police on October -- on August the 28th of 1980,  
12          so first of all you put your husband right in the  
13          vicinity of the murder at the locale of the murder  
14          where he had caught a bus every morning and tied  
00:08 15          him right into the very house that David Milgaard  
16          was tied into for the day of the murder; right?

17          A        Yes.

18          Q        And not just the day, but even the very moment of  
19          the murder in terms of its time; would that be  
00:08 20          fair?

21          A        Yes.

22          Q        Given the time he would go to work. Secondly, you  
23          brought to their attention that your husband, or  
24          ex-husband, had been involved in several rape  
00:08 25          cases and, according to the way it was recorded by



1 Wagner both in Winnipeg and in North Battleford  
2 and, as Wagner puts it in the report that we just  
3 looked at, perhaps we can go back to it, 106701,  
4 see how he puts it here, he says:

00:09 5 "She went on to state that Larry Earl  
6 Fisher later started committing rapes,  
7 and harming women in Winnipeg, and in  
8 various parts --"

9 I'm not quite sure what that means, but that  
00:09 10 would certainly suggest in other places is how I  
11 would read that, and given that you and he, as  
12 you were telling Wagner, were living right bang  
13 in the very neighbourhood where Gail Miller was  
14 killed, you might have thought a competent  
00:09 15 investigator would say, well, I wonder if he  
16 committed any of those rapes in Saskatoon. Fair?

17 A Yes.

18 Q Even though Saskatoon is not specifically  
19 mentioned, in various parts would certainly raise  
00:09 20 one's antenna as to whether that would include  
21 Saskatoon do you not think?

22 A Yes.

23 Q I'm not sure you have to be a police officer to  
24 work that out. And of course you are not sure,  
00:10 25 you knew from the letters that were shown to you



1 right at the end yesterday that your ex-husband  
2 had written to you that at least two of the rapes  
3 he had told you, whether you read the letter  
4 closely or not, he had certainly told you in the  
00:10 5 letter, one of the letters, that at least two of  
6 the rapes occurred in Saskatoon; is that right?

7 A Yes, but I don't know when I realized that they  
8 were from Saskatoon. It seems to me I assumed  
9 they were in Regina for some reason.

00:10 10 Q But in his letter he had told you?

11 A Yes, yes.

12 Q So I'm actually going to suggest to you as we go  
13 along that all the people who were speaking to you  
14 may have led you down the wrong garden path, that  
00:10 15 he had committed rapes in Regina, and that you had  
16 sort of come to believe that just because people  
17 kept telling you that, all right, I'll do that  
18 shortly. But certainly whether you had retained  
19 it in your mind or not, you had got a letter from  
00:11 20 Larry that two of the rapes had happened in  
21 Saskatoon?

22 A Yes.

23 Q And whether you told Wagner that or not,  
24 presumably you can't remember?

00:11 25 A No.



1 Q One would have thought, if it was in your mind  
2 when you spoke to Wagner, that at least two of the  
3 rapes had occurred in Saskatoon, you would likely  
4 have told him that; don't you think?

00:11 5 A Yes.

6 Q It seemed pretty material that you would say, and  
7 two of the rapes happened right here; isn't that  
8 fair?

9 A Yes.

00:11 10 Q Yes. Did you know -- did you remember, by the  
11 way, that there had been a serial rapist at work  
12 in Saskatoon around the time of Gail Miller's  
13 murder?

14 A It seems I heard it on the news once that there  
00:12 15 was a warning out.

16 Q A warning out, yes.

17 A Yeah.

18 Q All right. And had you, by 1980, or indeed by  
19 1970 when you saw -- I forget, did you go and see  
00:12 20 Larry in Winnipeg or not?

21 A Yes, I did.

22 Q Right. When you went to see him and a combination  
23 of seeing him and getting these letters from him,  
24 had it dawned on you that in fact he was that  
00:12 25 serial rapist?



1 A Yes.

2 Q Oh, it had?

3 A I think so.

4 Q Okay. So again, with that in your mind, you would  
00:12 5 likely have communicated that to Wagner do you not  
6 think?

7 A Well, I don't know how I -- he put it pretty well  
8 in the statement how I said it probably.

9 COMMISSIONER MacCALLUM: Excuse me, when  
00:12 10 did she go to Winnipeg?

11 BY MR. LOCKYER:

12 Q Early 1970 you went to Winnipeg; is that right?

13 A Yes.

14 COMMISSIONER MacCALLUM: But when, when in  
00:12 15 relation to his arrest?

16 BY MR. LOCKYER:

17 Q After he was charged?

18 A Yes.

19 Q And you saw him in prison then?

00:13 20 A Yes. Now, I'm not sure whether I knew what was  
21 going on yet when I went to see him.

22 Q Right, I did say a combination of seeing him in  
23 prison and also the letters that you were  
24 receiving from him --

00:13 25 A Yes.



1 Q -- you had worked out or you had come to  
2 understand that he was the serial rapist who had  
3 been operating in Saskatoon?

00:13

4 A Well, after they moved him to Saskatoon, then I  
5 think I knew more.

6 Q Sorry, I didn't catch that?

7 A After he had been sent to Prince Albert, then I  
8 knew more, so that was about '71.

00:16

9 Q All right. So a combination of all those events,  
10 seeing him on more than one occasion in Winnipeg  
11 and Prince Albert, and his letters, --

12 A Yes.

13 Q -- you'd come to that realization?

14 A Yes.

00:16

15 Q So, now you said that Wagner recorded what you  
16 said pretty accurately, but if we go back to the  
17 document that we just looked at, he said that -- I  
18 kind of doubt you said it this way -- that "he  
19 started committing rapes and harming women in  
20 Winnipeg and in various parts", I mean that's not  
21 the way you would talk, is it?

00:17

22 A No.

23 Q No. So if you go to your actual statement -- and  
24 I'm not going to propose, I'll take us to it if  
00:17 25 anyone wants me to -- but if we go to your, the



1 handwritten statement that you signed, --

2 A Yes.

3 Q -- there's actually no reference in there, in that  
4 statement, to rapes in Winnipeg, there's only a  
00:17 5 reference to the rape in North Battleford?

6 A Yeah.

7 Q So his typed report here has brought in more  
8 information, that you apparently provided him,  
9 than was in your handwritten -- or the -- your  
00:17 10 signed statement; do you follow me?

11 A Yes.

12 Q So that's why I focused on the typewritten  
13 document, because it's got more information,  
14 albeit not a lot more, but more information about  
00:18 15 the rapes by talking about the ones in Winnipeg  
16 and in various parts -- it's the "in various  
17 parts" that is of particular interest at the  
18 moment as I'm questioning you -- and might well  
19 have been, you would think, to the investigator  
00:18 20 that Mr. Elson was referring to yesterday, as to  
21 whether or not you would have expected him to  
22 follow up; fair enough?

23 A Yes.

24 Q All right. Did you know, since you knew that  
00:18 25 Larry or you believed that Larry was the serial



1 rapist that you had heard of in Saskatoon, does  
2 that mean you also knew that he had started --  
3 that he had been raping women before Gail's  
4 murder, or did you not have that chronology in  
00:18 5 your mind?

6 A Yes, I knew, I knew it was before her murder that  
7 he was --

8 Q So when you went -- sorry, I'm interrupting you.  
9 So when you went to see Wagner in 1980 you already  
00:19 10 knew or you had in your mind, then, that he had  
11 been committing rapes in Saskatoon before Gail's  
12 murder?

13 A Well, I don't know about 'in Saskatoon', but I  
14 knew he had raped before Gail's murder.

00:19 15 Q Okay. Fair enough. So if, as Wagner had  
16 suggested was gonna happen to you, if the  
17 investing officers had come to see you -- and I  
18 remember in your handwritten statement you had  
19 specifically said you were going to be around  
00:19 20 until Sunday; remember that --

21 A Yes, yes.

22 Q -- then they could have gleaned all this  
23 information from you if they'd bothered to  
24 undertake the trip to your home; is that fair?

00:19 25 A Yes.



1 Q Yes. Apparently they never did?

2 A No.

3 Q Uh-huh. The third piece of information that you  
4 gave the police -- so, so far, we've got that  
00:20 5 Fisher went to the Cadrain house that day, which  
6 has all sorts of ramifications attached to it that  
7 we have been through, right?

8 A Yes.

9 Q We've got the rapes that you know Fisher has  
00:20 10 committed both in Winnipeg, and in various parts,  
11 and in North Battleford; right?

12 A Yes.

13 Q And we go to the fact that you said a paring  
14 knife, you found, was missing on the morning of  
00:20 15 Gail Miller's murder; right?

16 A Yes.

17 Q Umm, and the paring knife that you described did  
18 not fit, particularly well, the description of the  
19 knife that was found under Gail Miller's body; you  
00:20 20 understand that?

21 A Yes.

22 Q And, indeed, you've seen the knife that was found  
23 under her body and you can ascertain how the  
24 description that you gave, it's not so bad in  
00:21 25 size, but it hasn't got the colour, particularly



1 the maroon handle; fair?

2 A Yeah. The one I remembered --

3 Q Was brown --

4 A -- was a wooden one too.

00:21 5 Q -- and wooden and with the rivets; right?

6 A Yes.

7 Q Right. Now if you imagine yourself in the mind of

8 the investigator who's saying that, 'Well, she's

9 described a knife that really doesn't match the

00:21 10 description of the knife that we found underneath

11 Gail Miller's body', I suppose the investigator

12 could say one of two things -- or one of three

13 things, really; he could either say to himself

14 'well that means the knife in question had nothing

00:21 15 to do with Gail Miller's murder'; right?

16 A Yes.

17 Q Or he could say that 'maybe Larry Fisher had more

18 than one knife on his person at the time of the

19 murder'; right?

00:21 20 A Yes.

21 Q And indeed, if he'd bothered to remember the case

22 from 1969 he would have actually remembered that

23 there were two knives found at the scene of Gail

24 Miller's murder, which might easily lead one to

00:22 25 the conclusion that Larry Fisher could have had



1 three knives at the time of the murder; do you  
2 follow my reasoning?

3 A Yes, yes.

4 Q So to say that the knife you described did not  
00:22 5 match the description of the knife found under  
6 Gail Miller's body doesn't suddenly mean, does it,  
7 that there is no reason to follow up on your  
8 information?

9 A No.

00:22 10 Q No. Not at all. I suppose another alternative  
11 that that supposed investigator could come up with  
12 in his mind is that -- I know you don't think you  
13 did and I don't think you did either -- but he  
14 could easily say to himself, as a reasonable  
00:22 15 possibility, that you may have, in the ten years,  
16 have not remembered the appearance of the knife  
17 that you lost that morning? Not an unreasonable  
18 conclusion that, in ten years, one cannot remember  
19 the description of a knife accurately; agreed?

00:23 20 A Yes.

21 Q I know you think you did, but -- and I think you  
22 probably did too -- but that's not the point. The  
23 point is people do forget things like that over  
24 ten years and remember things wrongly.

00:23 25 A That's right.



1 Q You might remember the knife but not remember the  
2 colour of the handle or the type of material the  
3 handle was made of. As well, that investigator,  
4 that imaginary investigator might also have said  
00:23 5 to himself, 'well we know about these other rapes  
6 that he's committed because Linda Fisher had told  
7 us about them, I wonder if he used a knife like  
8 the one she described in any of them'; do you  
9 think that might have been a reasonable thing to  
00:23 10 have been done?

11 A Yes.

12 Q Yes. And it's ten, ten years later that you  
13 suddenly had that put to you as a proposition by  
14 Eugene Williams, do you remember that? He  
00:24 15 suggested to you that the knife that Larry used in  
16 the Winnipeg, one of the Winnipeg rapes, the one  
17 he was caught in the act, so to speak, was similar  
18 to the knife that you had described on August  
19 28th, 1980, ten years earlier, to the police; do  
00:24 20 you remember that?

21 A Yes, I think so.

22 Q Yeah. Next, when you spoke to Wagner on August  
23 the 28th of 1980, you told him how Fisher had  
24 reacted to your accusation that he was the one  
00:24 25 who'd committed the murder; right?



1 A Yes.

2 Q And that stayed where it is, and has stayed where  
3 it is for the next 25 years after that as well, up  
4 to today; correct?

00:25 5 A Yes.

6 Q No one has ever poked a hole in that, so to speak?

7 A No.

8 Q No. In fact, if anything, the subsequent evidence  
9 has simply affirmed your observation of his guilty  
00:25 10 reaction; fair?

11 A Yes.

12 Q Yes. And, fifthly, you reminded Wagner -- and,  
13 again, the reader, this investigator looking into  
14 your report of August 28th of 1980 would have been  
00:25 15 reminded -- that 10, 11 years had passed since the  
16 event and David Milgaard is still proclaiming his  
17 innocence, and if he didn't commit the crime, then  
18 someone else surely did; right?

19 A Yes.

00:25 20 Q Uh-huh. So when you consider all of that, madam,  
21 and you consider that Wagner clearly found you to  
22 be both sincere and sober, remember, --

23 A Yes.

24 Q -- when he spoke to you on August the 28th of  
00:26 25 1980, would you agree with me that it's really



1 hard to understand how there could have been no  
2 follow-up on your August 28th report to Inspector  
3 Wagner?

4 A Yes.

00:26 5 Q Yes. Any competent police officer you might have  
6 expected to have followed up on it; fair?

7 A Yes.

8 Q And they didn't?

9 A No.

00:26 10 Q Okay. All right. Moving on from there, and that  
11 just arose out of Mr. Elson's questions of you  
12 yesterday, I want to move on to another area.

13 And I want to first of all, if I  
14 may -- it's a bit of a, going to be a bit of a  
00:26 15 slow buildup -- but I want to take you through the  
16 various factors that were in your mind that made  
17 you think; (1) Larry Fisher murdered Gail Miller;  
18 and (2) therefore, by definition, David Milgaard  
19 didn't. All right. I want to take you through  
00:27 20 those factors. And in doing that I want to ask  
21 you, first of all, when you were talking on  
22 countless occasions to -- starting in 1990 you  
23 suddenly became an important person in this case;  
24 right?

00:27 25 A Yes.



1 Q You should have become one in 1980, but you  
2 didn't?

3 A Yes.

4 Q But in 1990, you did, thanks to Mrs. Milgaard?

00:27 5 A Yes.

6 Q And suddenly you've got Pearson interviewing you,  
7 I think Mr. Beresh suggested to you at one point  
8 in your cross-examination -- I think it was an  
9 exaggeration -- but suggested to you Mr. Pearson

00:27 10 could have interviewed you as many as 50 times; do  
11 you remember that?

12 A I talked to him quite a bit, yes.

13 Q Yes. I don't think you talked to him that many  
14 times but you talked to him -- it was to Mr.

00:28 15 Beresh's advantage to suggest it was perhaps more  
16 than it was when he threw that figure out -- but  
17 you talked to him certainly more than 10 or 20  
18 times; is that fair?

19 A Yes.

00:28 20 Q Yes. And you've got this sort of sombre meeting,  
21 somewhat intimidating perhaps, under oath with  
22 Mr. Eugene Williams; do you remember that?

23 A Yes.

24 Q And was that a little bit intimidating, the way  
00:28 25 that whole thing was conducted?



1 A Well, it was very serious, yes.

2 Q Yes. And where was it held?

3 A In North Battleford --

4 Q In -- yes?

00:28 5 A -- at the police station.

6 Q I see. So Mr. Williams chose -- I imagine you are  
7 not the one who chose the venue?

8 A No.

9 Q He chose the venue of the Battleford police  
00:28 10 station?

11 A Yes.

12 Q Right. Which, interestingly enough, was the very  
13 place where, presumably, Larry had been processed  
14 after his most recent rape; right?

00:28 15 A Yes.

16 Q Uh-huh. And I'm going to suggest to you as an out  
17 -- at the outset that the people in authority who  
18 questioned you, and by that I mean police and  
19 Williams, that none of them -- and they conveyed,  
00:29 20 they conveyed this to you in one way or another --  
21 none of them wanted to believe that Larry Fisher  
22 murdered Gail Miller, they all believed, and  
23 wanted to go on believing, it was David Milgaard.  
24 Did you get that sense from them, that they didn't  
00:29 25 like your story, in other words?



1 A Well it seemed to me that, that there wasn't  
2 enough information for them, like, and I couldn't  
3 give them any more to satisfy them.

4 Q So that was the impression that they gave you,  
00:29 5 that you weren't --

6 A Yes.

7 Q You didn't have enough? All right.

8 A Yes.

9 Q And did you ever get a sense that they were  
00:29 10 thoroughly and determinedly investigating your  
11 claims, or did you just feel that all they were  
12 doing was questioning you again and again and  
13 again and again, without really seeming to want to  
14 take it any further than that?

00:30 15 A Well, I don't know how I felt, I just -- something  
16 like that, yes.

17 Q So you, did you get the sense that all they seemed  
18 to be interested in doing was cross-questioning  
19 you and not going beyond you and seeing how much  
00:30 20 further they could take this?

21 A Well, actually, Mr. Pearson did want to -- any  
22 information, --

23 Q Right?

24 A -- but then I couldn't -- I mean I -- there was no  
00:30 25 more information. But Mr. Williams, of course he



1 was just, he just did the -- the -- interview, 'is  
2 it possible one way or is it possible the other  
3 way'. So that, that, I felt, was just picking  
4 what I was saying apart, yes.

00:31 5 Q But they -- you -- they exhausted the information  
6 they could obtain from you?

7 A Yes.

8 Q But did you get a sense that they were looking for  
9 information elsewhere, beyond you, or did you get  
00:31 10 a sense that they were trying to perhaps undermine  
11 your information through continual questioning of  
12 you, repetitive questioning, the same things being  
13 asked of you again and again?

14 A Well, for sure they weren't gettin' anything more  
00:31 15 from me --

16 Q Uh-huh?

17 A -- and I didn't feel -- no, I didn't feel that  
18 they were -- but I mean, well, I don't really know  
19 much about investigating, but no, I didn't feel  
00:31 20 they were looking anyplace else, but I don't know  
21 where else they could have looked.

22 Q Well, by the time of your interview by Mr.  
23 Williams, let me go through the factors that made  
24 you think -- because you did believe quite  
00:32 25 positively that your ex-husband was the



1 perpetrator and David Milgaard wasn't; is that  
2 right?

3 A Yes.

4 Q I mean by this time you have, in a sense, you have  
00:32 5 come to believe in the David Milgaard cause?

6 A Yes.

7 Q And Joyce's cause too?

8 A Yes.

9 Q And if we go through the factors that I've managed  
00:32 10 to accumulate, by the time of your interview by  
11 Mr. Williams on March the 24th, I believe it was,  
12 of 1990 -- and I'm doing it in no particular  
13 order -- first of all, by this time, you knew that  
14 your ex-husband had raped women in Winnipeg, had  
00:32 15 raped women in either Saskatoon or Regina -- we'll  
16 just come back to that, all right --

17 A Yes.

18 Q -- had raped a woman in North Battleford after  
19 being out for a matter of months; right?

00:33 20 A Yes.

21 Q Umm, and in some of those rapes if not all, as far  
22 as you were concerned, had used a knife?

23 A Yes.

24 Q Or knives, plural?

00:33 25 A Yes.



1 Q Yes? Had used extreme violence in some or all of  
2 them?

3 A Yes.

4 Q As far as you were concerned?

00:33 5 A Yes.

6 Q And you knew that there were many of them; all  
7 right?

8 A Yes.

9 Q Did you know how many?

00:33 10 A I think I did, yes.

11 Q Do you remember a figure in your head?

12 A Umm, well back then six, so seven with --

13 Q And you knew that back in March of 1990?

14 A Yes.

00:33 15 Q All right. And you knew that their timing  
16 preceded Gail's murder, then went on after Gail's  
17 murder, then stopped because he was in jail for a  
18 long time, and then immediately started again as  
19 soon as he got out of jail, and then stopped  
00:34 20 because he was back in jail?

21 A Yes.

22 Q Right? So, essentially, your ex-husband is raping  
23 women whenever he has the chance?

24 A Yes.

00:34 25 Q And you knew that this was a feature of a man whom



1           you thought you'd known well but, it turns out,  
2           you didn't know at all; is that fair?

3           A           Yes.

4           Q           That must have been particularly scary to you?

00:34 5           A           Yes.

6           Q           You -- because you had to deal with that in your  
7           own mind, presumably, that you had fallen in love  
8           with, married, lived with a man who has turned out  
9           to be a monster?

00:34 10          A           That's right.

11          Q           But you hadn't known him to be a monster?

12          A           No.

13          Q           And the monster that you had come to realize he  
14          was was obviously, then, someone who could kill a  
00:35 15          woman in the course of a rape?

16          A           Yes.

17          Q           All right. So all those things put together were  
18          a big part, by no means the only part as we'll  
19          see, but they were a big part of why you decided,  
00:35 20          in your mind, that Larry Fisher had murdered Gail  
21          Miller; is that right?

22          A           Yes.

23          Q           They don't seem to have impressed the police and  
24          Williams much but they sure had that impression on  
00:35 25          you?



1 A Yes.

2 Q All right. Now if we go for a minute to how it  
3 is -- and this is merely a certain amount of  
4 speculation on my part -- but trying to see how it  
00:35 5 is that you thought the Saskatoon -- and this is a  
6 bit of an aside but I thought it was worth having  
7 a look at -- how it is that you came to think that  
8 the Saskatoon rapes had been committed in Regina.  
9 All right. Because, first of all it must have  
00:36 10 been a bit odd to your mind because, I mean, as  
11 far as you knew, had your ex-husband ever lived in  
12 Regina, had he ever been there for any period of  
13 time?

14 A Well, my aunt lived there, and he did work there  
00:36 15 for a little while so --

16 Q I didn't know that.

17 A Yeah. So --

18 Q Okay. And so would that have been in the right  
19 period of time, in the '69, '68, '69, '70 time?

00:36 20 A Yes.

21 Q Okay. Fair enough. I didn't know that. I think  
22 the first person who, of the interviews that we  
23 have of you, the first person who led you up the  
24 garden path, so to speak, was Joyce herself.

00:36 25 And just for your information,



1 when Joyce spoke to you on March 9th, her  
2 information was that the rapes committed outside  
3 Winnipeg that Fisher had pleaded guilty to had  
4 taken place in Regina. That was her belief so she  
00:37 5 wasn't misleading you, I want you to understand  
6 that, she thought what she was telling you was  
7 correct.

8 If we go to 076271 and move to  
9 292, in that framework, please, you will see here  
00:37 10 that this is how -- that she starts talking about  
11 them as if they occurred in Regina. Mr. Henderson  
12 says, 'And that's when he was, in 1969 and '70 he  
13 was committing these other rapes', and Joyce says,  
14 'In Regina, wasn't it', and you said, 'Uh ummm'.

00:37 15 Whatever, you see, I should  
16 never say 'uh-huh', no one quite knows what it  
17 means; right?

18 A Yeah.

19 Q And Joyce said, 'Were you living in Regina then',  
00:38 20 and you said, 'No, in Regina'.

21 So it looks like you are sort of  
22 questioning it there, I mean who knows, but -- I  
23 suppose we could play the tape, but I'm not sure  
24 it matters enough to do that, but I just think  
00:38 25 it's interesting, this little part of the



1 conversation. Joyce said, 'I thought, wasn't it  
2 Regina that he', and then you said, 'Winnipeg',  
3 it's a pity you didn't say 'Winnipeg and  
4 Saskatoon', but you just said 'Winnipeg', and then  
00:38 5 Joyce said, 'Winnipeg', and then you said, 'Ya, he  
6 had went to work for a company, he was working for  
7 Jones', do you have that' -- and I'm not sure what  
8 happens on the next page, if it takes us much  
9 further -- 'Jones Construction, let's put that  
00:38 10 down because there may be someone at work that  
11 would know something here'.

12 You see how Joyce is interested  
13 in investigating things further, albeit that  
14 doesn't necessarily seem to have been, always, the  
00:38 15 interests of the police, but she sure was; do you  
16 see that?

17 A Yes.

18 Q Anyway, the next time this Regina/Saskatoon thing  
19 comes up in the documents that we have is if we  
00:39 20 could go to 063204 and look at 208 in that  
21 section. And this is the interview of you by  
22 Pearson a few days later, after Joyce has spoken  
23 to you, all right. And if we look here you say:  
24 "... I went to Winnipeg ...",  
00:39 25 sorry, starting right there:



1                    "... I went to Winnipeg and saw Larry.  
2                    He never made any confessions to me of  
3                    any crime. Larry was convicted of the  
4                    Winnipeg rapes (two) on 28 May 71 and  
00:39 5                    got 13 years."

6                    I kind of wonder if you knew that date, I  
7                    wouldn't think you did, did you?

8                    A                What, the --

9                    Q                I suspect that's Pearson's own contribution, May  
00:39 10                  28, '71, you wouldn't have any --

11                  A                Oh, no, no, I didn't know.

12                  Q                You wouldn't have any cause to remember that.

13                                "... and got 13 years. From 1971 to  
14                                1976 I visited Larry often in P.A. Pen.  
15                                He wrote me letters explaining the  
16                                Winnipeg crimes. He also told me of the  
17                                rapes in 1968 in Regina, I wasn't aware  
18                                of these crimes until he told them to me  
19                                in the letters."

00:40 20                  So the question is who introduced 'Regina', and  
21                                it may well be, and in fact I think there is very  
22                                good reason to believe that when Pearson  
23                                interviewed you on this date -- and I'm sorry, if  
24                                we could go back to the first page of this  
00:40 25                                because I've forgotten the date -- it was March



1 14, so we've moved five days on from where Joyce  
2 has met you, all right. If we go back, yes thank  
3 you, to where we were. Certainly, as of March  
4 14th, we have good reason to believe that Pearson  
00:40 5 thought the Saskatoon rapes had occurred in  
6 Regina, he was acting under the same mistaken  
7 belief that Joyce had been five days earlier;  
8 right?

9 A Yes.

00:41 10 Q So, again, I think he was -- if he had suggested  
11 Regina to you I don't think he would have been  
12 intending to mislead you, albeit he would have  
13 been misleading you like Joyce was five days  
14 earlier. And I'm going to suggest it may well be  
00:41 15 that it's here, in particular, that you suddenly  
16 thought that maybe the rapes that you had thought  
17 were in Saskatoon were in fact in Regina because  
18 Pearson may have told you that. If you had said  
19 to them that they were in Saskatoon he may easily  
00:41 20 have said to you "no, no, they weren't in  
21 Saskatoon, they were in Regina", is that possible,  
22 and that's where Regina came from?

23 A I don't -- well, actually, I think he went to  
24 Court in Regina.

00:41 25 Q Well he did.



1 A Yeah.

2 Q And that's why everyone thought they were in

3 Regina, you see.

4 A Yeah, and that's probably where I got it from to

00:41 5 begin with.

6 Q Oh, okay. So you think that maybe the Regina

7 Court appearance fooled you into believing the

8 crimes had been in Regina?

9 A Yeah, yeah, I think so.

00:42 10 Q Like they seemed to have fooled everybody else?

11 Okay.

12 Going back to the factors that

13 made you think that Larry Fisher had committed

14 Gail's murder, we dealt with the rapes at the

00:42 15 general level and the more specific level as to

16 the impact they had on your thinking, all right.

17 The second factor I was going to

18 suggest to you made you think that, as a

19 cumulation of facts, an accumulation of facts, do

00:42 20 you follow me, was the one -- was the fact, of

21 course, of the knife that you found missing from

22 your house on the morning of January 31st, 1969;

23 right?

24 A Yes.

00:42 25 Q And whilst it may have fooled the police or the



1           investigator in 1980 because the knife didn't  
2           match the knife found, your description of it  
3           didn't match the knife found under Gail Miller,  
4           nevertheless, to your mind, the fact that a knife  
00:43 5           was missing that morning was an important factor  
6           in your belief that your ex-husband had committed  
7           the crime?

8           A           Yes.

9           Q           Is that fair?

00:43 10          A           Yes.

11          Q           As well, you subsequently came to realize -- and I  
12          don't know if you'd realized this by the date of  
13          your interview with Williams -- but you'd come to  
14          realize as well that there was a bone-handled  
00:43 15          knife missing from your home as well; is that  
16          right?

17          A           You know, I don't know when the bone handle went  
18          missing though, it could have been -- could have  
19          been later, like even after Larry had went to  
00:43 20          jail, because I never --

21          Q           All right. I was more interested not in when it  
22          went missing but when you remembered it had gone  
23          missing in the 1990 period?

24          A           Yeah.

00:43 25          Q           And I'm not sure if you had remembered that before



1 or after you spoke to Williams. But, certainly,  
2 the one knife you knew had gone missing that  
3 morning; correct?

4 A Yes.

00:44 5 Q And you, of course, knew by the time you spoke to  
6 Williams that, if not knowing back -- in fact you  
7 really knew back in 1969, on January 31st, that  
8 Gail Miller had been stabbed to death?

9 A Yes.

00:44 10 Q Correct? The next factor, and I'm going to give  
11 them numbers just because lawyers always like to  
12 do that, factor number 3 is that you had lived or  
13 were living in the house with your ex-husband that  
14 David Milgaard had visited on the day of Gail's  
00:44 15 murder?

16 A Yes.

17 Q And you say you had checked the newspapers in the  
18 library before going into the police in 1980;  
19 correct?

00:44 20 A Yes.

21 Q And I don't know if you remember this, but do you  
22 remember whether you had read in the newspapers  
23 how a trail of evidence had led to the house where  
24 you and your ex-husband were living?

00:45 25 A I read that --



1 Q From the body, in other words, to where you lived?

2 A I read that early, so I don't know whether I read  
3 it there or where exactly, but yeah, I did read  
4 something about it.

00:45 5 Q So it was in your mind as an important factor in  
6 your belief when you spoke to Williams on March  
7 the 24th of 1990?

8 A Yes.

9 Q Correct? Okay. I mean after all, just going into  
00:45 10 the minds of police and indeed Williams at that  
11 time, that was one of the factors that had caused  
12 them to believe that David Milgaard had committed  
13 the crime; do you follow?

14 A Yes.

00:45 15 Q So hardly surprising that you saw it as a factor  
16 to believe that Larry Fisher had committed the  
17 crime?

18 A Yes.

19 Q Do you follow?

00:45 20 A Yes.

21 Q As a fourth factor, and I think you saw this as  
22 significant -- and it's sort of interesting that  
23 you did but you made this clear both in 1980 and  
24 in 1990 -- was the fact that David was claiming  
00:46 25 his innocence for all of those years, you thought



1 that was a significant factor; is that right?

2 A Yes.

3 Q In your belief that, therefore, that was good  
4 reason to think he hadn't committed the crime and  
00:46 5 that Larry Fisher had?

6 A Yes.

7 Q Uh-huh. And of course the sincerity of his mum, I  
8 would imagine, had a -- played a role in your  
9 thinking; did it?

00:46 10 A I think so.

11 Q Yes. I mean you -- she impressed you?

12 A Yes.

13 Q Just as you impressed her. All right.

14 A (Laughs)

00:46 15 Q A fifth factor that I am going to suggest played  
16 in your mind as to why you thought your husband  
17 had committed the crime was that when you spoke to  
18 Williams March 24th of 1990 you knew that your  
19 ex-husband and Gail Miller had taken, or used to  
00:47 20 take, the same bus to work in the morning. All  
21 right?

22 A Yes.

23 Q And if we go to a few of the things that you  
24 talked about with Joyce during the March 9th  
00:47 25 meeting with her, March 9th of 1990, so working



1 within 076271, going to 274 first of all, please.  
2 Thank you. You have here, at the bottom of that  
3 page, Paul Henderson asks, 'What time would he  
4 have started, I mean what time would Larry have  
00:47 5 started work', Joyce, 'He usually left about 6:00  
6 something, didn't he, to go to work', and then you  
7 said, 'Well as far as I know, like my uncle told  
8 him that him and that woman' -- and 'that woman'  
9 would be Gail Miller, I don't think you were  
00:48 10 saying that in a derogatory way?

11 A No.

12 Q You had no reason to.

13 A No.

14 Q 'But him and that woman took the same', Joyce,  
00:48 15 'Bus', Linda, 'Bus time. So it must have been  
16 about 7:00'. Over the page. 'Okay, about 7:00 he  
17 would have normally been', and then we come back  
18 to, 'Where was Larry working at the time'.

19 And then if we move to 285  
00:48 20 within the same bundle, and we come down again to  
21 the bottom of the page here, 'You see' -- Linda  
22 speaking, 'You see Larry wouldn't have had a car  
23 if he did this. He would have got on the bus with  
24 her', Joyce, 'Okay', 'And got off with her or  
00:48 25 followed her when she got off the bus. Because



1 Larry took the bus to work'.

2 I think the conversation is then  
3 interrupted by a phone call. Yes. So that part  
4 of the conversation ends there.

00:46 5 And then at 306 in the same  
6 bundle, you come back to it again, you say, Linda,  
7 'well, he, she, she took the bus to St. Paul's, we  
8 lived on Avenue O, so he'd get on with her for a  
9 ways, I guess until she got off at the hospital?'

00:46 10 Paul Henderson, 'how far ... who would have  
11 gotten on first?' Linda, 'Larry. Oh she would  
12 have got on first.' 'And then Larry would get  
13 on.' Linda, 'and Larry would have got on. And  
14 then she would have got off but Larry had to go  
00:46 15 back downtown, cause, if he was working by the  
16 bridge. But he never worked that way anyway.'  
17 And then Joyce pointed out, 'but this happened  
18 before she got to the bus.' And you, 'where did  
19 she live?' 'She lived on Avenue O.' 'Oh, she  
00:46 20 lived on Avenue O South?' Joyce, 'she lived on  
21 the other side of the avenue,' and then she shows  
22 you a map obviously, 'here's your avenue. Here's  
23 where Cadrain's lived.'

24 Actually, this may be where you  
00:47 25 are driving around, I'm not quite sure if this is



1 the day you are driving around or if she's  
2 showing you a map, 'here's where Cadrain's lived  
3 ... here's the church, St. Mary's Church, you  
4 know that,' and you said 'ya.'

00:47 5 So the bus link you had already  
6 made it seems, when we read those passages,  
7 before March 9th when Joyce came to speak to you;  
8 is that right?

9 A Yes.

00:47 10 Q And it had been made through your uncle I think  
11 you said?

12 A Yes.

13 Q Right. And it was reinforced by what Joyce and  
14 Paul Henderson told you?

00:47 15 A Yes.

16 Q And it would seem, at least from a logical point  
17 of view, you had been acting under the  
18 misapprehension that your husband had followed her  
19 onto the bus and then raped and murdered her after  
00:47 20 she got off?

21 A Yes.

22 Q And Joyce quite rightly pointed out to you that  
23 no, that wasn't the scenario, clearly your husband  
24 had apprehended her before she got to the bus?

00:48 25 A Yes.



1 Q Do you follow? And then you found out, as further  
2 information, exactly where Gail had lived in  
3 relation to you?

4 A Yes.

00:48 5 Q Had you known she lived nearby as opposed to --

6 A I think in our area. I knew the kids from the  
7 school across had found -- found her, so I knew it  
8 was in our area.

9 Q Found the body you mean?

00:48 10 A Yeah.

11 Q Yes.

12 A But I didn't know where exactly, no.

13 Q Okay, all right. And as re-enforcement of your  
14 belief that your ex-husband had murdered Gail  
00:48 15 Miller, not only was the fact that they took the  
16 same bus, but you also knew that that matched his  
17 method of operation; did you not?

18 A Yes.

19 Q Because of the letter he had written you?

00:48 20 A That's right.

21 Q All right. And if we go to the letter quickly,  
22 you'll see that, 020175, moving to 177, and at the  
23 bottom, and it's not the first time we've been to  
24 this, we looked at it in fact late yesterday,  
00:49 25 that's where he tells you:



1 "I went down to the bar that night and  
2 you were in --"

3 Is that New Brunswick?

4 A North Battleford.

00:49 5 Q North Battleford, okay.

6 "-- and I took the pill before I went  
7 downtown. I wasn't --

8 A Cheating on you.

9 Q "-- cheating on you either."

00:49 10 It's an interesting way of putting it when he  
11 then describes how he did a rape.

12 "I was in the Baldwin and had a few beer  
13 and that is when I started to get the  
14 pain in my head but after that I  
00:49 15 couldn't control myself and then I got  
16 on the bus but I don't know what for and  
17 then I got off the bus and at the same  
18 time a girl got off and that's when it  
19 all happened. I grabbed her just like  
00:49 20 you told me in the visiting room and  
21 then you should be able to figure it out  
22 from there. The others were all the  
23 same except for one which I slapped her  
24 and took \$15.00 from her and that's the  
00:50 25 robbery with violence charge that I got



1                   against me. It happened the same way  
2                   again except that it was just an assault  
3                   charge. After this happened I wanted to  
4                   tell you but with the trouble Cliff and  
00:50 5                   I were getting into I didn't think you'd  
6                   be able to take it."

7                   Etcetera, etcetera. So he's told you there,  
8                   whether true or false, that each and every rape  
9                   that he's been convicted of involved following a  
00:50 10                  woman on a bus?

11           A           Yes.

12           Q           Right?

13           A           Yes.

14           Q           So it's not surprising from that that you  
00:50 15                  concluded that that's what he had likely done with  
16                  Gail Miller, he had got on the bus with her and  
17                  then followed her off it?

18           A           Yes.

19           Q           All right. And then Joyce points out to you that  
00:50 20                  that doesn't make any sense in the circumstances.  
21                  Do you follow?

22           A           Well, maybe she was coming out as he was coming  
23                  down because they both lived on Avenue O.

24           Q           No doubt that's exactly what happened, or he was  
00:51 25                  waiting for her because he knew that she used that



1 bus of course?

2 A Yes.

3 Q Because he saw her every morning when he took the  
4 bus; right?

00:51 5 A That's right.

6 Q And then you referred to this during your meeting  
7 on March 9th with Joyce and Paul Henderson. Go  
8 back to 076271, go to 300 within that bundle, and  
9 you see it down here, you said, 'and I don't think  
00:51 10 he would tell me anything anyway, you know.' So  
11 stopping there just for a moment, his denial of  
12 Gail Miller's murder didn't really mean much to  
13 you; is that fair?

14 A No.

00:51 15 Q No. I mean, this wasn't the most believable chap  
16 in the world you had now discovered?

17 A Yes.

18 Q He lived a secret life from you?

19 A That's right.

00:51 20 Q It must have been a very creepy feeling for you?

21 A It was a shock. I think everybody was shocked  
22 that knew him.

23 Q No one had seen anything?

24 A (Shakes head) No.

00:52 25 Q 'And I don't think that he would tell me anything



1            anyway, you know. Because all these years the  
2            only he explained to me like... when he first went  
3            in the only he explained is why like, why did you  
4            do that? How could anybody do that? He explained  
00:52 5            it by he's on the bus this girl was in front of  
6            him and he says he got a pain in his head. She  
7            left the bus. He left the bus. And he did, he  
8            doesn't remember anything until after and after it  
9            was all over he knew what he did.'

00:52 10                            So you are clearly there  
11            referring maybe to the letter and conversation  
12            with him?

13            A            Yes.

14            Q            Did he repeat that whole scenario to you in some  
00:52 15            of the meetings that you had with him in the  
16            prison?

17            A            Yes.

18            Q            Okay, fair enough. The next factor, and I think  
19            it's number 6, I'm not sure if I've kept the  
00:53 20            numbers up very well, that made you think that  
21            your ex-husband had murdered Gail Miller, was you  
22            knew, and we've sort of been through it, I think  
23            we just went through it a few minutes ago, you  
24            knew how close Gail Miller lived to you now, you  
00:53 25            knew where she lived, and it was easy to imagine



1           then how your ex-husband had preyed upon her and  
2           waited for her on the morning of January 31st,  
3           1969 to -- I'm sorry, that's mine, I didn't turn  
4           it off. Sorry, I could have sworn I turned that  
00:53 5           off this morning.

6                        Anyway, how he had, it was easy  
7           for you to imagine how he had preyed on her and  
8           waited for her on the morning of January 31st and  
9           grabbed her as she walked, as she always did, to  
00:54 10          the bus in the morning; right? Is that fair?

11        A           Yes.

12        Q           The next factor, number 7, is you knew, or you had  
13          been informed, you had been told by Mr. Pambrun of  
14          the morning that Larry Fisher had come and burned  
00:54 15          the work boots; is that right?

16        A           Yes.

17        Q           And that would be a factor in your belief that he  
18          was the one who killed Gail Miller?

19        A           Yes.

00:54 20        Q           Okay. The eighth factor in my list was his  
21          failure to go to work that morning; is that right?

22        A           Yes.

23        Q           This was someone you had referred to, as we heard,  
24          as a workaholic?

00:55 25        A           Yes.



1 Q Someone who didn't miss work?

2 A That's correct.

3 Q And when you had confronted him that morning about  
4 his failure to go to work, he had never said to  
00:55 5 you, well, I did go to work?

6 A No.

7 Q And then there was no work to do because it was  
8 too cold so I came home. Is that right?

9 A That's right.

00:55 10 Q Which one might have imagined he would have said  
11 if he had indeed gone to work, but he never said  
12 anything of the sort?

13 A Not that I remember, no.

14 Q I'm sorry?

00:55 15 A Not that I remember.

16 Q Well, in fact he tried to justify you his failure  
17 to go to work, he said he had problems with his  
18 hands?

19 A Oh, yes.

00:56 20 Q You remember?

21 A Yes.

22 Q And you summarize that very nicely during your  
23 cross-examination at your ex-husband's trial. If  
24 we can go to 312187 and go to 208 in the midst of  
00:56 25 that bundle, please. This is how you put it



1 during Mr. Beresh's cross-examination of you at  
2 Larry Fisher's trial. You said:

3 "A I accused him of not going to work.  
4 Everybody else went to work. I told  
00:56 5 him, "Everybody else has gone to work,  
6 why aren't you working? If you can stay  
7 out all night drinking, you can go to  
8 work."

9 And then he had an excuse of why he didn't go to  
00:56 10 work. "His hand or something." And then  
11 Mr. Beresh tries to suggest to you that that was  
12 on Saturday and not on the Friday, and then you  
13 said, then he asked you, then you said he had to  
14 go to work that day.

00:57 15 "Q When you spoke to him, isn't it correct  
16 that he replied to you --

17 A That he was going to see the doctor."  
18 And do you remember being asked those questions  
19 and giving those answers?

00:57 20 A Yes.

21 Q And your answers were true?

22 A Yes.

23 Q And once more, moving off a little bit of a  
24 tangent, Ms. Fisher, I just want to bring to your  
00:57 25 attention something that suggests that what he



1           said about his hand is really quite interesting in  
2           light of the subsequent DNA results that were  
3           produced many, many years later, because many  
4           years later for the first time the gloves of Gail  
00:57 5           Miller were examined by forensic experts.

6                           If we could go to 088019, and  
7           I'm really putting, giving you this as a way of  
8           making you feel better about your memory, because  
9           it really fits your memory, the DNA testing that  
00:58 10           eventually happened, and if we could go to 027 in  
11           there, please. Sorry, could we go to -- go to 20.  
12           I just want to get a date from the document first.  
13           This is a document produced by the RCMP lab in  
14           Ottawa by a scientist called Anne-Elizabeth  
00:58 15           Charland, and she produced this document, if we go  
16           to the next page, please, on the 17th of November  
17           of 1997, which is after the original DNA results  
18           had come back from England, all right. It's about  
19           two -- sorry, it's about four months later. If we  
00:58 20           can then move to 27, page 27, you will see the  
21           items P27 and P28 here were two gloves seized from  
22           the scene of Gail Miller's body. On P27 there was  
23           no blood found, on P28 they found material  
24           indicative of blood on Gail Miller's glove. Do  
00:59 25           you see that?



1 A Yes.

2 Q That glove was then subjected to DNA examination  
3 by the same laboratory and the same scientist. At  
4 289938, if we could move to 289938, you'll see  
00:59 5 that she's produced a report dated January 13th of  
6 1998, a couple of months later, you see that, and  
7 if we then move one page over, you'll see item 4,  
8 the result that she has come up with:

9 "The DNA typing profile obtained from  
01:00 10 item P28 --"

11 That was one of the gloves; remember?

12 A Uh-huh.

13 Q "-- (material indicative of blood from  
14 glove-scene) is that of a mixed sample  
01:00 15 consistent with having originated from a  
16 donors of the known samples items P15  
17 (known hair-Miller) and 01-CA (known  
18 blood-Fisher)."

19 So what we've discovered, what we discover then  
01:00 20 from this, and we've now moved on many years from  
21 your original statement to the Saskatoon police  
22 and then from your Williams' interview, is that  
23 your memory of Larry Fisher telling you he had  
24 problems with his hands that morning seems to fit  
01:00 25 pretty well the DNA results if we were to assume,



1 which is not an unreasonable assumption, that his  
2 hands came into contact with Gail Miller's gloves  
3 in the midst of the rape. Do you see the point?

4 A Yes.

01:01 5 Q And just to make you feel even more comfortable,  
6 you should know that the DNA results were a match  
7 to the extent that it could be said that only one  
8 in 950 trillion people could have had that DNA  
9 type. I said trillion, not billion, so that's a  
01:01 10 pretty discerning result you might say. Do you  
11 follow?

12 A Yes.

13 Q If we now get back, I think I've now gone through  
14 eight items that have caused you to believe that  
01:01 15 Larry was the perpetrator of Gail's murder, item 9  
16 is you found out on March 10th, which is the day  
17 after you first met Joyce, that your ex-husband  
18 had lied to the police at the bus stop. Do you  
19 remember that?

01:02 20 A Yes.

21 Q And he had lied to them because he had told them  
22 he had gone to work that morning?

23 A Yes.

24 Q And you knew that was false?

01:02 25 A Yes.



1 Q And of course you knew that then by the time you  
2 spoke to Mr. Williams, March 24th?

3 A Yes.

4 Q And I guess something else that you might have  
01:02 5 taken into account is Larry had never told you  
6 that the police had spoken to him at the bus stop  
7 about Gail's murder; is that right?

8 A Well, I didn't remember if he did or not.

9 Q I'm sorry, I don't hear you.

01:02 10 A I didn't remember that -- if he did or not. He  
11 could have, I just didn't --

12 Q Fair enough. Then that wouldn't have been a  
13 factor to play a role in your mind, but certainly  
14 when you spoke to Joyce March 10th, and this is at  
01:02 15 062143, you made it clear that you thought this  
16 was a very significant factor in your mind because  
17 you said -- and we could have solved the case much  
18 quicker if, from what you say here:

19 "If I had been aware that Larry was  
01:03 20 claiming to the police or anyone to have  
21 gone to work on the morning of January  
22 31, I would have been quite suspicious  
23 of his motive for lying. In view of the  
24 murder that occurred on that date, it is  
01:03 25 likely that I would have felt compelled



1 to contact the police."

2 If you look at it in a slightly different light,  
3 if you had found out in 1980, if the police had  
4 told you, if they had come back to you after you  
01:03 5 had gone to them and done some adequate research  
6 and discovered this fact and then put it to you,  
7 your suspicions would have been raised in the way  
8 you describe here in 1980; fair?

9 A Yes.

01:03 10 Q Uh-huh. The 10th matter which may have played a  
11 role in you thinking that Larry had committed the  
12 crime was you knew that if the crime had involved  
13 the use of a vehicle, which seems not unlikely  
14 given the temperature that morning; right?

01:04 15 A I still don't think there was a vehicle.

16 Q You don't, all right, because I was going to  
17 suggest to you that you knew he had access to a  
18 car and the fact that he never had a driver's  
19 license didn't stop him driving.

01:04 20 A Yes.

21 Q But it didn't play a big role in your mind is what  
22 you are saying simply because you think he did it  
23 without a car?

24 A Yes.

01:04 25 Q Okay. All right. So I'll take that out as 10 and



1 we'll move to a new 10. That when you saw him on  
2 the Friday morning he was in one of the two sets  
3 of smart clothes that he had?

4 A Yes.

01:04 5 Q And even if for a moment we go to Mr. Williams'  
6 rather interesting proposition that maybe he had  
7 gone to work and come back to work -- right, you  
8 remember?

9 A Yes.

01:04 10 Q One of the possibilities that he enjoyed putting  
11 to you -- would you have expected him, if he had  
12 come back on a Friday morning, to put on his  
13 evening clothes, one of his smart sets of clothes?

14 A No. I would expect him to have his work clothes  
01:05 15 on if he was going to work.

16 Q Right. In fact, Justice Cory in the Supreme Court  
17 of Canada questioned you about this very issue,  
18 quite perceptively, if you look at 043509 and go  
19 to 572 within the bundle, you'll see here, and  
01:05 20 this is one of the judges you were in front of on  
21 that, I imagine, rather frightening day in the  
22 Supreme Court of Canada in Ottawa. Do you  
23 remember the day?

24 A Yes.

01:05 25 Q Yes. And Justice Cory says:



1 "CORY, J.: Mrs. Fisher, the morning of  
2 the argument when you saw Larry, is that  
3 what he had his dress clothes on that  
4 you HAVE described for us?"

01:05 5 And you said yes.

6 "CORY, J.: And those were the clothes  
7 that he wore when he was going out at  
8 night?"

9 And you say:

01:05 10 "THE WITNESS: Yes. They weren't his  
11 work clothes, like his work clothes.

12 CORY, J.: They were his dress clothes?

13 THE WITNESS: Dress clothes, yes.

14 CORY, J.: Was that what he was wearing  
01:06 15 the night before when you last saw him?

16 THE WITNESS: I don't even know if he  
17 came home for supper after work; like,  
18 he might have been wearing his work  
19 clothes that night. It wasn't the

01:06 20 clothes he went to work in the day

21 before, but I don't know for sure if he  
22 came home for supper at all or if he  
23 came home and changed somehow. If I was  
24 gone and he came home and changed, I

01:06 25 really don't know."



1 And then Justice Cory says:

2 "CORY, J.: Would these be the clothes  
3 that he would wear when he went out?

4 THE WITNESS: Yes.

01:06 5 CORY, J.: And that's what he would wear  
6 on a Friday night, the drinking night?

7 THE WITNESS: Yes."

8 Do you remember those questions and answers?

9 A Yes.

01:06 10 Q And, I mean, Justice Cory there has hit on an  
11 important point, that he was wearing his evening  
12 clothes in the middle of the morning.

13 A Yes.

14 Q Right? And that's a factor that was very  
01:06 15 significant to you in saying to yourself what on  
16 earth was he doing with his dress clothes on in  
17 the middle of the morning on a Friday, whether he  
18 went to work or not; right?

19 A Well, it would be obvious he's not going to work  
01:07 20 if he wore those clothes because he didn't wear  
21 those clothes to work.

22 Q And beyond that, even if he had gone to work and  
23 come back, he wouldn't have changed into his dress  
24 clothes on a Friday morning, he would have  
01:07 25 presumably kept his work clothes on?



1 A Yeah, he would wear them through the day for the  
2 weekend. They weren't really -- I mean, they were  
3 just everyday dress clothes, but not work clothes,  
4 you know.

01:07 5 Q Okay. Another factor, I don't know if it played a  
6 role in your mind or not, and this would be number  
7 11, was that when you saw him on the Friday  
8 morning he had just showered; right?

9 A Yes.

01:07 10 Q Which of course doesn't take a great leap to say  
11 to yourself, well, maybe the reason he showered is  
12 because he had someone else's blood on him?

13 A I didn't think of it at the time. I probably  
14 thought he must have been running around and had  
01:08 15 to quickly shower.

16 Q But I'm focused on what's in your mind in 1990,  
17 March of 1990, that's what I'm interested in. By  
18 March of 1990 that thought has presumably occurred  
19 to you?

01:08 20 A Oh, yes.

21 Q Yes, I'm sure. And you told the Supreme Court of  
22 Canada about how his hair was wet. Do you  
23 remember that?

24 A (Nods head)

01:08 25 Q If we go back to where we just were and look at



1 516, you said:

2 "A He had his dress clothes only. He was  
3 just cleaned up and his hair was just  
4 freshly washed."

01:08 5 So you had a distinct impression that he had new,  
6 he had just -- I mean, your feeling was then that  
7 he had just had a shower and he had just put on a  
8 new set of clothes; is that right?

9 A Yes.

01:09 10 Q And there's a good reason for doing that if you've  
11 got blood on the old set?

12 A Yes.

13 Q Because everyone kept making the point with you,  
14 at least from the authority side, that you never  
01:09 15 saw blood on his clothes; right?

16 A That's right.

17 Q But it would seem reasonable to suppose, and you  
18 would have thought they might have worked that out  
19 for themselves, that from your description of  
01:09 20 Friday morning, by the time you get to see him he  
21 hasn't got those clothes any more around, he's  
22 likely -- he's got rid of the blood on himself and  
23 one might infer that he's not going to leave  
24 clothes around with blood on them for you to see;  
01:09 25 right?



1 A Yes.

2 Q So in a way, the fact that you didn't find any  
3 bloody clothes really wasn't a factor at all in  
4 deciding that he wasn't the one to have committed  
01:09 5 the murder was it?

6 A No.

7 Q Mr. Williams, as we'll see, played on that in the  
8 course of his interview with you. And then at 579  
9 of the same bundle we see here Justice Sopinka  
01:10 10 asks you a question and then you say -- he asks  
11 you:

12 "SOPINKA, J.: So when you found him in  
13 the morning with his Sunday,  
14 go-to-meeting clothes, you assumed that  
01:10 15 he had been out the night before in his  
16 good clothes. Is that correct?"

17 And you said:

18 "THE WITNESS: No, because he had just  
19 changed. He had just washed and  
01:10 20 changed. His hair was still wet. He  
21 was just cleaned up."

22 Do you remember saying that?

23 A Yes.

24 Q And then you said at the trial of Mr. Fisher,  
01:10 25 312090, moving to 098, and now we've moved into



1 '99, this being '92 in the Supreme Court of  
2 Canada, in '99 you are saying at Mr. Fisher's  
3 trial, you were asked:

4 "Q -- now, if I understood you, you said he  
01:11 5 was wearing dress clothes?

6 A Yes, he was.

7 Q What kind of clothes do you mean by your  
8 expression "dress clothes"?

9 A Well, he had his multicolour pants and  
01:11 10 shirt on, and his hair was wet, he had  
11 just taken a shower."

12 Do you remember saying that?

13 A Yes.

14 Q And that was true?

01:11 15 A Yes.

16 Q All of those facts then in your mind and all those  
17 observations made by you that morning in your mind  
18 being indicative of Larry Fisher having just  
19 murdered Gail Miller?

01:11 20 A Part of it, yes.

21 Q Part of it.

22 COMMISSIONER MacCALLUM: What morning?

23 MR. LOCKYER: When she saw him on the  
24 morning of January 31st, 1969.

01:11 25 COMMISSIONER MacCALLUM: No, she just said



1           that -- told her -- that he probably was out  
2           running around, that's what she thought in 1969.

3           BY MR. LOCKYER:

4           Q       No, no. Sorry, you are misunderstanding me. By  
01:11 5           the time of March, 1990, when you have your  
6           interview with Williams, reflecting back on what  
7           you saw on January 31st of 1969, you have come to  
8           the realization that what you had just seen was  
9           Larry Fisher having a shower and changing his  
01:12 10          clothes after he had murdered Gail Miller; right?

11          A       Yes.

12          Q       Because all these questions are focused on what's  
13          in your mind when you come to meet Eugene  
14          Williams?

01:15 15          A       Yes, that had come -- that day, that wasn't in my  
16          mind.

17          Q       I know that. Item 12, you knew when you came to  
18          talk to Williams on March the 24th of 1990, that  
19          your ex-husband's wallet had been found outside by  
01:15 20          a couple of girls, is that right, as I recall a  
21          couple of children I think?

22          A       Yes, yeah.

23          Q       Yeah, and that raised your suspicions?

24          A       Yes.

01:16 25          Q       And being why would you drop a wallet in the snow,



1 so to speak, right?

2 A At some point I already knew that Gail Miller's  
3 wallet had been found near --

4 Q As well?

01:16 5 A Along that street, yeah.

6 Q Yes.

7 A And then his, too, so --

8 Q Okay. So that really multiplied your suspicions?

9 A Yes.

01:16 10 Q And, further, that he hadn't told you that he had  
11 lost his wallet?

12 A Yes.

13 Q First you knew is when it was recovered; is that  
14 all right?

01:16 15 A Yes.

16 Q And that must have seemed a bit strange to you?

17 A Yeah. I asked him.

18 Q And did he have an explanation for it or did he  
19 just say that --

01:16 20 A He said he didn't know.

21 Q Pardon?

22 A He said he didn't know.

23 Q He didn't know he had lost it?

24 A Yeah.

01:16 25 Q And item 13, you knew by the time you spoke to



1 Mr. Williams in March of 1990 that Gail Miller was  
2 a nurse. Had you known that some of your  
3 ex-husband's other victims had been nurses as  
4 well, or at least associated with hospitals?

01:17 5 A When I talked to Mr. Williams? Yes.

6 Q You did know that already?

7 A Yes.

8 Q Is that a factor that played a role in your belief  
9 that he had committed the crime?

01:17 10 A Umm, I -- maybe a little, not --

11 Q Okay.

12 A Nothing --

13 Q Okay. And then, finally, item 14 was the way that  
14 he had reacted on January the 31st to your  
01:17 15 accusation?

16 A Yes.

17 Q A reaction that was not symptomatic of the man you  
18 knew, instead of denying it and being very angry  
19 that you would ever accuse him of any such thing,  
01:17 20 instead he just went very quiet; is that right?

21 A Yes.

22 Q At the time you interpreted it, that is back on  
23 January 31st, 1969, you interpreted that one way,  
24 but by the time we had got to March of 1990, and  
01:18 25 indeed long before that, you had come to interpret



1           it another way?

2       A       Yes.

3       Q       Is that right?

4       A       Yes, uh-huh.

01:18 5       Q       Because this was a man who, if nothing else, was  
6           argumentative when the occasion arose; is that  
7           right?

8       A       Yes.

9       Q       Uh-huh. So from all of that what I have tried to  
01:18 10       do there, then, is set the scene as best I can for  
11       your state of mind when you then come to be  
12       questioned by Mr. Williams on March the 24th of  
13       1990. And he, at least as best I can tell, would  
14       have known virtually all of these factors that  
01:18 15       were preying on your mind and caused you to  
16       believe that Larry was the one who had murdered  
17       Gail Miller; you follow?

18       A       Yes.

19       Q       Mr. Commissioner, this, I know it's a bit early,  
01:18 20       but this is a very good place to break, it just  
21       fits perfectly. All right? Thank you.

22                    (*Adjourned at 10:19 a.m.*)

23                    (*Reconvened at 10:32 a.m.*)

24       BY MR. LOCKYER:

01:32 25       Q       So what I have been trying to do is set the stage,



1 Mrs. Fisher, for -- sorry, what name do you go by,  
2 I'm sorry, that's --

3 A Linda.

4 Q -- Linda, okay, that's fine -- Linda, is try and  
01:32 5 set the stage for your appearing in the North  
6 Battleford police station to be questioned by Mr.  
7 Williams with Sergeant Pearson certainly in  
8 attendance for part of it, we found out yesterday,  
9 and I suspect for all of it. All right?

01:32 10 A Yes.

11 Q Umm, and I want to start right at the end of that  
12 cross-examination of you. If we go to, it's  
13 within 063204, if we go to 256 in there please.  
14 I'm going to read to you, you literally, your last  
01:33 15 statement, really, that you made on March the 24th  
16 of 1990 after Mr. Williams had questioned you.  
17 Back a page, sorry, my mistake, 55. This is what  
18 you said. Mr. Williams says.

19 "Q ... I trust that our questions weren't  
01:33 20 too much of an ordeal."

21 Notice 'our questions', so he is identifying  
22 himself with Sergeant Pearson of the RCMP, all  
23 right?

24 A Yes.

01:33 25 Q And you said:



1 "A No. I don't know. I kind of look at it  
2 different now. I don't know. I don't  
3 know.

4 Q Is there something you wish to add?

01:33 5 A No. I don't."

6 And what you are really saying there is that's a  
7 reflection of what you talked about yesterday,  
8 how at the end of this cross-examination I think  
9 you said yesterday you felt relieved, at the end  
01:34 10 of the interview, that maybe your ex-husband had  
11 not killed Gail Miller; is that right?

12 A Yes.

13 Q That's what you meant there?

14 A Yes.

01:34 15 Q "I don't know. I don't know",  
16 you said it three times:

17 "I kind of look at it different now."

18 Do you see that?

19 A Yes.

01:34 20 Q I want to explore how it is in the matter of, I  
21 don't know, an hour -- I think we'll see when it  
22 started, it ended at 3:33 -- how it is that in  
23 that short a space of time Mr. Williams, who is  
24 supposedly conducting a non-adversarial process at  
01:34 25 this time, has managed to change what has really



1           been 20 years of thinking on your part, for you to  
2           now suddenly begin to wonder about something  
3           you've become so certain of. All right?

4           A        Yes.

01:34 5           Q        And you remember yesterday, as well, you said that  
6           after you left, I guess, the North Battleford  
7           police station -- you didn't actually say that --  
8           but after you left the police station your mind  
9           quickly went back to where it had been before; is  
10          that right?

11          A        Yes.

12          Q        Yes. So if we go to the beginning of this, it  
13          begins at 211 where Mr. Williams embarks upon his  
14          questioning of you, and do we have a time? Could  
01:35 15          we go back a page, I don't think it's going to  
16          help us, but let's try one more page back. No.  
17          Okay. We don't know what time, we don't know what  
18          time his questioning of you began, we only know  
19          what time it ended. But, reading it, I would  
01:35 20          reckon an hour, maybe an hour and 15 minutes,  
21          something like that. It wasn't very long. Mr.  
22          Williams, certainly I'm going to suggest, had an  
23          agenda in this questioning, he met his agenda, and  
24          ended the questioning, that's what I am going to  
01:35 25          be suggesting at the end of this. All right?



1 A Yes.

2 Q All right. It began with an introduction of you  
3 and he, and then he spent some time questioning  
4 you about -- and I'm not going to take you through  
01:36 5 it -- but he spent, really, the first ten pages by  
6 way of introduction and by way of questioning your  
7 sobriety when you went in to see the Saskatoon  
8 Police on August the 28th of 1980; do you remember  
9 that?

01:36 10 A Yes.

11 Q This despite the fact that certainly Wagner seemed  
12 to find you, he said that you had been drinking  
13 but you were sober, and he didn't say credible, I  
14 forget the exact word he used, but he clearly did  
01:36 15 find you credible; remember that?

16 A Yes.

17 Q Nevertheless, Mr. Williams focused on your  
18 sobriety or lack of sobriety, asking you how much  
19 you'd had to drink before you'd gone in. I'm not  
01:36 20 sure what it had to do with anything but that's  
21 what he did; all right?

22 A Yes.

23 Q And then he asks you at 221, after going through  
24 your drinking on August 28th of 1980, at 221 he  
01:37 25 comes to showing you a photocopy of what you had



1 told the Saskatoon Police on August the 28th of  
2 1980; remember the handwritten document that you  
3 had signed?

4 A Yes.

01:37 5 Q And I think you said yesterday, correct me if I'm  
6 wrong, that's the first time you'd seen it in ten  
7 years, slightly less than ten years, 9 1/2 years?

8 A When I seen it here?

9 Q Yes.

01:37 10 A Yes.

11 Q He didn't show it to you beforehand, before he  
12 started questioning you, he just thrust it in  
13 front of you in the North Battleford police  
14 station in the middle of a cross-examination of  
01:37 15 you; is that right?

16 A I can't even remember.

17 Q And as far as you know at this point in time Joyce  
18 Milgaard hadn't got this document, had she, as far  
19 as you know?

01:37 20 A Umm, I don't think so.

21 Q Uh-huh. So you're having to react to it in the  
22 presence of Williams, Pearson, the court reporter  
23 who's transcribing this in the North Battleford  
24 police station on the afternoon of March 24th,  
01:38 25 1990, is that right, no time to contemplate it, no



1 time to read it carefully beforehand?

2 A You know, I can't remember if I had it beforehand  
3 or not.

4 Q Well when you look at it he says:

01:38 5 "Q Producing and showing to you a photocopy  
6 of a three-page document. It's dated  
7 August 28th, 1980. At the bottom  
8 right-hand corner there appears a  
9 signature. I would turn your attention  
01:38 10 to the third page and see whether or not  
11 you recognize that photostat of a  
12 signature?

13 A Yeah, that's mine.

14 Q The second page?

01:38 15 A Looks like mine. And that is mine.

16 Q All right. I'd ask you, if you don't  
17 mind, to take a minute and read the  
18 statement and tell me whether or not  
19 this is the statement you gave to the  
01:38 20 Saskatoon Police on that date?"

21 Certainly, the way it's presented to you, it's as  
22 if you haven't seen it before?

23 A Umm, --

24 Q You don't remember?

01:39 25 A -- it's sounds, yeah, that's the first time I seen



1 it.

2 Q Yes. In any event, having had you read it, he  
3 then questions you -- and this is at 224 -- about  
4 the knife that you say had disappeared that  
01:39 5 morning from your home, or that you -- that had  
6 disappeared, I shouldn't say "that you say", that  
7 had disappeared from your home that morning; all  
8 right?

9 A Yes.

01:39 10 Q And has you describe it, the four-inch blade, the  
11 wooden handle, the brown handle, the handle  
12 riveted to the blade, that the blade was straight  
13 and not jagged, that all happens starting on --  
14 around here, at the bottom of 224, over the next  
01:39 15 couple of pages. If we just flick through the  
16 page, go to the next page quickly, I'm not going  
17 to read it but you will see how he is talking  
18 about the handle and the rivets and everything  
19 else, which later turns into "therefore, because  
01:39 20 of that description, it couldn't be the knife  
21 found under Gail Miller's body"; remember that?

22 A Yes.

23 Q And he, that's when he shows you the picture that,  
24 or the photostat of the photograph that we talked  
01:40 25 about yesterday; remember?



1 A Yes.

2 Q And then he says -- and this is at 223, if we  
3 could go there please -- he says to you, and this  
4 is really where the interview becomes particularly  
01:40 5 interesting, he says -- sorry, 233, starting here,  
6 he says:

7 "Can you examine Exhibit 1 ...",  
8 and I should tell you Exhibit 1 is your August  
9 28th statement, all right, that's -- just for the  
01:40 10 record, has been established at, hmm, sorry, a  
11 few pages earlier, at 223. Sorry, you could just  
12 go to 223. Sorry, you had it right. 223 you  
13 will see:

14 "Statement of Linda Fisher given to  
01:41 15 Saskatoon Police".

16 That would be August 28th, 1980. Move back to  
17 233, and we come to Mr. Williams' reference to  
18 this:

19 "Can you examine Exhibit 1 ...",  
01:41 20 that is your statement:

21 "... and indicate to me the page of  
22 reasons or point out to me the reasons  
23 why you thought that Milgaard ...",  
24 Milgaard doesn't have the benefit of the title  
01:41 25 Mr. Milgaard, but:



1                                    "... Milgaard was innocent?"

2                                    And you say:

3                                    "A    Because my knife was missing and Larry  
4                                    was home.    He was charged with rapes."

01:42 5                                    Mr. Williams doesn't seem satisfied with this  
6                                    answer, he says:

7                                    "Q    Well, yes, I just want you to identify  
8                                    to me those portions of the statement  
9                                    which list the reasons why you thought  
01:42 10                                    Milgaard was innocent?"

11                                    Now that's a pretty, just reflect for a moment,  
12                                    that's a pretty tall order.    First of all, the  
13                                    statement doesn't begin to list all the reasons  
14                                    why you think Milgaard is innocent, which is  
01:42 15                                    another way of saying Larry Fisher is guilty;  
16                                    does it?    Your August 28th statement, you don't  
17                                    actually even say in your August 28th statement  
18                                    that Larry hadn't gone to work that morning,  
19                                    that's not even in your August 28th statement?

01:42 20                                    A                                    No.

21                                    Q                                    So to focus on your August 28th statement is an  
22                                    interesting thing to do because it's a minimal  
23                                    statement.    If you go through the, for example if  
24                                    you go through the, what we came up with, the 14  
01:42 25                                    reasons why you think Larry committed the crime



1 before you walk into this interview, the statement  
2 that you gave on August the 28th, which Mr.  
3 Williams has decided to focus you on, only  
4 contains two of them; right?

01:43 5 A Yes.

6 Q But, anyway, that's what he has done, he has  
7 focused you on the statement that you gave for  
8 some reason, and he is obviously particularly keen  
9 on doing that, and the focus is on why you thought  
01:43 10 Milgaard was innocent; you see that? That's the  
11 way he's asked it.

12 A Yes.

13 Q All right. So that's become the focus of this  
14 interview. All right. And then he asks you to  
01:43 15 actually mark on that statement the points that  
16 make you think Milgaard is innocent. You see  
17 that? That's at line 22. See that?

18 A Yes.

19 Q And then, over the page, he says:

01:43 20 "Q Well, to where you think you've ended  
21 it."

22 In other words, mark it for the reasons to where  
23 it ends, the reasons. And then says:

24 "Okay. In relation to Exhibit 1 ..."

01:44 25 And, remember, he has in his possession by this



1 time the -- I think I'm right in saying this,  
2 yes, I am right in saying this -- he has in  
3 possession by now the affidavit that you had  
4 given on March 9th to Joyce Milgaard and Paul  
01:44 5 Henderson, but he's decided to focus -- which is  
6 far more detailed and far more all-encompassing  
7 of the many reasons that you think Larry Fisher  
8 killed Gail Miller -- but he's focused you on  
9 August the 28th of 1980. And he says:

01:44 10 "Okay. In relation to Exhibit 1, you  
11 have started with the paragraph  
12 beginning, "The day of the murder or the  
13 day after, I found my paring knife  
14 missing"?

01:44 15 And he focuses then, for the next 20 odd lines,  
16 on this thing about the day of the murder or the  
17 day after, do you remember Mr. Beresh kept coming  
18 back at you with that at the preliminary  
19 hearing --

20 A Uh-huh.

21 Q -- and then at the trial of Mr. Fisher?

22 A Uh-huh.

23 Q You remember that?

24 A Yes.

01:45 25 Q Yes. If we then move on to the next page, and I'm



1 just trying to get an idea of this  
2 cross-examination of you, because I think that's a  
3 fair word to use to describe the questioning, it  
4 was a cross-examination. At line 16 of the next  
01:45 5 page he says -- whoops -- down here:

6 "Q ... Now you and Larry were not getting  
7 along?

8 A No.

9 Q And you said to him, "You probably  
01:45 10 killed a nurse?"

11 And you nodded your head.

12 "Q You missed the brown wooden-handled  
13 paring knife, and that's the only reason  
14 why you accused him of killing the  
15 nurse?"

16 "Q And because you were angry.

17 A ... on that day?"

18 And you said:

19 "A ... Yeah."

01:45 20 Now that's actually not true at all, is it, when  
21 you think about it? I mean to start with, on  
22 that day -- I'm sorry -- on that day -- I'm  
23 sorry, that is true, sorry, my mind is -- let me  
24 think for a moment. I've moved my own mind on  
01:46 25 ten years. So let me just read that again. He



1           says :

2           "Q   ... you and Larry why not getting along?

3           A   No.

4           Q   And you said to him, "You probably  
5           killed a nurse?" "

6           "Q   You missed the brown wooden-handled  
7           paring knife, and that's the only reason  
8           why you accused him of killing the  
9           nurse?"

10          "Q   And because you were angry."

11          And you said:

12          A   ... on that day?"

13          And he said:

14          "Q   Yeah."

15          And you said:

16          "A   ... Yeah."

17          "Q   You were angry?

18          A   I was only mad. I never -- I never  
19          expected him to have killed the nurse  
01:46 20          at all. I was just mad."

21          And then Mr. Williams says:

22          "Q   You were furious?

23          A   Yeah.

24          Q   You didn't know anything about the  
01:46 25          details of the killing?



1 A No.

2 Q So you didn't know that a knife was  
3 involved even?"

4 And you said:

01:46 5 "A ... I did know that ... she was stabbed.

6 Q ... Did you know what kind of weapon?

7 A No.

8 Q And the fact that your paring knife was  
9 missing

01:46 10 A That's was why I said.

11 Q That was why you said that?"

12 And then he says:

13 "Q And from that day onward, even when the  
14 trial was going on, you had no reason to  
15 believe that Larry had anything to do  
16 with it?"

17 "Q You saw Larry at home that morning?

18 A Yes.

19 Q You're not certain what time it was?

01:47 20 A No.

21 Q You didn't hear him come in?

22 A Well, I might have, but ... I don't  
23 remember.

24 Q Okay. If I understand correctly, he  
01:47 25 went out the night before?"



1 So what he's focused you on here is not even your  
2 statement of August 28th, 1980, when you had a  
3 greater knowledge of the case against your  
4 ex-husband, he's questioning you here about your  
01:47 5 mind in 1969, January 31st of 1969, and  
6 essentially focused on the fact that in reality,  
7 despite what you said, you had no reason to  
8 suspect him of the murder; is that right?

9 A Yes.

01:47 10 Q Okay. If we then move on to the next page he's  
11 now focusing on, at the top, on whether or not he  
12 went to work that morning, and comes up with what  
13 we might call one of your 'possibles'. He says to  
14 you:

01:48 15 "Q Is it possible that he came in, went to  
16 work early that morning, came back early  
17 from work because of the weather, and  
18 that's when you encountered him? Is  
19 that possible?

01:48 20 A It's possible.

21 Q Because you had brought a picture  
22 indicating that he had his good clothes  
23 on when you saw him?

24 A Yes, yes."

01:48 25 Now that question posed to you, in essence, is a



1 question posed by a person who is suggesting that  
2 Larry Fisher had nothing to do with the murder of  
3 Gail Miller; you understand that?

4 A Yes.

01:48 5 Q It is conceivable that he murdered Gail Miller and  
6 then went to work, but it's a pretty ridiculous  
7 proposition in the circumstances of the case as we  
8 know it?

9 A Yes.

01:49 10 Q So if he went to work then, as is being put to you  
11 by Mr. Williams, then Larry Fisher did not kill  
12 Gail Miller; do you follow that?

13 A Yes.

14 Q Did you appreciate that at the time as well?

01:49 15 A No.

16 Q You didn't? Okay. So he's sort of leading you in  
17 a direction, you don't necessarily realize the  
18 implications of your response?

19 A Yes.

01:49 20 Q Because your response, "it's possible", is you're  
21 saying it's possible then, in effect, that he  
22 didn't kill Gail Miller; do you follow?

23 A Yes.

24 Q Yes. And of course what he doesn't get into  
01:49 25 you -- with you is, well, how possible is it.



1           Because if he'd asked you "how possible" I guess  
2           you might have told him "well, why wouldn't he  
3           have told me he went to work when I confronted him  
4           with being at home on the Friday morning"; right?

01:49 5           A           Yes.

6           Q           You might have said to him, "Why was he wearing  
7           the clothes that he was wearing if he went to work  
8           in the morning"; right?

9           A           Yes.

01:50 10          Q           "Why would he tell me that his hands weren't in  
11          good shape as a justification for not going to  
12          work that morning"; right?

13          A           Yes.

14          Q           And "why would he tell me that he had to go to the  
01:50 15          doctor as a consequence". But he doesn't ask you  
16          any of that, he just gets from you an answer,  
17          "It's possible that he went to work that morning";  
18          fair?

19          A           Yes.

01:50 20          Q           Yes. And these are the kinds of 'possibles' that  
21          you were talking about yesterday that for a  
22          fleeting moment, as you referred to at the end of  
23          his interview, made you actually think maybe Larry  
24          Fisher didn't commit the crime?

01:50 25          A           Yes.



1 Q You see how Mr. Williams has led you in that  
2 direction with this kind of questioning?

3 A Yes.

4 Q Yes. Go to the next page. And you see how Mr.  
01:50 5 Williams now focusses on matters that, at first  
6 sight, all seem to exculpate Larry Fisher as the  
7 perpetrator of Gail's murder:

8 "Q You did the laundry?

9 A Yes.

01:51 10 Q And you alone did the laundry?

11 A Yes.

12 Q Now you didn't notice any blood on his  
13 good clothes?

14 A No.

01:51 15 Q Either set?

16 A No.

17 Q You didn't notice any blood on his work  
18 clothes?

19 A No.

01:51 20 Q Either set. And you didn't notice any  
21 clothes missing?

22 A No."

23 See why I call this a cross-examination?

24 A Yes.

01:51 25 Q Yes. So here we have Mr. Williams giving you a



1 host of reasons, at least superficially, although  
2 when you really think about it they don't mean  
3 what they seem to mean, as we've just been through  
4 earlier this morning, --

5 A Uh-huh.

6 Q -- that would suggest that Larry didn't commit the  
7 crime?

8 A Yes.

9 Q All right?

10 A Yes.

11 Q And, as you are sitting there in the North  
12 Battleford police station with these two men  
13 questioning you, or one of them anyway questioning  
14 you, and the other one having questioned you  
01:51 15 numerous times before March 24th, you see how it  
16 could impact on your mind as to the idea, the very  
17 notion you are putting forward, that your  
18 ex-husband may have killed Gail Miller? And do  
19 you think, as you listen to this, whether,  
01:52 20 consciously or subconsciously, you were saying to  
21 yourself "I guess these guys don't think Larry  
22 killed her"?

23 A Yes.

24 Q You see that?

01:52 25 A Yes.



1 Q You think it was a subconscious or a conscious  
2 feeling at the time?

3 A Conscious.

4 Q Uh-huh. And then you actually struggled a bit  
01:52 5 with this because having, Mr. Williams having  
6 said:

7 "Q ... And you didn't notice any clothes  
8 missing?

9 A No.

01:52 10 Q Okay."  
11 as if he is kind of satisfied, he has made his  
12 point, you then said:

13 "A But his work clothes now were different,  
14 because I wouldn't have known how many  
01:52 15 he had or, you know, because they were  
16 all the same. His work clothes were all  
17 the same."

18 So you have come up with a response there that is  
19 fighting what he is putting to you, in essence,  
20 "maybe there was some work clothes that I didn't  
21 see"; right?

22 A Yes.

23 Q To which he says:

24 "Q All right. You know, your greens or  
01:53 25 your beiges?



1 A Yeah. ...

2 Q But you didn't discover any bloodstains  
3 on them?

4 A No.

01:53 5 Q At that time?

6 A No.

7 Q Or after that time?

8 A No."

9 And then Mr. Williams cuts it off with:

01:53 10 "Q All right. ... We have been going at it  
11 for an hour or so. Is it time for  
12 another cigarette and a break?"

13 You see that?

14 A Yes.

01:53 15 Q So you sort of somewhat manfully tried to struggle  
16 against his suggestion, it would seem, --

17 A Yes.

18 Q -- in what you said, and then he's essentially put  
19 it to rest as best he can; right?

01:53 20 A Yes.

21 Q Uh-huh. And then after the break he's straight  
22 back to it. He says -- and, you know, we can  
23 really work out how long this interview took if we  
24 use a little bit of common sense here, because we  
01:54 25 know that pages 240 to 256, which is 16 pages,



1           lasted from 3:10 to 3:33, so we've got 23 minutes,  
2           16 pages took 23 minutes to happen; right?

3           A           Yes.

4           Q           If we go back, then, to the beginning and see how  
01:54 5           many pages takes us up to 240 and sort of average  
6           an average, and I haven't done this before now, so  
7           I --

8           A           It was an hour at 3:05, so it ended at what time?

9           Q           Well you resumed at 3:10 and ended at 3:33, which  
01:54 10          was 23 minutes, which was 16 pages of transcript?

11          A           An hour and a half then.

12          Q           All right. So if we go back to the beginning,  
13          which was at 211, we've got 29 pages of transcript  
14          take us up to 3:05, which is less than double what  
01:54 15          took 23 minutes, so we've got an interview that  
16          took less than an hour here. This all happened in  
17          less than one hour, it seems; you follow?

18          A           Yes.

19          Q           Yes. And you come back from your break and Mr.  
01:55 20          Williams is straight back to a point that he had  
21          made earlier. I guess no one else had ever  
22          thought of this before in questioning you, had  
23          they, I mean Pearson hadn't even raised this with  
24          you, had he, I don't think?

01:55 25          A           No.



1 Q This point about -- let me just read it:

2 "Q I'd like to draw your attention again to  
3 what is marked as Exhibit 2A."

4 And 2A is the, is your -- the affidavit that you  
01:55 5 had provided Mrs. Milgaard and Paul Henderson.  
6 That's, just so that we can work that out, that's  
7 at page -- sorry, I can't, it's hard to read --  
8 230, I think, or 229 or 230, one or the other.  
9 Yeah, go to the next page, that's Exhibit 2A,  
01:56 10 it's a:

11 "Two-page statement dated March 11."  
12 2B, over the next page, is a:

13 "Six-page statement dated March 10."

14 And they are the statements given to Joyce  
01:56 15 Milgaard. Go to, back to -- God it's hard to  
16 read these numbers -- 227. No, 227, right.  
17 Sorry, go one page forward. You will see here  
18 that he says:

19 "Q ... Now I understand that on March 10th,  
01:57 20 1990, at Saskatoon, Saskatchewan, you  
21 signed a statement, six handwritten  
22 pages, ... witnessed by Joyce Milgaard?"  
23 So you can see that's the documents we're now  
24 talking about, so 2A is the document, the second  
01:57 25 affidavit you signed --



1 A Yes.

2 Q -- on March 11th; right?

3 A Yes.

4 Q He says:

01:57 5 "Q ... Earlier you had told me that it was  
6 possible that Larry could have come  
7 home, slept, left for work, and returned  
8 before you realized it?

9 A Yes.

01:57 10 Q Because you were asleep?

11 A Yes.

12 Q You did not hear anything?

13 A Not to my knowledge."

14 So he's come back to this point, again, that --  
01:57 15 in fact suggesting that Larry did go to work that  
16 morning without you even realizing it; you see  
17 that?

18 A Yes.

19 Q And if we turn, then turn over the page, he asks  
01:57 20 you at the bottom, comes back to it:

21 "Q Now having regard to what you have just  
22 told me, is it still fair to say that  
23 Larry did not go to work that morning  
24 that you saw him in his dress clothes?"  
01:57 25 And he's sort of -- you -- let's just read your



1                   reply:

2                   "A    Well, I don't know whether he told me he  
3                   didn't -- why he didn't go to work at  
4                   the time, but I remember giving him shit  
01:58 5                   for not going, like why didn't you go.  
6                   And -- and I don't know what excuse he  
7                   gave me or -- because I figured it was  
8                   because of his drinking that he didn't  
9                   go ..."

10                  So your response is really quite clear, the  
11                  inference there is that he couldn't have gone to  
12                  work because he acted as if he hadn't, he spoke  
13                  to me in a way that he hadn't; right?

14           A        Yes.

15           Q        Is that fair?

16                    "Q    You started ... reprimanding him at that  
17                    time?"

18           A        Yes.

19           Q        In fact, he didn't tell you that he  
01:58 20                    hadn't gone to work?"

21                  See how Mr. Williams wants to make that point?

22           A        Yes.

23           Q        And you say:

24                    "A    No.

01:58 25                    Q    You just assumed that?



1 A Yeah.

2 Q Did he tell you at any time he did not  
3 go to work?"

4 And then you said:

01:59 5 "A I'm not sure.

6 Q You are not sure. Okay. So is it fair  
7 to say that when you saw him there when  
8 you didn't expect to see him, you  
9 assumed it?

01:59 10 A Yes.

11 Q You had no way of knowing whether he had  
12 gone and come back.

13 A No.

14 Q All right. So that it's not quite  
01:59 15 correct to say as far as I'm concerned  
16 he did not go to work that morning,  
17 because you don't know?

18 A Yeah, I don't know."

19 See how's he got you back there?

01:59 20 A Yeah.

21 Q Bearing in mind that in reality, if Larry Fisher  
22 went to work that morning, he didn't kill Gail  
23 Miller.

24 A Yes.

01:59 25 Q See how Mr. Williams is taking you there as best



1 he can despite your fighting back, so to speak?

2 A Yes.

3 Q Yes. And then you said:

4 "A But he either told me he didn't or  
01:59 5 that's what I'm going on. I don't know,  
6 you know, like why -- why I was so sure  
7 he didn't go to work, whether he told me  
8 or whether it was just seeing him, you  
9 know."

10 And Mr. Williams, he sure doesn't give up:

11 "Q All right. So you are assuming that he  
12 either told you or that you assumed that  
13 he didn't?

14 A Yeah, because I seen him there.

02:00 15 Q But am I correct in thinking that you do  
16 not know whether he did or did not?

17 A Yes."

18 And then he, at this point, feels that it's time  
19 to move on to something else. So he's got your  
02:00 20 final answer where you've acknowledged that yes,  
21 you don't know he didn't go to work?

22 A Yes.

23 Q Which I think it's fair to say, and Mr. Williams  
24 will be here himself at some point, was his intent  
02:00 25 at the outset when he has began to explore this



1 area. Do you agree?

2 A Yes.

3 Q Did you get that impression at the time or do you  
4 not remember?

02:00 5 A I didn't -- I just -- at the end of it I felt  
6 relieved for a minute and that's -- I just --

7 Q And then he comes to the knife at the bottom of  
8 the page we're on now, he starts talking about the  
9 knife here, and over the next page he puts to  
02:00 10 you -- it's almost as if he's trying to convince  
11 you that your husband didn't kill Gail Miller,  
12 which of course is the very impression that you  
13 had momentarily as you expressed it at the end of  
14 the cross-examination; right?

02:01 15 A Yes.

16 Q I mean, he was successful it seems?

17 A Yes.

18 Q He said, on this page, go down a little, please,  
19 starting here, talking about the knife, he's shown  
02:01 20 you the photo, and then he says:

21 "Q Did you know that a brown-handled paring  
22 knife held together by rivets was found  
23 in Winnipeg on September 19th, 1970, at  
24 the scene of a sexual assault for which  
02:01 25 Larry was convicted?



1 A No."

2 So the suggestion there seems to be that that  
3 knife, if it indeed went missing any time, was  
4 used not in the Gail Miller murder, but in fact  
02:02 5 you made a leap of faith, which isn't true,  
6 instead he's making a leap that he used it in the  
7 Winnipeg rape. You see that?

8 A Yes.

9 Q Because he's clearly trying to compare the knife  
02:02 10 that you described with the knife that he's busy  
11 describing as having been used in the Winnipeg  
12 rape. You see that?

13 A Yes.

14 Q Now, it's questionable whether he's accurately  
02:02 15 described the knife in the Winnipeg rape because  
16 the best description I can find of it is at -- if  
17 we can go to 261217 and move on to 219 in the  
18 bundle, and at the bottom here, the police  
19 describe the knife that he used in the rape of the  
02:02 20 lady in Winnipeg that he was caught in the midst  
21 of. They describe it as follows:

22 "A paring knife was found in the grass  
23 on the south-west corner of the house at  
24 1305 Windemere Ave. The knife has a 2  
02:03 25 3/4" blade --"



1 Well, that's significantly shorter than the blade  
2 you had described first of all; right?

3 A Yes.

4 Q Mr. Williams doesn't point that out to you in the  
02:03 5 question that he posed to you, he didn't give a  
6 length of the blade used in the knife in Winnipeg.  
7 And then it says, the police report:

8 "-- and a 4" brown wooden handle. The  
9 blade is engraved as Sky-Line make."

02:03 10 Yours wasn't, was it, the one that went missing?

11 A I never put that -- I never knew what kind it was.

12 Q Okay. Do you remember having any engraving like  
13 Sky-Line on it?

14 A I don't remember.

02:03 15 Q Mr. Williams didn't point that out to you, and  
16 that's the extent of a description of a knife. If  
17 we go back to what Mr. Williams told you on March  
18 the 24th of 1990, which is back to -- back to  
19 063244, you'll see he's described a brown-handled  
02:04 20 knife, true, held together by rivets, there's  
21 nothing about that in the description of the knife  
22 used in Winnipeg, and of course he's left out the  
23 Sky-Line note and he's left out the length of the  
24 blade, doesn't match the blade that you've  
02:04 25 described. Right?



1 A Yes.

2 Q And yet he seems to be trying to convince you that  
3 the knife that you've described is the knife used  
4 in the Winnipeg rape; right?

02:04 5 A Yes.

6 Q And of course if you came to that conclusion,  
7 because of what he told you, and I'm sure you  
8 would have accepted what he told you at face  
9 value; would you not?

02:04 10 A Yes.

11 Q You surely assumed he was telling you accurate  
12 information?

13 A Yes.

14 Q After all, he's representing the Department of  
02:04 15 Justice?

16 A Yes.

17 Q And he's got a police officer sitting right next  
18 to him?

19 A Yes.

02:05 20 Q Then that would cause you to have another reason  
21 to think, well, maybe Larry Fisher didn't murder  
22 Gail Miller, that missing knife was used in  
23 another rape a year later; right?

24 A Yes.

02:05 25 Q Over the page, please, at 245, Mr. Williams now



1 starts to try and draw a conclusion out of this  
2 very short questioning of you that hasn't begun to  
3 explore the kinds of issues that have caused you  
4 to believe by this time that your husband  
02:05 5 committed the murder; right?

6 A Yes.

7 Q Question, starting here, he says:

8 "Q Aside from the fact that Larry was at  
9 home when you didn't expect him to  
02:05 10 be --"

11 Which perhaps should better be aside from the  
12 fact that Larry hadn't gone to work that morning  
13 when he always went to work, but he phrases it a  
14 different way,

02:06 15 "-- and aside from the fact that your  
16 paring knife was missing, and aside from  
17 the fact that when you accused Larry in  
18 anger of murdering the girl -- he was  
19 silent and turned pale, is there any  
02:06 20 other fact upon which you base the  
21 conclusion that he was responsible for  
22 killing that girl?"

23 Now, that's a pretty broad question that may be a  
24 bit difficult for you to answer. I mean, I spent  
02:06 25 hours and hours accumulating all the reasons why



1           you thought that Larry Fisher had murdered Gail  
2           Miller and here you are just having this thrown  
3           at you, and you responded:

4                   "A    No other fact."

02:06 5           It might have occurred to Mr. Williams, 'well,  
6           what about the reason that you went in August  
7           28th, 1980 in the first place,' that he committed  
8           a bunch of rapes.  That's not in there is it?

9           A           No.

02:06 10          Q           And what about all those other factors that you  
11          now have in your mind which Mr. Williams knows  
12          about that were the factors that played into your  
13          belief, indeed your certainty that Larry had  
14          killed Gail Miller.  You see how unbelievably  
02:07 15          unfair that question was on his part?

16          A           Yes.

17          Q           Yes.  It's like, as I suggested to you, I was  
18          going to suggest to you, Mr. Williams had an  
19          agenda when he cross-examined you.  Don't you  
02:07 20          think?

21          A           Yes.

22          Q           Yes.  So you say:

23                   "A    No other fact.

24                   Q    No other fact.  All right.  So it's the  
02:07 25                   missing knife; it is the reaction to



1                   your angry accusation?"

2                   "Q    And the fact that he was at home."

3                   And you said:

4                   "A    Yes.

02:07 5                   Q    Nothing else?

6                   A    Nothing else."

7                   A    Yes.

8                   Q    So we've now got to a stage where, all right,  
9                   we've accounted -- we've got three facts that make  
02:07 10                  you think maybe he committed the crime. One is  
11                  the paring knife is missing. Well, Mr. Williams  
12                  has already pointed out to you that's not the one  
13                  that was used to kill Gail Miller, that's the one  
14                  used in a Winnipeg rape; right?

02:08 15                 A    Yes.

16                 Q    So we can discount that as a reason. Secondly,  
17                 we've got the fact that he was at home. Well,  
18                 he's accounted for that, he went to work and then  
19                 came home early.

02:08 20                 A    Yes.

21                 Q    Because it was cold; right?

22                 A    Yes.

23                 Q    So that's discounted. So all we're left with is a  
24                 reaction that at the time you interpreted as an  
02:08 25                 innocent reaction on his part when you accused him



1 of the murder?

2 A Yes.

3 Q You thought he reacted in the way he did, looking  
4 shocked, because you thought you had gone too far?

02:08 5 A Yes.

6 Q So you are left with what's Larry Fisher got to do  
7 with Gail Miller's murder; right?

8 A Yes.

9 Q That's where he's taken you. Do you see how he  
02:08 10 did it?

11 A Yes.

12 Q Yes. And he didn't explore with you any of the  
13 other factors that had caused you to be certain  
14 that Larry Fisher had killed Gail Miller; right?

02:09 15 A Yes.

16 Q He had the lady in front of him who perhaps knew  
17 Larry Fisher better than anyone else on this  
18 planet and instead of exploring with her how Larry  
19 Fisher might have committed this crime, he instead  
02:09 20 tried to discount and reduce the reasons that you  
21 thought he might have committed the crime. Do you  
22 see that?

23 A In a way he asked me what were my facts. Maybe  
24 I -- I never mentioned the wallet in there or the  
02:09 25 rapes either.



1 Q Any of them, virtually none of the 14 factors we  
2 went through this morning, although you do manage  
3 to come up with a couple of them as we're going to  
4 see before the end of the interview, you fought  
02:10 5 hard, Mrs. Fisher, you fought hard. If we go to  
6 the next page, he's trying to really cement, I  
7 would suggest to you, where he's gone so far.  
8 Mr. Williams:

9 "Q The fact that a paring knife was found  
02:10 10 in the vicinity of the victim, and the  
11 fact that such a knife --"

12 It says likely caused the wounds, but I think  
13 what he means -- I think that's probably a  
14 mistranslation, likely didn't cause the wounds,

02:10 15 "-- does that alter your views as to the  
16 importance of your missing knife?"

17 He says to you. I mean, talk about a leading  
18 question, but it follows straight off the way  
19 he's been questioning you up until now, doesn't  
02:10 20 it; correct?

21 A Yes.

22 Q Trying to show that your thoughts shouldn't be  
23 used to lead to the conclusion that you had drawn?

24 A Yes.

02:10 25 Q That Larry committed the crime. And you said:



1 "A This alters my views."

2 Mr. Williams has done a good job on you hasn't  
3 he?

4 A Yes.

02:11 5 Q Yes.

6 "Q In what way?"

7 As if the question that he originally posed  
8 hadn't made it clear what way, and you said:

9 "A In that it's not my knife. If that's  
02:11 10 the murder weapon, that's not my knife.  
11 Mine was a wooden handle."

12 Sorry, I said the first question should be -- I  
13 think the first question is correctly  
14 transcribed, my mind was not working very well.

02:11 15 COMMISSIONER MacCALLUM: What question?

16 BY MR. LOCKYER:

17 Q The fact that the paring knife -- I'll start this  
18 again.

19 "Q The fact that a paring knife was found  
02:11 20 in the vicinity of the victim, and the  
21 fact that such a knife likely caused the  
22 wounds -- "

23 In other words, not the knife that went missing  
24 from your house,

02:11 25 "-- does that alter your views as to the



1 importance of your missing knife?

2 A This alters my views.

3 Q In what way?

4 A In that it's not my knife."

02:11 5 I.e., the knife used to kill Gail Miller; right?

6 A Yes.

7 Q "If that's the murder weapon, that's not  
8 my knife. Mine was a wooden handle.

9 Q Okay. And in terms of attaching  
02:11 10 responsibility to Larry, how does that  
11 affect? How is that affected or is it  
12 affected?

13 A Well, now I have more doubts, but --  
14 but I still have my suspicions.

02:12 15 Q All right. And you have your suspicions  
16 I gather because of his shocked reaction  
17 to your accusation?

18 A Yes.

19 Q All right. Now this was 1969, early  
02:12 20 1969, correct?

21 A Yes.

22 Q Larry had not been in trouble with the  
23 law as far as you knew up until that  
24 time, correct?

02:12 25 A Yes.



1 Q All right. You didn't know that in 1968  
2 he had committed a rape in Regina, --"

3 You see here we're back to Regina again?

4 A Yes.

02:12 5 "-- did you?

6 A No.

7 Q You later found out that that was the  
8 case?

9 A Yes.

02:12 10 Q And, in fact, there were two counts of  
11 rape in Regina, isn't that a fact?

12 A Yes."

13 And as you read that you think to yourself, at  
14 least I did, that Mr. Williams here is actually  
02:12 15 now coming to a point where perhaps he's going to  
16 come back to the idea that maybe Larry Fisher did  
17 commit the crime because here he is committing  
18 rapes in Regina; right?

19 A Yes.

02:13 20 Q That's not his goal at all, rather the contrary,  
21 he's bringing up these rapes in Regina, as we're  
22 going to see, to further discount why Larry Fisher  
23 was the one who killed Gail Miller. Absolutely  
24 extraordinary.

02:13 25 A Yes, I remember that.



1 Q He's taking the rapes that you, made you think  
2 Larry Fisher had killed Gail Miller and using them  
3 as a reason for establishing why Larry Fisher  
4 didn't kill Gail Miller?

02:13 5 A Yes.

6 Q Do you see that, because we're going to read it  
7 now. Quite incredible the way he has turned this  
8 around. He says:

9 "Q Thinking back, is it possible that his  
02:13 10 shocked reaction --"

11 Remember, that's all that's left now, the knife  
12 is gone, the being at home on Friday morning is  
13 gone -- the knife is gone because it's the wrong  
14 knife, the being at home in the morning is gone  
02:13 15 because, well, maybe he had gone to work and it  
16 was too cold and he had come back, so all we're  
17 left with is the shocked reaction, so  
18 Mr. Williams has devised a way in his mind to  
19 deal with why he would have had a shocked  
02:14 20 reaction, and what's he used, the very things  
21 that make it clear, or certainly make it very  
22 likely, even without the DNA, that Larry Fisher  
23 killed Gail Miller, he turns upside down you  
24 might say.

02:14 25 "Q Thinking back, is it possible that his



1 shocked reaction to the accusation  
2 reflected his realization that you may  
3 have suspected him of rape in Regina?

4 A It's possible.

02:14 5 Q And that might have been an explanation?

6 A Yes."

7 I mean, with respect, Mrs. Fisher, you are  
8 following him, you know, down a very strange  
9 path, to say the least.

02:14 10 "Q It's fair to say that he tried to keep  
11 those activities hidden from you, isn't  
12 that true?

13 A Yes.

14 Q And he went to great lengths to make  
02:14 15 sure that you didn't find out what he  
16 was really up to?

17 A Yes."

18 I'm not quite sure what the great lengths were, I  
19 mean, he just didn't tell you; right? He  
02:15 20 committed the rapes, he didn't tell you or anyone  
21 else.

22 A Yes.

23 Q But anyway:

24 "Q So that when you came at him out of the  
02:15 25 blue suggesting that --"



1                   Namely, he killed Gail Miller,

2                               "-- I take it that could have been quite  
3                               a shock to him?

4                   A     Yes.

02:15 5                   Q     Viewed in that context, have you -- do  
6                               you still maintain that the shocked  
7                               expression on his face could only have  
8                               come as a result of his implication in  
9                               Gail Miller's death?"

02:15 10                  It's really an extraordinary line of questioning  
11                               when you think about it now, isn't it,  
12                               Mrs. Fisher?

13                  A     Yes.

14                  Q     Yes.

02:15 15                  "A     Not only, no.    Could have been from the  
16                               rapes or --"

17                               You've gone straight into what he has suggested  
18                               to you.

19                               "Q     So the shock could have reflected a  
02:15 20                               number of other events and not  
21                               necessarily any involvement in Gail  
22                               Miller's death; is that a fair  
23                               statement?

24                               A     Yes.    M'hm."

02:15 25                               So the third factor that he's isolated as the



1 cause of you thinking your husband had committed  
2 the rapes, first the knife, second being at home  
3 on Friday, and now third, his reaction to your  
4 accusation, he's eliminated all three of them.  
02:16 5 Do you see how he's done it?

6 A Yes.

7 Q With a quite extraordinary proposition that the  
8 rapes that he had committed was the cause of his  
9 reaction to your accusation that he had killed  
02:16 10 Gail Miller; right?

11 A Yes.

12 Q The last rape he had committed, by the way, as  
13 Mr. Williams would well have known when he made  
14 that extraordinary suggestion to you, would have  
02:16 15 been more than two months before.

16 A Yes.

17 Q January 31st, 1969. So the postulation that  
18 Mr. Williams is putting into your mind and  
19 suggesting to you is that when you accused him of  
02:16 20 having done something that very day, a matter of  
21 hours before, he's cast his mind back to two  
22 events in the previous October and the November  
23 and gone, 'Oh, my God, she thinks she's accusing  
24 me of those rapes that happened months ago.' I  
02:17 25 mean, it's ridiculous isn't it?



1 A He could have still been shocked over the rapes,  
2 but, I mean, now that we know -- I don't know.

3 Q It shows the mind of someone trying to establish  
4 that your belief that Larry Fisher killed Gail  
02:17 5 Miller is wrong.

6 A Yes.

7 Q Right? And then he comes back to the explanation  
8 that he's proffered as to why Larry might have  
9 been home on Friday morning. I might add there's  
02:17 10 absolutely no basis for him saying this, but he  
11 puts it to you anyway. He says, carrying on from  
12 where I read:

13 "Q Now the fact that he was home, do you  
14 recall the temperatures that day?

02:18 15 A Yeah, it was storming.

16 Q Storming. Could you describe the  
17 conditions outside?

18 A It was cold.

19 Q In terms of temperature?

02:18 20 A They said it was 40 below."

21 It's not as if Mr. Williams doesn't know this,  
22 right, but he says:

23 "Q They said it was 40 below?

24 A Yes.

02:18 25 Q Was there a wind blowing, do you recall?



1 A I think so. I don't recall, you know.

2 I just --

3 Q But you heard it was windy?

4 A Yeah."

02:18 5 I mean, you just said I don't recall, but anyway:

6 "Q You heard it was windy?

7 A Yeah.

8 Q Wind and 40 below in Saskatoon is fairly  
9 cold, wouldn't you agree."

02:18 10 There's almost an element of sarcasm creeping in  
11 there.

12 "A Yes.

13 Q It almost stops everything cold,  
14 correct?

15 A Yeah.

16 Q And particularly if you are working in  
17 construction and working outside, it  
18 becomes unbearable, isn't that true?"

19 You see what he has done again?

02:18 20 A Yes.

21 Q The justification from him being at home on  
22 Friday, even in complete absence of evidence that  
23 Larry Fisher has worked, that he stopped working  
24 that day. Indeed, the only thing that

02:19 25 Mr. Williams would know at this time is Larry



1 Fisher's claim that he had gone to work that day;  
2 right?

3 A Yes.

4 Q At the bus stop.

02:19 5 A (Nods head)

6 Q "Q Is it possible construction could  
7 have been halted that day because of the  
8 adverse weather conditions?"

9 And you, to your great credit, said:

02:19 10 "A No, because my uncle went to work that  
11 day."

12 And then Mr. Williams then cross-questions you on  
13 that:

14 "Q Do you know whether he stayed there all  
02:19 15 day?"

16 A I think so. I don't know for a fact,  
17 but I know they worked that day.

18 Q All right. They went to work. Do you  
19 know how long they stayed at work?

02:19 20 A No.

21 Q All right."

22 He sort of got his point.

23 "Q Those are the questions I have. Is  
24 there anything you wish to add?"

02:19 25 And then you say:



1 "Q No, I just wish it could be proved one  
2 way or the other."

3 And he says:

4 "Q I'm not certain I follow you."

02:19 5 And you say:

6 "A I wish Larry could either be proved  
7 innocent or guilty or -- or I would know  
8 for sure.

9 Q Okay. You say that you wish he could be  
02:20 10 proved, because of the missing knife?"

11 And you said -- you didn't go into that trap,  
12 right, you said:

13 "Q Because of -- because I think maybe it's  
14 not so much the evidence I'm thinking  
02:20 15 as the -- the -- all his other charges  
16 and circumstances and everything."

17 So you actually, through what you say there, have  
18 broadly brought in all the 14 factors that we  
19 went through this morning?

02:20 20 A Yes.

21 Q So what does Mr. Williams do, goes straight onto a  
22 different topic all together, instead of asking  
23 you what do you mean, he says:

24 "A I get the impression from the fact that  
02:20 25 you still maintain a number of his



1                   letters that both of you were very much  
2                   in love at the beginning."

3                   If that's got anything to do with what you just  
4                   said. You see that?

02:20 5           A           Yeah.

6           Q           Over the page -- sorry, over two pages -- yes, go  
7                   to -- sorry, 252. Yes, thank you. He then  
8                   marks -- he marks the photograph, the photocopy of  
9                   the photocopy he had shown you, do you see that,  
02:21 10           up here? All right. As an exhibit, Exhibit 3,  
11           and you ask:

12                   "A    This is what they consider the murder  
13                   weapon --"

14           And he tells you:

02:21 15           "Q    A weapon similar in appearance to this  
16                   was entered in evidence and there was  
17                   testimony about that weapon. My  
18                   recollection is a knife of this type  
19                   could have caused the wounds that killed  
02:21 20           the victim.

21                   That is the best answer I can  
22                   give, and the most honest answer I can  
23                   give to your question. That was a  
24                   matter for the jury to determine and  
02:22 25           they came to their conclusion. Is there



1 anything else that we should discuss?"

2 He doesn't mention to you then here that a second  
3 knife was found at the scene anywhere in this  
4 interview does he?

02:22 5 A No.

6 Q No. That might have been some interest to you, do  
7 you think, to know that at the time?

8 A Yes.

9 Q Because you didn't find out that until sometime  
02:22 10 later; is that right, about the bone-handled  
11 knife?

12 A Yeah. I don't know when I found out.

13 Q And then you raise, at the bottom of the page, and  
14 it's funny because you just mentioned that in your  
02:22 15 evidence, you raised:

16 "A How about his wallet? That was another  
17 kind of suspicious thing, but he was out  
18 drinking and he could have lost it."

19 Now, it would seem then, if one is trying to get  
02:22 20 a feel for what's going on here, that you are  
21 still struggling against what Mr. Williams is  
22 trying to convince you of, that your ex-husband  
23 had not killed Gail Miller. Do you think that's  
24 a fair assessment of what's going on here, when  
02:22 25 you say how about his wallet?



1 A Yes.

2 Q Right. You are fighting back, so to speak.

3 Mr. Williams says:

4 "Q I understood the wallet was found on the  
02:23 5 same block as yours, is that correct?"

6 And you said:

7 "A Yeah.

8 Q And the fact that it was found on that  
9 block, what inferences do you draw from  
02:23 10 that? How do you link that up with  
11 something illegal?"

12 He says to you. And you say:

13 "A Well, at the time I thought because he  
14 was drinking maybe, you know, stumbling  
02:23 15 around, dropped it out of his pocket."

16 And then at the bottom of that page:

17 "Q So if I understand you correctly, the  
18 fact that his wallet was found and he  
19 was drinking, how does that link him  
02:23 20 with anything else?"

21 A It doesn't. It's just those are the  
22 thoughts that I kept in mind, you  
23 know, all these years in thinking  
24 about this. Yeah."

02:23 25 So your bringing up of the wallet, the lost



1 wallet was essentially quickly discounted by  
2 Mr. Williams and you accepted that it really had  
3 nothing to do with anything; is that right?

4 A Yes.

02:23 5 Q Mr. Williams didn't raise the interesting point  
6 that Gail Miller's wallet was found in the same  
7 vicinity as well?

8 A Yes.

9 Q He didn't tell you that?

02:24 10 A No.

11 Q No. And it's after all of that, Mrs. Fisher, at  
12 256, that we come back to where we began this, you  
13 say at the bottom -- sorry, 255. There's actually  
14 two 256s, that's why I keep getting 256 wrong, you  
02:24 15 say:

16 "A No. I don't know. I kind of look at it  
17 different now. I don't know. I don't  
18 know."

19 Meaning I don't know if Larry was in fact the one  
02:24 20 who killed Gail Miller, when you had entered into  
21 that interview convinced that he had; right?

22 A Yes.

23 Q And then it was shortly after you left the police  
24 station that you once more realized that your  
02:24 25 thoughts expressed there were not your real



1 thoughts, you came back very quickly indeed to  
2 being convinced he was the perpetrator?

3 A Yes.

4 Q And of course you were right?

02:25 5 A Yes.

6 Q As we now know. And you said yesterday something  
7 that was interesting, you said you started doing  
8 TV appearances because I thought they were  
9 dropping the case, but I thought David was  
10 innocent. Do you remember saying that?

11 A Yes.

12 Q Did this cross-examination of you have something  
13 to do with that thought on your part? It was the  
14 only time you met Mr. Williams as far as I know.

02:25 15 A Well, I figured they weren't -- I figured they  
16 weren't sure, they weren't -- they were leaving it  
17 again.

18 Q I'm sorry, I didn't hear you.

19 A I kind of thought they were going to leave it  
02:25 20 again, leave the case.

21 Q Did the way Mr. Williams questioned you play a  
22 role in that thinking on your part?

23 A I -- I don't know what it was now. Just when they  
24 asked me I decided I would.

02:26 25 Q If we can go to 016114, this is a memo that



1 Mr. Williams wrote to himself on March the 12th of  
2 1990, just 12 days before his cross-examination of  
3 you, Mrs. Fisher, and it's interesting to see what  
4 he says on the next page, right here:

02:26 5 "Somewhat disturbing is Mr. Asper's  
6 revelations that Mrs. Milgaard has been  
7 conducting her own investigation and has  
8 interviewed Linda Fisher, and attempted  
9 to interview Larry Fisher's mother in  
02:26 10 North Battleford, Sask."

11 Did you find it disturbing that Mrs. Milgaard  
12 came and interviewed you?

13 A No.

14 Q Uh-huh. Did you find anything disturbing about  
02:27 15 the way she interviewed you?

16 A No.

17 Q Would I be right in saying that the way  
18 Mr. Williams "interviewed" you on March the 24th  
19 of 1990 was rather more disturbing than the way  
02:27 20 Mrs. Milgaard had interviewed you?

21 A Now it seems that way, yes.

22 Q Just 12 days after he wrote this. He wrote this  
23 March 12th.

24 A (Nods head)

02:27 25 Q 12 days before he interviewed you in the way he



1 did.

2 A So the statement I gave Mrs. Milgaard, did he have  
3 it then?

4 Q Did he have it?

02:27 5 A Yes.

6 Q You bet. He filed it as an exhibit. He never  
7 questioned you about the reasons that you had  
8 elicited in the statement that you gave her,  
9 because you gave her many reasons why you thought  
02:27 10 Larry Fisher had been the one who had killed Gail  
11 Miller, he preferred to focus on the very limited  
12 reasons you had given in the August 28, 1980  
13 interview to the Saskatoon police, an interview  
14 that, remember, was conducted by somebody who knew  
02:28 15 nothing about the case and who had always  
16 understood you were going to be re-interviewed  
17 days later by people who knew something about the  
18 case. All right?

19 A Yes.

02:28 20 Q That's the one Mr. Williams wanted to focus on,  
21 not what you told Joyce Milgaard a matter of days  
22 earlier, or weeks earlier than the March 24th  
23 cross-examination. Do you follow?

24 A Yes.

02:28 25 MR. LOCKYER: All right. Thank you very



1 much, madam, and you know, of course, how much  
2 Mrs. Milgaard appreciates everything you've done  
3 in this case.

4 A Yes.

02:28 5 **BY MR. GIBSON:**

6 **Q** Mrs. Fisher, my name is Bruce Gibson, I act on  
7 behalf of the RCMP. I'm going to touch just a  
8 little bit on your interaction with the RCMP, and  
9 I guess specifically with Sergeant Rick Pearson  
02:29 10 who I take it from your earlier testimony you have  
11 some recollection of and I guess some  
12 understanding of who Rick Pearson is and your  
13 dealings with him?

14 A Yes.

02:29 15 **Q** You were asked a number of questions with respect  
16 to Mr. Pearson's contact with you where he took a  
17 statement from you, March 14th of 1990, 063204, I  
18 don't think it's necessary to put the document up,  
19 but in that document there is some reference where  
02:30 20 there's a misunderstanding about Mr. Fisher's  
21 rapes, whether they occurred in Saskatoon or  
22 Regina, and I guess initially everybody thought  
23 they were in Regina?

24 A Yes.

01:58 25 **Q** Mr. Lockyer went through that with you in that



1 Mrs. Milgaard had been in touch with you just a  
2 few days prior to Mr. Pearson, and she was under  
3 the impression as well that that was charges or  
4 rapes that had occurred in Regina, is that -- is  
02:30 5 that fair?

6 A Yes.

7 Q That's your recollection?

8 A Yes.

9 Q And if we could put up document 050467, please.

02:30 10 If we could just call up that so it's a little  
11 larger, please. And this is a -- I'm sorry, we  
12 should go back to the start of the page and I can  
13 identify the letter. It appears to be a March  
14 15th, 1990 letter going to Mr. Eugene Williams  
02:30 15 from David Asper with Mr. Wolch's office. And  
16 then if we can call up the body of the letter,  
17 please, and in that it makes reference, December  
18 21st of 1971, to two counts of rape, a rape and  
19 indecent assault, and the reference there is  
02:31 20 Regina. And so, again, on March 15th of 1990 it  
21 appears that people were under the impression that  
22 Mr. Fisher's rapes occurred out of Regina because  
23 of where the charges were dealt with, and I think  
24 that was your evidence as well, that you had that  
02:31 25 impression?



1 A Yes.

2 Q So, again, I guess it's fair to say that at that  
3 point in time everybody was operating under that  
4 misconception?

02:31 5 A Yes.

6 Q And when Mr. Pearson first came and visited with  
7 you, at least on March 14th of 1990, do you know  
8 how many days or weeks he had been on this file  
9 yet?

02:31 10 A Umm, no, I don't.

11 Q There hadn't been a lot of contact with you prior  
12 to that time; is that fair to say?

13 A Umm, I think not --

14 Q But --

02:32 15 A -- until after I gave my statement, yes.

16 Q Yes. And it's a matter of record that Mr. Pearson  
17 was first contacted by Eugene Williams February  
18 28th of 1990, and that he was assisting Mr.  
19 Williams in investigating the concerns and  
02:32 20 investigating the 690 application by Mr. Milgaard,  
21 and that's a matter of public record. And so it  
22 was just within a couple of weeks after he first  
23 came on the file that he first sat down with you  
24 on March 14th; --

02:32 25 A Yes.



1 Q -- correct? And at that time do you recall, when  
2 you met with Mr. Pearson, whether he had the  
3 Saskatoon Police Service files with him about the  
4 rapes that Mr. Fisher may have committed in  
02:32 5 Saskatoon, or I guess we went on to learn that he  
6 did commit them; do you know if you reviewed any  
7 Saskatoon Police Service files on that?

8 A No, I don't think so.

9 Q Okay. One of the other aspects that Mr. Lockyer  
02:33 10 went into in some detail with you was your contact  
11 with Mr. Williams and Mr. Pearson in North  
12 Battleford, and when you gave the interview that  
13 was transcribed -- and that occurred at the  
14 Battlefords police station; is that correct?

02:33 15 A Yes.

16 Q And I believe your evidence with Mr. Hodson was  
17 that you did not have any misgivings or concern  
18 with respect to how you were treated by Mr.  
19 Williams or by Sergeant Pearson; is that fair to  
02:33 20 say?

21 A Yes.

22 Q And I'm assuming that in the Battlefords police  
23 station the interview was set up in an office or  
24 in a meeting room, and did you find that the  
02:34 25 setting was something that was intimidating for



1           you, were you concerned about being at a police  
2           station with these gentlemen?

3           A           No.

4           Q           Okay. One of the points that Mr. Lockyer raised  
02:34 5           with you was whether you ever got a sense that the  
6           police were going to be following up on this  
7           matter after they had dealt with you March 14th,  
8           and again on March 24th with Mr. Williams in the  
9           interview, as to whether there was going to be any  
02:34 10          follow-up, is that -- do you remember him asking  
11          you that?

12          A           Mr. Lock --

13          Q           Mr. Lockyer asked whether you had a sense as to  
14          whether anyone was going to actually follow  
02:34 15          through and do anything about the concerns and  
16          about the 690 application, the issues that were  
17          raised there, and whether you had a sense as to  
18          whether the police were going to be doing some  
19          investigating?

02:34 20          A           Umm --

21          Q           Do you remember those questions being put to you  
22          or --

23          A           I kind of figured they were almost done their  
24          investigation --

02:35 25          Q           Okay.



1 A -- because we did the interview in the police  
2 station after I had talked to Mr. Pearson for a  
3 while I think.

4 Q And do you recall after March 24th -- and again,  
02:35 5 I'm not going to go through the record in detail,  
6 but Sergeant Pearson's notes have been filed as a  
7 document in this proceeding, and do you recall  
8 that you did have a number of contacts with  
9 Sergeant Pearson afterwards?

02:35 10 A Yes. He told me to phone or let him know if I ran  
11 across anything that I thought was relevant.

12 Q And you certainly did avail yourself of contacting  
13 Sergeant Pearson --

14 A Yes.

02:35 15 Q -- with a number of pieces of information?

16 A Yes.

17 Q Is that not correct?

18 A Yes.

19 Q And did he ever give you the impression that he  
02:35 20 was not going to follow up on that information?

21 A No, he took the information.

22 Q And are you aware that Sergeant Pearson was  
23 seeking access to the Saskatoon Police Service  
24 files to follow up on concerns?

02:36 25 A No.



1 Q Were you aware that he was trying to access Larry  
2 Fisher's prison files to follow up on any  
3 information that may be gleaned from those  
4 documents?

02:36 5 A No.

6 Q Were you aware that Sergeant Pearson was trying to  
7 identify the blood type of Mr. Fisher, and I  
8 believe he did ask you some questions on that?

9 A Umm, was it -- was it him that asked me those,  
02:36 10 about the blood type? Somebody asked me I  
11 remember.

12 Q You were aware that there were inquiries being  
13 made --

14 A Yeah.

02:36 15 Q -- with respect to blood type; is that fair?

16 A Yeah.

17 Q Were you aware that Mr. Pearson was trying to  
18 locate Larry Fisher's work records as to whether  
19 he had attended at work on January 31st, 1969?

02:36 20 A I might have been aware of that, yes.

21 Q Okay. Were you aware that Mr. Pearson was  
22 inquiring about Mr. Fisher's access to vehicles?

23 A Yes.

24 Q Is that a "yes"?

02:37 25 A Yes.



1 Q Were you aware that Mr. Pearson was asking about  
2 other individuals that may be able to help in this  
3 investigation, as to who else might know something  
4 about Larry Fisher's activities that day?

02:37 5 A Yeah, I think so.

6 Q Okay. And I believe you were quite cooperative  
7 with Mr. Pearson in that, correct me if I'm wrong,  
8 I believe you advised him that there was some  
9 information that you might be able to obtain from  
02:37 10 some of your relatives, Cliff Pambrun, Roy  
11 Pambrun, and others?

12 A Yes.

13 Q And are you aware whether Sergeant Pearson  
14 followed up on that information or not?

02:37 15 A Yes, I think he did.

16 Q Okay. And so, through your dealings with  
17 Mr. Pearson, did you get the impression that he  
18 was wanting to get to the bottom of this, if I can  
19 put that it way?

02:37 20 A He seemed -- he seemed to. He seemed to want to  
21 get all of the information, yes.

22 Q And was he someone that you trusted and confided  
23 in?

24 A Yes.

02:38 25 Q And if I could, just for the record Mr.



1 Commissioner, the document 056743, there are about  
2 180 pages there of Mr. Pearson's notes, and that's  
3 only Mr. Pearson's notes in relation to this, it  
4 has no appendices or any other documents attached  
02:38 5 to that, and I believe that a number of points  
6 that are raised in this document were put to Mrs.  
7 Fisher by Commission Counsel, and I don't propose  
8 to go through that again, but just for your own  
9 notes that outlines the activities that  
02:38 10 Mr. Pearson was undertaking in and around the time  
11 that she has been questioned on.

12 I thank you for your time.

13 A Thank you.

14 BY MR. O'KEEFE:

02:39 15 Q Good morning, Mrs. Fisher. My name is Eamon  
16 O'Keefe and I represent Larry Fisher. You will be  
17 relieved that I don't have very many questions for  
18 you, I think, this morning.

19 I want to start out just by  
02:39 20 asking you about the change that you had in your  
21 interpretation of some of the things that you  
22 witnessed in 1969 as time went along. Initially,  
23 you've testified you didn't believe that Larry  
24 Fisher had anything to do with Gail Miller's  
02:39 25 murder?



1 A Yes.

2 Q And that changed over time as more facts came to  
3 light?

4 A Yes.

02:39 5 Q Would that be fair?

6 A *(Nods in affirmative)*

7 Q And you've testified that, after you found out  
8 about the rapes, that was more or less the  
9 crystalizing fact or the crystalizing incident  
02:40 10 that caused you to reassess some of the things  
11 that had gone on previously?

12 A Yes.

13 Q That would be fair to say?

14 A Yes.

02:40 15 Q And what I am going to suggest to you is that,  
16 when you found out about the rapes, you started  
17 thinking back to the incidents that had occurred  
18 in 1969, around the time of Gail Miller's death,  
19 and you reassessed what those incidents meant;  
02:40 20 would that be fair?

21 A Yes.

22 Q The time that you found out about the rapes I  
23 think was, was that early 1971, or was that late  
24 1970?

02:40 25 A '70.



1 Q '70? So we're -- you would be looking back, then,  
2 a year and a half, a little over a year and a  
3 half, then, to the incidents of 1969?

4 A Well, almost a year, yes.

02:40 5 Q Okay. The murder would have been in January of  
6 '69; is that right?

7 A Yes.

8 Q And you would have found out about the rapes late  
9 in 1970; would that be accurate? It's a long time  
02:41 10 ago, if you don't recall, that's fine.

11 A Yeah. That was in late '70 anyway.

12 Q Okay, so we're talking at least a year, possibly  
13 closer to two years?

14 A Yes.

02:41 15 Q And I'm not going to suggest to you that you were  
16 wrong in the way that you reassessed anything, my  
17 purpose here isn't to retry Larry Fisher or  
18 anything like that, I simply want to take a look  
19 at how these subsequent facts came to shape your  
02:41 20 opinion of the things that happened in 1969, if I  
21 could. You first heard of the death of Gail  
22 Miller on the radio you've testified?

23 A Yes.

24 Q And that was a radio that you had in the living  
02:41 25 room of your residence on Avenue O?



1 A Yes.

2 Q Did you listen to the radio on a daily basis back  
3 in those times?

4 A Yes.

02:41 5 Q Was it more or less constantly on, the radio?

6 A Pretty well, yes.

7 Q And you've testified that you accused Mr. Fisher  
8 of the murder when you heard about it on the  
9 radio?

02:42 10 A Yes.

11 Q That was during the course of an argument that you  
12 were having with him?

13 A Yes.

14 Q And you've testified about the look that came on  
02:42 15 his face and what you interpreted it as at that  
16 time?

17 A Yes.

18 Q A look of shock or a look of hurt?

19 A Yes.

02:42 20 Q Yes? And, at the time, you considered that to be  
21 a reasonable interpretation of his expression?

22 A Yes.

23 Q The look of shock?

24 A Yeah.

02:42 25 Q Like a reasonable thing for you to assume he was



1 feeling shock?

2 A Yes.

3 Q And that's what made sense to you at the time,  
4 that he was simply shocked by the accusation?

02:42 5 A Yes.

6 Q Okay. As time went along you reassessed that in  
7 light of what made sense to you as new facts came  
8 out?

9 A Yes.

02:43 10 Q And as the facts about the rapes came out you  
11 started to suspect Mr. Fisher was involved in Gail  
12 Miller's murder?

13 A Yes.

14 Q Looking back, then, at that conversation that you  
02:43 15 had with him in 1969, you reassessed what that  
16 expression on his face meant?

17 A Yes.

18 Q And you reassessed it in a way that made sense to  
19 you in light of what you knew about the rapes?

02:43 20 A Yes.

21 Q And I'm going to suggest to you, Mrs. Fisher, that  
22 there was this reassessment or reconstruction of  
23 events, looking back on them in 1969, that took  
24 place after you became aware of the rapes?

02:43 25 A Yes.



1 Q And if I could just bring up document 265185,  
2 please. And this is a transcript of the taped  
3 interview that you had with Mrs. Milgaard and with  
4 Paul Henderson, and I believe this was 1990 that  
02:44 5 this interview took place. If we could go to page  
6 219, please. And I'll just go over this very  
7 quickly with you, Mrs. Fisher, because My Friend  
8 Mr. Lockyer did review these particular passages  
9 with you earlier. There is a discussion here  
02:44 10 about the time at which Gail Miller would have  
11 been on the bus on the morning of January 31st,  
12 1969, and Mrs. Milgaard says, 'Well you see she  
13 left her home about 6:35 to catch the bus.', and  
14 you ask, 'Mrs. Cadrain?', 'No. No. Gail Miller.'  
02:45 15 'Oh Gail Miller'. And then Mr. Henderson says  
16 'Wait a minute. Hey hold it, hold it. Where,  
17 Larry, what bus did he take?'

18 And it's clear at this time that  
19 a lot of these facts that we now know about bus  
02:45 20 schedules and who was on the bus when, and so on,  
21 weren't exactly clear at that time; is that right?

22 A No, no.

23 Q If we could just go down, Mr. Henderson then says,  
24 'And that's when he would have been on the bus.  
02:45 25 And if he had gone to work, he would have been on



1 the bus with her', and then you say, 'Well, he,  
2 she, she took the bus to St. Paul's. We lived on  
3 Avenue O, so he'd get on with her for a ways, I  
4 guess until she got off at the hospital.'

02:45 5 And I'll just stop there. At  
6 the time that you are having this discussion with  
7 Mrs. Milgaard and Mr. Henderson, it appears you  
8 believed that Gail Miller was a nurse at St.  
9 Paul's Hospital?

02:45 10 A I thought she probably lived in the nursing  
11 residence at St. Paul's, so I thought she would  
12 have probably got on before --

13 Q Okay.

14 A -- him, I think that's how I got mixed up there,  
02:46 15 because that's -- I didn't know where she lived  
16 then.

17 Q Okay. All right.

18 A Yeah.

19 Q So you didn't think she was working at St. Paul's  
02:46 20 Hospital as a nurse?

21 A No, I thought she lived at the residence at St.  
22 Paul's.

23 Q Okay. And Mr. Henderson then says -- pardon me --  
24 yeah, Mr. Henderson now says, 'How far from, who  
02:46 25 would have gotten on first', and your answer was,



1 'Larry, oh, she would have got on first', 'And  
2 then, and then Larry would have got on', Mr.  
3 Henderson says. And then you say, 'And Larry  
4 would have got on, and then she would have got  
02:46 5 off, but Larry had to go back downtown because, if  
6 he was working by the bridge, but he never worked  
7 that way anyway'.

8 So when you are talking about  
9 Larry having to go back downtown, what are you  
02:46 10 trying to convey there, where did you think that  
11 they would be when Larry would have to go back  
12 downtown?

13 A I don't know. I think, I think we were trying to  
14 say that they were going to St. Paul's or  
02:47 15 something, or the bus was going -- they would get  
16 on to go towards St. Paul's.

17 Q Yeah.

18 A But that's --

19 Q That's why I thought that you may have --

02:47 20 A But that wouldn't have been right because they'd  
21 be going the other way.

22 Q Right. That's why I thought you may have believed  
23 Gail Miller worked at St. Paul's Hospital and that  
24 she was going to St. Paul's rather than going away  
02:47 25 from St. Paul's?



1 A That's almost what it sounds like.

2 Q Right. Would you agree with me here that at this  
3 point in your discussion with Mrs. Milgaard and  
4 Mr. Henderson you are trying to reconstruct,  
02:47 5 trying to come up with something that makes sense  
6 for how Larry Fisher and Gail Miller could have  
7 been together on that morning?

8 A Yes.

9 Q And you are not doing anything malicious when you  
02:47 10 are doing that I take it?

11 A No.

12 Q No. You are simply trying to --

13 A Piece it --

14 Q -- construct a set of events that would explain,  
02:47 15 to your satisfaction, how these two got together  
16 that morning?

17 A Well there was some problem with where the bus  
18 stop was at the time of -- whether it was the end  
19 of the block or the front of the block, I think it  
02:48 20 was at the front of the block, but --

21 Q You tried to put a few, the few facts that you  
22 have together in a way that makes sense to you?

23 A Yeah.

24 Q Keeping in mind the belief that you have that  
02:48 25 Larry Fisher did kill Gail Miller that morning?



1 A Yes.

2 Q And I'm going to suggest to you, Mrs. Fisher, that  
3 much as that process proceeded in your discussion  
4 with Mrs. Milgaard in 1990 about who was on the  
02:48 5 bus first and how they came together, when you  
6 looked back on the conversation you had with Larry  
7 Fisher in 1969 you interpreted it in light of the  
8 belief you had that he had killed Gail Miller,  
9 would that be fair?

02:48 10 A On, in -- the shocked look?

11 Q The conversation as a whole?

12 A Oh, yes, uh-huh.

13 Q And maybe I'll be a little bit more specific.

14 When you looked back on that conversation, and  
02:49 15 it's sometime between a year and two years later  
16 that you began to suspect Mr. Fisher of having  
17 killed Gail Miller, you placed that conversation  
18 at the time that you believed Gail Miller was  
19 killed, in other words you believed that  
02:49 20 conversation took place on January 31st, 1969;  
21 correct?

22 A Yes.

23 Q And could that belief have been formed in part  
24 because you believed that your husband had killed  
02:49 25 Gail Miller at that time?



1 A Back then?

2 Q Yes. I'm talking back in 1970 or '71 when you  
3 formed the belief he had killed Gail Miller, when  
4 you looked back on that conversation that you had  
02:49 5 with Larry Fisher a year or two years earlier, is  
6 it possible that you believed that conversation to  
7 have taken place on January 31st because that  
8 would explain why Larry Fisher wasn't at work that  
9 day and how he could have killed Gail Miller?

02:50 10 A I don't know. I probably came to that conclusion  
11 sometime.

12 Q Right. In other words you put it in a framework  
13 that made sense to you?

14 A Yes.

02:50 15 Q If he killed Gail Miller, then this conversation  
16 probably took place January 31st, correct, because  
17 that would be a day that he wasn't at work and you  
18 knew --

19 A Well I probably knew it was that day because that  
02:50 20 was the first report of the -- of the -- on the  
21 radio.

22 Q Okay. And I'll ask you the same question about  
23 that. Is it possible your belief that this was  
24 the first report on the radio is based on looking  
02:50 25 back two years later and saying "this is the first



1 time I heard about it, that's how I can place the  
2 date"? Let me put that another way. Murders,  
3 even today if a murder occurs in Saskatoon there's  
4 going to be a report, an initial report on the  
02:50 5 radio announcing that a murder has been committed  
6 and then there will be several other reports in  
7 the following days referring to that murder,  
8 "police continue to investigate the body found in  
9 the back alley", those types of things; would that  
02:51 10 be fair?

11 A Well, I think even me and Larry and Anita and  
12 Clifford, I think we all kind of, we kind of  
13 laughed about it because I mean I overdid in  
14 accusing him, you know, that morning, so -- so --  
02:51 15 and it was, you know, like I said "holy man, Larry  
16 really believed it, I think he really believed  
17 that", and so I'm sure it was that morning because  
18 we talked about that morning.

19 Q And I'll ask you about one of the other facts, as  
02:52 20 well, that led to your conclusion that Larry  
21 Fisher killed Gail Miller or may have killed Gail  
22 Miller, and that is the missing wallet. That went  
23 missing sometime in the winter of 1969; --

24 A Yes.

02:52 25 Q -- would that be right? And, again, that's one of



1 the things that you looked back on, after you  
2 found out about the rapes, and began to reassess?

3 COMMISSIONER MacCALLUM: You mean Larry's  
4 wallet?

02:52 5 MR. O'KEEFE: Yes, thank you.

6 BY MR. O'KEEFE:

7 Q At the time that the wallet went missing you, of  
8 course, wouldn't have connected that in any way  
9 with the murder?

02:52 10 A No.

11 Q You thought that Larry had simply lost his wallet?

12 A Yeah.

13 Q And --

14 A I thought he was carrying and, his clothes, and it  
02:52 15 had fell out or something. He, I think that's  
16 what he told me, it probably fell out of the cab  
17 when he --

18 Q Okay. Would you agree with me that, after you  
19 found out about the rapes and started to form this  
02:52 20 belief that Larry had killed Gail Miller, you  
21 looked back on that wallet incident and placed it  
22 at a time and in a framework that made sense on  
23 the assumption that Larry had killed Gail Miller?  
24 I'm not expressing that very well. In other  
02:53 25 words, that you placed an importance on it, that



1           you thought it had something to do with the death  
2           of Gail Miller because of your suspicions that he  
3           had killed Gail Miller?

4           A           Yes.

02:53 5           Q           Without those suspicions having taken place, that  
6           wallet wouldn't have seemed significant to you at  
7           all?

8           A           No.

9           Q           And the time frame for the finding of the wallet  
02:53 10          wasn't a significant event? The date, for  
11          example, that you found the wallet was not a  
12          significant event at the time that you found it?

13          A           Probably not.

14          Q           Umm, that date became more significant when you  
02:53 15          saw it in the context of its possible relation to  
16          the death of Gail Miller?

17          A           Yes.

18          Q           And is it possible, then, that a year or two years  
19          after the fact, that you believed that wallet to  
02:53 20          have been found around the time of Gail Miller's  
21          death because you suspected your husband was  
22          involved in Gail Miller's death?

23          A           Probably, yes.

24          Q           I want to ask you, as well, about your contact  
02:54 25          with Mr. Fisher following his arrest for the



1           Winnipeg rapes, and a number of counsel here have  
2           gone over the letters that were written by Mr.  
3           Fisher to you indicating that the, at least two of  
4           the rapes had occurred in Saskatoon?

02:54 5           A           Yes.

6           Q           And it's clear to you that Mr. Fisher was not  
7           suggesting to you that he had done anything in  
8           Regina?

9           A           No.

02:54 10          Q           Umm, Mr. Fisher, in his either in-person  
11          conversations with you or in his letters, never  
12          suggested to you that he wanted to keep these  
13          offences out of the media; did he?

14          A           No.

02:54 15          Q           Did he ever express to you any desire to have  
16          matters dealt with in a place other than  
17          Saskatoon?

18          A           No.

19          Q           Thank you.

02:54 20                   MR. HODSON: Mr. Commissioner, I think  
21          Mr. Frayer is next, and he will be a bit of time,  
22          and I'm suggesting we maybe break until 1:30.

23                   COMMISSIONER MacCALLUM: Sure. 1:30.

24                   *(Adjourned at 11:55 a.m.)*

04:30 25                   *(reconvened at 1:30 p.m.)*



1 BY MR. FRAYER:

2 Q Mrs. Fisher, my name is David Frayer and I  
3 represent the federal Minister of Justice and I  
4 have a few questions I would like to ask you this  
04:30 5 afternoon, much of which arises out of the  
6 examination that has taken place over the last  
7 couple of days.

8 The first area I would like to  
9 touch upon are the circumstances surrounding your  
04:30 10 interview with Eugene Williams that took place on  
11 March the 24th of 1990, and can you give us some  
12 of the background as to how that particular  
13 interview was arranged? You remember the  
14 circumstances, who you were first approached by  
04:30 15 and your understanding of what was going to take  
16 place during that interview?

17 A I think Mr. Pearson had mentioned it first.

18 Q Yes. So Mr. Pearson approached you about the  
19 possibility of sitting down with Mr. Williams and  
04:31 20 conducting an interview?

21 A Yes.

22 Q And do you know how far in advance of the  
23 interview date that took place roughly?

24 A Not really, no.

04:31 25 Q No. And before the interview was conducted, did



1           you have some idea at least as to the role that  
2           Mr. Williams was playing in this whole process; in  
3           other words, had Sergeant Pearson told you about  
4           what Mr. Williams was going to do?

04:31 5           A           I think so, yes.

6           Q           Yes. So that when this interview was set up, it  
7           was clearly understood that Mr. Williams was going  
8           to be conducting the interview?

9           A           Yes.

04:31 10          Q           And that Sergeant Pearson was going to be present?

11          A           Yes.

12          Q           And that there was going to be a court reporter  
13          present?

14          A           Yes. I wasn't sure about the court reporter.

04:31 15          Q           So it may very well be that when you walked into  
16          that room in the police station to have this  
17          interview conducted that you saw the court  
18          reporter for the first time?

19          A           Yes.

04:32 20          Q           And you don't recall whether you were advised as  
21          to whether it was going to be taken down by a  
22          court reporter or not?

23          A           I don't recall.

24          Q           No. In any event, you've also indicated that you  
04:32 25          didn't feel intimidated by this process, but that



1 it was very serious?

2 A Yes.

3 Q And indeed it was a very serious process, you were  
4 going to advise him as to the reasons behind why  
04:32 5 you believed your husband had committed the murder  
6 of Gail Miller?

7 A Yes.

8 Q And so the interview took place over the course of  
9 a little over an hour, as we found out this  
04:32 10 morning, and that particular interview was  
11 recorded by the court reporter. Do you recall in  
12 what manner it was recorded?

13 A I think she typed it.

14 Q She typed it. And the result of that is that  
04:32 15 there was a transcript prepared of that interview  
16 and your evidence is that you don't recall ever  
17 having seen that subsequent to the interview  
18 taking place?

19 A Yes.

04:33 20 Q Okay. Now, with respect to the manner in which  
21 the interview was conducted, during the course of  
22 this morning's examination Mr. Lockyer --

23 COMMISSIONER MacCALLUM: I'm sorry,

24 Mr. Frayer, I didn't understand the question. So  
04:33 25 the transcript was prepared of --



1 MR. FRAYER: Of the interview.

2 COMMISSIONER MacCALLUM: Of the interview  
3 by Mr. Williams?

4 MR. FRAYER: By Mr. Williams, yes.

04:33 5 COMMISSIONER MacCALLUM: But she did not  
6 see that before?

7 MR. FRAYER: No, that had she seen it since  
8 that date, and my understanding is that she  
9 didn't see it; in other words, she's never seen  
04:33 10 the transcript of that.

11 COMMISSIONER MacCALLUM: Okay, thank you.

12 BY MR. FRAYER:

13 Q Am I accurate in that, Mrs. Fisher?

14 A Ah, the transcript I gave Mr. Williams, I never  
04:33 15 seen it?

16 Q The transcript of the interview by Mr. Williams,  
17 did you see that subsequent to it at any date?

18 A Not before, no.

19 Q No, but after it was conducted?

04:33 20 A I must have at some point. I think I did.

21 Q You must have at some point. You don't recall  
22 when that was?

23 A No.

24 Q Okay. Now, with respect to that particular  
04:34 25 interview, it's my understanding that during the



1 course of a very short time, probably about two  
2 weeks, this was conducted on March the 24th of  
3 1990, that you had conducted a number of  
4 interviews, the first of which was on March 10th I  
04:34 5 believe it was, with Joyce Milgaard and Mr.  
6 Henderson?

7 A Yes.

8 Q And that particular interview was followed up on  
9 the following day by an affidavit that was  
04:34 10 prepared that was further to that interview?

11 A On March 11th there was another one I think.

12 Q Yes. And where did those interviews take place?

13 A One in Saskatoon -- well, one was probably in  
14 Saskatoon and one was at Ernie Moosomin's.

04:34 15 Q Ernie Moosomin's?

16 A Yeah.

17 Q And subsequent to the interviews that were  
18 conducted by Joyce Milgaard and Paul Henderson,  
19 there was an interview by Sergeant Pearson that  
04:35 20 took, I believe, place shortly following that, I  
21 believe on March the 14th of 1990?

22 A Yes.

23 Q Yes. And so by the time you met with Mr. Pearson  
24 to be interviewed, you had had the benefit of  
04:35 25 telling your story to both Joyce Milgaard and Mr.



1 Henderson and subsequent to that to Sergeant  
2 Pearson?

3 A Yes.

4 Q And so within two weeks you are now being  
04:35 5 interviewed by Mr. Williams and he has certain  
6 questions to ask you about what you've been saying  
7 as to your husband's role in the murder of Gail  
8 Miller?

9 A Yes.

04:35 10 Q And when you were interviewed by Mr. Williams, he  
11 had present with him the statement of August the  
12 28th of 1980 that you had given to the Saskatoon  
13 Police Service?

14 A Yes.

04:36 15 Q And he afforded you an opportunity to read that?

16 A Yes.

17 Q And you did read it?

18 A Yes.

19 Q And prior to your reading it, was that a statement  
04:36 20 that you had ever read before?

21 A I don't think so.

22 Q You don't think so. In any event, then following  
23 that there were two further statements that were  
24 filed as exhibits on this interview that were  
04:36 25 interviews of March 10th and March 11th of 1990 by



1 Joyce Milgaard and Mr. Henderson?

2 A I think so.

3 Q Yes. And you didn't ask to read those?

4 A No.

04:36 5 Q Nor were you asked to read them by Mr. Williams?

6 A No.

7 Q But very clearly with respect to the first  
8 statement you gave to the Saskatoon Police  
9 Service, you did read it?

04:36 10 A I probably did. I don't know.

11 Q The transcript appears to reflect the fact that  
12 you were given an opportunity to read it and that  
13 you may have read it.

14 A Yeah. I -- I don't remember whether I did or not.

04:37 15 Q And with respect to the other two statements,  
16 because they've been recently given, there was no  
17 necessity for you to look at them and to read them  
18 again?

19 A No.

04:37 20 Q Because all of this had occurred within a two week  
21 period?

22 A Yeah.

23 Q Now, with respect to the interview by Mr. Pearson,  
24 Mr. Lockyer in his cross-examination this morning  
04:37 25 seemed to suggest that this was more a



1 cross-examination of you than it was an interview,  
2 and the manner in which he put the various  
3 portions of the transcript to you was done in a  
4 fairly aggressive and a fairly fast fashion.

04:37 5 Would you agree with me; that is, the way  
6 Mr. Lockyer read through it this morning with you?

7 A Well, there was steady questions, yes.

8 Q Yeah, they were the same questions, but I'm now  
9 talking about the style, the manner in which those  
04:38 10 questions were asked of you this morning. Am I  
11 accurate in saying that the way that Mr. Lockyer  
12 portrayed the taking of this statement was to  
13 suggest that you were being asked questions sort  
14 of bang, bang, bang, in consecutive order, and  
04:38 15 that Mr. Williams was fairly aggressive in the way  
16 he asked you those questions? Do you understand  
17 my question?

18 A Ah -- I think I do. Well, they weren't one after  
19 the other. I don't know what feeling I got or  
04:38 20 whether they were aggressive or whether they were  
21 just asked.

22 Q But -- Mrs. Fisher, I guess you don't understand  
23 my question. I'm asking -- this may be a little  
24 unfair to you, but I'm asking the manner in which  
04:38 25 Mr. Lockyer portrayed the questioning of



1 Mr. Williams this morning, would you say that that  
2 was a manner in which Mr. Williams questioned you  
3 back on March the 24th of 1990, in rapid fashion?

4 A It was pretty rapid, yes.

04:39 5 Q Yes. And what was Mr. Williams' style like? I  
6 know Mr. Williams to be a reasonably soft-spoken  
7 person. Did he conduct the interview in that  
8 manner to the best of your recollection?

9 A Yes.

04:39 10 Q He did. In other words -- and you've already  
11 indicated, in fairness, that you weren't  
12 intimidated, you didn't feel intimidated by either  
13 the fact that you were being interviewed or the  
14 manner in which the questions were asked?

04:39 15 A I don't think that I was.

16 Q And if I can just, I don't have the benefit,  
17 didn't have the benefit of being here yesterday  
18 when Mr. Hodson was asking you certain questions,  
19 but I'm going to refer to a portion of a  
04:39 20 transcript of the direct examination of you  
21 yesterday, and just reading from page 15429 of  
22 that transcript at line 24, and reference to a  
23 memorandum outlining the manner in which the  
24 interview had been conducted, he quotes:

04:40 25 "Mr. Williams seemed more interested in



1                   discrediting you or your statement than  
2                   gathering evidence against Fisher.'; was  
3                   that your sense of the interview with  
4                   Mr. Williams?"

04:40 5                   And your response was:

6                   "A   Well I felt that he was a -- he --  
7                   everything was possible that Larry might  
8                   not have done it.

9                   Q   Okay. Did you think he was more  
04:40 10                  interested in discrediting your  
11                  statement than in gathering evidence  
12                  against Larry Fisher?"

13                  And your response was:

14                  "A   Well, I don't know, I don't know about  
04:40 15                  that, but I know he just wanted, he  
16                  wanted all the possibilities."

17                  And is that an accurate statement of what you  
18                  said yesterday and an accurate statement of your  
19                  view of Mr. Williams' questioning?

04:40 20                A   Yes.

21                Q   And it goes on:

22                  "Q   Okay. And did you -- did you take that  
23                  to mean, by the nature of those  
24                  questions, that he was -- or what did  
04:41 25                  you construe from that, what meaning, if



1 any?

2 A Well I figure that he thought -- he  
3 wanted -- I don't know. He wanted to  
4 know every possibility."

04:41 5 So that was your impression of what Mr. Williams  
6 was doing?

7 A Yes.

8 Q And, in fact, in the manner in which he asked you  
9 questions, you had already told a number of people  
04:41 10 about your version of events of the morning that  
11 Gail Miller was murdered and your impression as to  
12 what, as to the fact that your husband had done  
13 it?

14 A Yes.

04:41 15 Q It goes on:

16 "Q Okay. Did you get any sense based on  
17 your interview with him, that he was  
18 in -- that he was trying to discredit  
19 your statement?

04:41 20 A No, not discredit."

21 And so that, what you told Commission Counsel  
22 yesterday, was your view of the approach taken by  
23 Mr. Williams?

24 A Yes.

04:41 25 Q And that's an accurate impression of what



1 Mr. Williams was endeavouring to do?

2 A Yes.

3 Q And I believe this morning in response to a  
4 question that was put to you by Mr. Lockyer, you  
04:42 5 said I didn't feel that they were looking any  
6 place else, but I don't know anywhere else they  
7 could have looked, and that was a statement you  
8 made to Mr. Lockyer under cross-examination this  
9 morning?

04:42 10 A Yes.

11 Q And you agree with that?

12 A Yes.

13 Q Now, with respect to the Supreme Court of Canada  
14 reference, it's my understanding that you appeared  
04:42 15 as a witness in the Supreme Court in the early  
16 months of 1992?

17 A Yes.

18 Q And at that time you were examined by Crown  
19 Counsel; in other words, your evidence was led by  
04:42 20 direct examination and you were subject to  
21 cross-examination by a number of very experienced  
22 lawyers who were there?

23 A Yes.

24 Q And by the time you had testified in 1992 in the  
04:42 25 Supreme Court of Canada, and reference was made to



1 a portion of your evidence, you had told your  
2 story to the Saskatoon Police Service back on  
3 August, in August of 1980?

4 A Yes.

04:43 5 Q You had told your story to Joyce Milgaard and Paul  
6 Henderson on more than one occasion?

7 A Yes.

8 Q You had spoken to Rick Pearson on March the 14th  
9 of 1990 and given a statement, and I believe it  
04:43 10 was your evidence that you spoke to Rick Pearson,  
11 or Sergeant Pearson maybe 15 or 20 times during  
12 the course of the events after March 14th of 1990?

13 A Yes.

14 Q And you had a good working relationship with Mr.  
04:43 15 Pearson, Sergeant Pearson?

16 A Yes.

17 Q And if I go back to the interview that took place,  
18 it's very clear that both Sergeant Pearson and  
19 Eugene Williams were working together on this  
04:43 20 matter, and were you told that or were you advised  
21 of that fact?

22 A Well I didn't know if -- well I knew my  
23 information was going to Mr. Wilson (sic) through  
24 Mr. Pearson.

04:45 25 Q Was going to Mr. Williams through Mr. --



1 A Yes, yes.

2 Q -- through Sergeant Pearson. So you were aware of  
3 the fact that there was a working relationship  
4 between the two of them?

04:45 5 A Yes.

6 Q And I believe your evidence of this morning was  
7 that you, apart from the interview that took place  
8 at the North Battleford police station, that you  
9 never were interviewed again by Mr. Williams?

04:45 10 A No.

11 Q That was your evidence?

12 A Yes.

13 Q And that's your recollection?

14 A Yes.

04:45 15 Q Okay. And so you spoke to Rick Pearson maybe 15  
16 to 20 times, by your estimate, since you first  
17 were interviewed by him back on March the 14th of  
18 1990, and you also spoke to Eugene Williams this  
19 one time.

20 A *(Nods in the affirmative)*

21 Q And your evidence, as I understand it, too, was  
22 that on a number of occasions you discussed the  
23 possibility that your husband was involved -- or  
24 your ex-husband was involved in the murder of Gail  
04:46 25 Miller with various family members --



1 A Yes.

2 Q -- many of whom we've heard from over the course  
3 of this Inquiry?

4 A Yes.

04:46 5 Q I'm sorry I interrupted you, but "yes", "yes" is  
6 your response?

7 A Yes.

8 Q And was it a continuing discussion that took place  
9 as to the possibility that he had committed the  
04:46 10 murder?

11 A Yes.

12 Q Okay. And this took place over a period of years?

13 A Yes.

14 Q Okay. And it's my understanding that, after  
04:46 15 testifying in the Supreme Court of Canada, that at  
16 least to the media you expressed some uncertainty  
17 as to whether David Milgaard or Larry Fisher had  
18 actually murdered Gail Miller?

19 A Yes.

04:46 20 Q And that particular report was shown to you  
21 yesterday, I believe, by Commission Counsel?

22 A Yeah.

23 Q If you could just bring up doc. ID 048855. I'm  
24 not certain whether, can we bring up the top  
04:47 25 portion of that article, please? Thank you.



1           Okay. This is an article in *The StarPhoenix*  
2           that's dated August -- sorry -- April the 15th of  
3           1992, and I believe that's the day after the  
4           Supreme Court of Canada rendered its decision on  
04:47 5           the reference, and the headline is *Linda Fisher*  
6           *not sure if identity of killer will ever be known.*

7                           First of all, Mrs. Fisher, do  
8           you recall giving this interview to Donella  
9           Hoffman of *The StarPhoenix*?

04:47 10          A           I don't recall it, but I probably did, yes.

11          Q           Yeah. And do you recall whether it was an  
12           in-person interview, or was it done over the  
13           telephone, do you recall the circumstances?

14          A           No.

04:48 15          Q           Okay. And I appreciate it's been some while ago  
16           so... And I don't know whether Commission Counsel  
17           put it to you with respect to your review of it  
18           yesterday, but did you have an opportunity to read  
19           this entire news item?

04:48 20          A           I don't know.

21          Q           If you'd like to just take a look at it now, if  
22           you can?

23          A           (Reading) Yes.

24          Q           Yeah. I draw to your attention, Mrs. Fisher,  
04:49 25           simply because your evidence in part was that



1 after the interview of Eugene Williams on March  
2 the 24th of 1990, at the end of it you had some  
3 doubts as to whether your husband was responsible  
4 for the murder of Gail Miller?

04:49 5 A Yes.

6 Q And after that, of course, those doubts left and  
7 you maintained the belief that he was guilty of  
8 the murder of Gail Miller?

9 A Yes.

04:49 10 Q And if you look at the -- and you have had a  
11 chance to read it, is it essentially, does it  
12 essentially set out -- I realize you may not have  
13 a recollection of how the interview was conducted  
14 -- but does it essentially set out your version of  
04:50 15 events as you gave them to *The StarPhoenix*  
16 reporter?

17 A Yes.

18 Q Okay. And if I can look at the last paragraph  
19 down on the right-hand corner, it says:

04:50 20 "Tuesday's decision doesn't  
21 make any conclusions about who Miller's  
22 murderer is. Linda Fisher can't either.

23 "I'm like (the Supreme Court  
24 judges). They (Milgaard and Fisher)  
04:50 25 could both be guilty. I still don't



1 know.

2 "I feel sorry for them both in  
3 a way." "

4 So that it appears, as late as April 15th of  
04:50 5 1992, you are still harbouring some doubts about  
6 who was actually responsible for the murder of  
7 Gail Miller?

8 A Yes.

9 Q That's fine, thank you Mrs. Fisher, those are my  
04:51 10 questions.

11 MR. HODSON: I don't think there's anybody  
12 else. I had no re-examination.

13 I was just going to clarify. I  
14 think both Mr. Lockyer and Mr. Frayer referred to  
04:51 15 the March 10th and 11th statements as an  
16 affidavit, and I believe -- I believe it was just  
17 a statement, so -- umm, the document speaks for  
18 itself. It says "I declare as follows", but I  
19 don't think they are sworn. I don't think  
04:51 20 anything turns on it, but I just wanted to --

21 COMMISSIONER MacCALLUM: That is on both  
22 dates?

23 MR. HODSON: March 10th and 11th, yes.

24 COMMISSIONER MacCALLUM: Oh, it was a  
04:51 25 continuum, wasn't it?



1 MR. HODSON: No, there was two statements.

2 COMMISSIONER MacCALLUM: All right.

3 MR. HODSON: Yeah, I don't think we need to  
4 bring them up, they do say "I declare"

04:51 5 and they are witnessed but I don't think they  
6 were sworn. And as I say, I don't think anything  
7 turns on it, but I just wanted to clarify that.

8 COMMISSIONER MacCALLUM: All right.

9 MR. HODSON: And that is all for Mrs.  
04:52 10 Fisher. Thank you very much, Mrs. Fisher.

11 COMMISSIONER MacCALLUM: Thank you for  
12 coming, Mrs. Fisher. Thank you, you are excused.

13 MR. HODSON: Thank you. And the next  
14 witness is Bryan Wright.

04:52 15 **BRYAN DAVID WRIGHT, sworn:**

16 BY MR. HODSON:

17 Q Good afternoon, Mr. Wright, thank you for agreeing  
18 to testify before this Commission.

19 I understand that you currently  
04:53 20 reside in Cochin, Saskatchewan?

21 A Yes I do.

22 Q And your current age?

23 A 59.

24 Q And I understand that you moved to Cochin in the  
04:53 25 last couple of years; is that right?



1 A 2001.

2 Q And prior to that you lived in Saskatoon for most  
3 of your life; is that correct?

4 A Yes I did.

04:53 5 Q And so certainly throughout 19 -- the decade of  
6 the '70s, the '80s, and the '90s, you lived in  
7 Saskatoon; is that correct?

8 A Yes sir.

9 Q And I understand, sir, that you, for some time  
04:53 10 period, lived with Linda Fisher; is that correct?

11 A Yes I did.

12 Q And was that as common-law spouse?

13 A Yes it was.

14 Q And can you give us roughly the dates that you  
04:53 15 would have been living with Mrs. Fisher?

16 A Umm, roughly '74 to '82, I believe.

17 Q And then did you stay in touch with her after  
18 1982?

19 A Off and on.

04:53 20 Q And I understand that -- so 1974 I think, is it,  
21 did you say, or '75 you started living with her?

22 A That's correct.

23 Q And she had a daughter, Tammy Fisher; is that  
24 correct?

04:54 25 A That's correct.



1 Q And did she live with you at the time?

2 A Yes she did.

3 Q And were you, at the time, aware who her father  
4 was?

04:54 5 A Umm, not really.

6 Q Did you know of a Larry Fisher that was her  
7 father?

8 A Well I, I heard the name, yes, --

9 Q Okay.

04:54 10 A -- but I didn't know him.

11 Q And, at the time, were you aware that he was in  
12 jail?

13 A No, not really. Well I shouldn't say that, not  
14 till later on, like about, umm, maybe '79, because  
04:54 15 we took Tammy up there once to P.A. to visit her  
16 dad, I think it was around '79.

17 Q Prior to, and I will be asking you some questions  
18 about information that Linda Fisher may have  
19 provided to you about Larry Fisher, but prior to  
04:54 20 those discussions I'm just trying to understand  
21 what -- whether you would have been aware of who  
22 Larry Fisher was and did you know that he was in  
23 prison?

24 A Yes I did.

04:55 25 Q And did you know what he was in prison for?



1 A Umm, for rape, I heard.

2 Q Yeah. And prior to discussions with Linda Fisher  
3 about Larry Fisher were you aware about the  
4 details of his crimes or what he was in jail for?

04:55 5 A Umm, I heard he had mutilated two women in  
6 Winnipeg. That's all I know.

7 Q And was that information that Linda had given you?

8 A Umm, I can't recall whether I heard it right from  
9 Linda or somebody else.

04:55 10 Q Okay. Do you recall, Mr. Wright, a discussion  
11 with Linda Fisher regarding her suspicions about  
12 Larry Fisher being the person who killed Gail  
13 Miller?

14 A Yes I do.

04:55 15 Q And can you tell us about those, please?

16 A Umm, it was one night, she had a few things on my  
17 mind that she said she had to tell me. One was  
18 that she was, had been raped in Cando, I forget  
19 what year, and she had conceived a boy from that  
04:56 20 rape; and that she had lived with Larry Fisher,  
21 who was in jail for raping two women in Winnipeg;  
22 and that she thought that Larry was -- committed  
23 the murder of Gail Miller in 1969. And I don't  
24 remember too much of that case, even though I  
04:56 25 lived in Saskatoon, it --



1 Q Okay.

2 A I don't recall too much of that.

3 Q If I can just pause there, you said that she told  
4 you that Larry Fisher was in jail for raping or  
04:56 5 mutilating two women in Winnipeg?

6 A Yeah.

7 Q And, prior to Linda Fisher telling you that, had  
8 you been aware of that being the reason he was in  
9 jail?

04:56 10 A Umm, I think I heard something about that before  
11 but I -- it just didn't -- I didn't think too much  
12 of it.

13 Q Okay. And can you tell us approximately when this  
14 discussion would have taken place with Linda  
04:57 15 Fisher?

16 A Umm, probably in -- it was the summertime, May or  
17 April, somewhere in there.

18 Q Okay. And we know, we have a record of Linda  
19 Fisher going in to see the Saskatoon City Police  
04:57 20 on August 28th, 1980. Can you tell us, in  
21 relation to that date, --

22 A Umm --

23 Q -- when she would have first told you about her  
24 suspicions?

04:57 25 A Well that's, that's the time. It was an evening,



1 we were just laying in bed, and that's when she  
2 said she wanted to tell me a few things about her  
3 past that she -- was on her chest.

4 Q Okay. So do you think that that was in 1980,  
04:57 5 then, that she told you that?

6 A I believe so.

7 Q And you think in the summertime?

8 A Yeah, probably like April or May.

9 Q Okay. And, at the time that she told you this  
04:57 10 version of events, had she been drinking that day?  
11 Was she sober at the time she told you this?

12 A When she told me first? No, she wasn't, no, she  
13 was --

14 Q She wasn't drinking?

04:58 15 A No, she wasn't, no, no, no.

16 Q Okay. So, sorry, I asked you two questions. Was  
17 she sober when she told you?

18 A No, she was sober when she told me.

19 Q Okay. And did she provide you any details about  
04:58 20 why she suspected that Mr. Fisher may have killed  
21 Gail Miller?

22 A She said that there was a knife missing from a  
23 kitchen set she had, and that he didn't have the  
24 same clothes on that she -- he went to work with.

04:58 25 Q Okay. Do you remember anything else that she



1 would have told you?

2 A No, that was about it.

3 Q Okay. Do you recall whether she told you that she  
4 had accused him of the murder that morning?

04:58 5 A I don't recall her telling me that.

6 Q Okay. And do you recall what she may have told  
7 you about the rapes that he had previously  
8 committed?

9 A In -- like the details of 'em?

04:59 10 Q Yes.

11 A Well I had heard he almost bit off one lady's  
12 breast, and I think he used a knife or something  
13 to slit the, slit the lady's throat.

14 Q Okay. And, prior to having this discussion with  
04:59 15 Linda Fisher, did you know about the Gail Miller  
16 murder and about David Milgaard's conviction for  
17 that murder?

18 A Well I knew about the murder, I knew about the  
19 conviction of David Milgaard.

04:59 20 Q Did you know much about it?

21 A No, not really.

22 Q And do you recall -- the record suggests, Mr.  
23 Wright, that in March of 1980, that a couple of  
24 months after Mr. Fisher was out of jail for the  
04:59 25 rapes, he raped and was charged and convicted of



1           attempting to murder a woman by the name of (V10)  
2           (V10)- in North Battleford; do you remember  
3           hearing about that at the time?

4           A           Yes I do.

05:00 5           Q           And was the conversation with Linda Fisher after  
6           that, or before that, or do you remember where  
7           that fits in?

8           A           It was after.

9           Q           It was after? And so you mentioned the -- that  
05:00 10          Linda Fisher told you that one of the incidents  
11          Larry had slit a woman's throat; is that right?

12          A           That's correct.

13          Q           Do you know if that was referring to the North  
14          Battleford incident or not?

05:00 15          A           No, it wasn't. I don't believe so. I think it  
16          was a woman in Winnipeg.

17          Q           Okay. And can you tell us what else, so Mrs.  
18          Fisher told you about her suspicions, what did you  
19          say to her or what did you ask her?

05:00 20          A           I said, "if this is really bothering you", that  
21          "you should go to the police or talk to Mrs.  
22          Milgaard".

23          Q           Okay. And what did you know about Mrs. Milgaard  
24          at that time?

05:01 25          A           I didn't know, I didn't know anything about her.



1 Q Okay. And why would you tell Linda to go talk to  
2 Mrs. Milgaard?

3 A Because there, I heard there was -- that she was  
4 looking for information on the murder case.

05:01 5 Q Okay. So, at the time you had this discussion  
6 with Linda Fisher, you had been aware of  
7 information, that Mrs. Milgaard was looking for  
8 information relating to the matter; is that fair?

9 A That's correct, yes.

05:01 10 Q And do you remember where you would have seen this  
11 information or heard this information?

12 A I can't, I can't recall whether it was on the news  
13 or -- I'm sure it wasn't in the paper.

14 Q It wasn't in the paper?

05:01 15 A I don't believe so, not in *The StarPhoenix*.

16 Q Okay. And did you get any sense, or did Linda  
17 tell you about how long this had been bothering  
18 her, did you get into any discussion about that?

19 A Not really, but from what I gather it's been --  
05:01 20 had been bothering her for quite a while.

21 Q Do you have any recollection, again at the time  
22 you had this discussion, of anything about a  
23 reward being in the newspaper or on a flyer or  
24 anything of that nature?

05:02 25 A We heard about it but we just kind of joked about



1           it. Like she wanted to clear, she wanted to get  
2           this off her chest, her feeling about Larry.

3           Q       Okay. Did you -- do you recall hearing anything,  
4           around this time, about David Milgaard escaping  
05:02 5           from prison?

6           A       Umm, I know he escaped once but I didn't, you  
7           know, I don't know what year it was or anything  
8           like that.

9           Q       Okay. So after you had the initial discussion  
05:02 10          with Linda about this where she had told you this  
11          information did you have further discussions with  
12          her?

13          A       No, we just basically dropped it.

14          Q       And --

05:02 15          A       She was worried that either Larry or David might  
16          come after her and do harm to ei -- her family or  
17          me, --

18          Q       And did --

19          A       -- but we didn't talk about it until later on,  
05:03 20          like until she went down to the police station to  
21          give a statement.

22          Q       Did she explain to you what she was fearful of or  
23          why she was fearful?

24          A       Well they thought -- she thought they might want  
05:03 25          to get even with her for not, either not going to



1 the police, or going to the police.

2 Q Okay. And did you sense that that was a concern  
3 of hers then?

4 A Yes I did.

05:03 5 Q And did you tell her anything about that or  
6 respond to that?

7 A No, I -- well I told her, I said "I don't think  
8 they would do that", like, because she did have a  
9 good relationship with Larry and she didn't know  
05:03 10 David at all.

11 Q Okay. And so did there come a time when Linda  
12 Fisher then went to the Saskatoon City Police with  
13 this information?

14 A Yup.

05:03 15 Q Can you tell us about how that came about?

16 A Umm, she -- we were talking about it probably that  
17 day or that evening and took her down, or I took  
18 her down there, and I know she had a couple of  
19 drinks just to calm her nerves. And I thought it  
05:04 20 was earlier in the evening, but apparently it was  
21 2:00 or 4:00 in the morning, I didn't think it was  
22 that late. It was summertime.

23 Q Okay. Let me just pause there. And I know that  
24 you have seen the statements and are aware of the  
05:04 25 statement that has a date on it, I think, of 4:30



1 a.m. What is your recollection -- again, let's  
2 just take a step back. From the time that Linda  
3 Fisher first told you the information, which I  
4 think you said was April-May of 1980?

05:04 5 A April or May, right, yeah.

6 Q And then on the evening of August 27th, 1980,  
7 presumably you then discussed it again; is that  
8 right?

9 A Right.

05:04 10 Q And between the first time she told you and August  
11 27th, 1980, had you discussed it with her at all?

12 A No.

13 Q And so it came up again on August 27th?

14 A Right.

05:04 15 Q And how did it come up?

16 A I really can't, I can't remember, like it was --  
17 must have been really bothering her that she  
18 wanted to go to the police with the information  
19 that she had because I don't really recall the  
05:05 20 conversation that we had before I took her down  
21 there.

22 Q Okay. What did you -- do you recall what, if  
23 anything, you said to her?

24 A Umm, I can't recall.

05:05 25 Q Okay. Did you play any part in having her go to



1 the city police?

2 A I drove her there myself.

3 Q Okay. Did you -- did you talk to her about  
4 whether she should or shouldn't go to the police?

05:05 5 A No, it was always that she should go.

6 Q Okay. So did you tell her, did you express your  
7 views to her that she should go to the police with  
8 these suspicions?

9 A I told her that if that's, if that's what she --  
05:05 10 how she felt, to tell the truth, and -- because  
11 she's a, she's a straightforward person, and to  
12 get the truth out so it would be off her chest,  
13 and let the authorities take it from there.

14 Q Okay. And, again, I'm trying to understand Mr.  
05:05 15 Wright, did you -- did you try and convince her to  
16 go into the police then?

17 A I told her it would be the best thing to do.

18 Q Okay. And did she have some reluctance to go in  
19 on that, on that day?

05:06 20 A Not really. She was nervous --

21 Q Okay.

22 A -- but --

23 Q And then so did you drive her to the police  
24 station?

05:06 25 A Yes I did.



1 Q And what do you remember as far as the time of day  
2 it was when you went in?

3 A It was nice, it was a, a nice evening.

4 Q Was it the evening time?

05:06 5 A I thought it was. I thought it was like dusk, but  
6 I guess it was later, I --

7 Q Okay. So dusk, which might be 9:00 in August?

8 A Right.

9 Q And did you go in to the police station with her?

05:06 10 A No, I dropped her off.

11 Q And then did you wait out front or did you --

12 A Umm, no, I went back home because we had kids at  
13 home.

14 Q And then did you go pick her up after?

05:06 15 A Yes I did.

16 Q And did she call you, then, to come pick her up?

17 A That's correct.

18 Q And do you remember how long she was there or what  
19 time you picked her up?

05:06 20 A Umm, no, I can't recall that.

21 Q And then you had mentioned that she had had a few  
22 drinks before she went in?

23 A *(Nods in the affirmative)*.

24 Q And, I'm sorry, the record needs "yes" --

05:07 25 A Yes.



1 Q -- and you were nodding your head. And do you  
2 remember how many drinks she had?

3 A Just a couple.

4 Q Okay. In your, based on your observations, did  
05:07 5 you think she was drunk at the time?

6 A No, not at all. She was more nervous than  
7 anything.

8 Q And, when you picked her up, do you recall any  
9 discussion with her after she'd been in to the  
05:07 10 police station?

11 A I just asked her, I think I asked her how it went,  
12 or what she thought the police might do or --

13 Q Yes?

14 A And -- oh, I know one thing. I thought she told  
05:07 15 me that they had made drawings of the weapon, or  
16 the knife or weapon, but she said that she  
17 couldn't recognize it from the drawings.

18 Q Okay. So this is when you picked her up from the  
19 police station?

05:07 20 A Right.

21 Q Now there has been evidence, Mr. Wright, in fact  
22 evidence from Mrs. Fisher that in the late '70s  
23 she went and looked at a drawing or a picture of a  
24 knife in a newspaper, that she'd gone into the  
05:08 25 library in the late '70s to look at the knife; do



1           you recall if she ever told you about that?

2           A           No.

3           Q           And so when you picked her up on I guess the  
4           morning of -- do you remember what time of day it  
05:08 5           was that you picked her up?

6           A           Umm, no, I don't.

7           Q           Would it be at 5:00 in the morning, would that be  
8           consistent with --

9           A           It could have been.

05:08 10          Q           Pardon me?

11          A           It could have been.

12          Q           And do you recall Linda telling you what the  
13          police -- what the reaction was of the police to  
14          the information?

05:08 15          A           I thought she'd told me that they, the person  
16          doing the interview was quite interested but the  
17          officer over him didn't take it to heart, the  
18          statement.

19          Q           Okay. And is that something she told you at the  
05:08 20          time when you picked her up or is that something  
21          she may have told you later?

22          A           Probably later in the day. Like, I worked, I  
23          forget what shift I was working.

24          Q           Okay. And did you have any understanding as to  
05:09 25          whether the police would be getting back to Linda



1 on this matter?

2 A No. She never said anything to me about if they  
3 were going to get back to her, or come and see her  
4 again, or interview her any more or --

05:09 5 Q Okay.

6 A No.

7 Q Did you have any further discussions with Linda  
8 about her visit to the police station?

9 A Nope.

05:09 10 Q Did you ever talk to her about going back to the  
11 police?

12 A I told her that I -- I, actually I told her, I  
13 said, "You know, they might not take your  
14 statement because I know you were under the  
05:09 15 influence of some alcohol", and that she should go  
16 back when she's sober, but I don't think she did  
17 go back again.

18 Q Okay. And when did you tell her that?

19 A Probably the day after.

05:09 20 Q Okay. And, again, did you have any discussions  
21 with Linda after, after August 28th or 29th, about  
22 her suspicions about Larry Fisher?

23 A No.

24 Q Did she bring it up again?

05:10 25 A No.



1 Q Did you bring it up with her again?

2 A No.

3 Q If we could call up 025417, please. And this is  
4 the statement, Mr. Wright, that she gave, it says  
05:10 5 at 0430 hours on August 28th, and I'm going to  
6 call up the typed version which is 103521. And  
7 this is a typed version of the statement that the  
8 police officer wrote down when she went in, I just  
9 want to ask you a few questions about that. And  
05:10 10 it says:

11 "I divorced Larry 2 years ago while he  
12 was serving time for rape. He has been  
13 involved in several cases of rape. The  
14 last time was last March in North  
05:11 15 Battleford when he slashed a 56 year old  
16 woman and raped her while he was out of  
17 prison on parole. I think he is back in  
18 jail now."

19 At the time when Linda Fisher went into the  
05:11 20 police, had she told you that information in that  
21 paragraph?

22 A No, I think I knew about it.

23 Q So you knew about the North Battleford?

24 A Right.

05:11 25 Q And the other rapes, did you know about those from



1 Linda Fisher or someone else?

2 A Yes I did.

3 Q And scroll down. It says:

4 "Something has been bothering (me) about  
05:11 5 that murder ever since it happened. I  
6 should have come forward long ago."

7 Did Linda Fisher ever express those thoughts to  
8 you?

9 A Yes.

05:11 10 Q And then she says:

11 "The day of the murder or the day after  
12 I found my paring knife missing. Larry  
13 and I were not getting along well and I  
14 said to him, "you probably killed that  
05:11 15 nurse." He went very pale but at that  
16 time I didn't think any more of it. It  
17 has been bothering me ever since,  
18 especially when Larry started raping  
19 women."

05:12 20 And I've already asked you about that comment but  
21 I'll ask you again. The information in that  
22 paragraph, Mr. Wright, did Linda Fisher tell you  
23 about that?

24 A Oh yes, yeah.

05:12 25 Q Okay. Did she tell you -- well, first of all the



1 paring knife, did she -- had she told you about  
2 her paring knife being missing?

3 A She said a knife from her kitchen set was missing,  
4 she didn't specifically say a paring knife.

05:12 5 Q Okay. And did she tell you -- here's what she  
6 told the police on August 28th, 1980, that she  
7 said that she -- she told Larry:

8 "... "you probably killed that nurse."

9 He went very pale ..."

05:12 10 Did she -- had she told you about that?

11 A No, she didn't tell me that.

12 Q Okay. Go to the next page, please. And here it  
13 describes the knife as:

14 "... a short handled ordinary paring  
05:12 15 knife with a smooth blade ... wooden  
16 handle ... brown coloured";

17 did she ever describe the knife to you or talk  
18 about the knife description to you?

19 A No. All she said, it was a knife missing from her  
05:13 20 kitchen set.

21 Q And then it says that she had spoken to her Dr.  
22 McGettigan about this matter; were you aware of  
23 that, did she tell you that she had told her  
24 doctor about that?

05:13 25 A Umm, she may have, I don't recall it. I know who



1 her doctor was though.

2 Q Was it Dr. McGettigan?

3 A Yup.

4 Q Yes?

05:13 5 A Yes.

6 Q Okay. And after she was at the police station did  
7 she ever tell you or discuss with you sort of  
8 hearing further from the police, ever say -- did  
9 she ever tell you that she was going to hear  
05:13 10 further?

11 A No. That's what I couldn't understand, after  
12 giving a statement like that, I thought they would  
13 be coming to see her again.

14 Q Yeah. Did you have an expectation, sir, that the  
05:13 15 police would be following up with her?

16 A Well I thought they would be.

17 Q And did you ever follow up with Linda as to why  
18 that didn't happen?

19 A Not really.

05:13 20 Q If I can call up 004923. And this is a statement,  
21 March 20th, 1990, that I believe you gave to  
22 Sergeant Pearson; do you remember that?

23 A That's -- vaguely.

24 Q Okay. And you had a chance to read over this  
05:14 25 statement again this morning, I think, didn't you?



1 A Yes I did.

2 Q And is it -- is it accurate?

3 A Yes it is.

4 Q Okay. If we could just go through parts of it.

05:14 5 Umm, the one part here, that you lived at Avenue E  
6 North --

7 A That's --

8 Q -- and you said you lived at that address until  
9 the fall of 1981?

05:14 10 A Right.

11 Q "At that time Linda and I went our own  
12 ways".

13 And I have seen other reports, Mr. Wright, that  
14 have you and Linda going your own ways in 1982,  
05:14 15 and at one report 1984; are you able to tell us  
16 when --

17 A It was probably --

18 Q Is 1981 accurate?

19 A Probably 1981, yes.

20 Q Okay.

21 A '81-'82, because our youngest was about six years  
22 old.

23 Q Okay. And I think, when was he born, 19 --

24 A No, six, in '78.

05:15 25 Q '78?



1 A So, no, I guess he wasn't. That would only make  
2 him three. Hmm. I thought he were together at  
3 least six years, so maybe 1984 is correct.

4 Q Okay. So your rec -- the child that you had with  
05:15 5 Linda was born in 1978?

6 A '78, right.

7 Q And do you have a recollection of your child being  
8 six when you and Linda split?

9 A What was that again?

05:15 10 Q So when you and Linda split, or went your separate  
11 ways, how old was your child?

12 A Six.

13 Q Okay.

14 A So it would be '84.

05:15 15 Q Okay. And then it talks about:

16 "Sometime during the year 1978/1979,  
17 during a discussion, Linda said she had  
18 something to tell me that she had never  
19 told another man."

05:16 20 And then it goes on to talk about that  
21 information. '78/'79 is what's in the statement,  
22 I think you told us today you thought it was --

23 A I thought it was --

24 Q -- 1980?

05:16 25 A Right.



1 Q And then if you could just scroll down, and it  
2 says here:

3 "She went on to say she had something  
4 else to tell me. She said her  
05:15 5 ex-husband was in the P.A. Pen, for  
6 mutilating two women in Winnipeg. She  
7 indicated Larry had bitten one woman's  
8 breast badly and the other woman was  
9 badly sliced up. I said something like  
05:15 10 "how could you live with a person like  
11 this". After this she said she had  
12 something more to tell me. She said she  
13 thought Larry had killed the nurse in  
14 1969 near St. Paul's Hospital in  
05:15 15 Saskatoon. She said that a kitchen  
16 knife was missing from the drawer. She  
17 didn't describe the knife, she used the  
18 word "kitchen knife". Linda said Larry  
19 was supposed to go to work that day, but  
05:15 20 didn't. I don't know how Linda knew  
21 that Larry didn't go to work that day."

22 And then it goes on to talk about -- sorry:

23 "Larry was apparently doing drywalling  
24 but I don't know the company. I am  
05:15 25 almost positive that Linda told me that



1 Larry had different clothes on when he  
2 got home than when he left. I'm not  
3 positive on the exact conversation Linda  
4 and I had on this point, but I recall  
05:16 5 her saying there was a difference in  
6 Larry's clothes."

7 And again, is that truthful and accurate, Mr.  
8 Wright?

9 A Yes, it is.

05:16 10 Q And then I think you told Sergeant Pearson that:  
11 "According to Linda, Larry was not  
12 violent toward her and as far as I know,  
13 Larry didn't have any known sexual  
14 hangups with Linda. Linda was a private  
05:16 15 person and kept things to herself, but  
16 Linda is very honest and trustworthy."

17 Is that accurate and truthful?

18 A Yes, it is.

19 Q And it says:

05:16 20 "After Linda told me of her suspicions  
21 of Larry's involvement in the nurse's  
22 murder, I told her she should go to the  
23 police and tell them. From the time  
24 Linda told me until she actually went to  
05:16 25 the police, there had been a time lapse



1 of a few months. Late one evening, I  
2 drove Linda to the Saskatoon City Police  
3 office as she wanted to go down and tell  
4 the police of her suspicions of Larry.  
05:16 5 Linda wanted to phone them, but I told  
6 her to go in person. Linda had been  
7 drinking prior to attending the  
8 Saskatoon Police Station. I picked  
9 Linda up after her statement. Linda  
05:17 10 said she felt better and that the police  
11 had taken her statement. I suggested to  
12 Linda that she should go back again to  
13 the police when she was not drinking  
14 because I thought they would not take  
05:17 15 her seriously."

16 And again, is that accurate and truthful?

17 A Yes, it is.

18 Q Scroll down:

19 "I did not tell anyone about what Linda  
05:17 20 told me and I have not gone to the  
21 police or law firm with the information.  
22 Linda came to see me within the last  
23 couple of weeks, just before Linda  
24 talked to Mrs. Milgaard in Saskatoon.  
05:17 25 Linda asked me if I had told anyone of



1                   this."

2                   And again, is that accurate and truthful?

3           A           Yes, it is.

4           Q           And it says:

05:17 5                   "I had very few conversations with Linda  
6                   of her involvement with Larry, but I'm  
7                   positive Linda was telling me the  
8                   truth."

9                   And again, is that accurate information?

05:17 10          A           Yes, it is.

11          Q           And this call from, it talks about getting a call  
12                   from Linda Fisher I think in early 1990, right  
13                   before the statement. Do you remember that?

14          A           Ah -- not really.

05:17 15          Q           Okay. Do you remember, and I think you were  
16                   questioned later on, there's evidence that on  
17                   February 28th, 1990 an individual called Mr. Hersh  
18                   Wolch, who was the lawyer acting for David  
19                   Milgaard, and Mr. Wolch indicated that the caller  
05:18 20                   wanted to remain anonymous and used the name  
21                   Sidney Wilson and gave information that pointed to  
22                   Larry Fisher as the killer of Gail Miller, and I  
23                   think for some time period, probably two or three  
24                   years, police authorities and the Milgaards were  
05:18 25                   looking for who this anonymous caller was, and I



1 think your name came up as a possibility, and do  
2 you remember being questioned by people about  
3 that, as to whether you were the one who called  
4 the law firm?

05:18 5 A I don't recall that.

6 Q Okay. Did you phone Hersh Wolch with information  
7 about Larry Fisher?

8 A No.

9 Q And do you have any recollection of being asked  
05:18 10 about that by anybody?

11 A No.

12 Q Again, you had mentioned -- if I could just call  
13 up 159706, please, this is a document, a reward  
14 document, and I think the information is that it  
05:19 15 would have gone into the public, or into the news  
16 in December of 1980, which would have been about  
17 four months after Linda Fisher went into the  
18 Saskatoon City Police station. Do you recall  
19 seeing this flier or a flier like this?

05:19 20 A No, I don't.

21 Q Do you remember having any discussion with Linda  
22 Fisher or anyone else in 1980 about a reward, or  
23 asked about a reward being offered?

24 A You know, it might have been after she went and  
05:20 25 gave that statement. I just don't recall. I



1 think one night we were joking about it, but,  
2 like, we never -- she would never do this for  
3 money.

05:20 4 Q And when you took her to the police station on the  
5 night of August 27th, 1980, do you recall whether  
6 the reward was mentioned by her as a reason for  
7 her going in?

8 A Not at all.

05:20 9 Q If I could call up 159890, please, this is an  
10 advertisement that ran in the *Saskatoon*  
11 *StarPhoenix* in March of 1983, and I'll just read  
12 it for you, it says:

13 "Linda Fisher - would anyone knowing the  
14 recent whereabouts of Linda Fisher, (who  
05:20 15 was married in 1969 to Larry Fisher) and  
16 has a daughter, Tammy, please contact  
17 Box 410C *StarPhoenix*. The advertiser  
18 has important information which may be  
19 to her advantage and is anxious to  
05:21 20 contact Mrs. Fisher as soon as possible.  
21 Her last known address was in  
22 Saskatoon."

23 Do you remember, have a recollection of reading  
24 this, Mr. Wright?

05:21 25 A No, I don't, but I think maybe I probably did.



1 Q Okay. And let me call up 213943, please, go to  
2 page 4, the fourth page. Is that your  
3 handwriting?

4 A That's my handwriting, yes, it is.

05:21 5 Q And it says:

6 "To whom it may concern  
7 Regarding your advertisement, the  
8 StarPhoenix re: Linda Fisher. You may  
9 contact me at 382-8167, Bryan, for  
05:21 10 further information as I am her  
11 common-law husband. I would like to  
12 know more about this matter and if she  
13 will need a lawyer etc.  
14 Sincerely yours, Bryan."

05:22 15 And then the next page, if we can go to 21394 --  
16 I think the sixth page, just two ahead, please,  
17 an envelope, *StarPhoenix*. Is that your  
18 handwriting?

19 A Yes, it is.

05:22 20 Q And again, if we go back to the letter, please.  
21 Do you have a recollection of sending that letter?

22 A No, I really don't, but obviously I did. But  
23 there was -- I never got -- nobody phoned me or  
24 contacted me after that.

05:22 25 Q Okay. Do you have a recollection of sending the



1 letter or no?

2 A No, I don't.

3 Q At that time, and again here it asks about, more  
4 about this matter and if she will need a lawyer,  
05:22 5 etcetera, and I appreciate you don't recall the  
6 letter, although you acknowledge it's your  
7 writing, do you know what that would have been  
8 referring to, about getting a lawyer?

9 A Probably if she needed one, to give testimony for  
05:22 10 something, or even to go to the police and give  
11 them more information.

12 COMMISSIONER MacCALLUM: Is there a date on  
13 the ad, Mr. Hodson?

14 MR. HODSON: On the ad? Yes. If we could  
05:23 15 go back to 159890, please. It's March 26, 1983  
16 and it ran dates after that.

17 COMMISSIONER MacCALLUM: And on the  
18 response?

19 MR. HODSON: Pardon me?

05:23 20 COMMISSIONER MacCALLUM: And on his  
21 response?

22 MR. HODSON: On his response? If we can go  
23 to the fourth page, there's no date on this.

24 COMMISSIONER MacCALLUM: No date, thank  
05:23 25 you.



1 A No, I didn't date it.

2 BY MR. HODSON:

3 Q Now I will call up 213947, and this is a letter,  
4 and Linda Fisher has told us -- this is dated  
05:23 5 March 27, '83 -- that she had, she thinks, her  
6 sister write this letter on her behalf in response  
7 to the ad and gave the box number in Cando, and I  
8 think her evidence was she thought it might be one  
9 of the victims of Larry Fisher and so she used a  
05:24 10 box number in Cando. Do you remember having any  
11 discussion with Linda about that?

12 A No, I don't.

13 Q If we could just scroll down to the bottom of that  
14 page, please. Is any of that handwriting  
05:24 15 familiar?

16 A The phone number looks like my handwriting, but  
17 the rest of it is not mine.

18 Q Okay. Does that look like your handwriting?

19 A No.

05:24 20 Q Just for the record, 372-4292?

21 A Yeah, that looks like my writing there, the phone  
22 number.

23 Q Do you know whose phone number that is?

24 A No, I don't.

05:24 25 Q Okay. Again at this time, this looks to be March



1 of 1983, and the letter that you wrote says that  
2 you're the common-law husband of Mrs. Fisher at  
3 that time, does that sound correct, in 1983?

4 A That's correct.

05:24 5 Q And if at that time, sir, someone had been -- or  
6 let me back up for a moment. Do you recall the  
7 name Peter Carlyle-Gordge?

8 A No, I don't. I just don't recall that name at  
9 all.

05:25 10 Q Do you recall talking to someone who claimed he  
11 was a writer from Winnipeg investigating the David  
12 Milgaard matter? You are shaking your head. Is  
13 that a no?

14 A Yeah. I just don't recall it.

05:25 15 Q If at that time back in 1983 if you had been  
16 contacted by anyone seeking information that might  
17 assist David Milgaard in setting aside his  
18 conviction, would you have co-operated with them?

19 A Oh, yes, sir. Yes, I would have.

05:25 20 Q And would you have put them in touch with Linda  
21 Fisher?

22 A Yes, I would have.

23 Q And would you have conveyed information to them  
24 about what you know about Linda Fisher's  
05:25 25 suspicions?



1 A Yes, I would have.

2 Q If we can call up 213627, this is a letter that we  
3 have of October 12th, 1983 which would be a few  
4 months later than the newspaper article, and it's  
05:26 5 a letter from Mr. Merchant who, at the time, was  
6 acting as the lawyer for David and Joyce Milgaard,  
7 to a process server in Calgary trying to find --  
8 trying to find Linda Fisher, and at the time would  
9 Linda Fisher have been living with you at that  
05:26 10 time do you think, October of 1983?

11 A I think we were still together then. I'm sure of  
12 it, yes, we were.

13 Q And you were living in Saskatoon?

14 A Yes.

05:26 15 Q Do you recall ever being contacted by either  
16 Universal Process Servers or Tony Merchant?

17 A No, I don't.

18 Q If we can go to 082166, please, and I had read you  
19 the statement that you gave Sergeant Pearson in  
05:27 20 1990. That was your statement, sir, that I read  
21 through with you just a moment ago?

22 A Uh-huh.

23 Q And these are his notes that he wrote when he got  
24 the statement, it says:

05:27 25 "I met Brian Wright at his work site,



1 provided me a self-explanatory statement  
2 of his association with Linda and in  
3 particular what he had been told  
4 regarding Larry's activities such as the  
05:27 5 missing knife and the circumstances  
6 surrounding it. Brian was very  
7 straightforward with me and seemed to  
8 have a lot of respect for Linda and the  
9 line of communication seems to be very  
05:27 10 open and positive. Brian claims that  
11 Linda is an honest, sincere and trusting  
12 individual, and he believes totally in  
13 what he was told by her. Brian  
14 basically confirms what Linda has  
05:27 15 stated."

16 And then:

17 "Brian also, in a very uncertain way,  
18 suggested that he may have been told by  
19 Linda that Larry was wearing different  
05:27 20 clothes than he had on the previous  
21 night he left the house, this being the  
22 night Gail Miller was murdered. Brian  
23 seemed very uncertain on this point and  
24 it really has no definitive value."

05:28 25 I'm wondering if you can, whether you can tell



1 us, Mr. Wright, is there anything about that  
2 paragraph that you can elaborate on, do you  
3 remember talking to Sergeant Pearson about the  
4 clothes he was wearing?

05:28 5 A Oh, I recall -- I don't know where I got the  
6 information from or whatever, but I recall  
7 hearing, or somebody saying that Larry had burnt  
8 his clothes and -- or else he didn't have the same  
9 clothes on that he went to work with, one of the  
05:28 10 two.

11 Q And was that from Linda?

12 A I don't believe it was. I think it was from  
13 somebody else. I don't think -- the clothes -- I  
14 think Linda told me that the clothes he had on was  
05:28 15 different than what he went to work with and I  
16 heard from, I forget where, that he had burnt the  
17 clothes that he was wearing.

18 Q Okay. Did you know a Roy Pambrun?

19 A Yes, I do.

05:28 20 Q Did he tell you that?

21 A I can't recall.

22 Q Okay.

23 A I don't recall where I heard it from.

24 Q That's fine. If we could call up 045218, please,  
05:29 25 and this is 1993, the RCMP were doing an



1 investigation. Do you remember talking to the  
2 RCMP at that time?

3 A No.

4 Q Okay. These are their notes, and the officers'  
05:29 5 names were Homeniuk and Gagne, and I think it's  
6 around March 9th, 1993. Do you have any  
7 recollection of that?

8 A No.

9 Q No? And they talk about the statement that you  
05:29 10 gave to Pearson, it says:

11 "He further advised that he really could  
12 add nothing to this statement which  
13 might assist us."

14 If we can go to the next page, 217, the RCMP  
05:30 15 write, it says:

16 "Wright stated that he did not ever  
17 pressure Linda to discuss the matter as  
18 he felt that it was none of his  
19 business."

05:30 20 Is that -- and again I appreciate you don't  
21 remember this interview, but is that something  
22 you believed at the time? Is that accurate?

23 A Yes, it is.

24 Q And then down at the bottom, you'll see here:

05:30 25 "Wright was questioned to see if he was



1 the person who called Hersh Wolch and  
2 identified himself as Sidney Wilson."

3 Next page.

4 "Wright was adamant that he ever called  
05:30 5 Wolch and had no idea who Sidney Wilson  
6 is."

7 And I think that's what you told us yesterday?

8 A That's correct.

9 Q Now, apart from -- I think you told us in 1980  
05:30 10 Linda Fisher told you about missing a kitchen  
11 knife the morning of the murder, or words to that  
12 effect; is that right?

13 A That's correct.

14 Q Do you recall her ever talking to you about  
05:30 15 missing any other knives from that time frame?

16 A No, no.

17 MR. HODSON: Thank you, Mr. Wright. Those  
18 are all my questions. I'll maybe see -- if there  
19 are some cross-examination, this is our only  
05:31 20 witness for today. We may wish to break, but  
21 before we do that, maybe I'll just check to see  
22 if there are.

23 I think Mr. Gibson might be the  
24 only questioner, so maybe we'll just carry on.

25 **BY MR. GIBSON:**



1 Q I have just one question. Mr. Wright, my name is  
2 Bruce Gibson, I act for the RCMP.

3 The question that I'm going to  
4 ask you is not really pertaining to the RCMP, but  
05:31 5 just something that arose from your discussion  
6 with Mr. Hodson. You were shown a couple of  
7 letters in response to an advertisement that  
8 appeared in the *StarPhoenix* asking for information  
9 and you indicated that you wrote in response to  
05:31 10 that, gave your phone number, how to get a hold of  
11 you. It appears that you likely did that on  
12 behalf of Linda; is that correct?

13 A That's correct, yes.

14 Q And it also appears that on March 27th, and we  
05:32 15 heard evidence from Linda that her sister assisted  
16 her in writing in what appears to be a response to  
17 the March, 1983 advertisement in the *StarPhoenix*.  
18 Do you have any explanation as to why both of you  
19 might be responding?

05:32 20 A I don't -- I have no explanation for that one, and  
21 probably why I put in for a lawyer, because I  
22 didn't know who was writing that letter in the  
23 *StarPhoenix*, like, requesting, maybe requesting a  
24 lawyer, okay, so, you know, in case we needed one.

05:32 25 Q Do you recall whether you and Linda were living



1 together at March, 1983 through until the  
2 beginning of April, 1983?

3 A According -- looking at the statement there, I was  
4 living on Pendygrasse, so we were probably split,  
05:32 5 but we still kept in close contact.

6 Q Okay. That may be an explanation.

7 A Right.

8 Q Thank you.

9 A You're welcome.

05:33 10 MR. HODSON: Those are all the questions.  
11 Thank you very much, Mr. Wright, for attending.

12 COMMISSIONER MacCALLUM: You are excused,  
13 Mr. Wright. Thank you.

14 MR. HODSON: And our next witness is Mr.  
05:33 15 Caldwell who will be starting his evidence on  
16 Monday, Mr. Commissioner, so we will be  
17 adjourning to I think the Radisson; is that  
18 correct?

19 MRS. BEITEL: Yes, Monday, October 3rd.

05:33 20 MR. HODSON: Monday, October 3rd at the  
21 Radisson at one o'clock.

22 COMMISSIONER MacCALLUM: Thank you.

23 *(Adjourned at 2:34 p.m.)*

24

25



OFFICIAL QUEEN'S BENCH COURT REPORTERS' CERTIFICATE:

We, Karen Hinz, CSR, and Donald G. Meyer, RPR, CSR,  
Official Queen's Bench Court Reporters for the Province of  
Saskatchewan, hereby certify that the foregoing pages  
contain a true and correct transcription of our shorthand  
notes taken herein to the best of my knowledge, skill, and  
ability.

\_\_\_\_\_, CSR

Karen Hinz, CSR

Official Queen's Bench Court Reporter

\_\_\_\_\_, RPR, CSR

Donald G. Meyer, RPR, CSR

Official Queen's Bench Court Reporter



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|--|--|--|---|---|
| <b>\$</b>  | <p>15638:23, 15663:15<br/>                 'okay' [1] - 15569:16<br/>                 'okay' [1] - 15569:24<br/>                 'our' [1] - 15596:21<br/>                 'possibles' [2] -<br/>                 15610:13, 15612:20<br/>                 'regina' [1] - 15562:20<br/>                 'she' [2] - 15570:19,<br/>                 15570:20<br/>                 'that' [1] - 15569:8<br/>                 'uh' [2] - 15560:14,<br/>                 15560:16<br/>                 'uh-huh' [1] - 15560:16<br/>                 'wait' [1] - 15663:16<br/>                 'well' [8] - 15547:8,<br/>                 15547:14, 15549:5,<br/>                 15569:7, 15570:7,<br/>                 15628:5, 15663:12,<br/>                 15664:1<br/>                 'were' [1] - 15560:19<br/>                 'what' [1] - 15569:3<br/>                 'where' [2] - 15569:18,<br/>                 15570:18<br/>                 'winnipeg' [1] - 15561:3<br/>                 'winnipeg' [3] -<br/>                 15561:2, 15561:4,<br/>                 15561:5<br/>                 'ya' [2] - 15561:5,<br/>                 15571:4<br/>                 'you' [2] - 15569:21,<br/>                 15569:22</p> | <b>1</b>   | <p>15690:4<br/> <b>16</b> [4] - 15607:4,<br/>                 15616:25, 15617:2,<br/>                 15617:10<br/> <b>177</b> [1] - 15572:22<br/> <b>17th</b> [1] - 15580:16<br/> <b>180</b> [1] - 15658:2<br/> <b>19</b> [2] - 15692:5,<br/>                 15712:23<br/> <b>1968</b> [2] - 15562:17,<br/>                 15634:1<br/> <b>1969</b> [29] - 15537:23,<br/>                 15547:22, 15560:12,<br/>                 15564:22, 15566:7,<br/>                 15577:3, 15591:24,<br/>                 15592:2, 15592:7,<br/>                 15594:23, 15610:5,<br/>                 15633:19, 15633:20,<br/>                 15638:17, 15656:19,<br/>                 15658:22, 15659:18,<br/>                 15660:3, 15660:20,<br/>                 15662:15, 15662:23,<br/>                 15663:12, 15667:7,<br/>                 15667:20, 15669:23,<br/>                 15694:23, 15714:14,<br/>                 15719:15<br/> <b>1970</b> [6] - 15541:19,<br/>                 15542:12, 15623:23,<br/>                 15659:24, 15660:9,<br/>                 15668:2<br/> <b>1971</b> [3] - 15562:13,<br/>                 15651:18, 15659:23<br/> <b>1974</b> [1] - 15692:20<br/> <b>1976</b> [1] - 15562:14<br/> <b>1978</b> [1] - 15713:5<br/> <b>1978/1979</b> [1] -<br/>                 15713:16<br/> <b>1980</b> [41] - 15532:12,<br/>                 15533:6, 15533:14,<br/>                 15534:23, 15535:9,<br/>                 15538:11, 15541:18,<br/>                 15545:9, 15549:19,<br/>                 15549:23, 15550:14,<br/>                 15550:25, 15552:1,<br/>                 15565:1, 15566:18,<br/>                 15567:23, 15584:3,<br/>                 15584:8, 15599:8,<br/>                 15599:24, 15600:2,<br/>                 15601:7, 15603:16,<br/>                 15606:9, 15610:2,<br/>                 15628:7, 15649:12,<br/>                 15678:12, 15685:3,<br/>                 15695:20, 15696:4,<br/>                 15697:23, 15702:4,<br/>                 15702:6, 15702:11,<br/>                 15710:6, 15713:24,<br/>                 15718:16, 15718:22,<br/>                 15719:5, 15728:9<br/> <b>1981</b> [3] - 15712:9,<br/>                 15712:18, 15712:19</p> | <p><b>1982</b> [2] - 15692:18,<br/>                 15712:14<br/> <b>1983</b> [10] - 15719:11,<br/>                 15721:15, 15723:1,<br/>                 15723:3, 15723:15,<br/>                 15724:3, 15724:10,<br/>                 15729:17, 15730:1,<br/>                 15730:2<br/> <b>1984</b> [2] - 15712:15,<br/>                 15713:3<br/> <b>1990</b> [43] - 15551:22,<br/>                 15552:4, 15556:12,<br/>                 15557:13, 15565:23,<br/>                 15567:7, 15567:24,<br/>                 15568:18, 15568:25,<br/>                 15588:16, 15588:17,<br/>                 15588:18, 15592:5,<br/>                 15592:18, 15594:1,<br/>                 15594:24, 15595:13,<br/>                 15596:16, 15600:25,<br/>                 15618:20, 15625:18,<br/>                 15648:2, 15648:19,<br/>                 15650:17, 15651:14,<br/>                 15651:20, 15652:7,<br/>                 15652:18, 15663:4,<br/>                 15667:4, 15673:11,<br/>                 15677:3, 15677:21,<br/>                 15678:25, 15681:3,<br/>                 15685:9, 15685:12,<br/>                 15686:18, 15689:2,<br/>                 15711:21, 15717:12,<br/>                 15717:17, 15724:20<br/> <b>1992</b> [4] - 15684:16,<br/>                 15684:24, 15688:3,<br/>                 15690:5<br/> <b>1993</b> [2] - 15726:25,<br/>                 15727:6<br/> <b>1997</b> [1] - 15580:17<br/> <b>1998</b> [1] - 15581:6<br/> <b>19th</b> [1] - 15623:23<br/> <b>1:30</b> [3] - 15672:22,<br/>                 15672:23, 15672:25</p> |
| <b>\$10,000</b> [1] - 15533:16<br><b>\$15.00</b> [1] - 15573:24  |  |  |   |   |
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|  |  |  |   |   |
|  | <b>0</b>   |  |   |   |
| <p>'68' [1] - 15559:19<br/>                 '69' [3] - 15559:19,<br/>                 15660:6<br/>                 '70' [5] - 15559:19,<br/>                 15560:12, 15659:25,<br/>                 15660:1, 15660:11<br/>                 '70s' [3] - 15692:6,<br/>                 15705:22, 15705:25<br/>                 '71' [3] - 15543:8,<br/>                 15562:10, 15668:2<br/>                 '74' [1] - 15692:16<br/>                 '75' [1] - 15692:21<br/>                 '78' [3] - 15712:24,<br/>                 15712:25, 15713:6<br/>                 '78/79' [1] - 15713:21<br/>                 '79' [2] - 15693:14,<br/>                 15693:16<br/>                 '80s' [1] - 15692:6<br/>                 '81-'82' [1] - 15712:21<br/>                 '82' [1] - 15692:16<br/>                 '83' [1] - 15722:5<br/>                 '84' [1] - 15713:14<br/>                 '90s' [1] - 15692:6<br/>                 '92' [1] - 15591:1<br/>                 '99' [2] - 15591:1,<br/>                 15591:2<br/>                 'and' [9] - 15560:12,<br/>                 15569:24, 15570:12,<br/>                 15570:13, 15575:9,<br/>                 15575:25, 15663:24,<br/>                 15665:1, 15665:3<br/>                 'bus' [1] - 15569:15<br/>                 'bus' [1] - 15569:15<br/>                 'but' [2] - 15569:14,<br/>                 15570:17<br/>                 'em' [1] - 15697:9<br/>                 'he' [1] - 15569:5<br/>                 'how' [2] - 15570:10,<br/>                 15664:24<br/>                 'in' [2] - 15545:13,<br/>                 15560:14<br/>                 'is' [1] - 15555:1<br/>                 'jones' [1] - 15561:9<br/>                 'larry' [2] - 15570:11,<br/>                 15665:1<br/>                 'maybe' [1] - 15547:17<br/>                 'mr' [1] - 15681:25<br/>                 'mrs' [1] - 15663:14<br/>                 'no' [2] - 15560:20,<br/>                 15663:14<br/>                 'oh' [3] - 15570:19,</p> | <p><b>004923</b> [1] - 15711:20<br/> <b>01-ca</b> [1] - 15581:17<br/> <b>016114</b> [1] - 15647:25<br/> <b>020175</b> [1] - 15572:22<br/> <b>025417</b> [1] - 15708:3<br/> <b>027</b> [1] - 15580:10<br/> <b>0430</b> [1] - 15708:5<br/> <b>043509</b> [1] - 15585:18<br/> <b>045218</b> [1] - 15726:24<br/> <b>048855</b> [1] - 15687:23<br/> <b>050467</b> [1] - 15651:9<br/> <b>056743</b> [1] - 15658:1<br/> <b>062143</b> [1] - 15583:15<br/> <b>063204</b> [3] - 15561:20,<br/>                 15596:13, 15650:17<br/> <b>063244</b> [1] - 15625:19<br/> <b>076271</b> [3] - 15560:8,<br/>                 15569:1, 15575:8<br/> <b>082166</b> [1] - 15724:18<br/> <b>088019</b> [1] - 15580:6<br/> <b>098</b> [1] - 15590:25</p>   | <p><b>1</b> [6] - 15551:17,<br/>                 15603:7, 15603:8,<br/>                 15603:19, 15605:24,<br/>                 15606:10<br/> <b>1/2</b> [1] - 15600:7<br/> <b>10</b> [5] - 15550:15,<br/>                 15552:17, 15584:25,<br/>                 15585:1, 15618:13<br/> <b>103521</b> [1] - 15708:6<br/> <b>106701</b> [2] - 15535:21,<br/>                 15539:3<br/> <b>10:19</b> [1] - 15595:22<br/> <b>10:32</b> [1] - 15595:23<br/> <b>10th</b> [8] - 15582:16,<br/>                 15583:14, 15584:10,<br/>                 15618:19, 15677:4,<br/>                 15678:25, 15690:15,<br/>                 15690:23<br/> <b>11</b> [4] - 15533:20,<br/>                 15550:15, 15588:7,<br/>                 15618:11<br/> <b>119816</b> [1] - 15532:22<br/> <b>11:55</b> [1] - 15672:24<br/> <b>11th</b> [5] - 15619:2,<br/>                 15677:11, 15678:25,<br/>                 15690:15, 15690:23<br/> <b>12</b> [4] - 15592:17,<br/>                 15648:2, 15648:22,<br/>                 15648:25<br/> <b>12th</b> [3] - 15648:1,<br/>                 15648:23, 15724:3<br/> <b>13</b> [3] - 15562:5,<br/>                 15562:13, 15593:25<br/> <b>1305</b> [1] - 15624:24<br/> <b>13th</b> [1] - 15581:5<br/> <b>14</b> [5] - 15563:1,<br/>                 15594:13, 15604:24,<br/>                 15631:1, 15642:18<br/> <b>14th</b> [9] - 15563:4,<br/>                 15650:17, 15652:7,<br/>                 15652:24, 15654:7,<br/>                 15677:21, 15685:8,<br/>                 15685:12, 15686:17<br/> <b>15</b> [3] - 15598:20,<br/>                 15685:11, 15686:15<br/> <b>15429</b> [1] - 15681:21<br/> <b>15532</b> [1] - 15531:4<br/> <b>15650</b> [1] - 15531:5<br/> <b>15658</b> [1] - 15531:6<br/> <b>15673</b> [1] - 15531:7<br/> <b>15691</b> [1] - 15531:9<br/> <b>15728</b> [1] - 15531:10<br/> <b>159706</b> [1] - 15718:13<br/> <b>159890</b> [2] - 15719:9,<br/>                 15721:15<br/> <b>15th</b> [4] - 15651:14,<br/>                 15651:20, 15688:2,</p> |   | <b>2</b>  |
|  |  |  |   | <p><b>2</b> [3] - 15551:18,<br/>                 15624:24, 15708:11<br/> <b>20</b> [6] - 15552:17,<br/>                 15580:11, 15598:1,<br/>                 15606:15, 15685:11,<br/>                 15686:16<br/> <b>2001</b> [1] - 15692:1<br/> <b>2005</b> [1] - 15528:21<br/> <b>208</b> [2] - 15561:20,<br/>                 15578:24<br/> <b>20th</b> [1] - 15711:21<br/> <b>211</b> [2] - 15598:13,<br/>                 15617:13<br/> <b>213627</b> [1] - 15724:2</p>   |



|   |   |   |   |   |
|---|---|---|---|---|
| <p><b>21394</b> [1] - 15720:15<br/> <b>213943</b> [1] - 15720:1<br/> <b>213947</b> [1] - 15722:3<br/> <b>217</b> [1] - 15727:14<br/> <b>219</b> [2] - 15624:17, 15663:6<br/> <b>21st</b> [1] - 15651:18<br/> <b>22</b> [2] - 15533:6, 15605:17<br/> <b>221</b> [2] - 15599:23, 15599:24<br/> <b>223</b> [4] - 15603:2, 15603:11, 15603:12<br/> <b>224</b> [2] - 15602:3, 15602:14<br/> <b>227</b> [2] - 15618:16<br/> <b>229</b> [1] - 15618:8<br/> <b>23</b> [4] - 15617:1, 15617:2, 15617:10, 15617:15<br/> <b>230</b> [2] - 15618:8<br/> <b>233</b> [2] - 15603:5, 15603:17<br/> <b>23rd</b> [2] - 15533:14, 15533:18<br/> <b>24</b> [1] - 15681:22<br/> <b>240</b> [2] - 15616:25, 15617:5<br/> <b>245</b> [1] - 15626:25<br/> <b>24th</b> [18] - 15556:11, 15567:7, 15568:18, 15583:2, 15592:18, 15595:12, 15596:15, 15600:24, 15614:15, 15625:18, 15648:18, 15649:22, 15654:8, 15655:4, 15673:11, 15677:2, 15681:3, 15689:2<br/> <b>25</b> [1] - 15550:3<br/> <b>252</b> [1] - 15643:7<br/> <b>255</b> [1] - 15646:13<br/> <b>256</b> [4] - 15596:13, 15616:25, 15646:12, 15646:14<br/> <b>256s</b> [1] - 15646:14<br/> <b>26</b> [1] - 15721:15<br/> <b>261217</b> [1] - 15624:17<br/> <b>265185</b> [1] - 15663:1<br/> <b>27</b> [3] - 15580:20, 15722:5<br/> <b>274</b> [1] - 15569:1<br/> <b>27th</b> [5] - 15702:6, 15702:11, 15702:13, 15719:5, 15729:14<br/> <b>28</b> [3] - 15562:4, 15562:10, 15649:12<br/> <b>285</b> [1] - 15569:19<br/> <b>289938</b> [2] - 15581:4<br/> <b>28th</b> [33] - 15528:21,</p> | <p>15532:12, 15532:19, 15534:23, 15535:9, 15535:23, 15538:11, 15549:19, 15549:23, 15550:14, 15550:24, 15551:2, 15599:8, 15599:24, 15600:1, 15601:7, 15603:9, 15603:16, 15604:16, 15604:17, 15604:19, 15604:21, 15605:2, 15606:9, 15610:2, 15628:7, 15652:18, 15678:12, 15695:20, 15707:21, 15708:5, 15710:6, 15717:17<br/> <b>29</b> [1] - 15617:13<br/> <b>292</b> [1] - 15560:9<br/> <b>29th</b> [1] - 15707:21<br/> <b>2:00</b> [1] - 15701:21<br/> <b>2:34</b> [1] - 15730:23<br/> <b>2a</b> [4] - 15618:3, 15618:4, 15618:9, 15618:24<br/> <b>2b</b> [1] - 15618:12</p>  | <p style="text-align: center;"><b>4</b></p>   | <p><b>absence</b> [1] - 15640:22<br/> <b>Absolutely</b> [1] - 15634:23<br/> <b>absolutely</b> [1] - 15639:10<br/> <b>accept</b> [1] - 15535:16<br/> <b>accepted</b> [2] - 15626:8, 15646:2<br/> <b>access</b> [4] - 15584:17, 15655:23, 15656:1, 15656:22<br/> <b>According</b> [2] - 15715:11, 15730:3<br/> <b>according</b> [2] - 15532:24, 15538:25<br/> <b>account</b> [1] - 15583:5<br/> <b>accounted</b> [2] - 15629:9, 15629:18<br/> <b>accumulate</b> [1] - 15556:10<br/> <b>accumulating</b> [1] - 15627:25<br/> <b>accumulation</b> [1] - 15564:19<br/> <b>accurate</b> [15] - 15626:11, 15660:9, 15676:13, 15680:11, 15682:17, 15682:18, 15683:25, 15712:2, 15712:18, 15715:7, 15715:17, 15716:16, 15717:2, 15717:9, 15727:22<br/> <b>accurately</b> [3] - 15543:16, 15548:19, 15624:14<br/> <b>accusation</b> [8] - 15549:24, 15594:15, 15629:1, 15633:17, 15636:1, 15638:4, 15638:9, 15662:4<br/> <b>accuse</b> [1] - 15594:19<br/> <b>accused</b> [8] - 15579:3, 15607:14, 15608:8, 15627:17, 15629:25, 15638:19, 15661:7, 15697:4<br/> <b>accusing</b> [2] - 15638:23, 15669:14<br/> <b>acknowledge</b> [1] - 15721:6<br/> <b>acknowledged</b> [1] - 15622:20<br/> <b>act</b> [3] - 15549:17, 15650:6, 15729:2<br/> <b>acted</b> [1] - 15620:12<br/> <b>acting</b> [4] - 15563:6, 15571:17, 15717:18, 15724:6<br/> <b>activities</b> [4] -</p> | <p>15636:11, 15657:4, 15658:9, 15725:4<br/> <b>actual</b> [1] - 15543:23<br/> <b>ad</b> [3] - 15721:13, 15721:14, 15722:7<br/> <b>adamant</b> [1] - 15728:4<br/> <b>add</b> [4] - 15597:4, 15639:9, 15641:24, 15727:12<br/> <b>address</b> [2] - 15712:8, 15719:21<br/> <b>adequate</b> [1] - 15584:5<br/> <b>Adjourned</b> [3] - 15595:22, 15672:24, 15730:23<br/> <b>adjourning</b> [1] - 15730:17<br/> <b>admit</b> [1] - 15533:23<br/> <b>advance</b> [1] - 15673:22<br/> <b>advantage</b> [2] - 15552:15, 15719:19<br/> <b>adversarial</b> [1] - 15597:24<br/> <b>adverse</b> [1] - 15641:8<br/> <b>advertisement</b> [4] - 15719:10, 15720:7, 15729:7, 15729:17<br/> <b>advertiser</b> [1] - 15719:17<br/> <b>advise</b> [1] - 15675:4<br/> <b>advised</b> [7] - 15536:7, 15536:12, 15538:10, 15657:8, 15674:20, 15685:20, 15727:11<br/> <b>affect</b> [1] - 15633:11<br/> <b>affected</b> [2] - 15633:11, 15633:12<br/> <b>affidavit</b> [5] - 15606:3, 15618:4, 15618:25, 15677:9, 15690:16<br/> <b>affirmed</b> [1] - 15550:9<br/> <b>afforded</b> [1] - 15678:15<br/> <b>afternoon</b> [3] - 15600:24, 15673:5, 15691:17<br/> <b>afterwards</b> [1] - 15655:9<br/> <b>age</b> [1] - 15691:22<br/> <b>agenda</b> [3] - 15598:23, 15628:19<br/> <b>aggressive</b> [3] - 15680:4, 15680:15, 15680:20<br/> <b>ago</b> [7] - 15576:23, 15638:24, 15660:10, 15688:15, 15708:11, 15709:6, 15724:21<br/> <b>agree</b> [8] - 15538:2, 15550:25, 15623:1, 15640:9, 15666:2,</p> |
| <p><b>29th</b> [1] - 15707:21<br/> <b>2:00</b> [1] - 15701:21<br/> <b>2:34</b> [1] - 15730:23<br/> <b>2a</b> [4] - 15618:3, 15618:4, 15618:9, 15618:24<br/> <b>2b</b> [1] - 15618:12</p>  | <p style="text-align: center;"><b>3</b></p> <p><b>3</b> [2] - 15566:12, 15643:10<br/> <b>3/4</b> [1] - 15624:25<br/> <b>300</b> [1] - 15575:8<br/> <b>306</b> [1] - 15570:5<br/> <b>31</b> [1] - 15583:22<br/> <b>312090</b> [1] - 15590:25<br/> <b>312187</b> [1] - 15578:24<br/> <b>31st</b> [16] - 15537:22, 15564:22, 15566:7, 15577:2, 15577:8, 15591:24, 15592:7, 15594:14, 15594:23, 15610:5, 15638:17, 15656:19, 15663:11, 15667:20, 15668:7, 15668:16<br/> <b>372-4292</b> [1] - 15722:20<br/> <b>382-8167</b> [1] - 15720:9<br/> <b>3:05</b> [2] - 15617:8, 15617:14<br/> <b>3:10</b> [2] - 15617:1, 15617:9<br/> <b>3:33</b> [3] - 15597:22, 15617:1, 15617:9<br/> <b>3rd</b> [2] - 15730:19, 15730:20</p> | <p style="text-align: center;"><b>5</b></p> <p><b>50</b> [1] - 15552:10<br/> <b>516</b> [1] - 15589:1<br/> <b>55</b> [1] - 15596:17<br/> <b>56</b> [1] - 15708:15<br/> <b>572</b> [1] - 15585:19<br/> <b>579</b> [1] - 15590:8<br/> <b>59</b> [1] - 15691:23<br/> <b>5:00</b> [1] - 15706:7</p> | <p style="text-align: center;"><b>6</b></p> <p><b>6</b> [1] - 15576:19<br/> <b>690</b> [2] - 15652:20, 15654:16<br/> <b>6:00</b> [1] - 15569:5<br/> <b>6:35</b> [1] - 15663:13</p>  | <p style="text-align: center;"><b>7</b></p> <p><b>7</b> [1] - 15577:12<br/> <b>71</b> [1] - 15562:4<br/> <b>78</b> [1] - 15528:22<br/> <b>7:00</b> [2] - 15569:16</p>   |
| <p style="text-align: center;"><b>3</b></p>   | <p style="text-align: center;"><b>3</b></p>   | <p style="text-align: center;"><b>6</b></p>   | <p style="text-align: center;"><b>7</b></p>   | <p style="text-align: center;"><b>7</b></p>   |
| <p style="text-align: center;"><b>3</b></p>   | <p style="text-align: center;"><b>3</b></p>   | <p style="text-align: center;"><b>9</b></p> <p><b>9</b> [2] - 15582:15, 15600:7<br/> <b>950</b> [1] - 15582:8<br/> <b>9:00</b> [2] - 15532:2, 15704:7<br/> <b>9th</b> [7] - 15560:1, 15568:24, 15568:25, 15571:7, 15575:7, 15606:4, 15727:6</p>   | <p style="text-align: center;"><b>9</b></p>   | <p style="text-align: center;"><b>7</b></p>   |
| <p style="text-align: center;"><b>3</b></p>   | <p style="text-align: center;"><b>3</b></p>   | <p style="text-align: center;"><b>A</b></p> <p><b>ability</b> [1] - 15731:7<br/> <b>able</b> [5] - 15573:21, 15574:6, 15657:2, 15657:9, 15712:15</p>  | <p style="text-align: center;"><b>A</b></p>   | <p style="text-align: center;"><b>7</b></p>   |



|   |   |  |   |   |
|---|---|--|---|---|
| <p>15670:18, 15680:5, 15684:11<br/> <b>agreed</b> [2] - 15534:21, 15548:19<br/> <b>agreeing</b> [1] - 15691:17<br/> <b>ahead</b> [1] - 15720:16<br/> <b>albeit</b> [3] - 15544:14, 15561:13, 15563:12<br/> <b>Albert</b> [2] - 15543:7, 15543:11<br/> <b>alcohol</b> [1] - 15707:15<br/> <b>alcoholic</b> [1] - 15536:3<br/> <b>Alexander</b> [1] - 15530:13<br/> <b>all-encompassing</b> [1] - 15606:6<br/> <b>alley</b> [1] - 15669:9<br/> <b>almost</b> [8] - 15623:10, 15640:10, 15640:13, 15654:23, 15660:4, 15666:1, 15697:11, 15714:25<br/> <b>alone</b> [1] - 15613:10<br/> <b>alter</b> [2] - 15631:15, 15632:25<br/> <b>alternative</b> [1] - 15548:10<br/> <b>alters</b> [2] - 15632:1, 15633:2<br/> <b>amount</b> [1] - 15559:3<br/> <b>anger</b> [1] - 15627:18<br/> <b>angry</b> [5] - 15594:18, 15607:16, 15608:10, 15608:17, 15629:1<br/> <b>Anita</b> [1] - 15669:11<br/> <b>Anne</b> [1] - 15580:14<br/> <b>Anne-elizabeth</b> [1] - 15580:14<br/> <b>announcing</b> [1] - 15669:5<br/> <b>anonymous</b> [2] - 15717:20, 15717:25<br/> <b>answer</b> [7] - 15604:6, 15612:16, 15622:20, 15627:24, 15643:21, 15643:22, 15664:25<br/> <b>answers</b> [4] - 15536:25, 15579:19, 15579:21, 15587:8<br/> <b>antenna</b> [1] - 15539:20<br/> <b>anxious</b> [1] - 15719:19<br/> <b>anyplace</b> [1] - 15555:20<br/> <b>Anyway</b> [2] - 15561:18, 15577:6<br/> <b>anyway</b> [9] - 15570:16, 15575:10, 15576:1, 15605:6, 15614:13, 15636:23, 15639:11, 15640:5, 15660:11<br/> <b>anyway</b> [1] - 15665:7</p> | <p><b>apart</b> [3] - 15555:4, 15686:7, 15728:9<br/> <b>appearance</b> [3] - 15548:16, 15564:7, 15643:15<br/> <b>Appearances</b> [1] - 15530:1<br/> <b>appearances</b> [1] - 15647:8<br/> <b>appeared</b> [3] - 15532:14, 15684:14, 15729:8<br/> <b>appearing</b> [1] - 15596:5<br/> <b>appendices</b> [1] - 15658:4<br/> <b>application</b> [2] - 15652:20, 15654:16<br/> <b>appreciate</b> [5] - 15537:8, 15611:14, 15688:15, 15721:5, 15727:20<br/> <b>appreciates</b> [1] - 15650:2<br/> <b>apprehended</b> [1] - 15571:24<br/> <b>approach</b> [1] - 15683:22<br/> <b>approached</b> [2] - 15673:14, 15673:18<br/> <b>April</b> [7] - 15688:2, 15690:4, 15695:17, 15696:8, 15702:4, 15702:5, 15730:2<br/> <b>April-may</b> [1] - 15702:4<br/> <b>area</b> [9] - 15534:19, 15537:11, 15537:14, 15537:17, 15551:12, 15572:6, 15572:8, 15623:1, 15673:8<br/> <b>areas</b> [1] - 15534:18<br/> <b>argument</b> [2] - 15586:2, 15661:11<br/> <b>argumentative</b> [1] - 15595:6<br/> <b>arises</b> [1] - 15673:5<br/> <b>arose</b> [3] - 15551:11, 15595:6, 15729:5<br/> <b>arranged</b> [1] - 15673:13<br/> <b>arrest</b> [2] - 15542:15, 15671:25<br/> <b>article</b> [3] - 15687:25, 15688:1, 15724:4<br/> <b>ascertain</b> [1] - 15546:23<br/> <b>ascertained</b> [1] - 15538:5<br/> <b>aside</b> [5] - 15559:6, 15627:11, 15627:15, 15627:16, 15723:17<br/> <b>Aside</b> [1] - 15627:8<br/> <b>asleep</b> [1] - 15619:10</p> | <p><b>aspects</b> [1] - 15653:9<br/> <b>Asper</b> [1] - 15651:15<br/> <b>Asper's</b> [1] - 15648:5<br/> <b>assault</b> [3] - 15574:2, 15623:24, 15651:19<br/> <b>assessment</b> [1] - 15644:24<br/> <b>assist</b> [2] - 15723:17, 15727:13<br/> <b>Assistant</b> [1] - 15529:5<br/> <b>assisted</b> [1] - 15729:15<br/> <b>assisting</b> [1] - 15652:18<br/> <b>associated</b> [1] - 15594:4<br/> <b>association</b> [1] - 15725:2<br/> <b>assume</b> [2] - 15581:25, 15661:25<br/> <b>assumed</b> [6] - 15540:8, 15590:14, 15620:25, 15621:9, 15622:12, 15626:11<br/> <b>assuming</b> [2] - 15622:11, 15653:22<br/> <b>assumption</b> [2] - 15582:1, 15670:23<br/> <b>attached</b> [2] - 15546:6, 15658:4<br/> <b>Attached</b> [1] - 15533:15<br/> <b>attaching</b> [1] - 15633:9<br/> <b>attempted</b> [1] - 15648:8<br/> <b>attempting</b> [1] - 15698:1<br/> <b>attendance</b> [1] - 15596:8<br/> <b>attended</b> [1] - 15656:19<br/> <b>attending</b> [2] - 15716:7, 15730:11<br/> <b>attention</b> [5] - 15538:23, 15579:25, 15601:9, 15618:2, 15688:24<br/> <b>Audio</b> [1] - 15529:13<br/> <b>August</b> [40] - 15532:12, 15532:19, 15534:9, 15534:23, 15535:9, 15535:23, 15538:11, 15549:18, 15549:22, 15550:14, 15550:24, 15551:2, 15599:8, 15599:24, 15600:1, 15601:7, 15603:8, 15603:16, 15604:16, 15604:17, 15604:19, 15604:21, 15605:2, 15606:9, 15610:2, 15628:6, 15649:12, 15678:11, 15685:3, 15688:2, 15695:20, 15702:6, 15702:10,</p> | <p>15702:13, 15704:7, 15707:21, 15708:5, 15710:6, 15719:5<br/> <b>aunt</b> [1] - 15559:14<br/> <b>authorities</b> [2] - 15703:13, 15717:24<br/> <b>authority</b> [2] - 15553:17, 15589:14<br/> <b>avail</b> [1] - 15655:12<br/> <b>Ave</b> [1] - 15624:24<br/> <b>Avenue</b> [7] - 15570:8, 15570:19, 15570:20, 15574:23, 15660:25, 15664:3, 15712:5<br/> <b>avenue</b> [2] - 15570:21, 15570:22<br/> <b>average</b> [2] - 15617:5, 15617:6<br/> <b>aware</b> [21] - 15562:17, 15583:19, 15655:22, 15656:1, 15656:6, 15656:12, 15656:17, 15656:20, 15656:21, 15657:1, 15657:13, 15662:24, 15686:2, 15693:3, 15693:11, 15693:21, 15694:3, 15695:8, 15699:6, 15701:24, 15710:22</p> | <p><b>Bearing</b> [1] - 15621:21<br/> <b>became</b> [3] - 15551:23, 15662:24, 15671:14<br/> <b>become</b> [3] - 15552:1, 15598:3, 15605:13<br/> <b>becomes</b> [2] - 15603:4, 15640:18<br/> <b>bed</b> [1] - 15696:1<br/> <b>been</b> [1] - 15569:17<br/> <b>beer</b> [1] - 15573:12<br/> <b>beforehand</b> [3] - 15600:11, 15601:1, 15601:2<br/> <b>began</b> [6] - 15598:18, 15599:2, 15622:25, 15646:12, 15667:16, 15670:2<br/> <b>begin</b> [3] - 15564:5, 15598:2, 15604:13<br/> <b>beginning</b> [6] - 15598:12, 15606:12, 15617:4, 15617:12, 15643:2, 15730:2<br/> <b>begins</b> [1] - 15598:13<br/> <b>begun</b> [1] - 15627:2<br/> <b>behalf</b> [3] - 15650:7, 15722:6, 15729:12<br/> <b>behind</b> [1] - 15675:4<br/> <b>beiges</b> [1] - 15615:25<br/> <b>Beitel</b> [2] - 15529:9, 15730:19<br/> <b>belief</b> [17] - 15560:4, 15563:7, 15565:6, 15567:6, 15568:3, 15572:14, 15577:17, 15594:8, 15628:13, 15639:4, 15666:24, 15667:8, 15667:23, 15668:3, 15668:23, 15670:20, 15689:7<br/> <b>believable</b> [1] - 15575:15<br/> <b>believes</b> [2] - 15533:19, 15725:12<br/> <b>bells</b> [1] - 15537:25<br/> <b>below</b> [3] - 15639:20, 15639:23, 15640:8<br/> <b>Bench</b> [4] - 15731:1, 15731:3, 15731:14, 15731:18<br/> <b>benefit</b> [4] - 15603:24, 15677:24, 15681:16, 15681:17<br/> <b>Beresh</b> [3] - 15552:7, 15579:11, 15606:17<br/> <b>Beresh's</b> [2] - 15552:15, 15579:1<br/> <b>best</b> [9] - 15595:10, 15595:13, 15616:19, 15621:25, 15624:16,</p> |
| <b>B</b>  |   |  |   |   |
|   |   |  | <p><b>background</b> [1] - 15673:12<br/> <b>bad</b> [1] - 15546:24<br/> <b>badly</b> [2] - 15714:8, 15714:9<br/> <b>Baldwin</b> [1] - 15573:12<br/> <b>bang</b> [4] - 15539:12, 15680:14<br/> <b>bar</b> [1] - 15573:1<br/> <b>base</b> [1] - 15627:20<br/> <b>based</b> [3] - 15668:24, 15683:16, 15705:4<br/> <b>basis</b> [2] - 15639:10, 15661:2<br/> <b>Battleford</b> [20] - 15539:1, 15544:5, 15546:11, 15553:3, 15553:9, 15556:18, 15573:4, 15573:5, 15596:6, 15598:6, 15600:13, 15600:23, 15614:12, 15648:10, 15653:12, 15686:8, 15698:2, 15698:14, 15708:15, 15708:23<br/> <b>Battlefords</b> [2] - 15653:14, 15653:22</p>  |   |



|  |   |  |  |  |
|--|---|--|--|--|
| <p>15643:21, 15681:8, 15703:17, 15731:6<br/> <b>bet</b> [1] - 15649:6<br/> <b>better</b> [5] - 15536:13, 15580:8, 15627:11, 15630:17, 15716:10<br/> <b>between</b> [4] - 15534:24, 15667:15, 15686:4, 15702:10<br/> <b>beverage</b> [1] - 15536:3<br/> <b>beyond</b> [3] - 15554:19, 15555:9, 15587:22<br/> <b>big</b> [3] - 15558:18, 15558:19, 15584:21<br/> <b>bill</b> [2] - 15533:2, 15533:5<br/> <b>billion</b> [1] - 15582:9<br/> <b>bit</b> [17] - 15532:8, 15551:14, 15552:12, 15552:24, 15559:6, 15559:10, 15579:23, 15593:16, 15595:19, 15615:4, 15616:24, 15627:24, 15650:8, 15667:13, 15672:21, 15697:11<br/> <b>bitten</b> [1] - 15714:7<br/> <b>blade</b> [10] - 15602:10, 15602:12, 15624:25, 15625:1, 15625:6, 15625:9, 15625:24, 15710:15<br/> <b>block</b> [5] - 15645:5, 15645:9, 15666:19, 15666:20<br/> <b>blood</b> [14] - 15580:23, 15580:24, 15581:13, 15581:18, 15588:12, 15589:11, 15589:15, 15589:22, 15589:24, 15613:12, 15613:17, 15656:7, 15656:10, 15656:15<br/> <b>blood-fisher</b> [1] - 15581:18<br/> <b>bloodstains</b> [1] - 15616:2<br/> <b>bloody</b> [1] - 15590:3<br/> <b>blowing</b> [1] - 15639:25<br/> <b>blue</b> [1] - 15636:25<br/> <b>Bobs</b> [1] - 15530:5<br/> <b>body</b> [10] - 15534:25, 15546:19, 15546:23, 15548:6, 15567:1, 15572:9, 15580:22, 15602:21, 15651:16, 15669:8<br/> <b>body'</b> [1] - 15547:11<br/> <b>bone</b> [3] - 15565:14, 15565:17, 15644:10</p> | <p><b>bone-handled</b> [2] - 15565:14, 15644:10<br/> <b>boots</b> [1] - 15577:15<br/> <b>born</b> [2] - 15712:23, 15713:5<br/> <b>Boswell</b> [1] - 15529:4<br/> <b>bothered</b> [2] - 15545:23, 15547:21<br/> <b>bothering</b> [6] - 15698:20, 15699:17, 15699:20, 15702:17, 15709:4, 15709:17<br/> <b>bottom</b> [16] - 15534:3, 15535:25, 15569:2, 15569:21, 15572:23, 15601:7, 15602:14, 15619:20, 15623:7, 15624:18, 15644:13, 15645:16, 15646:13, 15657:18, 15722:13, 15727:24<br/> <b>Box</b> [1] - 15719:17<br/> <b>box</b> [2] - 15722:7, 15722:10<br/> <b>boy</b> [1] - 15694:19<br/> <b>Boychuk</b> [1] - 15530:8<br/> <b>break</b> [6] - 15595:20, 15616:12, 15616:21, 15617:19, 15672:22, 15728:20<br/> <b>breast</b> [2] - 15697:12, 15714:8<br/> <b>breath</b> [1] - 15536:3<br/> <b>Brian</b> [6] - 15724:25, 15725:6, 15725:10, 15725:13, 15725:17, 15725:22<br/> <b>bridge</b> [2] - 15570:16, 15665:6<br/> <b>bring</b> [7] - 15579:24, 15663:1, 15687:23, 15687:24, 15691:4, 15707:24, 15708:1<br/> <b>bringing</b> [2] - 15634:21, 15645:25<br/> <b>broad</b> [1] - 15627:23<br/> <b>broadly</b> [1] - 15642:18<br/> <b>brought</b> [4] - 15538:23, 15544:7, 15610:21, 15642:18<br/> <b>brown</b> [8] - 15547:3, 15602:11, 15607:12, 15608:6, 15623:21, 15625:8, 15625:19, 15710:16<br/> <b>brown-handled</b> [2] - 15623:21, 15625:19<br/> <b>Bruce</b> [3] - 15530:9, 15650:6, 15729:2<br/> <b>Brunswick</b> [1] - 15573:3</p> | <p><b>Bryan</b> [5] - 15531:8, 15691:14, 15691:15, 15720:9, 15720:14<br/> <b>buildup</b> [1] - 15551:15<br/> <b>bunch</b> [1] - 15628:8<br/> <b>bundle</b> [7] - 15569:20, 15570:6, 15575:8, 15578:25, 15585:19, 15590:9, 15624:18<br/> <b>burned</b> [1] - 15577:14<br/> <b>burnt</b> [2] - 15726:7, 15726:16<br/> <b>bus</b> [38] - 15537:16, 15538:7, 15538:8, 15538:14, 15568:20, 15569:23, 15569:25, 15570:1, 15570:7, 15570:18, 15571:5, 15571:19, 15571:24, 15572:16, 15573:16, 15573:17, 15574:10, 15574:16, 15575:1, 15575:4, 15576:5, 15576:7, 15577:10, 15582:18, 15583:6, 15641:4, 15663:11, 15663:13, 15663:17, 15663:19, 15663:20, 15663:24, 15664:1, 15664:2, 15665:15, 15666:17, 15667:5<br/> <b>business</b> [1] - 15727:19<br/> <b>busy</b> [1] - 15624:10</p> | <p><b>carefully</b> [1] - 15601:1<br/> <b>Carlyle</b> [1] - 15723:7<br/> <b>Carlyle-gordge</b> [1] - 15723:7<br/> <b>carry</b> [1] - 15728:24<br/> <b>carrying</b> [2] - 15639:11, 15670:14<br/> <b>case</b> [22] - 15535:12, 15535:18, 15536:8, 15536:11, 15536:15, 15536:22, 15536:24, 15537:8, 15547:21, 15551:23, 15583:17, 15610:3, 15611:7, 15634:8, 15647:9, 15647:20, 15649:15, 15649:18, 15650:3, 15694:24, 15699:4, 15729:24<br/> <b>cases</b> [2] - 15538:25, 15708:13<br/> <b>cast</b> [1] - 15638:21<br/> <b>catalyst</b> [1] - 15532:19<br/> <b>catch</b> [3] - 15538:8, 15543:6, 15663:13<br/> <b>caught</b> [3] - 15538:14, 15549:17, 15624:20<br/> <b>caused</b> [9] - 15567:11, 15582:14, 15595:15, 15627:3, 15630:13, 15631:12, 15632:21, 15643:19, 15659:10<br/> <b>Cavalier</b> [1] - 15528:16<br/> <b>cement</b> [1] - 15631:6<br/> <b>certain</b> [8] - 15559:3, 15598:3, 15609:19, 15630:13, 15642:4, 15678:5, 15681:18, 15687:24<br/> <b>certainly</b> [14] - 15536:21, 15539:10, 15539:19, 15540:4, 15540:18, 15552:17, 15566:1, 15583:13, 15596:7, 15598:22, 15599:11, 15635:21, 15655:12, 15692:5<br/> <b>Certainly</b> [2] - 15563:3, 15601:21<br/> <b>certainty</b> [1] - 15628:13<br/> <b>Certificate</b> [1] - 15731:1<br/> <b>certify</b> [1] - 15731:4<br/> <b>chance</b> [3] - 15557:23, 15689:11, 15711:24<br/> <b>change</b> [2] - 15597:25, 15658:20<br/> <b>changed</b> [6] - 15586:23, 15586:24, 15587:23, 15590:19, 15590:20, 15659:2</p> | <p><b>changing</b> [1] - 15592:9<br/> <b>chap</b> [1] - 15575:15<br/> <b>charge</b> [2] - 15573:25, 15574:3<br/> <b>charged</b> [3] - 15542:17, 15604:4, 15697:25<br/> <b>charges</b> [3] - 15642:15, 15651:3, 15651:23<br/> <b>Charland</b> [1] - 15580:15<br/> <b>Cheating</b> [1] - 15573:8<br/> <b>cheating</b> [1] - 15573:9<br/> <b>check</b> [1] - 15728:21<br/> <b>checked</b> [1] - 15566:17<br/> <b>Cheryl</b> [1] - 15530:2<br/> <b>chest</b> [3] - 15696:3, 15700:2, 15703:12<br/> <b>child</b> [3] - 15713:4, 15713:7, 15713:11<br/> <b>children</b> [1] - 15592:21<br/> <b>chose</b> [3] - 15553:6, 15553:7, 15553:9<br/> <b>Chris</b> [1] - 15530:8<br/> <b>chronology</b> [1] - 15545:4<br/> <b>church</b> [1] - 15571:3<br/> <b>Church</b> [1] - 15571:3<br/> <b>cigarette</b> [1] - 15616:12<br/> <b>circulated</b> [1] - 15533:6<br/> <b>circumstances</b> [8] - 15535:8, 15574:20, 15611:7, 15642:16, 15673:9, 15673:14, 15688:13, 15725:5<br/> <b>City</b> [4] - 15695:19, 15701:12, 15716:2, 15718:18<br/> <b>city</b> [1] - 15703:1<br/> <b>claim</b> [1] - 15641:1<br/> <b>claimed</b> [1] - 15723:10<br/> <b>claiming</b> [2] - 15567:24, 15583:20<br/> <b>claims</b> [2] - 15554:11, 15725:10<br/> <b>clarify</b> [2] - 15690:13, 15691:7<br/> <b>cleaned</b> [2] - 15589:3, 15590:21<br/> <b>clear</b> [11] - 15536:12, 15567:23, 15583:15, 15620:10, 15632:8, 15635:21, 15663:18, 15663:21, 15672:6, 15685:18, 15700:1<br/> <b>clearly</b> [7] - 15550:21, 15571:23, 15576:10, 15599:14, 15624:9, 15674:7, 15679:7<br/> <b>Clerk</b> [1] - 15529:9<br/> <b>Cliff</b> [2] - 15574:4, 15657:10</p> |
| <b>C</b>   |   | <p><b>cab</b> [1] - 15670:16<br/> <b>Cadrain</b> [2] - 15546:5, 15663:14<br/> <b>Cadrain's</b> [2] - 15570:23, 15571:2<br/> <b>Caldwell</b> [2] - 15530:5, 15730:15<br/> <b>Calgary</b> [1] - 15724:7<br/> <b>caller</b> [2] - 15717:19, 15717:25<br/> <b>calm</b> [1] - 15701:19<br/> <b>Calvin</b> [1] - 15530:13<br/> <b>Canada</b> [9] - 15530:12, 15585:17, 15585:22, 15588:22, 15591:2, 15684:13, 15684:25, 15687:15, 15688:4<br/> <b>Candace</b> [1] - 15529:3<br/> <b>Cando</b> [3] - 15694:18, 15722:7, 15722:10<br/> <b>cannot</b> [1] - 15548:18<br/> <b>car</b> [3] - 15569:22, 15584:18, 15584:23</p>   |  |  |



|   |  |   |  |   |
|---|--|---|--|---|
| <p><b>Clifford</b><sup>[1]</sup> - 15669:12<br/> <b>close</b><sup>[2]</sup> - 15576:24, 15730:5<br/> <b>closely</b><sup>[2]</sup> - 15535:5, 15540:4<br/> <b>closer</b><sup>[1]</sup> - 15660:13<br/> <b>clothes</b><sup>[54]</sup> - 15585:3, 15585:13, 15585:14, 15586:3, 15586:6, 15586:11, 15586:12, 15586:13, 15586:19, 15586:20, 15587:2, 15587:12, 15587:16, 15587:20, 15587:21, 15587:24, 15587:25, 15588:3, 15589:2, 15589:8, 15589:15, 15589:21, 15589:24, 15590:3, 15590:14, 15590:16, 15591:5, 15591:7, 15591:8, 15592:10, 15610:22, 15612:7, 15613:13, 15613:18, 15613:21, 15615:7, 15615:13, 15615:16, 15615:20, 15619:24, 15670:14, 15696:24, 15715:1, 15715:6, 15725:20, 15726:4, 15726:8, 15726:9, 15726:13, 15726:14, 15726:17<br/> <b>co</b><sup>[1]</sup> - 15723:18<br/> <b>co-operated</b><sup>[1]</sup> - 15723:18<br/> <b>Cochin</b><sup>[2]</sup> - 15691:20, 15691:24<br/> <b>cold</b><sup>[6]</sup> - 15578:8, 15629:21, 15635:16, 15639:18, 15640:9, 15640:13<br/> <b>colour</b><sup>[2]</sup> - 15546:25, 15549:2<br/> <b>coloured</b><sup>[1]</sup> - 15710:16<br/> <b>combination</b><sup>[3]</sup> - 15541:22, 15542:22, 15543:9<br/> <b>comfortable</b><sup>[1]</sup> - 15582:5<br/> <b>coming</b><sup>[6]</sup> - 15574:22, 15606:17, 15634:15, 15691:12, 15711:13<br/> <b>comment</b><sup>[1]</sup> - 15709:20<br/> <b>Commission</b><sup>[10]</sup> - 15528:2, 15528:14, 15529:1, 15529:2, 15529:9, 15658:7, 15683:21, 15687:21, 15688:16, 15691:18</p> | <p><b>Commissioner</b><sup>[27]</sup> - 15532:3, 15542:9, 15542:14, 15591:22, 15591:25, 15595:19, 15632:15, 15658:1, 15670:3, 15672:20, 15672:23, 15675:23, 15676:2, 15676:5, 15676:11, 15690:21, 15690:24, 15691:2, 15691:8, 15691:11, 15721:12, 15721:17, 15721:20, 15721:24, 15730:12, 15730:16, 15730:22<br/> <b>commit</b><sup>[5]</sup> - 15550:17, 15612:24, 15614:6, 15634:17, 15653:6<br/> <b>committed</b><sup>[34]</sup> - 15539:16, 15540:15, 15546:10, 15549:6, 15549:25, 15559:8, 15560:2, 15564:13, 15565:6, 15567:12, 15567:16, 15568:4, 15568:17, 15584:11, 15590:4, 15594:9, 15604:25, 15627:5, 15628:7, 15629:10, 15630:19, 15630:21, 15631:25, 15634:2, 15636:20, 15638:1, 15638:8, 15638:12, 15653:4, 15669:5, 15675:5, 15687:9, 15694:22, 15697:8<br/> <b>committing</b><sup>[5]</sup> - 15539:6, 15543:19, 15545:11, 15560:13, 15634:17<br/> <b>common</b><sup>[4]</sup> - 15616:24, 15692:12, 15720:11, 15723:2<br/> <b>common-law</b><sup>[3]</sup> - 15692:12, 15720:11, 15723:2<br/> <b>communicated</b><sup>[1]</sup> - 15542:5<br/> <b>communication</b><sup>[1]</sup> - 15725:9<br/> <b>company</b><sup>[2]</sup> - 15561:6, 15714:24<br/> <b>compare</b><sup>[1]</sup> - 15624:9<br/> <b>compelled</b><sup>[1]</sup> - 15583:25<br/> <b>competent</b><sup>[3]</sup> - 15537:25, 15539:14, 15551:5<br/> <b>complete</b><sup>[1]</sup> - 15640:22<br/> <b>conceivable</b><sup>[1]</sup> -</p> | <p>15611:5<br/> <b>conceived</b><sup>[1]</sup> - 15694:19<br/> <b>concern</b><sup>[3]</sup> - 15653:17, 15701:2, 15720:6<br/> <b>concerned</b><sup>[4]</sup> - 15556:22, 15557:4, 15621:15, 15654:1<br/> <b>concerns</b><sup>[3]</sup> - 15652:19, 15654:15, 15655:24<br/> <b>concluded</b><sup>[1]</sup> - 15574:15<br/> <b>conclusion</b><sup>[9]</sup> - 15547:25, 15548:18, 15626:6, 15627:1, 15627:21, 15631:23, 15643:25, 15668:10, 15669:20<br/> <b>conclusions</b><sup>[1]</sup> - 15689:21<br/> <b>conditions</b><sup>[2]</sup> - 15639:17, 15641:8<br/> <b>conduct</b><sup>[1]</sup> - 15681:7<br/> <b>conducted</b><sup>[11]</sup> - 15552:25, 15649:14, 15673:25, 15674:17, 15675:21, 15676:19, 15677:2, 15677:3, 15677:18, 15681:24, 15689:13<br/> <b>conducting</b><sup>[4]</sup> - 15597:24, 15648:7, 15673:20, 15674:8<br/> <b>confessions</b><sup>[1]</sup> - 15562:2<br/> <b>confided</b><sup>[1]</sup> - 15657:22<br/> <b>confirms</b><sup>[1]</sup> - 15725:14<br/> <b>confronted</b><sup>[2]</sup> - 15578:3, 15612:3<br/> <b>Congram</b><sup>[1]</sup> - 15529:3<br/> <b>connected</b><sup>[1]</sup> - 15670:8<br/> <b>conscious</b><sup>[1]</sup> - 15615:1<br/> <b>Conscious</b><sup>[1]</sup> - 15615:3<br/> <b>consciously</b><sup>[1]</sup> - 15614:20<br/> <b>consecutive</b><sup>[1]</sup> - 15680:14<br/> <b>consequence</b><sup>[1]</sup> - 15612:15<br/> <b>consider</b><sup>[3]</sup> - 15550:20, 15550:21, 15643:12<br/> <b>considered</b><sup>[1]</sup> - 15661:20<br/> <b>consistent</b><sup>[2]</sup> - 15581:15, 15706:8<br/> <b>constantly</b><sup>[1]</sup> - 15661:5</p> | <p><b>construct</b><sup>[1]</sup> - 15666:14<br/> <b>Construction</b><sup>[1]</sup> - 15561:9<br/> <b>construction</b><sup>[2]</sup> - 15640:17, 15641:6<br/> <b>construe</b><sup>[1]</sup> - 15682:25<br/> <b>contact</b><sup>[11]</sup> - 15534:12, 15582:2, 15584:1, 15650:16, 15652:11, 15653:10, 15671:24, 15719:16, 15719:20, 15720:9, 15730:5<br/> <b>contacted</b><sup>[4]</sup> - 15652:17, 15720:24, 15723:16, 15724:15<br/> <b>contacting</b><sup>[1]</sup> - 15655:12<br/> <b>contacts</b><sup>[1]</sup> - 15655:8<br/> <b>contain</b><sup>[1]</sup> - 15731:5<br/> <b>contains</b><sup>[1]</sup> - 15605:4<br/> <b>contemplate</b><sup>[1]</sup> - 15600:25<br/> <b>context</b><sup>[2]</sup> - 15637:5, 15671:15<br/> <b>continual</b><sup>[1]</sup> - 15555:11<br/> <b>continue</b><sup>[1]</sup> - 15669:8<br/> <b>Continued</b><sup>[1]</sup> - 15531:3<br/> <b>continued</b><sup>[1]</sup> - 15532:5<br/> <b>continuing</b><sup>[1]</sup> - 15687:8<br/> <b>continuum</b><sup>[1]</sup> - 15690:25<br/> <b>contrary</b><sup>[1]</sup> - 15634:20<br/> <b>contribution</b><sup>[1]</sup> - 15562:9<br/> <b>control</b><sup>[1]</sup> - 15573:15<br/> <b>conversation</b><sup>[16]</sup> - 15561:1, 15570:2, 15570:4, 15576:11, 15662:14, 15667:6, 15667:11, 15667:14, 15667:17, 15667:20, 15668:4, 15668:6, 15668:15, 15698:5, 15702:20, 15715:3<br/> <b>conversations</b><sup>[2]</sup> - 15672:11, 15717:5<br/> <b>convey</b><sup>[1]</sup> - 15665:10<br/> <b>conveyed</b><sup>[3]</sup> - 15553:19, 15553:20, 15723:23<br/> <b>convicted</b><sup>[4]</sup> - 15562:3, 15574:9, 15623:25, 15697:25<br/> <b>Conviction</b><sup>[1]</sup> - 15528:4<br/> <b>conviction</b><sup>[3]</sup> - 15697:16, 15697:19,</p> | <p>15723:18<br/> <b>convince</b><sup>[4]</sup> - 15623:10, 15626:2, 15644:22, 15703:15<br/> <b>convincing</b><sup>[2]</sup> - 15646:21, 15647:2<br/> <b>cooperative</b><sup>[1]</sup> - 15657:6<br/> <b>copy</b><sup>[1]</sup> - 15533:15<br/> <b>corner</b><sup>[3]</sup> - 15601:8, 15624:23, 15689:19<br/> <b>Correct</b><sup>[2]</sup> - 15566:10, 15567:9<br/> <b>correct</b><sup>[39]</sup> - 15550:4, 15560:7, 15566:3, 15566:19, 15578:2, 15579:15, 15590:16, 15600:5, 15621:15, 15622:15, 15631:20, 15633:20, 15633:24, 15640:14, 15645:5, 15653:1, 15653:14, 15655:17, 15657:7, 15667:21, 15668:16, 15692:3, 15692:7, 15692:10, 15692:22, 15692:24, 15692:25, 15698:12, 15699:9, 15704:17, 15713:3, 15723:3, 15723:4, 15728:8, 15728:13, 15729:12, 15729:13, 15730:18, 15731:5<br/> <b>correctly</b><sup>[3]</sup> - 15609:24, 15632:13, 15645:17<br/> <b>Cory</b><sup>[10]</sup> - 15585:16, 15585:25, 15586:1, 15586:6, 15586:12, 15586:14, 15587:1, 15587:2, 15587:5, 15587:10<br/> <b>Cotler</b><sup>[1]</sup> - 15530:12<br/> <b>counsel</b><sup>[1]</sup> - 15672:1<br/> <b>Counsel</b><sup>[7]</sup> - 15529:2, 15532:4, 15658:7, 15683:21, 15684:19, 15687:21, 15688:16<br/> <b>countless</b><sup>[1]</sup> - 15551:22<br/> <b>counts</b><sup>[2]</sup> - 15634:10, 15651:18<br/> <b>couple</b><sup>[14]</sup> - 15536:1, 15581:6, 15592:20, 15592:21, 15602:15, 15631:3, 15652:22, 15673:7, 15691:25, 15697:23, 15701:18, 15705:3, 15716:23, 15729:6</p> |
|---|--|---|--|---|



|   |  |  |   |  |
|---|--|--|---|--|
| <p><b>course</b> [25] - 15537:7, 15539:24, 15554:25, 15558:15, 15564:21, 15566:5, 15568:7, 15575:1, 15583:1, 15588:10, 15590:8, 15611:24, 15623:12, 15625:22, 15626:6, 15647:4, 15650:1, 15661:11, 15670:8, 15675:8, 15675:21, 15677:1, 15685:12, 15687:2, 15689:6</p> <p><b>court</b> [6] - 15600:22, 15674:12, 15674:14, 15674:17, 15674:22, 15675:11</p> <p><b>Court</b>[17] - 15529:10, 15563:24, 15564:7, 15585:16, 15585:22, 15588:21, 15591:1, 15684:13, 15684:15, 15684:25, 15687:15, 15688:4, 15689:23, 15731:1, 15731:3, 15731:14, 15731:18</p> <p><b>Cox</b>[1] - 15530:12</p> <p><b>credible</b> [2] - 15599:13, 15599:15</p> <p><b>credit</b> [1] - 15641:9</p> <p><b>creeping</b> [1] - 15640:10</p> <p><b>creepy</b> [1] - 15575:20</p> <p><b>crime</b> [18] - 15550:17, 15562:3, 15565:7, 15567:13, 15567:17, 15568:4, 15568:17, 15584:12, 15594:9, 15604:25, 15612:24, 15614:7, 15629:10, 15630:19, 15630:21, 15631:25, 15634:17</p> <p><b>crimes</b> [4] - 15562:16, 15562:18, 15564:8, 15694:4</p> <p><b>cross</b> [22] - 15534:20, 15552:8, 15554:18, 15578:23, 15579:1, 15596:12, 15597:8, 15600:14, 15607:2, 15607:4, 15613:23, 15623:14, 15628:19, 15641:12, 15647:12, 15648:2, 15649:23, 15679:24, 15680:1, 15684:8, 15684:21, 15728:19</p> <p><b>cross-examination</b> [19] - 15534:20, 15552:8, 15578:23, 15579:1, 15596:12, 15597:8,</p> | <p>15600:14, 15607:2, 15607:4, 15613:23, 15623:14, 15647:12, 15648:2, 15649:23, 15679:24, 15680:1, 15684:8, 15684:21, 15728:19</p> <p><b>cross-examined</b> [1] - 15628:19</p> <p><b>cross-questioning</b> [1] - 15554:18</p> <p><b>cross-questions</b> [1] - 15641:12</p> <p><b>Crown</b>[1] - 15684:18</p> <p><b>crystalizing</b> [2] - 15659:9</p> <p><b>Csr</b>[8] - 15529:10, 15529:11, 15731:2, 15731:12, 15731:13, 15731:16, 15731:17</p> <p><b>cumulation</b> [1] - 15564:19</p> <p><b>current</b> [1] - 15691:22</p> <p><b>cuts</b> [1] - 15616:9</p> | <p>15701:10, 15717:18, 15723:11, 15723:17, 15724:6</p> <p><b>David's</b> [1] - 15532:14</p> <p><b>dawned</b> [1] - 15541:24</p> <p><b>days</b> [13] - 15561:22, 15563:1, 15563:7, 15563:13, 15648:2, 15648:22, 15648:25, 15649:17, 15649:21, 15651:2, 15652:8, 15669:7, 15673:7</p> <p><b>deal</b> [2] - 15558:6, 15635:19</p> <p><b>dealings</b> [2] - 15650:13, 15657:16</p> <p><b>dealt</b> [4] - 15564:14, 15651:23, 15654:7, 15672:16</p> <p><b>death</b> [9] - 15566:8, 15637:9, 15637:22, 15659:18, 15660:21, 15671:1, 15671:16, 15671:21, 15671:22</p> <p><b>decade</b> [1] - 15692:5</p> <p><b>December</b> [5] - 15533:6, 15533:13, 15533:18, 15651:17, 15718:16</p> <p><b>decided</b> [5] - 15536:5, 15558:19, 15605:3, 15606:5, 15647:24</p> <p><b>deciding</b> [1] - 15590:4</p> <p><b>decision</b> [2] - 15688:4, 15689:20</p> <p><b>declare</b> [2] - 15690:18, 15691:4</p> <p><b>definition</b> [1] - 15551:18</p> <p><b>definitive</b> [1] - 15725:24</p> <p><b>delivered</b> [1] - 15533:17</p> <p><b>denial</b> [1] - 15575:11</p> <p><b>denying</b> [1] - 15594:18</p> <p><b>Department</b> [1] - 15626:14</p> <p><b>derogatory</b> [1] - 15569:10</p> <p><b>describe</b> [8] - 15584:8, 15602:10, 15607:3, 15624:19, 15624:21, 15639:16, 15710:17, 15714:17</p> <p><b>described</b> [13] - 15534:24, 15546:17, 15547:9, 15548:4, 15549:8, 15549:18, 15586:4, 15624:10, 15624:15, 15625:2, 15625:19, 15625:25, 15626:3</p> | <p><b>describes</b> [2] - 15573:11, 15710:13</p> <p><b>describing</b> [1] - 15624:11</p> <p><b>description</b> [12] - 15546:18, 15546:24, 15547:10, 15548:5, 15548:19, 15565:2, 15589:19, 15602:20, 15624:16, 15625:16, 15625:21, 15710:18</p> <p><b>Description</b> [1] - 15531:2</p> <p><b>desire</b> [1] - 15672:15</p> <p><b>despite</b> [3] - 15599:11, 15610:7, 15622:1</p> <p><b>detail</b> [2] - 15653:10, 15655:5</p> <p><b>detailed</b> [1] - 15606:6</p> <p><b>details</b> [4] - 15608:25, 15694:4, 15696:19, 15697:9</p> <p><b>determine</b> [1] - 15643:24</p> <p><b>determinedly</b> [1] - 15554:10</p> <p><b>development</b> [1] - 15536:5</p> <p><b>devised</b> [1] - 15635:18</p> <p><b>difference</b> [2] - 15534:24, 15715:5</p> <p><b>different</b> [10] - 15584:2, 15597:2, 15597:17, 15615:13, 15627:14, 15642:22, 15646:17, 15715:1, 15725:19, 15726:15</p> <p><b>difficult</b> [1] - 15627:24</p> <p><b>direct</b> [2] - 15681:20, 15684:20</p> <p><b>direction</b> [3] - 15537:21, 15611:17, 15613:2</p> <p><b>directly</b> [1] - 15536:16</p> <p><b>Director</b> [1] - 15529:3</p> <p><b>disappeared</b> [3] - 15602:4, 15602:6, 15602:7</p> <p><b>discerning</b> [1] - 15582:10</p> <p><b>discount</b> [3] - 15629:16, 15630:20, 15634:22</p> <p><b>discounted</b> [2] - 15629:23, 15646:1</p> <p><b>discover</b> [2] - 15581:19, 15616:2</p> <p><b>discovered</b> [3] - 15575:16, 15581:19, 15584:6</p> | <p><b>discredit</b> [2] - 15683:18, 15683:20</p> <p><b>discrediting</b> [2] - 15682:1, 15682:10</p> <p><b>discuss</b> [3] - 15644:1, 15711:7, 15727:17</p> <p><b>discussed</b> [3] - 15686:22, 15702:7, 15702:11</p> <p><b>discussion</b> [17] - 15663:9, 15664:6, 15666:3, 15667:3, 15687:8, 15694:10, 15695:14, 15697:14, 15699:5, 15699:18, 15699:22, 15700:9, 15705:9, 15713:17, 15718:21, 15722:11, 15729:5</p> <p><b>discussions</b> [5] - 15693:20, 15694:2, 15700:11, 15707:7, 15707:20</p> <p><b>distinct</b> [1] - 15589:5</p> <p><b>distributed</b> [3] - 15532:23, 15533:2, 15534:6</p> <p><b>disturbing</b> [4] - 15648:5, 15648:11, 15648:14, 15648:19</p> <p><b>divorced</b> [1] - 15708:11</p> <p><b>Dna</b> [9] - 15580:2, 15580:9, 15580:17, 15581:2, 15581:9, 15581:25, 15582:6, 15582:8, 15635:22</p> <p><b>doc</b> [1] - 15687:23</p> <p><b>doctor</b> [4] - 15579:17, 15612:15, 15710:24, 15711:1</p> <p><b>document</b> [22] - 15532:24, 15533:1, 15534:5, 15543:17, 15544:13, 15580:12, 15580:13, 15580:15, 15600:2, 15600:18, 15601:6, 15618:24, 15650:18, 15650:19, 15651:9, 15655:7, 15658:1, 15658:6, 15663:1, 15690:17, 15718:13, 15718:14</p> <p><b>Document</b> [2] - 15529:4, 15529:5</p> <p><b>documents</b> [4] - 15561:19, 15618:23, 15656:4, 15658:4</p> <p><b>Don</b> [1] - 15529:11</p> <p><b>Donald</b> [2] - 15731:2, 15731:17</p> |
| <b>D</b>  |  |  |   |  |
| <p><b>dad</b> [1] - 15693:16</p> <p><b>daily</b> [1] - 15661:2</p> <p><b>date</b> [19] - 15562:6, 15562:23, 15562:25, 15565:12, 15580:12, 15583:24, 15601:20, 15669:2, 15671:10, 15671:14, 15673:23, 15676:8, 15676:17, 15695:21, 15701:25, 15721:12, 15721:23, 15721:24, 15722:1</p> <p><b>dated</b> [7] - 15533:13, 15581:5, 15601:6, 15618:11, 15618:13, 15688:2, 15722:4</p> <p><b>dates</b> [3] - 15690:22, 15692:14, 15721:16</p> <p><b>daughter</b> [2] - 15692:23, 15719:16</p> <p><b>David</b> [28] - 15528:4, 15530:2, 15530:11, 15531:8, 15537:4, 15538:15, 15550:16, 15551:18, 15553:23, 15556:1, 15556:5, 15566:14, 15567:12, 15567:24, 15647:9, 15651:15, 15673:2, 15687:17, 15691:15, 15697:16, 15697:19, 15700:4, 15700:15,</p>   |  |  |   |  |



|   |  |  |  |   |
|---|--|--|--|---|
| <p><b>done</b> [17] - 15534:14, 15549:10, 15574:15, 15584:5, 15605:6, 15617:6, 15632:2, 15638:5, 15638:20, 15640:19, 15650:2, 15654:23, 15672:7, 15680:3, 15682:8, 15683:12, 15688:12<br/> <b>Donella</b> [1] - 15688:8<br/> <b>donors</b> [1] - 15581:16<br/> <b>double</b> [1] - 15617:14<br/> <b>doubt</b> [3] - 15536:9, 15543:18, 15574:24<br/> <b>doubts</b> [4] - 15633:13, 15689:3, 15689:6, 15690:5<br/> <b>Douglas</b> [1] - 15529:2<br/> <b>down</b> [27] - 15535:25, 15540:14, 15561:10, 15569:20, 15573:1, 15574:23, 15575:9, 15607:5, 15623:18, 15635:23, 15636:8, 15652:23, 15663:23, 15673:19, 15674:21, 15689:19, 15700:20, 15701:17, 15701:18, 15702:20, 15708:8, 15709:3, 15714:1, 15716:3, 15716:18, 15722:13, 15727:24<br/> <b>downtown</b> [5] - 15570:15, 15573:7, 15665:5, 15665:9, 15665:12<br/> <b>Dr</b> [2] - 15710:21, 15711:2<br/> <b>draw</b> [4] - 15618:2, 15627:1, 15645:9, 15688:24<br/> <b>drawer</b> [1] - 15714:16<br/> <b>drawing</b> [1] - 15705:23<br/> <b>drawings</b> [2] - 15705:15, 15705:17<br/> <b>drawn</b> [1] - 15631:23<br/> <b>dress</b> [9] - 15586:3, 15586:12, 15587:16, 15587:23, 15588:3, 15589:2, 15591:5, 15591:8, 15619:24<br/> <b>Dress</b> [1] - 15586:13<br/> <b>drink</b> [1] - 15599:19<br/> <b>drinking</b> [12] - 15579:7, 15587:6, 15599:12, 15599:24, 15620:8, 15644:18, 15645:14, 15645:19, 15696:10, 15696:14, 15716:7, 15716:13</p> | <p><b>drinks</b> [3] - 15701:19, 15704:22, 15705:2<br/> <b>drive</b> [1] - 15703:23<br/> <b>driver's</b> [1] - 15584:18<br/> <b>driving</b> [3] - 15570:25, 15571:1, 15584:19<br/> <b>drop</b> [1] - 15592:25<br/> <b>dropped</b> [3] - 15645:15, 15700:13, 15704:10<br/> <b>dropping</b> [1] - 15647:9<br/> <b>drove</b> [2] - 15703:2, 15716:2<br/> <b>drunk</b> [1] - 15705:5<br/> <b>drywalling</b> [1] - 15714:23<br/> <b>during</b> [12] - 15532:12, 15568:24, 15575:6, 15578:22, 15579:1, 15661:11, 15673:16, 15675:21, 15676:25, 15685:11, 15713:16, 15713:17<br/> <b>dusk</b> [2] - 15704:5, 15704:7</p>  | <p><b>element</b> [1] - 15640:10<br/> <b>elicited</b> [1] - 15649:8<br/> <b>eliminated</b> [1] - 15638:4<br/> <b>elizabeth</b> [1] - 15580:14<br/> <b>elsewhere</b> [1] - 15555:9<br/> <b>Elson</b> [4] - 15530:7, 15534:19, 15537:1, 15544:20<br/> <b>Elson's</b> [1] - 15551:11<br/> <b>embarks</b> [1] - 15598:13<br/> <b>encompassing</b> [1] - 15606:6<br/> <b>encountered</b> [1] - 15610:18<br/> <b>end</b> [11] - 15540:1, 15596:11, 15597:8, 15597:9, 15598:25, 15612:22, 15623:5, 15623:13, 15631:4, 15666:18, 15689:2<br/> <b>endeavouring</b> [1] - 15684:1<br/> <b>ended</b> [6] - 15597:22, 15598:19, 15598:24, 15605:20, 15617:8, 15617:9<br/> <b>ends</b> [2] - 15570:4, 15605:23<br/> <b>enforcement</b> [1] - 15572:13<br/> <b>England</b> [1] - 15580:18<br/> <b>engraved</b> [1] - 15625:9<br/> <b>engraving</b> [1] - 15625:12<br/> <b>enjoyed</b> [1] - 15585:10<br/> <b>enlighten</b> [1] - 15536:11<br/> <b>entered</b> [2] - 15643:16, 15646:20<br/> <b>entire</b> [1] - 15688:19<br/> <b>envelope</b> [1] - 15720:17<br/> <b>Ernie</b> [2] - 15677:14, 15677:15<br/> <b>escaped</b> [3] - 15532:15, 15532:20, 15700:6<br/> <b>escaping</b> [1] - 15700:4<br/> <b>especially</b> [1] - 15709:18<br/> <b>Esq</b> [4] - 15530:3, 15530:7, 15530:8, 15530:10<br/> <b>essence</b> [2] - 15610:25, 15615:19<br/> <b>essentially</b> [7] - 15557:22, 15610:6, 15616:18, 15646:1, 15689:11, 15689:12, 15689:14<br/> <b>establish</b> [1] - 15639:3<br/> <b>established</b> [1] -</p> | <p>15603:10<br/> <b>establishing</b> [1] - 15635:3<br/> <b>estimate</b> [1] - 15686:16<br/> <b>etc</b> [1] - 15720:13<br/> <b>Etcetera</b> [1] - 15574:7<br/> <b>etcetera</b> [2] - 15574:7, 15721:5<br/> <b>Eugene</b> [9] - 15549:14, 15552:22, 15592:13, 15651:14, 15652:17, 15673:10, 15685:19, 15686:18, 15689:1<br/> <b>evening</b> [9] - 15585:13, 15587:11, 15695:25, 15701:17, 15701:20, 15702:6, 15704:3, 15704:4, 15716:1<br/> <b>event</b> [6] - 15550:16, 15602:2, 15671:10, 15671:12, 15674:24, 15678:22<br/> <b>events</b> [9] - 15543:9, 15637:20, 15638:22, 15662:23, 15666:14, 15683:10, 15685:12, 15689:15, 15696:10<br/> <b>eventually</b> [1] - 15580:10<br/> <b>everyday</b> [1] - 15588:3<br/> <b>evidence</b> [27] - 15532:13, 15537:20, 15550:8, 15566:23, 15640:22, 15642:14, 15643:16, 15644:15, 15651:24, 15653:16, 15675:16, 15682:2, 15682:11, 15684:19, 15685:1, 15685:10, 15686:6, 15686:11, 15686:21, 15688:25, 15705:21, 15705:22, 15717:16, 15722:8, 15729:15, 15730:15<br/> <b>ex</b> [24] - 15537:3, 15538:24, 15540:1, 15555:25, 15556:14, 15557:22, 15559:11, 15565:6, 15566:13, 15566:24, 15568:19, 15572:14, 15576:21, 15577:1, 15578:23, 15582:17, 15592:19, 15594:3, 15597:10, 15610:4, 15614:18, 15644:22, 15686:24, 15714:5<br/> <b>ex-husband</b> [21] - 15537:3, 15538:24, 15540:1, 15555:25,</p> | <p>15556:14, 15557:22, 15559:11, 15565:6, 15566:13, 15566:24, 15568:19, 15572:14, 15576:21, 15577:1, 15582:17, 15597:10, 15610:4, 15614:18, 15644:22, 15686:24, 15714:5<br/> <b>ex-husband's</b> [3] - 15578:23, 15592:19, 15594:3<br/> <b>exact</b> [2] - 15599:14, 15715:3<br/> <b>exactly</b> [5] - 15567:3, 15572:2, 15572:12, 15574:24, 15663:21<br/> <b>exaggeration</b> [1] - 15552:9<br/> <b>examination</b> [25] - 15534:20, 15552:8, 15578:23, 15579:1, 15581:2, 15596:12, 15597:8, 15600:14, 15607:2, 15607:4, 15613:23, 15623:14, 15647:12, 15648:2, 15649:23, 15673:6, 15675:22, 15679:24, 15680:1, 15681:20, 15684:8, 15684:20, 15684:21, 15690:12, 15728:19<br/> <b>examine</b> [3] - 15535:5, 15603:7, 15603:19<br/> <b>examined</b> [3] - 15580:5, 15628:19, 15684:18<br/> <b>example</b> [2] - 15604:23, 15671:11<br/> <b>except</b> [2] - 15573:23, 15574:2<br/> <b>exculpate</b> [1] - 15613:6<br/> <b>Excuse</b> [1] - 15542:9<br/> <b>excuse</b> [2] - 15579:9, 15620:6<br/> <b>excused</b> [2] - 15691:12, 15730:12<br/> <b>Executive</b> [1] - 15529:3<br/> <b>exhausted</b> [1] - 15555:5<br/> <b>Exhibit</b> [8] - 15603:7, 15603:8, 15603:19, 15605:24, 15606:10, 15618:3, 15618:9, 15643:10<br/> <b>exhibit</b> [2] - 15643:10, 15649:6<br/> <b>exhibits</b> [1] - 15678:24<br/> <b>expect</b> [3] - 15585:14, 15621:8, 15627:9<br/> <b>expectation</b> [1] -</p> |
| <p><b>E</b></p>   |  |  |  |   |
|   | <p><b>Eamon</b> [2] - 15530:10, 15658:15<br/> <b>Earl</b> [1] - 15539:5<br/> <b>Early</b> [1] - 15542:12<br/> <b>early</b> [9] - 15567:2, 15595:19, 15610:16, 15629:19, 15633:19, 15659:23, 15684:15, 15717:12<br/> <b>earth</b> [1] - 15587:16<br/> <b>easily</b> [3] - 15547:24, 15548:14, 15563:19<br/> <b>easy</b> [2] - 15576:25, 15577:6<br/> <b>Eddie</b> [1] - 15530:8<br/> <b>Edward</b> [1] - 15528:7<br/> <b>effect</b> [2] - 15611:21, 15728:12<br/> <b>ei</b> [1] - 15700:16<br/> <b>eight</b> [1] - 15582:14<br/> <b>eighth</b> [1] - 15577:20<br/> <b>either</b> [14] - 15547:13, 15548:13, 15556:15, 15573:9, 15622:4, 15622:12, 15630:25, 15642:6, 15672:10, 15681:12, 15689:22, 15700:15, 15700:25, 15724:15<br/> <b>Either</b> [2] - 15613:15, 15613:20<br/> <b>elaborate</b> [1] - 15726:2</p> |  |  |   |



|   |  |   |  |   |
|---|--|---|--|---|
| <p>15711:14<br/> <b>expected</b> [6] - 15535:7,<br/> 15536:23, 15544:21,<br/> 15551:6, 15585:11,<br/> 15608:19<br/> <b>experienced</b> [1] -<br/> 15684:21<br/> <b>experts</b> [1] - 15580:5<br/> <b>explain</b> [3] - 15666:14,<br/> 15668:8, 15700:22<br/> <b>explained</b> [3] - 15576:2,<br/> 15576:3, 15576:4<br/> <b>explaining</b> [1] -<br/> 15562:15<br/> <b>explanation</b> [6] -<br/> 15593:18, 15636:5,<br/> 15639:7, 15729:18,<br/> 15729:20, 15730:6<br/> <b>explanatory</b> [1] -<br/> 15725:1<br/> <b>explore</b> [4] - 15597:20,<br/> 15622:25, 15627:3,<br/> 15630:12<br/> <b>exploring</b> [1] -<br/> 15630:18<br/> <b>express</b> [3] - 15672:15,<br/> 15703:6, 15709:7<br/> <b>expressed</b> [3] -<br/> 15623:13, 15646:25,<br/> 15687:16<br/> <b>expressing</b> [1] -<br/> 15670:24<br/> <b>expression</b> [4] -<br/> 15591:8, 15637:7,<br/> 15661:21, 15662:16<br/> <b>extent</b> [2] - 15582:7,<br/> 15625:16<br/> <b>extraordinary</b> [4] -<br/> 15634:24, 15637:10,<br/> 15638:7, 15638:14<br/> <b>extreme</b> [1] - 15557:1</p> | <p>15627:8, 15627:12,<br/> 15627:15, 15627:17,<br/> 15627:20, 15628:4,<br/> 15628:23, 15628:24,<br/> 15629:2, 15629:17,<br/> 15631:9, 15631:11,<br/> 15632:17, 15632:19,<br/> 15632:21, 15634:10,<br/> 15634:11, 15639:13,<br/> 15641:16, 15642:24,<br/> 15645:8, 15645:18,<br/> 15646:19, 15659:9,<br/> 15671:19, 15679:11,<br/> 15681:13, 15683:8,<br/> 15683:12, 15685:21,<br/> 15686:3, 15705:21<br/> <b>factor</b> [20] - 15564:17,<br/> 15565:5, 15566:10,<br/> 15566:12, 15567:5,<br/> 15567:15, 15567:21,<br/> 15568:1, 15568:15,<br/> 15576:18, 15577:12,<br/> 15577:17, 15577:20,<br/> 15583:13, 15583:16,<br/> 15587:14, 15588:5,<br/> 15590:3, 15594:8,<br/> 15637:25<br/> <b>factors</b> [12] - 15551:16,<br/> 15551:20, 15555:23,<br/> 15556:9, 15564:12,<br/> 15567:11, 15595:14,<br/> 15628:10, 15628:12,<br/> 15630:13, 15631:1,<br/> 15642:18<br/> <b>facts</b> [12] - 15564:19,<br/> 15591:16, 15629:9,<br/> 15630:23, 15659:2,<br/> 15660:19, 15662:7,<br/> 15662:10, 15663:19,<br/> 15666:21, 15669:19<br/> <b>failure</b> [3] - 15577:21,<br/> 15578:4, 15578:16<br/> <b>fair</b> [35] - 15535:6,<br/> 15538:20, 15541:8,<br/> 15544:22, 15545:24,<br/> 15547:1, 15550:10,<br/> 15551:6, 15552:18,<br/> 15558:2, 15565:9,<br/> 15575:13, 15576:18,<br/> 15577:10, 15584:8,<br/> 15607:3, 15612:18,<br/> 15619:22, 15620:15,<br/> 15621:6, 15622:23,<br/> 15636:10, 15637:22,<br/> 15644:24, 15651:5,<br/> 15652:2, 15652:12,<br/> 15653:19, 15656:15,<br/> 15659:5, 15659:13,<br/> 15659:20, 15667:9,<br/> 15669:10, 15699:8</p> | <p><b>Fair</b>[4] - 15539:16,<br/> 15545:15, 15559:21,<br/> 15583:12<br/> <b>fairly</b> [4] - 15640:8,<br/> 15680:4, 15680:15<br/> <b>fairness</b> [1] - 15681:11<br/> <b>faith</b> [1] - 15624:5<br/> <b>fall</b> [1] - 15712:9<br/> <b>fallen</b> [1] - 15558:7<br/> <b>false</b> [2] - 15574:8,<br/> 15582:24<br/> <b>familiar</b> [4] - 15536:15,<br/> 15536:22, 15537:8,<br/> 15722:15<br/> <b>familiarity</b> [1] -<br/> 15535:18<br/> <b>family</b> [3] - 15533:18,<br/> 15686:25, 15700:16<br/> <b>far</b> [19] - 15546:4,<br/> 15556:21, 15557:4,<br/> 15559:11, 15569:7,<br/> 15570:10, 15600:17,<br/> 15600:18, 15606:6,<br/> 15621:15, 15630:4,<br/> 15631:7, 15633:23,<br/> 15647:14, 15664:24,<br/> 15673:22, 15704:1,<br/> 15715:12<br/> <b>fashion</b> [2] - 15680:4,<br/> 15681:3<br/> <b>fast</b> [1] - 15680:4<br/> <b>father</b> [2] - 15693:3,<br/> 15693:7<br/> <b>fearful</b> [2] - 15700:22,<br/> 15700:23<br/> <b>feature</b> [1] - 15557:25<br/> <b>February</b>[2] - 15652:17,<br/> 15717:17<br/> <b>federal</b> [1] - 15673:3<br/> <b>fell</b> [2] - 15670:15,<br/> 15670:16<br/> <b>felt</b> [9] - 15554:15,<br/> 15555:3, 15583:25,<br/> 15597:9, 15623:5,<br/> 15682:6, 15703:10,<br/> 15716:10, 15727:18<br/> <b>few</b> [16] - 15561:22,<br/> 15568:23, 15573:12,<br/> 15576:23, 15603:11,<br/> 15651:2, 15666:21,<br/> 15673:4, 15694:16,<br/> 15696:2, 15704:21,<br/> 15708:9, 15716:1,<br/> 15717:5, 15724:3<br/> <b>fifth</b> [1] - 15568:15<br/> <b>fifthly</b> [1] - 15550:12<br/> <b>fighting</b> [3] - 15615:19,<br/> 15622:1, 15645:2<br/> <b>figure</b> [4] - 15552:16,<br/> 15557:11, 15573:21,</p> | <p>15683:2<br/> <b>figured</b> [4] - 15620:7,<br/> 15647:15, 15654:23<br/> <b>file</b> [2] - 15652:8,<br/> 15652:23<br/> <b>filed</b> [3] - 15649:6,<br/> 15655:6, 15678:24<br/> <b>files</b> [4] - 15653:3,<br/> 15653:7, 15655:24,<br/> 15656:2<br/> <b>final</b> [1] - 15622:20<br/> <b>finally</b> [1] - 15594:13<br/> <b>fine</b> [4] - 15596:4,<br/> 15660:10, 15690:9,<br/> 15726:24<br/> <b>firm</b> [2] - 15716:21,<br/> 15718:4<br/> <b>First</b>[5] - 15535:8,<br/> 15537:1, 15593:13,<br/> 15604:12, 15688:7<br/> <b>first</b> [48] - 15534:19,<br/> 15538:1, 15538:12,<br/> 15551:13, 15551:21,<br/> 15556:13, 15559:9,<br/> 15559:22, 15559:23,<br/> 15562:24, 15569:1,<br/> 15570:11, 15570:12,<br/> 15572:23, 15576:2,<br/> 15580:4, 15580:12,<br/> 15582:17, 15599:5,<br/> 15600:6, 15601:25,<br/> 15613:5, 15625:2,<br/> 15628:7, 15632:12,<br/> 15632:13, 15638:2,<br/> 15652:6, 15652:17,<br/> 15652:22, 15652:23,<br/> 15660:21, 15667:5,<br/> 15668:20, 15668:24,<br/> 15668:25, 15673:8,<br/> 15673:14, 15673:17,<br/> 15674:18, 15677:4,<br/> 15679:7, 15686:16,<br/> 15695:23, 15696:12,<br/> 15702:3, 15702:10,<br/> 15709:25<br/> <b>first'</b> [2] - 15664:25,<br/> 15665:1<br/> <b>Fisher</b>[142] - 15530:10,<br/> 15531:3, 15532:5,<br/> 15532:7, 15539:6,<br/> 15546:5, 15546:9,<br/> 15547:17, 15547:25,<br/> 15549:6, 15549:23,<br/> 15551:17, 15553:21,<br/> 15558:20, 15560:3,<br/> 15564:13, 15567:16,<br/> 15568:5, 15577:14,<br/> 15579:24, 15581:23,<br/> 15586:1, 15590:24,<br/> 15591:18, 15592:9,</p> | <p>15596:1, 15603:14,<br/> 15604:15, 15606:7,<br/> 15606:21, 15611:2,<br/> 15611:11, 15612:24,<br/> 15613:6, 15621:21,<br/> 15626:21, 15628:1,<br/> 15630:6, 15630:14,<br/> 15630:17, 15630:19,<br/> 15631:5, 15634:16,<br/> 15634:22, 15635:2,<br/> 15635:3, 15635:22,<br/> 15636:7, 15637:12,<br/> 15639:4, 15640:23,<br/> 15646:11, 15648:3,<br/> 15648:8, 15649:10,<br/> 15650:6, 15653:4,<br/> 15656:7, 15658:7,<br/> 15658:15, 15658:16,<br/> 15658:24, 15660:17,<br/> 15661:7, 15662:11,<br/> 15662:21, 15663:7,<br/> 15666:6, 15666:25,<br/> 15667:2, 15667:7,<br/> 15667:16, 15668:5,<br/> 15668:8, 15669:21,<br/> 15671:25, 15672:3,<br/> 15672:6, 15672:10,<br/> 15673:2, 15676:13,<br/> 15680:22, 15682:2,<br/> 15682:12, 15687:17,<br/> 15688:5, 15688:7,<br/> 15688:24, 15689:22,<br/> 15689:24, 15690:9,<br/> 15691:10, 15691:12,<br/> 15692:10, 15692:15,<br/> 15692:23, 15693:6,<br/> 15693:18, 15693:19,<br/> 15693:22, 15694:2,<br/> 15694:3, 15694:11,<br/> 15694:12, 15694:20,<br/> 15695:4, 15695:7,<br/> 15695:15, 15695:19,<br/> 15696:20, 15697:15,<br/> 15697:24, 15698:5,<br/> 15698:10, 15698:18,<br/> 15699:6, 15701:12,<br/> 15702:3, 15705:22,<br/> 15707:22, 15708:19,<br/> 15709:1, 15709:7,<br/> 15709:22, 15717:12,<br/> 15717:22, 15718:7,<br/> 15718:17, 15718:22,<br/> 15719:13, 15719:14,<br/> 15719:15, 15719:20,<br/> 15720:8, 15722:4,<br/> 15722:9, 15723:2,<br/> 15723:21, 15724:8,<br/> 15724:9, 15728:10<br/> <b>fisher</b> [1] - 15581:18<br/> <b>Fishers</b> [11] - 15579:2,<br/> 15591:2, 15641:1,</p> |
| <p style="text-align: center;"><b>F</b></p> <p><b>face</b> [4] - 15626:8,<br/> 15637:7, 15661:15,<br/> 15662:16<br/> <b>fact</b> [55] - 15537:10,<br/> 15541:24, 15546:13,<br/> 15550:8, 15562:21,<br/> 15563:17, 15564:20,<br/> 15565:4, 15566:6,<br/> 15567:24, 15572:15,<br/> 15572:24, 15578:16,<br/> 15584:6, 15584:18,<br/> 15585:16, 15590:2,<br/> 15599:11, 15609:8,<br/> 15610:6, 15619:15,<br/> 15620:19, 15624:4,</p>  |  |   |  |   |



|   |   |   |  |   |
|---|---|---|--|---|
| <p>15648:9, 15650:20,<br/>15651:22, 15656:2,<br/>15656:18, 15656:22,<br/>15657:4, 15723:24<br/><b>fit</b> [2] - 15546:18,<br/>15581:24<br/><b>fits</b> [3] - 15580:9,<br/>15595:21, 15698:7<br/><b>Fitzpatrick</b>[1] -<br/>15529:13<br/><b>five</b> [3] - 15563:1,<br/>15563:7, 15563:13<br/><b>fleeting</b> [1] - 15612:22<br/><b>flick</b> [1] - 15602:15<br/><b>flier</b> [7] - 15532:10,<br/>15532:21, 15534:5,<br/>15534:8, 15534:10,<br/>15718:19<br/><b>flyer</b> [1] - 15699:23<br/><b>focus</b> [7] - 15604:21,<br/>15605:3, 15605:9,<br/>15605:13, 15606:5,<br/>15649:11, 15649:20<br/><b>focused</b> [8] - 15544:12,<br/>15588:16, 15592:12,<br/>15599:17, 15605:7,<br/>15606:8, 15610:1,<br/>15610:6<br/><b>focuses</b> [1] - 15606:15<br/><b>focusing</b> [1] - 15610:11<br/><b>focusses</b> [1] - 15613:5<br/><b>follow</b> [26] - 15534:9,<br/>15535:7, 15536:23,<br/>15544:10, 15544:22,<br/>15548:2, 15548:7,<br/>15551:2, 15564:20,<br/>15567:13, 15567:19,<br/>15572:1, 15574:21,<br/>15582:11, 15595:17,<br/>15611:12, 15611:22,<br/>15617:17, 15642:4,<br/>15649:23, 15654:10,<br/>15654:14, 15655:20,<br/>15655:24, 15656:2,<br/>15711:17<br/><b>follow-up</b> [2] - 15551:2,<br/>15654:10<br/><b>followed</b> [7] - 15534:22,<br/>15551:6, 15569:25,<br/>15571:18, 15574:17,<br/>15657:14, 15677:8<br/><b>following</b> [9] - 15574:9,<br/>15636:8, 15654:6,<br/>15669:7, 15671:25,<br/>15677:9, 15677:20,<br/>15678:22, 15711:15<br/><b>follows</b> [3] - 15624:21,<br/>15631:18, 15690:18<br/><b>fooled</b> [3] - 15564:7,<br/>15564:10, 15564:25</p> | <p><b>foregoing</b> [1] - 15731:4<br/><b>forensic</b> [1] - 15580:5<br/><b>forget</b> [6] - 15541:19,<br/>15548:23, 15599:14,<br/>15694:18, 15706:23,<br/>15726:16<br/><b>forgotten</b> [1] - 15562:25<br/><b>form</b> [1] - 15670:19<br/><b>formed</b> [2] - 15667:23,<br/>15668:3<br/><b>forward</b> [3] - 15614:17,<br/>15618:17, 15709:6<br/><b>fought</b> [2] - 15631:4,<br/>15631:5<br/><b>four</b> [6] - 15532:24,<br/>15534:6, 15534:13,<br/>15580:19, 15602:10,<br/>15718:17<br/><b>Four</b>[1] - 15533:9<br/><b>four-inch</b> [1] - 15602:10<br/><b>fourth</b> [3] - 15567:21,<br/>15720:2, 15721:23<br/><b>frame</b> [2] - 15671:9,<br/>15728:15<br/><b>framework</b> [3] -<br/>15560:9, 15668:12,<br/>15670:22<br/><b>Framer</b>[11] - 15530:11,<br/>15531:7, 15672:21,<br/>15673:1, 15673:2,<br/>15675:24, 15676:1,<br/>15676:4, 15676:7,<br/>15676:12, 15690:14<br/><b>freshly</b> [1] - 15589:4<br/><b>Friday</b>[13] - 15579:12,<br/>15585:2, 15585:12,<br/>15587:6, 15587:17,<br/>15587:24, 15588:7,<br/>15589:20, 15612:4,<br/>15635:12, 15638:3,<br/>15639:9, 15640:22<br/><b>Friend</b>[1] - 15663:7<br/><b>frightening</b> [1] -<br/>15585:21<br/><b>front</b> [7] - 15576:5,<br/>15585:20, 15600:13,<br/>15630:16, 15666:19,<br/>15666:20, 15704:11<br/><b>funny</b> [1] - 15644:14<br/><b>furious</b> [1] - 15608:22</p> | <p>15547:15, 15547:23,<br/>15548:6, 15551:17,<br/>15553:22, 15558:20,<br/>15565:3, 15566:8,<br/>15568:19, 15569:9,<br/>15572:2, 15572:14,<br/>15574:16, 15575:12,<br/>15576:21, 15576:24,<br/>15577:18, 15580:4,<br/>15580:22, 15580:24,<br/>15582:2, 15591:19,<br/>15592:10, 15593:2,<br/>15594:1, 15595:17,<br/>15597:11, 15602:21,<br/>15606:8, 15611:3,<br/>15611:5, 15611:12,<br/>15611:22, 15614:18,<br/>15621:22, 15623:11,<br/>15624:4, 15626:22,<br/>15628:1, 15628:14,<br/>15629:13, 15630:7,<br/>15630:14, 15633:5,<br/>15634:23, 15635:2,<br/>15635:4, 15635:23,<br/>15637:1, 15637:9,<br/>15637:21, 15638:10,<br/>15639:4, 15644:23,<br/>15646:6, 15646:20,<br/>15649:10, 15658:24,<br/>15659:18, 15660:21,<br/>15662:11, 15663:10,<br/>15663:14, 15663:15,<br/>15664:8, 15665:23,<br/>15666:6, 15666:25,<br/>15667:8, 15667:17,<br/>15667:18, 15667:25,<br/>15668:3, 15668:9,<br/>15668:15, 15669:21,<br/>15670:20, 15670:23,<br/>15671:2, 15671:3,<br/>15671:16, 15671:20,<br/>15671:22, 15675:6,<br/>15678:7, 15683:11,<br/>15686:24, 15687:18,<br/>15689:4, 15689:8,<br/>15690:7, 15694:12,<br/>15694:23, 15696:21,<br/>15697:15, 15717:22,<br/>15725:22<br/><b>Gaifs</b> [10] - 15545:3,<br/>15545:11, 15545:14,<br/>15557:16, 15564:14,<br/>15566:14, 15582:15,<br/>15583:7, 15613:7<br/><b>garden</b> [2] - 15540:14,<br/>15559:24<br/><b>Garrett</b>[1] - 15530:6<br/><b>gather</b> [2] - 15633:16,<br/>15699:19<br/><b>gathering</b> [2] - 15682:2,</p> | <p>15682:11<br/><b>general</b> [1] - 15564:15<br/><b>generated</b> [1] -<br/>15532:23<br/><b>gentlemen</b> [1] -<br/>15654:2<br/><b>gettin'</b> [1] - 15555:14<br/><b>Gibson</b>[8] - 15530:9,<br/>15531:5, 15531:10,<br/>15650:5, 15650:6,<br/>15728:23, 15728:25,<br/>15729:2<br/><b>girl</b> [4] - 15573:18,<br/>15576:5, 15627:18,<br/>15627:22<br/><b>girls</b> [1] - 15592:20<br/><b>Given</b>[1] - 15538:22<br/><b>given</b> [11] - 15539:11,<br/>15584:14, 15603:14,<br/>15606:4, 15618:14,<br/>15649:12, 15678:12,<br/>15679:12, 15679:16,<br/>15685:9, 15694:7<br/><b>gleaned</b> [2] - 15545:22,<br/>15656:3<br/><b>glove</b> [3] - 15580:24,<br/>15581:2, 15581:14<br/><b>glove-scene</b> [1] -<br/>15581:14<br/><b>gloves</b> [4] - 15580:4,<br/>15580:21, 15581:11,<br/>15582:2<br/><b>go-to-meeting</b> [1] -<br/>15590:14<br/><b>goal</b> [1] - 15634:20<br/><b>God</b>[2] - 15618:15,<br/>15638:23<br/><b>gonna</b> [1] - 15545:16<br/><b>gordge</b> [1] - 15723:7<br/><b>Government</b>[1] -<br/>15530:4<br/><b>grabbed</b> [2] - 15573:19,<br/>15577:9<br/><b>grass</b> [1] - 15624:22<br/><b>great</b> [4] - 15588:10,<br/>15636:14, 15636:18,<br/>15641:9<br/><b>greater</b> [1] - 15610:3<br/><b>greens</b> [1] - 15615:24<br/><b>guess</b> [16] - 15570:9,<br/>15583:4, 15598:6,<br/>15612:1, 15614:21,<br/>15617:21, 15650:9,<br/>15650:11, 15650:22,<br/>15652:2, 15653:5,<br/>15664:4, 15680:22,<br/>15704:6, 15706:3,<br/>15713:1<br/><b>guilty</b> [7] - 15533:23,<br/>15550:9, 15560:3,</p> | <p>15604:15, 15642:7,<br/>15689:7, 15689:25<br/><b>guys</b> [1] - 15614:21</p>  |
| <p style="text-align: center;"><b>G</b></p> <p><b>Gagne</b>[1] - 15727:5<br/><b>Gail</b>[107] - 15533:3,<br/>15534:25, 15537:11,<br/>15538:7, 15539:13,<br/>15541:12, 15546:15,<br/>15546:19, 15547:11,</p>   |   | <p>15547:15, 15547:23,<br/>15548:6, 15551:17,<br/>15553:22, 15558:20,<br/>15565:3, 15566:8,<br/>15568:19, 15569:9,<br/>15572:2, 15572:14,<br/>15574:16, 15575:12,<br/>15576:21, 15576:24,<br/>15577:18, 15580:4,<br/>15580:22, 15580:24,<br/>15582:2, 15591:19,<br/>15592:10, 15593:2,<br/>15594:1, 15595:17,<br/>15597:11, 15602:21,<br/>15606:8, 15611:3,<br/>15611:5, 15611:12,<br/>15611:22, 15614:18,<br/>15621:22, 15623:11,<br/>15624:4, 15626:22,<br/>15628:1, 15628:14,<br/>15629:13, 15630:7,<br/>15630:14, 15633:5,<br/>15634:23, 15635:2,<br/>15635:4, 15635:23,<br/>15637:1, 15637:9,<br/>15637:21, 15638:10,<br/>15639:4, 15644:23,<br/>15646:6, 15646:20,<br/>15649:10, 15658:24,<br/>15659:18, 15660:21,<br/>15662:11, 15663:10,<br/>15663:14, 15663:15,<br/>15664:8, 15665:23,<br/>15666:6, 15666:25,<br/>15667:8, 15667:17,<br/>15667:18, 15667:25,<br/>15668:3, 15668:9,<br/>15668:15, 15669:21,<br/>15670:20, 15670:23,<br/>15671:2, 15671:3,<br/>15671:16, 15671:20,<br/>15671:22, 15675:6,<br/>15678:7, 15683:11,<br/>15686:24, 15687:18,<br/>15689:4, 15689:8,<br/>15690:7, 15694:12,<br/>15694:23, 15696:21,<br/>15697:15, 15717:22,<br/>15725:22<br/><b>Gaifs</b> [10] - 15545:3,<br/>15545:11, 15545:14,<br/>15557:16, 15564:14,<br/>15566:14, 15582:15,<br/>15583:7, 15613:7<br/><b>garden</b> [2] - 15540:14,<br/>15559:24<br/><b>Garrett</b>[1] - 15530:6<br/><b>gather</b> [2] - 15633:16,<br/>15699:19<br/><b>gathering</b> [2] - 15682:2,</p> | <p>15682:11<br/><b>general</b> [1] - 15564:15<br/><b>generated</b> [1] -<br/>15532:23<br/><b>gentlemen</b> [1] -<br/>15654:2<br/><b>gettin'</b> [1] - 15555:14<br/><b>Gibson</b>[8] - 15530:9,<br/>15531:5, 15531:10,<br/>15650:5, 15650:6,<br/>15728:23, 15728:25,<br/>15729:2<br/><b>girl</b> [4] - 15573:18,<br/>15576:5, 15627:18,<br/>15627:22<br/><b>girls</b> [1] - 15592:20<br/><b>Given</b>[1] - 15538:22<br/><b>given</b> [11] - 15539:11,<br/>15584:14, 15603:14,<br/>15606:4, 15618:14,<br/>15649:12, 15678:12,<br/>15679:12, 15679:16,<br/>15685:9, 15694:7<br/><b>gleaned</b> [2] - 15545:22,<br/>15656:3<br/><b>glove</b> [3] - 15580:24,<br/>15581:2, 15581:14<br/><b>glove-scene</b> [1] -<br/>15581:14<br/><b>gloves</b> [4] - 15580:4,<br/>15580:21, 15581:11,<br/>15582:2<br/><b>go-to-meeting</b> [1] -<br/>15590:14<br/><b>goal</b> [1] - 15634:20<br/><b>God</b>[2] - 15618:15,<br/>15638:23<br/><b>gonna</b> [1] - 15545:16<br/><b>gordge</b> [1] - 15723:7<br/><b>Government</b>[1] -<br/>15530:4<br/><b>grabbed</b> [2] - 15573:19,<br/>15577:9<br/><b>grass</b> [1] - 15624:22<br/><b>great</b> [4] - 15588:10,<br/>15636:14, 15636:18,<br/>15641:9<br/><b>greater</b> [1] - 15610:3<br/><b>greens</b> [1] - 15615:24<br/><b>guess</b> [16] - 15570:9,<br/>15583:4, 15598:6,<br/>15612:1, 15614:21,<br/>15617:21, 15650:9,<br/>15650:11, 15650:22,<br/>15652:2, 15653:5,<br/>15664:4, 15680:22,<br/>15704:6, 15706:3,<br/>15713:1<br/><b>guilty</b> [7] - 15533:23,<br/>15550:9, 15560:3,</p> | <p style="text-align: center;"><b>H</b></p> <p><b>hair</b> [5] - 15581:17,<br/>15588:22, 15589:3,<br/>15590:20, 15591:10<br/><b>hair-miller</b> [1] -<br/>15581:17<br/><b>half</b> [3] - 15617:11,<br/>15660:2, 15660:3<br/><b>halted</b> [1] - 15641:7<br/><b>Halyk</b>[1] - 15530:5<br/><b>hand</b> [5] - 15533:2,<br/>15579:10, 15580:1,<br/>15601:8, 15689:19<br/><b>Hand</b>[1] - 15533:5<br/><b>handle</b> [13] - 15536:8,<br/>15547:1, 15549:2,<br/>15549:3, 15565:17,<br/>15602:11, 15602:18,<br/>15625:8, 15632:11,<br/>15633:8, 15710:16<br/><b>handled</b> [7] - 15565:14,<br/>15607:12, 15608:6,<br/>15623:21, 15625:19,<br/>15644:10, 15710:14<br/><b>hands</b> [4] - 15578:18,<br/>15581:24, 15582:2,<br/>15612:10<br/><b>handwriting</b> [6] -<br/>15720:3, 15720:4,<br/>15720:18, 15722:14,<br/>15722:16, 15722:18<br/><b>handwritten</b> [5] -<br/>15544:1, 15544:9,<br/>15545:18, 15600:2,<br/>15618:21<br/><b>hangups</b> [1] - 15715:14<br/><b>harbouring</b> [1] -<br/>15690:5<br/><b>hard</b> [5] - 15551:1,<br/>15618:7, 15618:15,<br/>15631:5<br/><b>hardly</b> [1] - 15567:15<br/><b>harm</b> [1] - 15700:16<br/><b>harming</b> [2] - 15539:7,<br/>15543:19<br/><b>he'</b> [1] - 15561:2<br/><b>head</b> [10] - 15557:11,<br/>15573:14, 15575:24,<br/>15576:6, 15588:24,<br/>15607:11, 15641:5,<br/>15648:24, 15705:1,<br/>15723:12<br/><b>headline</b> [1] - 15688:5<br/><b>hear</b> [5] - 15583:9,</p> |



|  |  |  |          |   |   |
|--|--|--|----------|---|---|
| 15609:21, 15619:12,<br>15647:18, 15711:9<br><b>heard</b> [22] - 15535:14,<br>15541:14, 15545:1,<br>15577:23, 15640:3,<br>15640:6, 15660:21,<br>15661:8, 15669:1,<br>15687:2, 15693:8,<br>15694:1, 15694:5,<br>15694:8, 15695:10,<br>15697:11, 15699:3,<br>15699:11, 15699:25,<br>15726:16, 15726:23,<br>15729:15<br><b>hearing</b> [5] - 15606:19,<br>15698:3, 15700:3,<br>15711:8, 15726:7<br><b>heart</b> [1] - 15706:17<br><b>held</b> [3] - 15553:2,<br>15623:22, 15625:20<br><b>help</b> [3] - 15533:25,<br>15598:16, 15657:2<br><b>Henderson</b> [20] -<br>15560:11, 15569:3,<br>15570:10, 15571:14,<br>15575:7, 15606:5,<br>15618:5, 15663:4,<br>15663:15, 15663:23,<br>15664:7, 15664:23,<br>15664:24, 15665:3,<br>15666:4, 15677:6,<br>15677:18, 15678:1,<br>15679:1, 15685:6<br><b>her</b> ' [2] - 15569:24,<br>15664:1<br><b>here</b> ' [1] - 15561:11<br><b>hereby</b> [1] - 15731:4<br><b>herein</b> [1] - 15731:6<br><b>herself</b> [2] - 15559:24,<br>15715:15<br><b>Hersh</b> [3] - 15717:17,<br>15718:6, 15728:1<br><b>hidden</b> [1] - 15636:11<br><b>himself</b> [8] - 15547:13,<br>15548:14, 15549:5,<br>15589:22, 15596:22,<br>15622:24, 15648:1,<br>15728:2<br><b>Hinz</b> [3] - 15529:10,<br>15731:2, 15731:13<br><b>hit</b> [1] - 15587:10<br><b>Hmm</b> [1] - 15713:2<br><b>hmm</b> [1] - 15603:10<br><b>Hodson</b> [22] - 15529:2,<br>15531:9, 15653:16,<br>15672:20, 15681:18,<br>15690:11, 15690:23,<br>15691:1, 15691:3,<br>15691:9, 15691:13,<br>15691:16, 15721:13, | 15721:14, 15721:19,<br>15721:22, 15722:2,<br>15728:17, 15729:6,<br>15730:10, 15730:14,<br>15730:20<br><b>Hoffman</b> [1] - 15688:9<br><b>hold</b> [3] - 15663:16,<br>15729:10<br><b>hole</b> [1] - 15550:6<br><b>holy</b> [1] - 15669:15<br><b>home</b> [27] - 15545:24,<br>15565:15, 15578:8,<br>15586:17, 15586:22,<br>15586:23, 15586:24,<br>15602:5, 15602:7,<br>15604:4, 15609:17,<br>15612:4, 15619:7,<br>15627:9, 15629:2,<br>15629:17, 15629:19,<br>15635:12, 15635:14,<br>15638:2, 15639:9,<br>15639:13, 15640:21,<br>15663:13, 15704:12,<br>15704:13, 15715:2<br><b>Homeniuk</b> [1] - 15727:5<br><b>Hon</b> [1] - 15530:12<br><b>honest</b> [3] - 15643:22,<br>15715:16, 15725:11<br><b>Honourable</b> [1] -<br>15528:6<br><b>Hospital</b> [4] - 15664:9,<br>15664:20, 15665:23,<br>15714:14<br><b>hospital</b> [2] - 15570:9,<br>15664:4<br><b>hospitals</b> [1] - 15594:4<br><b>host</b> [1] - 15614:1<br><b>Hotel</b> [1] - 15528:16<br><b>hour</b> [9] - 15597:21,<br>15598:20, 15616:11,<br>15617:8, 15617:11,<br>15617:16, 15617:17,<br>15675:9<br><b>hours</b> [4] - 15627:25,<br>15638:21, 15708:5<br><b>house</b> [10] - 15537:4,<br>15537:21, 15538:15,<br>15546:5, 15564:22,<br>15566:13, 15566:23,<br>15624:23, 15632:24,<br>15725:21<br><b>huh</b> ' [1] - 15560:16<br><b>hurt</b> [1] - 15661:18<br><b>husband</b> [40] - 15537:3,<br>15537:11, 15537:22,<br>15538:5, 15538:12,<br>15538:23, 15538:24,<br>15540:1, 15555:25,<br>15556:14, 15557:22,<br>15559:11, 15565:6, | 15566:13, 15566:24,<br>15568:16, 15568:19,<br>15571:18, 15571:23,<br>15572:14, 15576:21,<br>15577:1, 15582:17,<br>15597:10, 15610:4,<br>15614:18, 15623:11,<br>15627:4, 15638:1,<br>15644:22, 15667:24,<br>15671:21, 15675:5,<br>15683:12, 15686:23,<br>15686:24, 15689:3,<br>15714:5, 15720:11,<br>15723:2<br><b>husband's</b> [4] -<br>15578:23, 15592:19,<br>15594:3, 15678:7 | <b>I</b> | 15651:3, 15651:21,<br>15651:25, 15655:19,<br>15657:17, 15683:5,<br>15683:11, 15683:25<br><b>imprisonment</b> [1] -<br>15533:21<br><b>in-person</b> [2] -<br>15672:10, 15688:12<br><b>inch</b> [1] - 15602:10<br><b>incident</b> [3] - 15659:9,<br>15670:21, 15698:14<br><b>incidents</b> [4] -<br>15659:17, 15659:19,<br>15660:3, 15698:10<br><b>include</b> [1] - 15539:20<br><b>incredible</b> [1] - 15635:7<br><b>indecent</b> [1] - 15651:19<br><b>Indeed</b> [1] - 15640:24<br><b>indeed</b> [10] - 15541:18,<br>15546:22, 15547:21,<br>15567:10, 15578:11,<br>15594:25, 15624:3,<br>15628:13, 15647:1,<br>15675:3<br><b>Index</b> [1] - 15531:1<br><b>indicate</b> [1] - 15603:21<br><b>indicated</b> [5] -<br>15674:24, 15681:11,<br>15714:7, 15717:19,<br>15729:9<br><b>indicates</b> [1] - 15533:19<br><b>indicating</b> [2] -<br>15610:22, 15672:3<br><b>indicative</b> [3] -<br>15580:24, 15581:13,<br>15591:18<br><b>individual</b> [2] -<br>15717:17, 15725:12<br><b>individuals</b> [1] -<br>15657:2<br><b>infer</b> [1] - 15589:23<br><b>inference</b> [1] -<br>15620:11<br><b>inferences</b> [1] -<br>15645:9<br><b>influence</b> [1] - 15707:15<br><b>information</b> [53] -<br>15534:3, 15536:10,<br>15544:8, 15544:13,<br>15544:14, 15545:23,<br>15546:3, 15548:8,<br>15554:2, 15554:22,<br>15554:25, 15555:5,<br>15555:9, 15555:11,<br>15559:25, 15560:2,<br>15572:2, 15626:12,<br>15655:15, 15655:20,<br>15655:21, 15656:3,<br>15657:9, 15657:14,<br>15657:21, 15685:23, | 15693:18, 15694:7,<br>15699:4, 15699:7,<br>15699:8, 15699:11,<br>15700:11, 15701:13,<br>15702:3, 15702:18,<br>15706:14, 15708:20,<br>15709:21, 15713:21,<br>15716:21, 15717:9,<br>15717:21, 15718:6,<br>15718:14, 15719:18,<br>15720:10, 15721:11,<br>15723:16, 15723:23,<br>15726:6, 15729:8<br><b>informed</b> [1] - 15577:13<br><b>initial</b> [2] - 15669:4,<br>15700:9<br><b>Inland</b> [1] - 15529:13<br><b>innocence</b> [4] -<br>15532:21, 15533:22,<br>15550:17, 15567:25<br><b>innocent</b> [9] -<br>15533:20, 15604:1,<br>15604:10, 15604:14,<br>15605:10, 15605:16,<br>15629:25, 15642:7,<br>15647:10<br><b>inquiries</b> [1] - 15656:12<br><b>inquiring</b> [1] - 15656:22<br><b>Inquiry</b> [3] - 15528:2,<br>15528:23, 15687:3<br><b>Inspector</b> [2] - 15537:2,<br>15551:2<br><b>instead</b> [6] - 15594:18,<br>15594:20, 15624:6,<br>15630:18, 15630:19,<br>15642:22<br><b>intending</b> [1] -<br>15563:12<br><b>intent</b> [1] - 15622:24<br><b>interaction</b> [1] -<br>15650:8<br><b>interest</b> [2] - 15544:17,<br>15644:6<br><b>interested</b> [7] -<br>15554:18, 15561:12,<br>15565:21, 15588:17,<br>15681:25, 15682:10,<br>15706:16<br><b>interesting</b> [10] -<br>15560:25, 15567:22,<br>15573:10, 15580:1,<br>15585:6, 15603:5,<br>15604:22, 15646:5,<br>15647:7, 15648:3<br><b>interestingly</b> [1] -<br>15553:12<br><b>interests</b> [1] - 15561:15<br><b>interpret</b> [1] - 15594:25<br><b>interpretation</b> [2] -<br>15658:21, 15661:21 |
|--|--|--|----------|---|---|



|   |  |   |   |  |
|---|--|---|---|--|
| <p><b>interpreted</b> [5] - 15594:22, 15594:23, 15629:24, 15661:15, 15667:7</p> <p><b>interrupted</b> [2] - 15570:3, 15687:5</p> <p><b>interrupting</b> [1] - 15545:8</p> <p><b>interview</b> [65] - 15534:23, 15555:1, 15555:22, 15556:10, 15561:21, 15565:13, 15581:22, 15590:8, 15592:6, 15597:10, 15603:4, 15605:1, 15605:14, 15612:23, 15616:23, 15617:15, 15631:4, 15644:4, 15646:21, 15648:9, 15649:13, 15653:12, 15653:23, 15654:9, 15655:1, 15663:3, 15663:5, 15673:10, 15673:13, 15673:16, 15673:20, 15673:23, 15673:25, 15674:6, 15674:8, 15674:17, 15675:8, 15675:10, 15675:15, 15675:17, 15675:21, 15676:1, 15676:2, 15676:16, 15676:25, 15677:8, 15677:10, 15677:19, 15678:24, 15679:23, 15680:1, 15681:7, 15681:24, 15682:3, 15683:17, 15685:17, 15686:7, 15688:8, 15688:12, 15689:1, 15689:13, 15706:16, 15707:4, 15727:21</p> <p><b>interviewed</b> [15] - 15552:10, 15562:23, 15648:8, 15648:12, 15648:15, 15648:18, 15648:20, 15648:25, 15649:16, 15677:24, 15678:5, 15678:10, 15681:13, 15686:9, 15686:17</p> <p><b>interviewing</b> [1] - 15552:6</p> <p><b>interviews</b> [5] - 15559:22, 15677:4, 15677:12, 15677:17, 15678:25</p> <p><b>intimidated</b> [3] - 15674:25, 15681:12</p> <p><b>intimidating</b> [3] - 15552:21, 15552:24,</p> | <p>15653:25</p> <p><b>introduced</b> [1] - 15562:20</p> <p><b>introduction</b> [2] - 15599:2, 15599:6</p> <p><b>investigate</b> [1] - 15669:8</p> <p><b>investigating</b> [11] - 15536:7, 15536:13, 15536:21, 15537:7, 15554:10, 15555:19, 15561:13, 15652:19, 15652:20, 15654:19, 15723:11</p> <p><b>investigation</b> [4] - 15648:7, 15654:24, 15657:3, 15727:1</p> <p><b>investigator</b> [11] - 15537:25, 15538:4, 15539:15, 15544:19, 15547:8, 15547:11, 15548:11, 15549:3, 15549:4, 15550:13, 15565:1</p> <p><b>investing</b> [1] - 15545:17</p> <p><b>involved</b> [10] - 15536:16, 15538:24, 15574:9, 15584:12, 15609:3, 15662:11, 15671:22, 15686:23, 15686:24, 15708:13</p> <p><b>involvement</b> [4] - 15535:12, 15637:21, 15715:21, 15717:6</p> <p><b>Irene</b> [1] - 15529:9</p> <p><b>Irwin</b> [1] - 15530:12</p> <p><b>Isabelle</b> [1] - 15529:5</p> <p><b>isolated</b> [1] - 15637:25</p> <p><b>issue</b> [1] - 15585:17</p> <p><b>issues</b> [2] - 15627:3, 15654:16</p> <p><b>it'</b> [1] - 15560:14</p> <p><b>item</b> [6] - 15581:7, 15581:10, 15582:15, 15593:25, 15594:13, 15688:19</p> <p><b>Item</b> [1] - 15592:17</p> <p><b>items</b> [3] - 15580:21, 15581:16, 15582:14</p> <p><b>itself</b> [1] - 15690:18</p> | <p>15697:24, 15708:18</p> <p><b>James</b>[1] - 15530:3</p> <p><b>January</b>[19] - 15537:22, 15564:22, 15566:7, 15577:2, 15577:8, 15581:5, 15583:21, 15591:22, 15592:7, 15594:14, 15594:23, 15610:5, 15638:17, 15656:19, 15660:5, 15663:11, 15667:20, 15668:7, 15668:16</p> <p><b>Jennifer</b>[1] - 15530:12</p> <p><b>Jerry</b>[1] - 15529:12</p> <p><b>job</b> [1] - 15632:2</p> <p><b>joked</b> [1] - 15699:25</p> <p><b>joking</b> [1] - 15719:1</p> <p><b>Jones</b> [1] - 15561:7</p> <p><b>Joyce</b>[39] - 15530:3, 15532:7, 15533:2, 15534:12, 15559:24, 15560:1, 15560:13, 15560:19, 15561:1, 15561:5, 15561:12, 15561:22, 15563:1, 15563:7, 15563:13, 15568:24, 15569:5, 15569:14, 15569:24, 15570:17, 15570:20, 15571:7, 15571:13, 15571:22, 15574:19, 15575:7, 15582:17, 15583:14, 15600:17, 15606:4, 15618:14, 15618:22, 15649:21, 15677:5, 15677:18, 15677:25, 15679:1, 15685:5, 15724:6</p> <p><b>Joycés</b> [2] - 15532:10, 15556:7</p> <p><b>judges</b> [2] - 15585:20, 15689:24</p> <p><b>jury</b> [1] - 15643:24</p> <p><b>Justice</b>[10] - 15528:6, 15530:11, 15530:13, 15585:16, 15585:25, 15587:1, 15587:10, 15590:9, 15626:15, 15673:3</p> <p><b>justification</b> [2] - 15612:11, 15640:21</p> <p><b>justify</b> [1] - 15578:16</p> | <p><b>keen</b> [1] - 15605:8</p> <p><b>keep</b> [3] - 15636:10, 15646:14, 15672:12</p> <p><b>Keeping</b> [1] - 15666:24</p> <p><b>kept</b> [8] - 15540:17, 15576:19, 15587:25, 15589:13, 15606:17, 15645:22, 15715:15, 15730:5</p> <p><b>kids</b> [2] - 15572:6, 15704:12</p> <p><b>kill</b> [9] - 15558:14, 15611:11, 15611:22, 15621:22, 15623:11, 15629:13, 15633:5, 15635:4, 15666:25</p> <p><b>killed</b> [38] - 15539:14, 15577:18, 15597:11, 15606:8, 15607:10, 15608:5, 15608:19, 15614:18, 15614:22, 15628:14, 15630:14, 15634:23, 15635:2, 15635:23, 15637:1, 15638:9, 15639:4, 15643:19, 15644:23, 15646:20, 15649:10, 15667:8, 15667:17, 15667:19, 15667:24, 15668:3, 15668:9, 15668:15, 15669:21, 15670:20, 15670:23, 15671:3, 15694:12, 15696:20, 15709:14, 15710:8, 15714:13</p> <p><b>killer</b> [2] - 15688:6, 15717:22</p> <p><b>killing</b> [4] - 15607:14, 15608:8, 15608:25, 15627:22</p> <p><b>kind</b> [16] - 15543:18, 15562:6, 15591:7, 15597:1, 15597:17, 15609:6, 15613:2, 15615:11, 15625:11, 15644:17, 15646:16, 15647:19, 15654:23, 15669:12, 15699:25</p> <p><b>kinds</b> [2] - 15612:20, 15627:3</p> <p><b>kitchen</b> [6] - 15696:23, 15710:3, 15710:20, 15714:15, 15714:18, 15728:10</p> <p><b>knife</b> [96] - 15534:24, 15534:25, 15546:14, 15546:17, 15546:19, 15546:22, 15547:9, 15547:10, 15547:14, 15547:18, 15548:4,</p> | <p>15548:5, 15548:16, 15548:19, 15549:1, 15549:7, 15549:15, 15549:18, 15556:22, 15564:21, 15565:1, 15565:2, 15565:3, 15565:4, 15565:15, 15566:2, 15602:4, 15602:20, 15604:3, 15606:13, 15607:13, 15608:7, 15609:2, 15609:8, 15623:7, 15623:9, 15623:19, 15623:22, 15624:3, 15624:9, 15624:10, 15624:15, 15624:19, 15624:22, 15624:24, 15625:6, 15625:16, 15625:20, 15625:21, 15626:3, 15626:22, 15627:16, 15628:25, 15629:11, 15631:9, 15631:11, 15631:16, 15632:9, 15632:10, 15632:17, 15632:19, 15632:21, 15632:23, 15633:1, 15633:4, 15633:5, 15633:8, 15635:11, 15635:13, 15635:14, 15638:2, 15642:10, 15643:18, 15644:3, 15644:11, 15696:22, 15697:12, 15705:16, 15705:24, 15705:25, 15709:12, 15710:1, 15710:2, 15710:3, 15710:4, 15710:13, 15710:15, 15710:17, 15710:18, 15710:19, 15714:16, 15714:17, 15714:18, 15725:5, 15728:11</p> <p><b>knives</b> [4] - 15547:23, 15548:1, 15556:24, 15728:15</p> <p><b>knowing</b> [3] - 15566:6, 15621:11, 15719:13</p> <p><b>knowledge</b> [3] - 15610:3, 15619:13, 15731:6</p> <p><b>known</b> [13] - 15558:1, 15558:11, 15572:5, 15581:16, 15581:17, 15594:2, 15595:14, 15615:14, 15638:13, 15688:6, 15715:13, 15719:21</p> <p><b>knows</b> [3] - 15560:16, 15560:22, 15628:11</p> <p><b>Krogan</b>[1] - 15530:4</p> |
|   | <b>J</b>   |   |   |  |
| <p><b>jagged</b> [1] - 15602:13</p> <p><b>jail</b> [11] - 15557:17, 15557:19, 15557:20, 15565:20, 15693:12, 15694:4, 15694:21, 15695:4, 15695:9,</p>  |  |   | <b>K</b>  |  |
|   |  | <p><b>Kara</b>[1] - 15529:5</p> <p><b>Karen</b>[3] - 15529:10, 15731:2, 15731:13</p> <p><b>Karst</b>[1] - 15530:8</p>   |   |  |



|  |   |  |  |   |
|--|---|--|--|---|
| <b>Kujawa</b> <sup>[1]</sup> - 15530:6 | 15663:17, 15665:2,<br>15665:3, 15665:5,<br>15665:9, 15665:11,<br>15666:6, 15666:25,<br>15667:6, 15668:5,<br>15668:8, 15669:11,<br>15669:15, 15669:20,<br>15670:11, 15670:20,<br>15670:23, 15682:7,<br>15682:12, 15687:17,<br>15693:6, 15693:19,<br>15693:22, 15694:3,<br>15694:12, 15694:20,<br>15694:22, 15695:4,<br>15698:11, 15700:2,<br>15700:15, 15701:9,<br>15707:22, 15708:11,<br>15709:12, 15709:18,<br>15710:7, 15714:7,<br>15714:13, 15714:18,<br>15714:21, 15714:23,<br>15715:1, 15715:11,<br>15715:13, 15716:4,<br>15717:6, 15717:22,<br>15718:7, 15719:15,<br>15722:9, 15725:19,<br>15726:7<br><b>Larrys</b> <sup>[4]</sup> - 15670:3,<br>15715:6, 15715:21,<br>15725:4<br><b>last</b> <sup>[10]</sup> - 15586:15,<br>15596:14, 15638:12,<br>15673:6, 15689:18,<br>15691:25, 15708:14,<br>15716:22, 15719:21<br><b>lasted</b> <sup>[1]</sup> - 15617:1<br><b>late</b> <sup>[8]</sup> - 15572:24,<br>15659:23, 15660:8,<br>15660:11, 15690:4,<br>15701:22, 15705:22,<br>15705:25<br><b>Late</b> <sup>[1]</sup> - 15716:1<br><b>laughed</b> <sup>[1]</sup> - 15669:13<br><b>Laughs</b> <sup>[1]</sup> - 15568:14<br><b>laundry</b> <sup>[2]</sup> - 15613:8,<br>15613:10<br><b>law</b> <sup>[6]</sup> - 15633:23,<br>15692:12, 15716:21,<br>15718:4, 15720:11,<br>15723:2<br><b>lawyer</b> <sup>[7]</sup> - 15717:18,<br>15720:13, 15721:4,<br>15721:8, 15724:6,<br>15729:21, 15729:24<br><b>lawyers</b> <sup>[2]</sup> - 15566:11,<br>15684:22<br><b>laying</b> <sup>[1]</sup> - 15696:1<br><b>lead</b> <sup>[2]</sup> - 15547:24,<br>15631:23<br><b>leading</b> <sup>[2]</sup> - 15611:16, | 15631:17<br><b>leap</b> <sup>[3]</sup> - 15588:10,<br>15624:5, 15624:6<br><b>learn</b> <sup>[1]</sup> - 15653:5<br><b>least</b> <sup>[18]</sup> - 15532:23,<br>15534:4, 15540:2,<br>15540:5, 15541:2,<br>15571:16, 15589:14,<br>15594:4, 15595:13,<br>15614:1, 15634:14,<br>15636:9, 15652:7,<br>15660:12, 15672:3,<br>15674:1, 15687:16,<br>15713:3<br><b>leave</b> <sup>[3]</sup> - 15589:23,<br>15647:19, 15647:20<br><b>leaving</b> <sup>[1]</sup> - 15647:16<br><b>led</b> <sup>[7]</sup> - 15537:21,<br>15540:14, 15559:23,<br>15566:23, 15613:1,<br>15669:20, 15684:19<br><b>left</b> <sup>[17]</sup> - 15569:5,<br>15576:7, 15598:6,<br>15598:8, 15619:7,<br>15625:22, 15625:23,<br>15629:23, 15630:6,<br>15635:11, 15635:17,<br>15646:23, 15663:13,<br>15689:6, 15715:2,<br>15725:21<br><b>length</b> <sup>[2]</sup> - 15625:6,<br>15625:23<br><b>lengths</b> <sup>[2]</sup> - 15636:14,<br>15636:18<br><b>less</b> <sup>[6]</sup> - 15600:7,<br>15617:14, 15617:16,<br>15617:17, 15659:8,<br>15661:5<br><b>letter</b> <sup>[20]</sup> - 15540:3,<br>15540:5, 15540:10,<br>15540:19, 15572:19,<br>15572:21, 15576:11,<br>15651:13, 15651:14,<br>15651:16, 15720:20,<br>15720:21, 15721:1,<br>15721:6, 15722:3,<br>15722:6, 15723:1,<br>15724:2, 15724:5,<br>15729:22<br><b>letters</b> <sup>[11]</sup> - 15539:25,<br>15540:5, 15541:23,<br>15542:23, 15543:11,<br>15562:15, 15562:19,<br>15643:1, 15672:2,<br>15672:11, 15729:7<br><b>level</b> <sup>[2]</sup> - 15564:15<br><b>library</b> <sup>[2]</sup> - 15566:18,<br>15705:25<br><b>license</b> <sup>[1]</sup> - 15584:19<br><b>lied</b> <sup>[2]</sup> - 15582:18, | 15582:21<br><b>life</b> <sup>[2]</sup> - 15575:18,<br>15692:3<br><b>light</b> <sup>[7]</sup> - 15536:25,<br>15580:2, 15584:2,<br>15659:3, 15662:7,<br>15662:19, 15667:7<br><b>likely</b> <sup>[10]</sup> - 15541:3,<br>15542:5, 15574:15,<br>15583:25, 15589:22,<br>15631:12, 15631:14,<br>15632:21, 15635:22,<br>15729:11<br><b>Lillian</b> <sup>[2]</sup> - 15531:3,<br>15532:5<br><b>limited</b> <sup>[1]</sup> - 15649:11<br><b>Linda</b> <sup>[94]</sup> - 15531:3,<br>15532:5, 15549:6,<br>15569:15, 15569:21,<br>15570:6, 15570:11,<br>15570:13, 15596:3,<br>15596:4, 15603:14,<br>15648:8, 15688:5,<br>15689:22, 15692:10,<br>15693:18, 15694:2,<br>15694:7, 15694:9,<br>15694:11, 15695:7,<br>15695:14, 15695:18,<br>15697:15, 15698:5,<br>15698:10, 15699:1,<br>15699:6, 15699:16,<br>15700:10, 15701:11,<br>15702:2, 15706:12,<br>15706:25, 15707:7,<br>15707:21, 15708:19,<br>15709:1, 15709:7,<br>15709:22, 15711:17,<br>15712:11, 15712:14,<br>15713:5, 15713:8,<br>15713:10, 15713:17,<br>15714:18, 15714:20,<br>15714:25, 15715:3,<br>15715:11, 15715:14,<br>15715:16, 15715:20,<br>15715:24, 15716:2,<br>15716:5, 15716:6,<br>15716:9, 15716:12,<br>15716:19, 15716:22,<br>15716:23, 15716:25,<br>15717:5, 15717:7,<br>15717:12, 15718:17,<br>15718:21, 15719:13,<br>15719:14, 15720:8,<br>15722:4, 15722:11,<br>15723:20, 15723:24,<br>15724:8, 15724:9,<br>15725:2, 15725:8,<br>15725:11, 15725:14,<br>15725:19, 15726:11,<br>15726:14, 15727:17, | 15728:10, 15729:12,<br>15729:15, 15729:25<br><b>line</b> <sup>[8]</sup> - 15605:17,<br>15607:4, 15625:9,<br>15625:13, 15625:23,<br>15637:10, 15681:22,<br>15725:9<br><b>lines</b> <sup>[2]</sup> - 15536:1,<br>15606:15<br><b>link</b> <sup>[3]</sup> - 15571:5,<br>15645:10, 15645:19<br><b>list</b> <sup>[3]</sup> - 15577:20,<br>15604:9, 15604:13<br><b>listen</b> <sup>[2]</sup> - 15614:19,<br>15661:2<br><b>literally</b> <sup>[1]</sup> - 15596:14<br><b>live</b> <sup>[3]</sup> - 15570:19,<br>15693:1, 15714:10<br><b>lived</b> <sup>[31]</sup> - 15537:4,<br>15537:11, 15537:12,<br>15558:8, 15559:11,<br>15559:14, 15566:12,<br>15567:1, 15570:8,<br>15570:19, 15570:20,<br>15570:23, 15571:2,<br>15572:2, 15572:5,<br>15574:23, 15575:18,<br>15576:24, 15576:25,<br>15664:2, 15664:10,<br>15664:15, 15664:21,<br>15692:2, 15692:6,<br>15692:10, 15694:20,<br>15694:25, 15712:5,<br>15712:8<br><b>living</b> <sup>[12]</sup> - 15537:22,<br>15539:12, 15560:19,<br>15566:13, 15566:24,<br>15660:24, 15692:15,<br>15692:21, 15724:9,<br>15724:13, 15729:25,<br>15730:4<br><b>locale</b> <sup>[2]</sup> - 15533:3,<br>15538:13<br><b>locate</b> <sup>[1]</sup> - 15656:18<br><b>Lock</b> <sup>[1]</sup> - 15654:12<br><b>Lockyer</b> <sup>[23]</sup> - 15530:3,<br>15531:4, 15532:6,<br>15542:11, 15542:16,<br>15591:23, 15592:3,<br>15595:24, 15632:16,<br>15649:25, 15650:25,<br>15653:9, 15654:4,<br>15654:13, 15663:8,<br>15675:22, 15679:24,<br>15680:6, 15680:11,<br>15680:25, 15684:4,<br>15684:8, 15690:14<br><b>logical</b> <sup>[1]</sup> - 15571:16<br><b>look</b> <sup>[25]</sup> - 15532:25,<br>15533:5, 15535:24, |
|--|---|--|--|---|



|   |   |  |   |   |
|---|---|--|---|---|
| <p>15559:7, 15561:20,<br/>15561:23, 15584:2,<br/>15585:18, 15588:25,<br/>15597:1, 15597:17,<br/>15601:4, 15646:16,<br/>15660:18, 15661:14,<br/>15661:18, 15661:23,<br/>15667:10, 15679:17,<br/>15688:21, 15689:10,<br/>15689:18, 15705:25,<br/>15722:18</p> <p><b>looked</b> [11] - 15539:3,<br/>15543:17, 15555:21,<br/>15572:24, 15667:6,<br/>15667:14, 15668:4,<br/>15670:1, 15670:21,<br/>15684:7, 15705:23</p> <p><b>Looking</b>[1] - 15662:14</p> <p><b>looking</b> [14] - 15533:12,<br/>15534:4, 15550:13,<br/>15555:8, 15555:20,<br/>15630:3, 15660:1,<br/>15662:23, 15668:24,<br/>15684:5, 15699:4,<br/>15699:7, 15717:25,<br/>15730:3</p> <p><b>Looks</b>[1] - 15601:15</p> <p><b>looks</b> [4] - 15560:21,<br/>15722:16, 15722:21,<br/>15722:25</p> <p><b>lost</b> [6] - 15548:17,<br/>15593:11, 15593:23,<br/>15644:18, 15645:25,<br/>15670:11</p> <p><b>love</b> [2] - 15558:7,<br/>15643:2</p> <p><b>lying</b> [1] - 15583:23</p> | <p>15642:25</p> <p><b>maintained</b> [2] -<br/>15533:22, 15689:7</p> <p><b>maintaining</b> [1] -<br/>15532:21</p> <p><b>malicious</b> [1] - 15666:9</p> <p><b>man</b> [6] - 15557:25,<br/>15558:8, 15594:17,<br/>15595:5, 15669:15,<br/>15713:19</p> <p><b>manage</b> [1] - 15631:2</p> <p><b>managed</b> [2] - 15556:9,<br/>15597:25</p> <p><b>Manager</b> [1] - 15529:4</p> <p><b>manfully</b> [1] - 15616:15</p> <p><b>manner</b> [10] - 15675:12,<br/>15675:20, 15680:2,<br/>15680:9, 15680:24,<br/>15681:2, 15681:8,<br/>15681:14, 15681:23,<br/>15683:8</p> <p><b>map</b> [2] - 15570:22,<br/>15571:2</p> <p><b>March</b> [67] - 15556:11,<br/>15557:13, 15560:1,<br/>15562:25, 15563:3,<br/>15567:6, 15568:18,<br/>15568:24, 15568:25,<br/>15571:7, 15575:7,<br/>15582:16, 15583:2,<br/>15583:14, 15588:17,<br/>15588:18, 15592:5,<br/>15592:18, 15594:1,<br/>15594:24, 15595:12,<br/>15596:15, 15600:24,<br/>15606:4, 15614:15,<br/>15618:11, 15618:13,<br/>15618:19, 15619:2,<br/>15625:17, 15648:1,<br/>15648:18, 15648:23,<br/>15649:22, 15650:17,<br/>15651:13, 15651:20,<br/>15652:7, 15652:24,<br/>15654:7, 15654:8,<br/>15655:4, 15673:11,<br/>15677:2, 15677:4,<br/>15677:11, 15677:21,<br/>15678:25, 15681:3,<br/>15685:8, 15685:12,<br/>15686:17, 15689:1,<br/>15690:15, 15690:23,<br/>15697:23, 15708:14,<br/>15711:21, 15719:11,<br/>15721:15, 15722:5,<br/>15722:25, 15727:6,<br/>15729:14, 15729:17,<br/>15730:1</p> <p><b>mark</b> [2] - 15605:15,<br/>15605:22</p> <p><b>marked</b> [1] - 15618:3</p> | <p><b>marks</b> [2] - 15643:8</p> <p><b>maroon</b> [1] - 15547:1</p> <p><b>married</b> [2] - 15558:8,<br/>15719:15</p> <p><b>Mary's</b> [1] - 15571:3</p> <p><b>match</b> [6] - 15547:9,<br/>15548:5, 15565:2,<br/>15565:3, 15582:6,<br/>15625:24</p> <p><b>matched</b> [1] - 15572:16</p> <p><b>material</b> [4] - 15541:6,<br/>15549:2, 15580:23,<br/>15581:13</p> <p><b>matter</b> [18] - 15538:6,<br/>15556:19, 15584:10,<br/>15597:20, 15638:20,<br/>15643:24, 15649:21,<br/>15652:16, 15652:21,<br/>15654:7, 15685:20,<br/>15699:8, 15707:1,<br/>15710:22, 15720:12,<br/>15721:4, 15723:12,<br/>15727:17</p> <p><b>matters</b> [3] - 15560:24,<br/>15613:5, 15672:16</p> <p><b>Mcgettigan</b> [2] -<br/>15710:22, 15711:2</p> <p><b>mean</b> [36] - 15534:7,<br/>15543:20, 15545:2,<br/>15548:6, 15553:18,<br/>15554:24, 15555:18,<br/>15556:4, 15559:10,<br/>15560:22, 15567:9,<br/>15568:11, 15569:4,<br/>15572:9, 15575:12,<br/>15575:15, 15587:10,<br/>15588:2, 15589:6,<br/>15591:7, 15607:21,<br/>15614:2, 15614:3,<br/>15617:23, 15623:16,<br/>15627:24, 15631:17,<br/>15636:7, 15636:19,<br/>15638:25, 15639:2,<br/>15640:5, 15642:23,<br/>15669:13, 15670:3,<br/>15682:23</p> <p><b>Meaning</b> [1] - 15646:19</p> <p><b>meaning</b> [1] - 15682:25</p> <p><b>means</b> [6] - 15537:10,<br/>15539:9, 15547:14,<br/>15558:18, 15560:17,<br/>15631:13</p> <p><b>meant</b> [3] - 15597:13,<br/>15659:19, 15662:16</p> <p><b>media</b> [3] - 15532:15,<br/>15672:13, 15687:16</p> <p><b>meet</b> [1] - 15592:13</p> <p><b>meeting</b> [5] - 15552:20,<br/>15568:25, 15575:6,<br/>15590:14, 15653:24</p> | <p><b>meetings</b> [1] - 15576:15</p> <p><b>members</b> [1] -<br/>15686:25</p> <p><b>memo</b> [1] - 15647:25</p> <p><b>memorandum</b> [1] -<br/>15681:23</p> <p><b>memory</b> [3] - 15580:8,<br/>15580:9, 15581:23</p> <p><b>men</b> [1] - 15614:12</p> <p><b>mention</b> [1] - 15644:2</p> <p><b>mentioned</b> [8] -<br/>15539:19, 15630:24,<br/>15644:14, 15673:17,<br/>15698:9, 15704:21,<br/>15718:12, 15719:6</p> <p><b>Merchant</b> [2] - 15724:5,<br/>15724:16</p> <p><b>merely</b> [1] - 15559:3</p> <p><b>met</b> [7] - 15563:2,<br/>15582:17, 15598:23,<br/>15647:14, 15653:2,<br/>15677:23, 15724:25</p> <p><b>method</b> [1] - 15572:17</p> <p><b>Meyer</b> [3] - 15529:11,<br/>15731:2, 15731:17</p> <p><b>middle</b> [3] - 15587:12,<br/>15587:17, 15600:14</p> <p><b>midst</b> [3] - 15578:24,<br/>15582:3, 15624:20</p> <p><b>might</b> [46] - 15536:19,<br/>15536:22, 15536:23,<br/>15537:8, 15537:25,<br/>15538:4, 15539:14,<br/>15544:18, 15547:24,<br/>15549:1, 15549:4,<br/>15549:9, 15551:5,<br/>15578:10, 15582:10,<br/>15583:4, 15586:18,<br/>15589:18, 15589:23,<br/>15609:22, 15610:13,<br/>15612:2, 15612:6,<br/>15628:5, 15630:19,<br/>15630:21, 15635:24,<br/>15636:5, 15639:8,<br/>15639:9, 15644:6,<br/>15656:20, 15657:3,<br/>15657:9, 15682:7,<br/>15700:15, 15700:24,<br/>15704:7, 15705:12,<br/>15707:13, 15718:24,<br/>15722:8, 15723:16,<br/>15727:13, 15728:23,<br/>15729:19</p> <p><b>Milgaard</b> [60] - 15528:4,<br/>15530:2, 15530:3,<br/>15533:11, 15534:4,<br/>15534:12, 15537:4,<br/>15538:15, 15550:16,<br/>15551:18, 15552:4,<br/>15553:23, 15556:1,</p> | <p>15556:5, 15566:14,<br/>15567:12, 15600:18,<br/>15603:23, 15603:24,<br/>15603:25, 15604:1,<br/>15604:10, 15604:14,<br/>15605:10, 15605:16,<br/>15606:4, 15618:5,<br/>15618:15, 15618:22,<br/>15648:6, 15648:11,<br/>15648:20, 15649:2,<br/>15649:21, 15650:2,<br/>15651:1, 15652:20,<br/>15663:3, 15663:12,<br/>15664:7, 15666:3,<br/>15667:4, 15677:5,<br/>15677:18, 15677:25,<br/>15679:1, 15685:5,<br/>15687:17, 15689:24,<br/>15697:19, 15698:22,<br/>15698:23, 15699:2,<br/>15699:7, 15700:4,<br/>15716:24, 15717:19,<br/>15723:12, 15723:17,<br/>15724:6</p> <p><b>Milgaard's</b> [1] -<br/>15697:16</p> <p><b>Milgaards</b> [1] -<br/>15717:24</p> <p><b>Miller</b> [81] - 15537:12,<br/>15538:8, 15539:13,<br/>15551:17, 15553:22,<br/>15558:21, 15565:3,<br/>15566:8, 15568:19,<br/>15569:9, 15572:15,<br/>15574:16, 15576:21,<br/>15576:24, 15577:18,<br/>15580:5, 15591:19,<br/>15592:10, 15594:1,<br/>15595:17, 15597:11,<br/>15606:8, 15611:3,<br/>15611:5, 15611:12,<br/>15611:22, 15614:18,<br/>15621:23, 15623:11,<br/>15624:4, 15626:22,<br/>15628:2, 15628:14,<br/>15629:13, 15630:14,<br/>15633:5, 15634:23,<br/>15635:2, 15635:4,<br/>15635:23, 15637:1,<br/>15638:10, 15639:5,<br/>15644:23, 15646:20,<br/>15649:11, 15660:22,<br/>15663:10, 15663:14,<br/>15664:8, 15665:23,<br/>15666:6, 15666:25,<br/>15667:8, 15667:17,<br/>15667:18, 15667:25,<br/>15668:3, 15668:9,<br/>15668:15, 15669:21,<br/>15669:22, 15670:20,<br/>15670:23, 15671:2,</p> |
| <b>M</b>  |   |  |   |   |
| <p><b>M'hm</b> [1] - 15637:24</p> <p><b>Maccallum</b> [24] -<br/>15528:7, 15532:3,<br/>15542:9, 15542:14,<br/>15591:22, 15591:25,<br/>15632:15, 15670:3,<br/>15672:23, 15675:23,<br/>15676:2, 15676:5,<br/>15676:11, 15690:21,<br/>15690:24, 15691:2,<br/>15691:8, 15691:11,<br/>15721:12, 15721:17,<br/>15721:20, 15721:24,<br/>15730:12, 15730:22</p> <p><b>mad</b> [2] - 15608:18,<br/>15608:20</p> <p><b>madam</b> [2] - 15550:20,<br/>15650:1</p> <p><b>maintain</b> [2] - 15637:6,</p>  |   |  |   |   |



|  |   |   |   |  |
|--|---|---|---|--|
| <p>15671:3, 15671:16,<br/>15675:6, 15678:8,<br/>15683:11, 15686:25,<br/>15687:18, 15689:4,<br/>15689:8, 15690:7,<br/>15694:13, 15694:23,<br/>15696:21, 15697:15,<br/>15717:22, 15725:22<br/><b>miller</b> [1] - 15581:17<br/><b>Miller</b> [1] - 15663:15<br/><b>Miller's</b> [24] - 15534:25,<br/>15541:12, 15546:15,<br/>15546:19, 15547:11,<br/>15547:15, 15547:24,<br/>15548:6, 15575:12,<br/>15580:22, 15580:24,<br/>15582:2, 15593:2,<br/>15602:21, 15630:7,<br/>15637:9, 15637:22,<br/>15646:6, 15658:24,<br/>15659:18, 15662:12,<br/>15671:20, 15671:22,<br/>15689:21<br/><b>mind</b> [42] - 15536:12,<br/>15540:19, 15541:1,<br/>15542:4, 15545:5,<br/>15545:10, 15547:7,<br/>15548:12, 15551:16,<br/>15558:7, 15558:20,<br/>15559:10, 15565:4,<br/>15567:5, 15568:16,<br/>15583:13, 15583:16,<br/>15584:21, 15588:6,<br/>15588:16, 15591:16,<br/>15591:17, 15592:13,<br/>15592:16, 15595:11,<br/>15595:15, 15598:8,<br/>15601:17, 15607:23,<br/>15607:24, 15610:5,<br/>15614:16, 15621:21,<br/>15628:11, 15632:14,<br/>15635:18, 15638:18,<br/>15638:21, 15639:3,<br/>15645:22, 15666:24,<br/>15694:17<br/><b>minds</b> [1] - 15567:10<br/><b>Mine</b> [2] - 15632:11,<br/>15633:8<br/><b>mine</b> [5] - 15577:3,<br/>15601:13, 15601:15,<br/>15722:17<br/><b>minimal</b> [1] - 15604:22<br/><b>Minister</b> [2] - 15530:11,<br/>15673:3<br/><b>minute</b> [4] - 15559:2,<br/>15601:17, 15623:6,<br/>15663:16<br/><b>minutes</b> [6] - 15576:23,<br/>15598:20, 15617:1,<br/>15617:2, 15617:10,</p> | <p>15617:15<br/><b>misapprehension</b> [1] -<br/>15571:18<br/><b>misconception</b> [1] -<br/>15652:4<br/><b>misgivings</b> [1] -<br/>15653:17<br/><b>mislead</b> [1] - 15563:12<br/><b>misleading</b> [2] -<br/>15560:5, 15563:13<br/><b>miss</b> [1] - 15578:1<br/><b>missed</b> [2] - 15607:12,<br/>15608:6<br/><b>missing</b> [35] -<br/>15546:14, 15564:21,<br/>15565:5, 15565:15,<br/>15565:18, 15565:22,<br/>15565:23, 15566:2,<br/>15604:3, 15606:14,<br/>15609:9, 15613:21,<br/>15615:8, 15624:3,<br/>15625:10, 15626:22,<br/>15627:16, 15628:25,<br/>15629:11, 15631:16,<br/>15632:23, 15633:1,<br/>15642:10, 15669:22,<br/>15669:23, 15670:7,<br/>15696:22, 15709:12,<br/>15710:2, 15710:3,<br/>15710:19, 15714:16,<br/>15725:5, 15728:10,<br/>15728:15<br/><b>mistake</b> [1] - 15596:17<br/><b>mistaken</b> [1] - 15563:6<br/><b>mistranslation</b> [1] -<br/>15631:14<br/><b>misunderstanding</b> [2] -<br/>15592:4, 15650:20<br/><b>mixed</b> [2] - 15581:14,<br/>15664:14<br/><b>moment</b> [11] -<br/>15535:16, 15537:19,<br/>15538:18, 15544:18,<br/>15575:11, 15585:5,<br/>15604:11, 15607:24,<br/>15612:22, 15723:6,<br/>15724:21<br/><b>momentarily</b> [1] -<br/>15623:13<br/><b>Monday</b> [3] - 15730:16,<br/>15730:19, 15730:20<br/><b>money</b> [1] - 15719:3<br/><b>monster</b> [3] - 15558:9,<br/>15558:11, 15558:13<br/><b>months</b> [14] - 15532:24,<br/>15533:9, 15534:6,<br/>15534:13, 15556:19,<br/>15580:19, 15581:6,<br/>15638:15, 15638:24,<br/>15684:16, 15697:24,</p> | <p>15716:1, 15718:17,<br/>15724:4<br/><b>Moosomin's</b> [2] -<br/>15677:14, 15677:15<br/><b>morning</b> [80] - 15532:3,<br/>15532:4, 15532:7,<br/>15538:8, 15538:14,<br/>15546:14, 15548:17,<br/>15564:22, 15565:5,<br/>15566:3, 15568:20,<br/>15575:3, 15577:2,<br/>15577:5, 15577:8,<br/>15577:10, 15577:14,<br/>15577:21, 15578:3,<br/>15581:24, 15582:22,<br/>15583:21, 15584:14,<br/>15585:2, 15585:12,<br/>15586:1, 15587:12,<br/>15587:17, 15587:24,<br/>15588:8, 15589:20,<br/>15590:13, 15591:17,<br/>15591:22, 15591:24,<br/>15602:5, 15602:7,<br/>15604:18, 15609:17,<br/>15610:12, 15610:16,<br/>15612:4, 15612:8,<br/>15612:12, 15612:17,<br/>15614:4, 15619:16,<br/>15619:23, 15621:16,<br/>15621:22, 15627:12,<br/>15631:2, 15635:12,<br/>15635:14, 15639:9,<br/>15642:19, 15658:15,<br/>15658:18, 15663:11,<br/>15666:7, 15666:16,<br/>15666:25, 15669:14,<br/>15669:17, 15669:18,<br/>15675:10, 15679:24,<br/>15680:6, 15680:10,<br/>15681:1, 15683:10,<br/>15684:3, 15684:9,<br/>15686:6, 15697:4,<br/>15701:21, 15706:4,<br/>15706:7, 15711:25,<br/>15728:11<br/><b>morning's</b> [1] -<br/>15675:22<br/><b>most</b> [4] - 15553:14,<br/>15575:15, 15643:22,<br/>15692:2<br/><b>mother</b> [1] - 15648:9<br/><b>motive</b> [1] - 15583:23<br/><b>Move</b> [1] - 15603:16<br/><b>move</b> [11] - 15551:12,<br/>15560:8, 15569:19,<br/>15580:20, 15581:4,<br/>15581:7, 15585:1,<br/>15606:25, 15610:10,<br/>15622:19, 15624:17<br/><b>moved</b> [6] - 15543:4,</p> | <p>15563:1, 15581:20,<br/>15590:25, 15607:24,<br/>15691:24<br/><b>moving</b> [3] - 15572:22,<br/>15579:23, 15590:25<br/><b>Moving</b> [1] - 15551:10<br/><b>multicolour</b> [1] -<br/>15591:9<br/><b>multiplied</b> [1] - 15593:8<br/><b>mum</b> [1] - 15568:7<br/><b>murder</b> [62] - 15538:7,<br/>15538:13, 15538:16,<br/>15538:19, 15541:13,<br/>15545:4, 15545:6,<br/>15545:12, 15545:14,<br/>15546:15, 15547:24,<br/>15548:1, 15549:25,<br/>15557:16, 15557:17,<br/>15564:14, 15566:15,<br/>15575:12, 15582:15,<br/>15583:7, 15583:24,<br/>15590:5, 15606:12,<br/>15606:16, 15610:8,<br/>15611:2, 15613:7,<br/>15624:4, 15626:21,<br/>15627:5, 15630:1,<br/>15630:7, 15632:10,<br/>15633:7, 15643:12,<br/>15658:25, 15660:5,<br/>15661:8, 15662:12,<br/>15669:3, 15669:5,<br/>15669:7, 15670:9,<br/>15675:5, 15678:7,<br/>15686:24, 15687:10,<br/>15689:4, 15689:8,<br/>15690:6, 15694:23,<br/>15697:4, 15697:16,<br/>15697:17, 15697:18,<br/>15698:1, 15699:4,<br/>15709:5, 15709:11,<br/>15715:22, 15728:11<br/><b>murder</b> [2] - 15547:15,<br/>15547:19<br/><b>murdered</b> [17] -<br/>15533:3, 15537:14,<br/>15537:17, 15551:17,<br/>15553:22, 15558:20,<br/>15571:19, 15572:14,<br/>15576:21, 15591:19,<br/>15592:10, 15595:16,<br/>15611:5, 15628:1,<br/>15683:11, 15687:18,<br/>15725:22<br/><b>murderer</b> [1] - 15689:22<br/><b>murdering</b> [1] -<br/>15627:18<br/><b>Murders</b> [1] - 15669:2<br/><b>must</b> [9] - 15558:4,<br/>15559:9, 15569:15,<br/>15575:20, 15588:14,</p> | <p>15593:16, 15676:20,<br/>15676:21, 15702:17<br/><b>mutilated</b> [1] - 15694:5<br/><b>mutilating</b> [2] -<br/>15695:5, 15714:6</p> <p style="text-align: center;"><b>N</b></p> <p><b>name</b> [13] - 15532:14,<br/>15535:10, 15596:1,<br/>15650:6, 15658:15,<br/>15673:2, 15693:8,<br/>15698:1, 15717:20,<br/>15718:1, 15723:7,<br/>15723:8, 15729:1<br/><b>Namely</b> [1] - 15637:1<br/><b>names</b> [1] - 15727:5<br/><b>nature</b> [2] - 15682:23,<br/>15699:24<br/><b>near</b> [2] - 15593:3,<br/>15714:14<br/><b>nearby</b> [1] - 15572:5<br/><b>necessarily</b> [3] -<br/>15561:14, 15611:17,<br/>15637:21<br/><b>necessary</b> [1] -<br/>15650:18<br/><b>necessity</b> [1] -<br/>15679:17<br/><b>need</b> [3] - 15691:3,<br/>15720:13, 15721:4<br/><b>needed</b> [2] - 15721:9,<br/>15729:24<br/><b>needs</b> [1] - 15704:24<br/><b>neighbourhood</b> [1] -<br/>15539:13<br/><b>nerves</b> [1] - 15701:19<br/><b>nervous</b> [2] - 15703:20,<br/>15705:6<br/><b>never</b> [27] - 15533:24,<br/>15546:1, 15560:16,<br/>15562:2, 15565:20,<br/>15570:16, 15578:4,<br/>15578:11, 15583:5,<br/>15584:18, 15589:14,<br/>15608:18, 15625:11,<br/>15630:24, 15649:6,<br/>15665:6, 15672:11,<br/>15676:9, 15676:14,<br/>15686:9, 15707:2,<br/>15713:18, 15719:2,<br/>15720:23<br/><b>Nevertheless</b> [1] -<br/>15599:17<br/><b>nevertheless</b> [1] -<br/>15565:4<br/><b>new</b> [4] - 15585:1,<br/>15589:5, 15589:8,<br/>15662:7</p> |
|--|---|---|---|--|



|   |   |   |  |   |
|---|---|---|--|---|
| <p><b>New</b> [1] - 15573:3<br/> <b>news</b> [6] - 15533:11, 15533:13, 15541:14, 15688:19, 15699:12, 15718:15<br/> <b>newspaper</b> [3] - 15699:23, 15705:24, 15724:4<br/> <b>newspapers</b> [2] - 15566:17, 15566:22<br/> <b>Next</b> [2] - 15549:22, 15728:3<br/> <b>next</b> [27] - 15533:10, 15550:3, 15561:8, 15561:18, 15566:10, 15576:18, 15577:12, 15580:16, 15602:14, 15602:16, 15606:15, 15606:25, 15607:4, 15610:10, 15613:4, 15618:9, 15618:12, 15623:9, 15626:17, 15631:6, 15648:4, 15672:21, 15691:13, 15710:12, 15720:15, 15727:14, 15730:14<br/> <b>nice</b> [2] - 15704:3<br/> <b>nicely</b> [1] - 15578:22<br/> <b>night</b> [14] - 15573:1, 15579:7, 15586:8, 15586:15, 15586:19, 15587:6, 15590:15, 15609:25, 15694:16, 15719:1, 15719:5, 15725:21, 15725:22<br/> <b>nobody</b> [1] - 15720:23<br/> <b>non</b> [1] - 15597:24<br/> <b>non-adversarial</b> [1] - 15597:24<br/> <b>none</b> [4] - 15553:19, 15553:21, 15631:1, 15727:18<br/> <b>normally</b> [1] - 15569:17<br/> <b>North</b> [20] - 15539:1, 15544:5, 15546:11, 15553:3, 15556:18, 15573:4, 15573:5, 15596:5, 15598:6, 15600:13, 15600:23, 15614:11, 15648:10, 15653:11, 15686:8, 15698:2, 15698:13, 15708:14, 15708:23, 15712:6<br/> <b>note</b> [1] - 15625:23<br/> <b>notes</b> [7] - 15655:6, 15658:2, 15658:3, 15658:9, 15724:23, 15727:4, 15731:6<br/> <b>nothing</b> [8] - 15534:8,</p> | <p>15547:14, 15595:5, 15611:2, 15625:21, 15646:3, 15649:15, 15727:12<br/> <b>Nothing</b> [3] - 15594:12, 15629:5, 15629:6<br/> <b>notice</b> [4] - 15613:12, 15613:17, 15613:20, 15615:7<br/> <b>Notice</b> [1] - 15596:21<br/> <b>notion</b> [1] - 15614:17<br/> <b>November</b> [2] - 15580:16, 15638:22<br/> <b>number</b> [21] - 15566:12, 15576:19, 15577:12, 15588:6, 15637:20, 15642:25, 15650:15, 15655:8, 15655:15, 15658:5, 15672:1, 15677:3, 15683:9, 15684:21, 15686:22, 15722:7, 15722:10, 15722:16, 15722:22, 15722:23, 15729:10<br/> <b>numbers</b> [3] - 15566:11, 15576:20, 15618:16<br/> <b>numerous</b> [1] - 15614:15<br/> <b>nurse</b> [11] - 15594:2, 15607:10, 15607:15, 15608:5, 15608:9, 15608:19, 15664:8, 15664:20, 15709:15, 15710:8, 15714:13<br/> <b>nurse's</b> [1] - 15715:21<br/> <b>nurses</b> [1] - 15594:3<br/> <b>nursing</b> [1] - 15664:10</p> | <p>15543:10, 15595:6, 15685:6<br/> <b>occasions</b> [2] - 15551:22, 15686:22<br/> <b>occurred</b> [14] - 15540:6, 15541:3, 15560:11, 15563:5, 15583:24, 15588:18, 15628:5, 15650:21, 15651:4, 15651:22, 15653:13, 15659:17, 15672:4, 15679:20<br/> <b>occurs</b> [1] - 15669:3<br/> <b>October</b> [6] - 15538:11, 15638:22, 15724:3, 15724:10, 15730:19, 15730:20<br/> <b>od</b> [1] - 15536:2<br/> <b>odd</b> [2] - 15559:10, 15606:15<br/> <b>offences</b> [1] - 15672:13<br/> <b>offered</b> [1] - 15718:23<br/> <b>offering</b> [1] - 15532:10<br/> <b>office</b> [3] - 15651:15, 15653:23, 15716:3<br/> <b>Officer</b> [1] - 15529:12<br/> <b>officer</b> [11] - 15535:9, 15535:17, 15535:23, 15536:21, 15537:7, 15539:23, 15551:5, 15626:17, 15706:17, 15708:8<br/> <b>officers</b> [3] - 15536:8, 15536:14, 15545:17<br/> <b>officers'</b> [1] - 15727:4<br/> <b>Official</b> [5] - 15529:10, 15731:1, 15731:3, 15731:14, 15731:18<br/> <b>often</b> [1] - 15562:14<br/> <b>old</b> [4] - 15589:11, 15708:15, 15712:22, 15713:11<br/> <b>on'</b> [1] - 15665:2<br/> <b>once</b> [5] - 15541:14, 15579:23, 15646:24, 15693:15, 15700:6<br/> <b>one</b> [83] - 15532:8, 15534:11, 15536:22, 15540:5, 15543:10, 15547:2, 15547:4, 15547:12, 15547:18, 15547:24, 15548:18, 15549:8, 15549:16, 15549:24, 15550:6, 15552:1, 15552:7, 15553:7, 15553:20, 15555:2, 15560:16, 15564:20, 15566:2, 15567:11, 15573:23, 15575:23, 15577:18,</p> | <p>15578:10, 15581:7, 15581:11, 15582:7, 15585:2, 15585:13, 15585:20, 15589:23, 15590:4, 15594:23, 15595:16, 15598:16, 15610:13, 15614:13, 15614:14, 15617:17, 15617:21, 15618:8, 15618:17, 15625:10, 15629:12, 15629:13, 15634:23, 15642:1, 15644:19, 15646:19, 15649:10, 15649:20, 15669:19, 15669:25, 15677:11, 15677:13, 15677:14, 15680:18, 15685:6, 15686:19, 15694:16, 15697:11, 15698:10, 15705:14, 15712:5, 15712:15, 15714:7, 15716:1, 15718:3, 15719:1, 15721:9, 15722:8, 15726:9, 15729:1, 15729:20, 15729:24, 15730:21<br/> <b>One</b> [7] - 15541:1, 15585:10, 15629:10, 15653:9, 15654:4, 15677:13, 15694:17<br/> <b>one's</b> [1] - 15539:20<br/> <b>ones</b> [1] - 15544:15<br/> <b>onward</b> [1] - 15609:13<br/> <b>open</b> [1] - 15725:10<br/> <b>operated</b> [1] - 15723:18<br/> <b>operating</b> [2] - 15543:3, 15652:3<br/> <b>operation</b> [1] - 15572:17<br/> <b>opinion</b> [1] - 15660:20<br/> <b>opportunity</b> [3] - 15678:15, 15679:12, 15688:18<br/> <b>opposed</b> [1] - 15572:5<br/> <b>ordeal</b> [1] - 15596:20<br/> <b>order</b> [3] - 15556:13, 15604:12, 15680:14<br/> <b>ordinary</b> [1] - 15710:14<br/> <b>original</b> [3] - 15536:8, 15580:17, 15581:21<br/> <b>originally</b> [1] - 15632:7<br/> <b>originated</b> [1] - 15581:15<br/> <b>Ottawa</b> [2] - 15580:14, 15585:22<br/> <b>ourselves</b> [1] - 15536:20<br/> <b>outlines</b> [1] - 15658:9<br/> <b>outlining</b> [1] - 15681:23</p> | <p><b>outset</b> [2] - 15553:17, 15622:25<br/> <b>outside</b> [4] - 15560:2, 15592:19, 15639:17, 15640:17<br/> <b>overdid</b> [1] - 15669:13<br/> <b>own</b> [7] - 15558:7, 15562:9, 15607:24, 15648:7, 15658:8, 15712:11, 15712:14</p> |
| <b>P</b>  |   |   |  |   |
| <p><b>P15</b> [1] - 15581:16<br/> <b>P27</b> [2] - 15580:21, 15580:22<br/> <b>P28</b> [3] - 15580:21, 15580:23, 15581:10<br/> <b>page</b> [51] - 15533:10, 15561:8, 15562:24, 15569:3, 15569:16, 15569:21, 15580:16, 15580:20, 15581:7, 15596:17, 15598:15, 15598:16, 15601:6, 15601:10, 15601:14, 15602:16, 15603:21, 15605:19, 15606:25, 15607:5, 15610:10, 15613:4, 15618:7, 15618:9, 15618:11, 15618:12, 15618:13, 15618:17, 15619:19, 15623:8, 15623:9, 15623:18, 15626:25, 15631:6, 15643:6, 15644:13, 15645:16, 15648:4, 15651:12, 15663:5, 15681:21, 15710:12, 15720:2, 15720:15, 15720:16, 15721:23, 15722:14, 15727:14, 15728:3<br/> <b>Page</b> [1] - 15531:2<br/> <b>pages</b> [13] - 15599:5, 15602:15, 15603:11, 15616:25, 15617:2, 15617:5, 15617:10, 15617:13, 15618:22, 15643:6, 15658:2, 15731:4<br/> <b>pain</b> [2] - 15573:14, 15576:6<br/> <b>pale</b> [3] - 15627:19, 15709:15, 15710:9<br/> <b>Pambrun</b> [4] - 15577:13, 15657:10, 15657:11, 15726:18<br/> <b>pants</b> [1] - 15591:9</p>   |   |   |  |   |



|   |  |   |  |   |
|---|--|---|--|---|
| <p><b>paper</b> [2] - 15699:13, 15699:14</p> <p><b>paragraph</b> [5] - 15606:11, 15689:18, 15708:21, 15709:22, 15726:2</p> <p><b>pardon</b> [1] - 15664:23</p> <p><b>Pardon</b> [3] - 15593:21, 15706:10, 15721:19</p> <p><b>paring</b> [18] - 15546:13, 15546:17, 15606:13, 15607:13, 15608:7, 15609:8, 15623:21, 15624:22, 15627:16, 15629:11, 15631:9, 15632:17, 15632:19, 15709:12, 15710:1, 15710:2, 15710:4, 15710:14</p> <p><b>parole</b> [1] - 15708:17</p> <p><b>paroled</b> [1] - 15533:24</p> <p><b>part</b> [16] - 15558:18, 15558:19, 15559:4, 15560:25, 15570:3, 15596:8, 15598:1, 15628:15, 15629:25, 15647:13, 15647:22, 15667:23, 15688:25, 15702:25, 15712:5</p> <p><b>Part</b> [2] - 15591:20, 15591:21</p> <p><b>particular</b> [10] - 15544:17, 15556:12, 15563:15, 15663:8, 15673:12, 15675:10, 15676:24, 15677:8, 15687:20, 15725:3</p> <p><b>particularly</b> [6] - 15546:18, 15546:25, 15558:4, 15603:4, 15605:8, 15640:16</p> <p><b>parts</b> [7] - 15539:8, 15539:19, 15543:20, 15544:16, 15544:17, 15546:10, 15712:4</p> <p><b>passages</b> [2] - 15571:6, 15663:8</p> <p><b>passed</b> [1] - 15550:15</p> <p><b>past</b> [1] - 15696:3</p> <p><b>path</b> [3] - 15540:14, 15559:24, 15636:9</p> <p><b>Paul</b> [9] - 15569:3, 15570:10, 15571:14, 15575:7, 15606:4, 15618:5, 15663:4, 15677:18, 15685:5</p> <p><b>Paul's</b> [12] - 15570:7, 15664:2, 15664:9, 15664:11, 15664:19, 15664:22, 15665:14,</p> | <p>15665:16, 15665:23, 15665:24, 15665:25, 15714:14</p> <p><b>pause</b> [2] - 15695:3, 15701:23</p> <p><b>Pearson</b> [53] - 15552:6, 15552:9, 15554:21, 15561:22, 15562:22, 15563:4, 15563:18, 15596:7, 15596:22, 15600:22, 15617:23, 15650:9, 15650:12, 15651:2, 15652:6, 15652:16, 15653:2, 15653:11, 15653:19, 15655:2, 15655:9, 15655:13, 15655:22, 15656:6, 15656:17, 15656:21, 15657:1, 15657:7, 15657:13, 15657:17, 15658:10, 15673:17, 15673:18, 15674:3, 15674:10, 15677:19, 15677:23, 15678:2, 15679:23, 15685:8, 15685:10, 15685:11, 15685:15, 15685:18, 15685:24, 15686:2, 15686:15, 15711:22, 15715:10, 15724:19, 15726:3, 15727:10</p> <p><b>Pearson's</b> [5] - 15562:9, 15650:16, 15655:6, 15658:2, 15658:3</p> <p><b>Pen</b> [2] - 15562:14, 15714:5</p> <p><b>Pendygrasse</b> [1] - 15730:4</p> <p><b>people</b> [9] - 15540:13, 15540:16, 15548:23, 15553:17, 15582:8, 15649:17, 15651:21, 15683:9, 15718:2</p> <p><b>perceptively</b> [1] - 15585:18</p> <p><b>perfectly</b> [1] - 15595:21</p> <p><b>perhaps</b> [7] - 15539:3, 15552:15, 15552:21, 15555:10, 15627:11, 15630:16, 15634:15</p> <p><b>period</b> [7] - 15559:12, 15559:19, 15565:23, 15679:21, 15687:12, 15692:10, 15717:23</p> <p><b>perpetrator</b> [4] - 15556:1, 15582:15, 15613:7, 15647:2</p> <p><b>person</b> [16] - 15535:19, 15547:18, 15551:23,</p> | <p>15559:22, 15559:23, 15611:1, 15672:10, 15681:7, 15688:12, 15694:12, 15703:11, 15706:15, 15714:10, 15715:15, 15716:6, 15728:1</p> <p><b>pertaining</b> [1] - 15729:4</p> <p><b>Peter</b> [1] - 15723:7</p> <p><b>phone</b> [8] - 15570:3, 15655:10, 15716:5, 15718:6, 15722:16, 15722:21, 15722:23, 15729:10</p> <p><b>phoned</b> [1] - 15720:23</p> <p><b>photo</b> [1] - 15623:20</p> <p><b>photocopy</b> [4] - 15599:25, 15601:5, 15643:8, 15643:9</p> <p><b>photograph</b> [2] - 15602:24, 15643:8</p> <p><b>photostat</b> [2] - 15601:11, 15602:24</p> <p><b>phrases</b> [1] - 15627:13</p> <p><b>pick</b> [2] - 15704:14, 15704:16</p> <p><b>picked</b> [7] - 15704:19, 15705:8, 15705:18, 15706:3, 15706:5, 15706:20, 15716:8</p> <p><b>picking</b> [1] - 15555:3</p> <p><b>picture</b> [3] - 15602:23, 15610:21, 15705:23</p> <p><b>piece</b> [1] - 15546:3</p> <p><b>Piece</b> [1] - 15666:13</p> <p><b>pieces</b> [1] - 15655:15</p> <p><b>pill</b> [1] - 15573:6</p> <p><b>pity</b> [1] - 15561:3</p> <p><b>place</b> [26] - 15553:13, 15560:4, 15595:20, 15628:7, 15662:24, 15663:5, 15667:20, 15668:7, 15668:16, 15669:1, 15671:5, 15672:16, 15673:6, 15673:10, 15673:16, 15673:23, 15675:8, 15675:18, 15677:12, 15677:20, 15684:6, 15685:17, 15686:7, 15687:8, 15687:12, 15695:14</p> <p><b>placed</b> [3] - 15667:17, 15670:21, 15670:25</p> <p><b>places</b> [1] - 15539:10</p> <p><b>planet</b> [1] - 15630:18</p> <p><b>play</b> [5] - 15560:23, 15583:13, 15584:21, 15647:21, 15702:25</p> <p><b>played</b> [7] - 15568:8,</p> | <p>15568:15, 15584:10, 15588:5, 15590:7, 15594:8, 15628:12</p> <p><b>playing</b> [1] - 15674:2</p> <p><b>pleaded</b> [1] - 15560:3</p> <p><b>plural</b> [1] - 15556:24</p> <p><b>Pm</b> [2] - 15672:25, 15730:23</p> <p><b>pocket</b> [1] - 15645:15</p> <p><b>point</b> [28] - 15548:22, 15548:23, 15552:7, 15571:16, 15582:3, 15587:11, 15589:13, 15593:2, 15600:17, 15603:22, 15615:12, 15617:20, 15618:1, 15619:14, 15620:21, 15622:18, 15622:24, 15625:4, 15625:15, 15634:15, 15641:22, 15646:5, 15652:3, 15666:3, 15676:20, 15676:21, 15715:4, 15725:23</p> <p><b>pointed</b> [4] - 15570:17, 15571:22, 15629:12, 15717:21</p> <p><b>points</b> [4] - 15574:19, 15605:15, 15654:4, 15658:5</p> <p><b>poked</b> [1] - 15550:6</p> <p><b>Police</b> [16] - 15530:7, 15599:8, 15600:1, 15601:20, 15603:15, 15653:3, 15653:7, 15655:23, 15678:13, 15679:8, 15685:2, 15695:19, 15701:12, 15716:2, 15716:8, 15718:18</p> <p><b>police</b> [80] - 15532:11, 15532:25, 15533:9, 15534:7, 15534:12, 15534:22, 15535:7, 15538:11, 15539:23, 15546:4, 15549:19, 15551:5, 15553:5, 15553:9, 15553:18, 15558:23, 15561:15, 15564:25, 15566:18, 15567:10, 15581:21, 15582:18, 15583:6, 15583:20, 15584:1, 15584:3, 15596:6, 15598:7, 15598:8, 15600:13, 15600:24, 15614:12, 15624:18, 15625:7, 15626:17, 15646:23, 15649:13, 15653:14, 15653:22,</p> | <p>15654:1, 15654:6, 15654:18, 15655:1, 15669:8, 15674:16, 15686:8, 15698:21, 15700:20, 15701:1, 15702:18, 15703:1, 15703:4, 15703:7, 15703:16, 15703:23, 15704:9, 15705:10, 15705:12, 15705:19, 15706:13, 15706:25, 15707:8, 15707:11, 15708:8, 15708:20, 15710:6, 15711:6, 15711:8, 15711:15, 15715:23, 15715:25, 15716:4, 15716:10, 15716:13, 15716:21, 15717:24, 15719:4, 15721:10</p> <p><b>portion</b> [3] - 15681:19, 15685:1, 15687:25</p> <p><b>portions</b> [2] - 15604:8, 15680:3</p> <p><b>portrayed</b> [2] - 15680:12, 15680:25</p> <p><b>posed</b> [5] - 15536:25, 15610:25, 15611:1, 15625:5, 15632:7</p> <p><b>positive</b> [4] - 15714:25, 15715:3, 15717:7, 15725:10</p> <p><b>positively</b> [1] - 15555:25</p> <p><b>possession</b> [2] - 15605:25, 15606:3</p> <p><b>possibilities</b> [2] - 15585:10, 15682:16</p> <p><b>possibility</b> [6] - 15548:15, 15673:19, 15683:4, 15686:23, 15687:9, 15718:1</p> <p><b>possible</b> [22] - 15555:2, 15563:21, 15610:15, 15610:19, 15610:20, 15611:20, 15611:21, 15611:25, 15612:1, 15612:17, 15619:6, 15635:9, 15635:25, 15636:4, 15641:6, 15668:6, 15668:23, 15671:15, 15671:18, 15682:7, 15719:20</p> <p><b>possibly</b> [1] - 15660:12</p> <p><b>poster</b> [2] - 15533:16, 15533:19</p> <p><b>postulation</b> [1] - 15638:17</p> <p><b>preceded</b> [1] - 15557:16</p> |
|---|--|---|--|---|



|  |  |   |   |   |
|--|--|---|---|---|
| <p><b>preferred</b> [1] - 15649:11</p> <p><b>preliminary</b> [1] - 15606:18</p> <p><b>prepared</b> [4] - 15535:22, 15675:15, 15675:25, 15677:10</p> <p><b>presence</b> [1] - 15600:22</p> <p><b>present</b> [3] - 15674:10, 15674:13, 15678:11</p> <p><b>presented</b> [1] - 15601:21</p> <p><b>press</b> [1] - 15533:12</p> <p><b>pressure</b> [1] - 15727:17</p> <p><b>presumably</b> [6] - 15540:24, 15553:13, 15558:7, 15587:25, 15588:18, 15702:7</p> <p><b>presuppose</b> [1] - 15537:2</p> <p><b>Pretty</b> [1] - 15661:6</p> <p><b>pretty</b> [10] - 15541:6, 15542:7, 15543:16, 15581:25, 15582:10, 15604:11, 15604:12, 15611:6, 15627:23, 15681:4</p> <p><b>previous</b> [2] - 15638:22, 15725:20</p> <p><b>previously</b> [2] - 15659:11, 15697:7</p> <p><b>preyed</b> [2] - 15577:1, 15577:7</p> <p><b>preying</b> [1] - 15595:15</p> <p><b>Prince</b> [2] - 15543:7, 15543:11</p> <p><b>Pringle</b> [1] - 15530:13</p> <p><b>prison</b> [8] - 15542:19, 15542:23, 15576:16, 15656:2, 15693:23, 15693:25, 15700:5, 15708:17</p> <p><b>private</b> [1] - 15715:14</p> <p><b>problem</b> [1] - 15666:17</p> <p><b>problems</b> [2] - 15578:17, 15581:24</p> <p><b>proceeded</b> [1] - 15667:3</p> <p><b>proceeding</b> [1] - 15655:7</p> <p><b>Proceedings</b> [4] - 15528:12, 15528:23, 15531:1, 15532:1</p> <p><b>Process</b> [1] - 15724:16</p> <p><b>process</b> [6] - 15597:24, 15667:3, 15674:2, 15674:25, 15675:3, 15724:7</p> <p><b>processed</b> [1] - 15553:13</p> <p><b>proclaiming</b> [1] -</p> | <p>15550:16</p> <p><b>produced</b> [4] - 15580:3, 15580:13, 15580:15, 15581:5</p> <p><b>Producing</b> [1] - 15601:5</p> <p><b>proffered</b> [1] - 15639:8</p> <p><b>profiler</b> [1] - 15581:9</p> <p><b>propose</b> [2] - 15543:24, 15658:7</p> <p><b>proposition</b> [5] - 15535:6, 15549:13, 15585:6, 15611:7, 15638:7</p> <p><b>prove</b> [1] - 15533:25</p> <p><b>proved</b> [3] - 15642:1, 15642:6, 15642:10</p> <p><b>provide</b> [1] - 15696:19</p> <p><b>provided</b> [4] - 15544:8, 15618:5, 15693:19, 15725:1</p> <p><b>Province</b> [1] - 15731:3</p> <p><b>public</b> [2] - 15652:21, 15718:15</p> <p><b>purpose</b> [1] - 15660:17</p> <p><b>put</b> [27] - 15533:11, 15536:20, 15538:12, 15542:7, 15549:13, 15558:17, 15561:9, 15578:25, 15584:6, 15585:12, 15589:7, 15611:10, 15616:18, 15625:11, 15650:18, 15651:9, 15654:21, 15657:19, 15658:6, 15666:21, 15668:12, 15669:2, 15680:2, 15684:4, 15688:17, 15723:20, 15729:21</p> <p><b>puts</b> [4] - 15539:2, 15539:4, 15623:9, 15639:11</p> <p><b>putting</b> [6] - 15573:10, 15580:7, 15585:10, 15614:17, 15615:19, 15638:18</p> | <p>15595:12, 15596:6, 15596:16, 15614:14, 15647:21, 15649:7, 15658:11, 15681:2, 15717:16, 15718:2, 15727:25</p> <p><b>questioner</b> [1] - 15728:24</p> <p><b>questioning</b> [24] - 15544:18, 15554:12, 15554:18, 15555:11, 15555:12, 15560:22, 15598:14, 15598:18, 15598:23, 15598:24, 15599:3, 15599:6, 15600:12, 15607:3, 15610:4, 15613:2, 15614:13, 15617:22, 15627:2, 15631:19, 15637:10, 15680:25, 15682:19</p> <p><b>questions</b> [30] - 15536:25, 15551:11, 15579:18, 15587:8, 15592:12, 15596:19, 15602:3, 15641:12, 15641:23, 15650:15, 15654:21, 15656:8, 15658:17, 15673:4, 15678:6, 15680:7, 15680:8, 15680:10, 15680:13, 15680:16, 15681:14, 15681:18, 15682:24, 15683:9, 15690:10, 15693:17, 15696:16, 15708:9, 15728:18, 15730:10</p> <p><b>questions'</b> [1] - 15596:21</p> <p><b>quicker</b> [1] - 15583:18</p> <p><b>quickly</b> [9] - 15532:10, 15536:19, 15572:21, 15588:15, 15598:9, 15602:16, 15646:1, 15647:1, 15663:7</p> <p><b>quiet</b> [1] - 15594:20</p> <p><b>quite</b> [18] - 15536:2, 15539:9, 15552:12, 15555:24, 15560:16, 15570:25, 15571:22, 15580:1, 15583:22, 15585:18, 15620:10, 15621:14, 15636:18, 15637:2, 15638:7, 15657:6, 15699:20, 15706:16</p> <p><b>Quite</b> [1] - 15635:7</p> <p><b>quotes</b> [1] - 15681:24</p> | <p style="text-align: center;"><b>R</b></p> <p><b>radio</b> [8] - 15660:22, 15660:24, 15661:2, 15661:5, 15661:9, 15668:21, 15668:24, 15669:5</p> <p><b>Radisson</b> [2] - 15730:17, 15730:21</p> <p><b>raise</b> [3] - 15539:19, 15644:13, 15646:5</p> <p><b>raised</b> [8] - 15534:19, 15584:7, 15592:23, 15617:23, 15644:15, 15654:4, 15654:17, 15658:6</p> <p><b>ramifications</b> [1] - 15546:6</p> <p><b>ran</b> [3] - 15655:10, 15719:10, 15721:16</p> <p><b>rape</b> [24] - 15538:24, 15544:5, 15553:14, 15558:15, 15573:11, 15574:8, 15582:3, 15624:7, 15624:12, 15624:15, 15624:19, 15626:4, 15626:23, 15629:14, 15634:2, 15634:11, 15636:3, 15638:12, 15651:18, 15694:1, 15694:20, 15708:12, 15708:13</p> <p><b>raped</b> [8] - 15545:14, 15556:14, 15556:15, 15556:18, 15571:19, 15694:18, 15697:25, 15708:16</p> <p><b>rapes</b> [53] - 15539:6, 15539:16, 15540:2, 15540:6, 15540:15, 15540:20, 15541:3, 15541:7, 15543:19, 15544:4, 15544:15, 15545:11, 15546:9, 15549:5, 15549:16, 15556:21, 15559:8, 15560:2, 15562:4, 15562:17, 15563:5, 15563:16, 15564:14, 15604:4, 15628:8, 15630:25, 15634:18, 15634:21, 15635:1, 15636:20, 15637:16, 15638:2, 15638:8, 15638:24, 15639:1, 15650:21, 15651:4, 15651:22, 15653:4, 15659:8, 15659:16, 15659:22, 15660:8,</p> | <p>15662:10, 15662:19, 15662:24, 15670:2, 15670:19, 15672:1, 15672:4, 15697:7, 15697:25, 15708:25</p> <p><b>rapes'</b> [1] - 15560:13</p> <p><b>rapid</b> [2] - 15681:3, 15681:4</p> <p><b>raping</b> [5] - 15545:3, 15557:22, 15694:21, 15695:4, 15709:18</p> <p><b>rapist</b> [4] - 15541:11, 15541:25, 15543:2, 15545:1</p> <p><b>rather</b> [5] - 15585:6, 15585:21, 15634:20, 15648:19, 15665:24</p> <p><b>Rcmp</b> [10] - 15530:9, 15580:13, 15596:22, 15650:7, 15650:8, 15726:25, 15727:2, 15727:14, 15729:2, 15729:4</p> <p><b>re</b> [5] - 15532:14, 15572:13, 15649:16, 15690:12, 15720:8</p> <p><b>re-appeared</b> [1] - 15532:14</p> <p><b>re-enforcement</b> [1] - 15572:13</p> <p><b>re-examination</b> [1] - 15690:12</p> <p><b>re-interviewed</b> [1] - 15649:16</p> <p><b>reach</b> [1] - 15534:4</p> <p><b>react</b> [1] - 15600:21</p> <p><b>reacted</b> [3] - 15549:24, 15594:14, 15630:3</p> <p><b>reaction</b> [13] - 15550:10, 15594:17, 15628:25, 15629:24, 15629:25, 15633:16, 15635:10, 15635:17, 15635:20, 15636:1, 15638:3, 15638:9, 15706:13</p> <p><b>read</b> [37] - 15539:11, 15540:3, 15566:22, 15566:25, 15567:2, 15567:3, 15571:6, 15596:14, 15601:1, 15601:17, 15602:2, 15602:17, 15607:25, 15618:1, 15618:7, 15618:16, 15619:25, 15634:13, 15635:6, 15639:12, 15678:15, 15678:17, 15678:20, 15679:3, 15679:5, 15679:9, 15679:12,</p> |
|  | <b>Q</b>   |   |   |   |
|  | <p><b>Qb</b> [1] - 15529:10</p> <p><b>Qc</b> [4] - 15530:5, 15530:6, 15530:11, 15530:13</p> <p><b>Queen's</b> [4] - 15731:1, 15731:3, 15731:14, 15731:18</p> <p><b>questionable</b> [1] - 15624:14</p> <p><b>questioned</b> [13] - 15553:18, 15585:17,</p>   |   |   |   |



|   |   |  |   |  |
|---|---|--|---|--|
| <p>15679:13, 15679:17,<br/>15680:6, 15688:18,<br/>15689:11, 15711:24,<br/>15719:11, 15724:18,<br/>15724:20<br/><b>reader</b> [1] - 15550:13<br/><b>Reading</b>[1] - 15688:23<br/><b>reading</b> [4] - 15598:19,<br/>15678:19, 15681:21,<br/>15719:23<br/><b>real</b> [1] - 15646:25<br/><b>reality</b> [2] - 15610:6,<br/>15621:21<br/><b>realization</b> [3] -<br/>15543:13, 15592:8,<br/>15636:2<br/><b>realize</b> [5] - 15558:13,<br/>15565:11, 15565:14,<br/>15611:17, 15689:12<br/><b>realized</b> [4] - 15540:7,<br/>15565:12, 15619:8,<br/>15646:24<br/><b>realizing</b> [1] - 15619:16<br/><b>really</b> [48] - 15534:8,<br/>15534:17, 15535:5,<br/>15535:11, 15547:9,<br/>15547:13, 15550:25,<br/>15554:13, 15555:18,<br/>15566:7, 15575:12,<br/>15580:1, 15580:7,<br/>15580:9, 15586:25,<br/>15588:2, 15590:3,<br/>15593:8, 15596:15,<br/>15597:6, 15597:25,<br/>15599:5, 15603:4,<br/>15614:2, 15616:23,<br/>15620:10, 15631:6,<br/>15636:16, 15637:10,<br/>15646:2, 15669:16,<br/>15673:24, 15693:5,<br/>15693:13, 15697:21,<br/>15698:20, 15699:19,<br/>15702:16, 15702:17,<br/>15702:19, 15703:20,<br/>15711:19, 15717:14,<br/>15720:22, 15725:24,<br/>15727:11, 15729:4<br/><b>reason</b> [19] - 15540:9,<br/>15548:7, 15562:22,<br/>15563:4, 15568:4,<br/>15569:12, 15588:11,<br/>15589:10, 15605:8,<br/>15607:13, 15608:7,<br/>15609:14, 15610:7,<br/>15626:20, 15628:6,<br/>15629:16, 15635:3,<br/>15695:8, 15719:6<br/><b>reasonable</b> [6] -<br/>15538:10, 15548:14,<br/>15549:9, 15589:17,</p> | <p>15661:21, 15661:25<br/><b>reasonably</b> [1] -<br/>15681:6<br/><b>reasoning</b> [2] -<br/>15534:9, 15548:2<br/><b>reasons</b> [15] -<br/>15603:22, 15604:9,<br/>15604:13, 15604:25,<br/>15605:22, 15605:23,<br/>15606:7, 15614:1,<br/>15627:25, 15630:20,<br/>15649:7, 15649:9,<br/>15649:12, 15675:4<br/><b>reassess</b> [2] -<br/>15659:10, 15670:2<br/><b>reassessed</b> [5] -<br/>15659:19, 15660:16,<br/>15662:6, 15662:15,<br/>15662:18<br/><b>reassessment</b> [1] -<br/>15662:22<br/><b>rec</b> [1] - 15713:4<br/><b>receiving</b> [1] - 15542:24<br/><b>recent</b> [2] - 15553:14,<br/>15719:14<br/><b>recently</b> [1] - 15679:16<br/><b>reckon</b> [1] - 15598:20<br/><b>recognize</b> [2] -<br/>15601:11, 15705:17<br/><b>recollection</b> [14] -<br/>15643:18, 15650:11,<br/>15651:7, 15681:8,<br/>15686:13, 15689:13,<br/>15699:21, 15702:1,<br/>15713:7, 15718:9,<br/>15719:23, 15720:21,<br/>15720:25, 15727:7<br/><b>reconstruct</b> [1] -<br/>15666:4<br/><b>reconstruction</b> [1] -<br/>15662:22<br/><b>Reconvened</b>[2] -<br/>15532:2, 15595:23<br/><b>reconvened</b> [1] -<br/>15672:25<br/><b>record</b> [9] - 15603:10,<br/>15652:16, 15652:21,<br/>15655:5, 15657:25,<br/>15695:18, 15697:22,<br/>15704:24, 15722:20<br/><b>recorded</b> [4] -<br/>15538:25, 15543:15,<br/>15675:11, 15675:12<br/><b>records</b> [1] - 15656:18<br/><b>recovered</b> [1] -<br/>15593:13<br/><b>reduce</b> [1] - 15630:20<br/><b>refer</b> [1] - 15681:19<br/><b>reference</b> [10] -<br/>15544:3, 15544:5,</p> | <p>15603:17, 15650:19,<br/>15651:17, 15651:19,<br/>15681:22, 15684:14,<br/>15684:25, 15688:5<br/><b>referred</b> [4] - 15575:6,<br/>15577:23, 15612:22,<br/>15690:14<br/><b>referring</b> [5] - 15544:20,<br/>15576:11, 15669:7,<br/>15698:13, 15721:8<br/><b>reflect</b> [2] - 15604:11,<br/>15679:11<br/><b>reflected</b> [2] - 15636:2,<br/>15637:19<br/><b>reflecting</b> [1] - 15592:6<br/><b>reflection</b> [1] - 15597:7<br/><b>regard</b> [1] - 15619:21<br/><b>regarding</b> [2] -<br/>15694:11, 15725:4<br/><b>Regarding</b>[1] - 15720:7<br/><b>Regina</b>[32] - 15540:9,<br/>15540:15, 15556:15,<br/>15559:8, 15559:12,<br/>15560:4, 15560:11,<br/>15560:14, 15560:19,<br/>15561:2, 15562:17,<br/>15563:6, 15563:11,<br/>15563:17, 15563:21,<br/>15563:22, 15563:24,<br/>15564:3, 15564:6,<br/>15564:8, 15634:2,<br/>15634:3, 15634:11,<br/>15634:18, 15634:21,<br/>15636:3, 15650:22,<br/>15650:23, 15651:4,<br/>15651:20, 15651:22,<br/>15672:8<br/><b>Regina</b> [1] - 15560:20<br/><b>Reginasaskatoon</b> [1] -<br/>15561:18<br/><b>reinforced</b> [1] -<br/>15571:13<br/><b>relating</b> [1] - 15699:8<br/><b>relation</b> [7] - 15542:15,<br/>15572:3, 15605:24,<br/>15606:10, 15658:3,<br/>15671:15, 15695:21<br/><b>relationship</b> [3] -<br/>15685:14, 15686:3,<br/>15701:9<br/><b>relatives</b> [1] - 15657:10<br/><b>release</b> [2] - 15533:12,<br/>15533:13<br/><b>relevant</b> [1] - 15655:11<br/><b>relieved</b> [3] - 15597:9,<br/>15623:6, 15658:17<br/><b>reluctance</b> [1] -<br/>15703:18<br/><b>remain</b> [1] - 15717:20<br/><b>remember</b> [83] -</p> | <p>15532:13, 15532:16,<br/>15535:2, 15535:15,<br/>15535:20, 15540:24,<br/>15541:10, 15545:18,<br/>15545:20, 15547:21,<br/>15548:18, 15548:24,<br/>15549:1, 15549:14,<br/>15549:20, 15550:22,<br/>15552:11, 15552:22,<br/>15557:11, 15562:12,<br/>15566:21, 15566:22,<br/>15576:8, 15578:13,<br/>15578:15, 15578:20,<br/>15579:18, 15581:11,<br/>15582:19, 15583:8,<br/>15583:10, 15585:8,<br/>15585:23, 15587:8,<br/>15588:23, 15590:22,<br/>15591:12, 15598:5,<br/>15599:8, 15599:15,<br/>15600:2, 15600:16,<br/>15601:2, 15601:24,<br/>15602:21, 15602:25,<br/>15605:25, 15606:17,<br/>15606:23, 15609:23,<br/>15620:4, 15623:4,<br/>15625:12, 15625:14,<br/>15634:25, 15647:10,<br/>15649:14, 15654:10,<br/>15654:21, 15656:11,<br/>15673:13, 15679:14,<br/>15694:24, 15696:25,<br/>15698:2, 15698:6,<br/>15699:10, 15702:16,<br/>15704:1, 15704:18,<br/>15705:2, 15706:4,<br/>15711:22, 15717:13,<br/>15717:15, 15718:2,<br/>15718:21, 15719:23,<br/>15722:10, 15726:3,<br/>15727:1, 15727:21<br/><b>Remember</b>[1] -<br/>15635:11<br/><b>remembered</b> [5] -<br/>15547:2, 15547:22,<br/>15548:16, 15565:22,<br/>15565:25<br/><b>reminded</b> [2] -<br/>15550:12, 15550:15<br/><b>rendered</b> [1] - 15688:4<br/><b>repeat</b> [1] - 15576:14<br/><b>repetitive</b> [1] -<br/>15555:12<br/><b>replied</b> [1] - 15579:16<br/><b>reply</b> [1] - 15620:1<br/><b>report</b> [14] - 15535:22,<br/>15536:24, 15539:2,<br/>15544:7, 15550:14,<br/>15551:2, 15581:5,<br/>15625:7, 15668:20,</p> | <p>15668:24, 15669:4,<br/>15687:20, 15712:15<br/><b>reporter</b> [7] - 15600:22,<br/>15674:12, 15674:14,<br/>15674:18, 15674:22,<br/>15675:11, 15689:16<br/><b>Reporter</b>[2] - 15731:14,<br/>15731:18<br/><b>Reporters</b>[2] -<br/>15529:10, 15731:3<br/><b>Reporters</b>[1] - 15731:1<br/><b>reports</b> [2] - 15669:6,<br/>15712:13<br/><b>represent</b> [2] -<br/>15658:16, 15673:3<br/><b>representing</b> [1] -<br/>15626:14<br/><b>reprimanding</b> [1] -<br/>15620:16<br/><b>requesting</b> [2] -<br/>15729:23<br/><b>research</b> [1] - 15584:5<br/><b>reside</b> [1] - 15691:20<br/><b>residence</b> [3] -<br/>15660:25, 15664:11,<br/>15664:21<br/><b>residents</b> [1] -<br/>15533:17<br/><b>respect</b> [12] - 15636:7,<br/>15650:15, 15653:18,<br/>15656:15, 15675:20,<br/>15676:24, 15679:7,<br/>15679:15, 15679:23,<br/>15684:13, 15688:17,<br/>15725:8<br/><b>respond</b> [1] - 15701:6<br/><b>responded</b> [1] -<br/>15628:3<br/><b>responding</b> [1] -<br/>15729:19<br/><b>response</b> [15] -<br/>15611:18, 15611:20,<br/>15615:18, 15620:10,<br/>15682:5, 15682:13,<br/>15684:3, 15687:6,<br/>15721:18, 15721:21,<br/>15721:22, 15722:6,<br/>15729:7, 15729:9,<br/>15729:16<br/><b>responsibility</b> [1] -<br/>15633:10<br/><b>responsible</b> [3] -<br/>15627:21, 15689:3,<br/>15690:6<br/><b>rest</b> [2] - 15616:19,<br/>15722:17<br/><b>result</b> [6] - 15535:22,<br/>15538:1, 15581:8,<br/>15582:10, 15637:8,<br/>15675:14</p> |
|---|---|--|---|--|



|  |   |  |  |  |
|--|---|--|--|--|
| <p><b>results</b> [4] - 15580:2, 15580:17, 15581:25, 15582:6</p> <p><b>resumed</b> [1] - 15617:9</p> <p><b>retained</b> [1] - 15540:18</p> <p><b>Retired</b> [1] - 15530:14</p> <p><b>retry</b> [1] - 15660:17</p> <p><b>returned</b> [1] - 15619:7</p> <p><b>revelations</b> [1] - 15648:6</p> <p><b>review</b> [2] - 15663:8, 15688:17</p> <p><b>reviewed</b> [1] - 15653:6</p> <p><b>reward</b> [7] - 15532:11, 15533:16, 15699:23, 15718:13, 15718:22, 15718:23, 15719:6</p> <p><b>Rick</b> [6] - 15530:7, 15650:9, 15650:12, 15685:8, 15685:10, 15686:15</p> <p><b>rid</b> [1] - 15589:22</p> <p><b>ridiculous</b> [2] - 15611:6, 15638:25</p> <p><b>right-hand</b> [2] - 15601:8, 15689:19</p> <p><b>rightly</b> [1] - 15571:22</p> <p><b>ringing</b> [1] - 15538:1</p> <p><b>riveted</b> [1] - 15602:12</p> <p><b>rivets</b> [4] - 15547:5, 15602:18, 15623:22, 15625:20</p> <p><b>robbery</b> [1] - 15573:25</p> <p><b>Rochelle</b> [1] - 15530:9</p> <p><b>role</b> [9] - 15568:8, 15583:13, 15584:11, 15584:21, 15588:6, 15594:8, 15647:22, 15674:1, 15678:7</p> <p><b>room</b> [4] - 15573:20, 15653:24, 15660:25, 15674:16</p> <p><b>roughly</b> [3] - 15673:23, 15692:14, 15692:16</p> <p><b>Roy</b> [2] - 15657:10, 15726:18</p> <p><b>Rpr</b> [4] - 15529:11, 15731:2, 15731:16, 15731:17</p> <p><b>running</b> [2] - 15588:14, 15592:2</p> | <p><b>Sask</b> [1] - 15648:10</p> <p><b>Saskatchewan</b> [5] - 15528:17, 15530:4, 15618:20, 15691:20, 15731:4</p> <p><b>Saskatoon</b> [57] - 15528:17, 15530:7, 15533:6, 15533:17, 15539:16, 15539:18, 15539:21, 15540:6, 15540:8, 15540:21, 15541:3, 15541:12, 15543:3, 15543:4, 15545:1, 15545:11, 15556:15, 15559:5, 15559:8, 15563:5, 15563:17, 15563:19, 15563:21, 15581:21, 15599:7, 15600:1, 15601:20, 15603:15, 15618:20, 15640:8, 15649:13, 15650:21, 15653:3, 15653:5, 15653:7, 15655:23, 15669:3, 15672:4, 15672:17, 15677:13, 15677:14, 15678:12, 15679:8, 15685:2, 15692:2, 15692:7, 15694:25, 15695:19, 15701:12, 15714:15, 15716:2, 15716:8, 15716:24, 15718:18, 15719:10, 15719:22, 15724:13</p> <p><b>Saskatoon'</b> [2] - 15545:13, 15561:4</p> <p><b>sat</b> [1] - 15652:23</p> <p><b>satisfaction</b> [1] - 15666:15</p> <p><b>satisfied</b> [2] - 15604:5, 15615:11</p> <p><b>satisfy</b> [1] - 15554:3</p> <p><b>Saturday</b> [1] - 15579:12</p> <p><b>saw</b> [20] - 15532:10, 15541:19, 15542:19, 15562:1, 15567:15, 15567:21, 15575:3, 15585:1, 15586:2, 15586:15, 15588:7, 15589:15, 15591:23, 15592:7, 15609:17, 15610:23, 15619:24, 15621:7, 15671:15, 15674:17</p> <p><b>scary</b> [1] - 15558:4</p> <p><b>scenario</b> [2] - 15571:23, 15576:14</p> <p><b>scene</b> [6] - 15547:23, 15580:22, 15581:14,</p> | <p>15595:10, 15623:24, 15644:3</p> <p><b>schedules</b> [1] - 15663:20</p> <p><b>school</b> [1] - 15572:7</p> <p><b>scientist</b> [2] - 15580:14, 15581:3</p> <p><b>scroll</b> [3] - 15709:3, 15714:1, 15722:13</p> <p><b>Scroll</b> [1] - 15716:18</p> <p><b>second</b> [5] - 15564:17, 15601:14, 15618:24, 15638:2, 15644:2</p> <p><b>Secondly</b> [2] - 15538:22, 15629:16</p> <p><b>secret</b> [1] - 15575:18</p> <p><b>section</b> [1] - 15561:21</p> <p><b>Security</b> [1] - 15529:12</p> <p><b>see</b> [82] - 15532:11, 15532:25, 15533:1, 15533:7, 15533:11, 15535:4, 15536:22, 15539:4, 15541:19, 15541:22, 15542:21, 15545:9, 15545:17, 15553:6, 15558:19, 15559:4, 15560:9, 15560:15, 15561:12, 15561:16, 15564:3, 15569:22, 15572:22, 15575:9, 15579:17, 15580:20, 15580:25, 15581:4, 15581:6, 15581:7, 15582:3, 15585:19, 15589:20, 15589:24, 15590:7, 15590:9, 15597:18, 15597:21, 15599:7, 15601:10, 15602:17, 15603:13, 15605:10, 15605:16, 15613:1, 15613:4, 15614:15, 15614:24, 15615:21, 15616:13, 15617:4, 15618:17, 15618:23, 15619:16, 15621:8, 15624:7, 15624:12, 15625:19, 15628:14, 15630:9, 15630:22, 15631:4, 15634:3, 15634:22, 15635:6, 15638:5, 15640:19, 15643:4, 15643:9, 15648:3, 15663:12, 15676:6, 15676:9, 15676:17, 15695:19, 15707:3, 15711:13, 15716:22, 15727:24, 15727:25, 15728:18, 15728:21</p> | <p><b>See</b> [5] - 15605:17, 15613:23, 15620:21, 15621:19, 15621:25</p> <p><b>see'</b> [1] - 15569:21</p> <p><b>seeing</b> [6] - 15541:23, 15542:22, 15543:10, 15554:19, 15622:8, 15718:19</p> <p><b>seeking</b> [2] - 15655:23, 15723:16</p> <p><b>seem</b> [11] - 15532:22, 15534:5, 15558:23, 15561:14, 15571:16, 15589:17, 15604:5, 15613:6, 15614:3, 15616:16, 15644:19</p> <p><b>seeming</b> [1] - 15554:13</p> <p><b>seized</b> [1] - 15580:21</p> <p><b>self</b> [1] - 15725:1</p> <p><b>self-explanatory</b> [1] - 15725:1</p> <p><b>sending</b> [2] - 15720:21, 15720:25</p> <p><b>sense</b> [22] - 15553:24, 15554:9, 15554:17, 15555:8, 15555:10, 15556:4, 15574:20, 15616:24, 15654:5, 15654:13, 15654:17, 15662:3, 15662:7, 15662:18, 15666:5, 15666:22, 15668:13, 15670:22, 15682:3, 15683:16, 15699:16, 15701:2</p> <p><b>sent</b> [1] - 15543:7</p> <p><b>separate</b> [1] - 15713:10</p> <p><b>September</b> [2] - 15528:21, 15623:23</p> <p><b>Serge</b> [1] - 15530:6</p> <p><b>Sergeant</b> [22] - 15596:7, 15596:22, 15650:9, 15653:19, 15655:6, 15655:9, 15655:13, 15655:22, 15656:6, 15657:13, 15674:3, 15674:10, 15677:19, 15678:1, 15685:11, 15685:15, 15685:18, 15686:2, 15711:22, 15715:10, 15724:19, 15726:3</p> <p><b>serial</b> [4] - 15541:11, 15541:25, 15543:2, 15544:25</p> <p><b>serious</b> [3] - 15553:1, 15675:1, 15675:3</p> <p><b>seriously</b> [1] - 15716:15</p> <p><b>server</b> [1] - 15724:7</p> <p><b>Servers</b> [1] - 15724:16</p> | <p><b>Service</b> [7] - 15530:7, 15653:3, 15653:7, 15655:23, 15678:13, 15679:9, 15685:2</p> <p><b>servicing</b> [1] - 15708:12</p> <p><b>set</b> [15] - 15589:8, 15589:11, 15595:10, 15595:25, 15596:5, 15613:15, 15613:20, 15653:23, 15666:14, 15674:6, 15689:12, 15689:14, 15696:23, 15710:3, 15710:20</p> <p><b>sets</b> [2] - 15585:2, 15585:13</p> <p><b>setting</b> [2] - 15653:25, 15723:17</p> <p><b>seven</b> [1] - 15557:12</p> <p><b>several</b> [3] - 15538:24, 15669:6, 15708:13</p> <p><b>sexual</b> [2] - 15623:24, 15715:13</p> <p><b>Shakes</b> [1] - 15575:24</p> <p><b>shaking</b> [1] - 15723:12</p> <p><b>shape</b> [2] - 15612:11, 15660:19</p> <p><b>Sheraton</b> [1] - 15528:16</p> <p><b>shift</b> [1] - 15706:23</p> <p><b>shirt</b> [1] - 15591:10</p> <p><b>shit</b> [1] - 15620:4</p> <p><b>shock</b> [6] - 15575:21, 15637:3, 15637:19, 15661:18, 15661:23, 15662:1</p> <p><b>shocked</b> [11] - 15575:21, 15630:4, 15633:16, 15635:10, 15635:17, 15635:19, 15636:1, 15637:6, 15639:1, 15662:4, 15667:10</p> <p><b>shoes</b> [1] - 15536:20</p> <p><b>short</b> [4] - 15597:23, 15627:2, 15677:1, 15710:14</p> <p><b>shorter</b> [1] - 15625:1</p> <p><b>shorthand</b> [1] - 15731:5</p> <p><b>shortly</b> [3] - 15540:18, 15646:23, 15677:20</p> <p><b>show</b> [2] - 15600:11, 15631:22</p> <p><b>shower</b> [4] - 15588:15, 15589:7, 15591:11, 15592:9</p> <p><b>showered</b> [2] - 15588:8, 15588:11</p> <p><b>showing</b> [3] - 15571:2, 15599:25, 15601:5</p> <p><b>shown</b> [5] - 15539:25, 15623:19, 15643:9,</p> |
| <b>S</b>   |   |  |  |  |
| <p><b>same'</b> [1] - 15569:14</p> <p><b>sample</b> [1] - 15581:14</p> <p><b>samples</b> [1] - 15581:16</p> <p><b>Sandra</b> [1] - 15529:4</p> <p><b>sarcasm</b> [1] - 15640:10</p>  |   |  |  |  |



|  |   |  |   |   |
|--|---|--|---|---|
| 15687:20, 15729:6<br><b>shows</b> [3] - 15570:21, 15602:23, 15639:3<br><b>Si</b> [1] - 15530:5<br><b>sic</b> [1] - 15685:23<br><b>side</b> [4] - 15533:1, 15533:5, 15570:21, 15589:14<br><b>Sidney</b> [3] - 15717:21, 15728:2, 15728:5<br><b>sight</b> [1] - 15613:6<br><b>signature</b> [2] - 15601:9, 15601:12<br><b>signed</b> [5] - 15544:1, 15544:10, 15600:3, 15618:21, 15618:25<br><b>significance</b> [2] - 15537:9, 15537:10<br><b>significant</b> [8] - 15567:22, 15568:1, 15583:16, 15587:15, 15671:6, 15671:10, 15671:12, 15671:14<br><b>significantly</b> [1] - 15625:1<br><b>silent</b> [1] - 15627:19<br><b>similar</b> [2] - 15549:17, 15643:15<br><b>simply</b> [7] - 15550:9, 15584:22, 15660:18, 15662:4, 15666:12, 15670:11, 15688:25<br><b>sincere</b> [3] - 15536:2, 15550:22, 15725:11<br><b>Sincerely</b> [1] - 15720:14<br><b>sincerity</b> [1] - 15568:7<br><b>sister</b> [2] - 15722:6, 15729:15<br><b>site</b> [1] - 15724:25<br><b>sitting</b> [4] - 15528:15, 15614:11, 15626:17, 15673:19<br><b>six</b> [6] - 15557:12, 15618:21, 15712:21, 15712:24, 15713:3, 15713:8<br><b>Six</b> [2] - 15618:13, 15713:12<br><b>Six-page</b> [1] - 15618:13<br><b>sixth</b> [1] - 15720:16<br><b>size</b> [1] - 15546:25<br><b>skill</b> [1] - 15731:6<br><b>Sky</b> [3] - 15625:9, 15625:13, 15625:23<br><b>Sky-line</b> [3] - 15625:9, 15625:13, 15625:23<br><b>slapped</b> [1] - 15573:23<br><b>slashed</b> [1] - 15708:15<br><b>slept</b> [1] - 15619:7<br><b>sliced</b> [1] - 15714:9 | <b>slight</b> [1] - 15536:2<br><b>slightly</b> [2] - 15584:2, 15600:7<br><b>slit</b> [3] - 15697:13, 15698:11<br><b>slow</b> [1] - 15551:15<br><b>smart</b> [2] - 15585:3, 15585:13<br><b>smooth</b> [1] - 15710:15<br><b>snow</b> [1] - 15592:25<br><b>sober</b> [7] - 15536:4, 15550:22, 15599:13, 15696:11, 15696:17, 15696:18, 15707:16<br><b>sobriety</b> [3] - 15599:7, 15599:18<br><b>soft</b> [1] - 15681:6<br><b>soft-spoken</b> [1] - 15681:6<br><b>solved</b> [1] - 15583:17<br><b>sombre</b> [1] - 15552:20<br><b>Someone</b> [1] - 15578:1<br><b>someone</b> [12] - 15533:25, 15536:21, 15550:18, 15558:14, 15561:10, 15577:23, 15588:12, 15639:3, 15657:22, 15709:1, 15723:5, 15723:10<br><b>Sometime</b> [1] - 15713:16<br><b>sometime</b> [4] - 15644:9, 15667:15, 15668:11, 15669:23<br><b>somewhat</b> [2] - 15552:21, 15616:15<br><b>Somewhat</b> [1] - 15648:5<br><b>somewhere</b> [1] - 15695:17<br><b>Somewhere</b> [1] - 15533:24<br><b>son</b> [1] - 15533:20<br><b>soon</b> [2] - 15557:19, 15719:20<br><b>Sopinka</b> [2] - 15590:9, 15590:12<br><b>sorry</b> [28] - 15545:8, 15561:25, 15562:23, 15577:3, 15578:14, 15580:19, 15583:9, 15596:1, 15596:2, 15596:17, 15603:5, 15603:10, 15607:22, 15607:23, 15618:7, 15643:6, 15643:7, 15646:13, 15647:18, 15651:11, 15675:23, 15687:5, 15688:2, 15690:2, 15696:16, 15704:24, 15714:22 | <b>Sorry</b> [8] - 15543:6, 15577:4, 15580:11, 15592:4, 15603:11, 15603:12, 15618:17, 15632:12<br><b>sort</b> [13] - 15540:16, 15552:20, 15560:21, 15567:22, 15576:22, 15578:12, 15611:16, 15616:15, 15617:5, 15619:25, 15641:22, 15680:13, 15711:7<br><b>sorts</b> [1] - 15546:6<br><b>sound</b> [1] - 15723:3<br><b>sounds</b> [3] - 15536:18, 15601:25, 15666:1<br><b>south</b> [1] - 15624:23<br><b>South</b> [1] - 15570:20<br><b>south-west</b> [1] - 15624:23<br><b>space</b> [1] - 15597:23<br><b>speaking</b> [2] - 15540:13, 15569:22<br><b>speaks</b> [1] - 15690:17<br><b>specific</b> [2] - 15564:15, 15667:13<br><b>specifically</b> [4] - 15539:18, 15545:19, 15650:9, 15710:4<br><b>speculation</b> [1] - 15559:4<br><b>spent</b> [3] - 15599:3, 15599:5, 15627:24<br><b>split</b> [3] - 15713:8, 15713:10, 15730:4<br><b>spoken</b> [6] - 15538:6, 15561:22, 15583:6, 15681:6, 15685:8, 15710:21<br><b>spouse</b> [1] - 15692:12<br><b>St</b> [13] - 15570:7, 15571:3, 15664:2, 15664:8, 15664:11, 15664:19, 15664:21, 15665:14, 15665:16, 15665:23, 15665:24, 15665:25, 15714:14<br><b>stabbed</b> [2] - 15566:8, 15609:5<br><b>Staff</b> [2] - 15529:1, 15529:8<br><b>stage</b> [3] - 15595:25, 15596:5, 15629:8<br><b>standing</b> [1] - 15538:7<br><b>Stanley</b> [1] - 15530:2<br><b>Starphoenix</b> [11] - 15688:1, 15688:9, 15689:15, 15699:15, 15719:11, 15719:17, 15720:8, 15720:17, | 15729:8, 15729:17, 15729:23<br><b>start</b> [6] - 15532:9, 15596:11, 15607:21, 15632:17, 15651:12, 15658:19<br><b>started</b> [17] - 15539:6, 15543:19, 15545:2, 15557:18, 15569:4, 15569:5, 15573:13, 15597:22, 15600:12, 15606:11, 15620:16, 15647:7, 15659:16, 15662:11, 15670:19, 15692:21, 15709:18<br><b>starting</b> [7] - 15551:22, 15561:25, 15602:13, 15603:5, 15623:19, 15627:7, 15730:15<br><b>starts</b> [3] - 15560:10, 15623:8, 15627:1<br><b>state</b> [2] - 15539:5, 15595:11<br><b>statement</b> [65] - 15536:6, 15542:8, 15543:23, 15544:1, 15544:4, 15544:10, 15545:18, 15581:21, 15596:15, 15601:18, 15601:19, 15603:9, 15603:20, 15604:8, 15604:13, 15604:16, 15604:17, 15604:19, 15604:21, 15604:23, 15605:1, 15605:7, 15605:15, 15610:2, 15618:11, 15618:13, 15618:21, 15637:23, 15649:2, 15649:8, 15650:17, 15652:15, 15678:11, 15678:19, 15679:8, 15680:12, 15682:1, 15682:11, 15682:17, 15682:18, 15683:19, 15684:7, 15685:9, 15690:17, 15700:21, 15701:25, 15706:18, 15707:14, 15708:4, 15708:7, 15711:12, 15711:20, 15711:25, 15713:21, 15716:9, 15716:11, 15717:13, 15718:25, 15724:19, 15724:20, 15724:24, 15725:1, 15727:9, 15727:12, 15730:3<br><b>Statement</b> [1] - 15603:14<br><b>statements</b> [6] - | 15618:14, 15678:23, 15679:15, 15690:15, 15691:1, 15701:24<br><b>Station</b> [1] - 15716:8<br><b>station</b> [24] - 15553:5, 15553:10, 15596:6, 15598:7, 15598:8, 15600:14, 15600:24, 15614:12, 15646:24, 15653:14, 15653:23, 15654:2, 15655:2, 15674:16, 15686:8, 15700:20, 15703:24, 15704:9, 15705:10, 15705:19, 15707:8, 15711:6, 15718:18, 15719:4<br><b>stay</b> [2] - 15579:6, 15692:17<br><b>stayed</b> [4] - 15550:2, 15641:14, 15641:19<br><b>steadfastly</b> [1] - 15533:21<br><b>steady</b> [1] - 15680:7<br><b>step</b> [1] - 15702:2<br><b>still</b> [14] - 15532:21, 15550:16, 15584:15, 15590:20, 15619:22, 15633:14, 15637:6, 15639:1, 15642:25, 15644:21, 15689:25, 15690:5, 15724:11, 15730:5<br><b>stop</b> [8] - 15537:16, 15538:7, 15582:18, 15583:6, 15584:19, 15641:4, 15664:5, 15666:18<br><b>stopped</b> [3] - 15557:17, 15557:19, 15640:23<br><b>stopping</b> [1] - 15575:11<br><b>stops</b> [1] - 15640:13<br><b>storming</b> [1] - 15639:15<br><b>Storming</b> [1] - 15639:16<br><b>story</b> [4] - 15553:25, 15677:25, 15685:2, 15685:5<br><b>straight</b> [6] - 15602:12, 15616:21, 15617:20, 15631:18, 15637:17, 15642:21<br><b>straightforward</b> [2] - 15703:11, 15725:7<br><b>strange</b> [2] - 15593:16, 15636:8<br><b>street</b> [1] - 15593:5<br><b>struggle</b> [1] - 15616:15<br><b>struggled</b> [1] - 15615:4<br><b>struggling</b> [1] - 15644:21 |
|--|---|--|---|---|



|   |  |   |   |   |
|---|--|---|---|---|
| <p><b>stumbling</b> [1] - 15645:14</p> <p><b>style</b> [2] - 15680:9, 15681:5</p> <p><b>subconscious</b> [1] - 15615:1</p> <p><b>subconsciously</b> [1] - 15614:20</p> <p><b>subject</b> [1] - 15684:20</p> <p><b>subjected</b> [1] - 15581:2</p> <p><b>subsequent</b> [7] - 15550:8, 15580:2, 15660:19, 15675:17, 15676:17, 15677:17, 15678:1</p> <p><b>subsequently</b> [1] - 15565:11</p> <p><b>successful</b> [1] - 15623:16</p> <p><b>suddenly</b> [6] - 15548:6, 15549:13, 15551:23, 15552:6, 15563:15, 15598:2</p> <p><b>suggest</b> [19] - 15539:10, 15540:12, 15552:15, 15553:16, 15563:14, 15564:18, 15568:15, 15579:11, 15584:17, 15598:22, 15614:6, 15628:18, 15631:7, 15659:15, 15660:15, 15662:21, 15667:2, 15679:25, 15680:13</p> <p><b>suggested</b> [11] - 15534:21, 15545:16, 15549:15, 15552:7, 15552:9, 15563:10, 15628:17, 15637:17, 15672:12, 15716:11, 15725:18</p> <p><b>suggesting</b> [7] - 15598:25, 15611:1, 15619:15, 15636:25, 15638:19, 15672:7, 15672:22</p> <p><b>suggestion</b> [4] - 15532:18, 15616:16, 15624:2, 15638:14</p> <p><b>suggests</b> [2] - 15579:25, 15697:22</p> <p><b>summarize</b> [1] - 15578:22</p> <p><b>summertime</b> [3] - 15695:16, 15696:7, 15701:22</p> <p><b>Sunday</b> [2] - 15545:20, 15590:13</p> <p><b>superficially</b> [1] - 15614:1</p> | <p><b>supper</b> [2] - 15586:17, 15586:22</p> <p><b>Support</b> [1] - 15529:8</p> <p><b>suppose</b> [5] - 15537:19, 15547:11, 15548:10, 15560:23, 15589:17</p> <p><b>supposed</b> [2] - 15548:11, 15714:19</p> <p><b>supposedly</b> [1] - 15597:24</p> <p><b>Supreme</b> [10] - 15585:16, 15585:22, 15588:21, 15591:1, 15684:13, 15684:15, 15684:25, 15687:15, 15688:4, 15689:23</p> <p><b>surely</b> [2] - 15550:18, 15626:11</p> <p><b>surprising</b> [2] - 15567:15, 15574:14</p> <p><b>surrounding</b> [2] - 15673:9, 15725:6</p> <p><b>suspect</b> [5] - 15562:9, 15596:9, 15610:8, 15662:11, 15667:16</p> <p><b>suspected</b> [3] - 15636:3, 15671:21, 15696:20</p> <p><b>suspicious</b> [15] - 15584:7, 15592:23, 15593:8, 15633:14, 15633:15, 15671:2, 15671:5, 15694:11, 15695:24, 15698:18, 15703:8, 15707:22, 15715:20, 15716:4, 15723:25</p> <p><b>suspicious</b> [2] - 15583:22, 15644:17</p> <p><b>sworn</b> [4] - 15577:4, 15690:19, 15691:6, 15691:15</p> <p><b>Sworn</b> [1] - 15531:8</p> <p><b>symptomatic</b> [1] - 15594:17</p> | <p>15529:13</p> <p><b>telephone</b> [1] - 15688:13</p> <p><b>temperature</b> [2] - 15584:14, 15639:19</p> <p><b>temperatures</b> [1] - 15639:14</p> <p><b>ten</b> [10] - 15548:15, 15548:18, 15548:24, 15549:12, 15549:19, 15599:5, 15600:6, 15600:7, 15607:25</p> <p><b>terms</b> [3] - 15538:19, 15633:9, 15639:19</p> <p><b>testified</b> [6] - 15658:23, 15659:7, 15660:22, 15661:7, 15661:14, 15684:24</p> <p><b>testify</b> [1] - 15691:18</p> <p><b>testifying</b> [1] - 15687:15</p> <p><b>Testimony</b> [1] - 15528:14</p> <p><b>testimony</b> [3] - 15643:17, 15650:10, 15721:9</p> <p><b>testing</b> [1] - 15580:9</p> <p><b>that</b> [1] - 15561:7</p> <p><b>them</b> [1] - 15549:8</p> <p><b>themselves</b> [1] - 15589:19</p> <p><b>then</b> [1] - 15560:19</p> <p><b>therefore</b> [3] - 15551:18, 15568:3, 15602:19</p> <p><b>they've</b> [1] - 15679:16</p> <p><b>thinking</b> [10] - 15564:16, 15568:9, 15584:11, 15598:1, 15622:15, 15638:1, 15642:14, 15645:23, 15647:22, 15659:17</p> <p><b>Thinking</b> [2] - 15635:9, 15635:25</p> <p><b>thinks</b> [2] - 15638:23, 15722:5</p> <p><b>third</b> [4] - 15546:3, 15601:10, 15637:25, 15638:3</p> <p><b>thoroughly</b> [1] - 15554:10</p> <p><b>thoughts</b> [5] - 15631:22, 15645:22, 15646:25, 15647:1, 15709:7</p> <p><b>three</b> [8] - 15547:12, 15548:1, 15597:16, 15601:6, 15629:9, 15638:4, 15713:2, 15717:23</p> | <p><b>three-page</b> [1] - 15601:6</p> <p><b>threw</b> [1] - 15552:16</p> <p><b>throat</b> [2] - 15697:13, 15698:11</p> <p><b>throughout</b> [1] - 15692:5</p> <p><b>Throughout</b> [1] - 15533:20</p> <p><b>thrown</b> [1] - 15628:2</p> <p><b>thrust</b> [1] - 15600:12</p> <p><b>tied</b> [2] - 15538:14, 15538:16</p> <p><b>time</b> [1] - 15569:18</p> <p><b>timing</b> [1] - 15557:15</p> <p><b>title</b> [1] - 15603:24</p> <p><b>today</b> [4] - 15550:4, 15669:3, 15713:22, 15728:20</p> <p><b>together</b> [12] - 15558:17, 15623:22, 15625:20, 15642:22, 15666:7, 15666:15, 15666:22, 15667:5, 15685:19, 15713:2, 15724:11, 15730:1</p> <p><b>Tony</b> [2] - 15529:13, 15724:16</p> <p><b>took</b> [31] - 15569:14, 15570:1, 15570:7, 15572:15, 15573:6, 15573:24, 15575:3, 15616:23, 15617:2, 15617:15, 15617:16, 15650:16, 15655:21, 15662:23, 15663:5, 15664:2, 15667:20, 15668:16, 15673:10, 15673:23, 15675:8, 15677:20, 15685:17, 15686:7, 15687:8, 15687:12, 15693:15, 15701:17, 15702:20, 15719:4</p> <p><b>top</b> [2] - 15610:11, 15687:24</p> <p><b>topic</b> [1] - 15642:22</p> <p><b>totally</b> [1] - 15725:12</p> <p><b>touch</b> [6] - 15536:9, 15650:7, 15651:1, 15673:9, 15692:17, 15723:20</p> <p><b>toward</b> [1] - 15715:12</p> <p><b>towards</b> [1] - 15665:16</p> <p><b>trail</b> [3] - 15537:20, 15566:23</p> <p><b>transcribed</b> [2] - 15632:14, 15653:13</p> <p><b>transcribing</b> [1] - 15600:23</p> | <p><b>transcript</b> [12] - 15617:10, 15617:13, 15663:2, 15675:15, 15675:25, 15676:10, 15676:14, 15676:16, 15679:11, 15680:3, 15681:20, 15681:22</p> <p><b>Transcript</b> [2] - 15528:12, 15532:1</p> <p><b>transcription</b> [1] - 15731:5</p> <p><b>trap</b> [1] - 15642:11</p> <p><b>treated</b> [1] - 15653:18</p> <p><b>trial</b> [6] - 15578:23, 15579:2, 15590:24, 15591:3, 15606:21, 15609:14</p> <p><b>tried</b> [6] - 15578:16, 15595:9, 15616:15, 15630:20, 15636:10, 15666:21</p> <p><b>tries</b> [1] - 15579:11</p> <p><b>trillion</b> [2] - 15582:8, 15582:9</p> <p><b>trip</b> [1] - 15545:24</p> <p><b>trouble</b> [2] - 15574:4, 15633:22</p> <p><b>true</b> [10] - 15574:8, 15579:21, 15591:14, 15607:20, 15607:23, 15624:5, 15625:20, 15636:12, 15640:18, 15731:5</p> <p><b>trust</b> [1] - 15596:19</p> <p><b>trusted</b> [1] - 15657:22</p> <p><b>trusting</b> [1] - 15725:11</p> <p><b>trustworthy</b> [1] - 15715:16</p> <p><b>truth</b> [3] - 15703:10, 15703:12, 15717:8</p> <p><b>truthful</b> [4] - 15715:7, 15715:17, 15716:16, 15717:2</p> <p><b>try</b> [4] - 15596:4, 15598:16, 15627:1, 15703:15</p> <p><b>trying</b> [24] - 15555:10, 15559:4, 15595:25, 15607:1, 15623:10, 15624:9, 15626:2, 15631:6, 15639:3, 15644:19, 15644:22, 15656:1, 15656:6, 15656:17, 15665:10, 15665:13, 15666:4, 15666:5, 15666:12, 15683:18, 15693:20, 15703:14, 15724:7, 15724:8</p> <p><b>Trying</b> [1] - 15631:22</p> |
| <b>T</b>  |  |   |   |   |
| <p><b>talks</b> [2] - 15713:15, 15717:11</p> <p><b>tall</b> [1] - 15604:12</p> <p><b>Tallis</b> [1] - 15530:13</p> <p><b>Tammy</b> [3] - 15692:23, 15693:15, 15719:16</p> <p><b>tangent</b> [1] - 15579:24</p> <p><b>tape</b> [1] - 15560:23</p> <p><b>taped</b> [1] - 15663:2</p> <p><b>Tdr</b> [1] - 15530:5</p> <p><b>Technician</b> [1] -</p>   |  |   |   |   |



|   |   |   |  |   |  |  |
|---|---|---|--|---|--|--|
| <p><b>Tuesday</b><sup>[1]</sup> - 15533:18<br/> <b>Tuesdays</b> <sup>[1]</sup> -<br/> 15689:20<br/> <b>turn</b> <sup>[4]</sup> - 15577:3,<br/> 15601:9, 15619:19<br/> <b>turned</b> <sup>[4]</sup> - 15558:8,<br/> 15577:4, 15627:19,<br/> 15635:7<br/> <b>turns</b> <sup>[5]</sup> - 15558:1,<br/> 15602:19, 15635:23,<br/> 15690:20, 15691:7<br/> <b>Tv</b><sup>[1]</sup> - 15647:8<br/> <b>two</b> <sup>[43]</sup> - 15534:18,<br/> 15538:6, 15540:2,<br/> 15540:5, 15540:20,<br/> 15541:2, 15541:7,<br/> 15547:12, 15547:23,<br/> 15562:4, 15580:19,<br/> 15580:21, 15585:2,<br/> 15605:4, 15614:12,<br/> 15634:10, 15638:15,<br/> 15638:21, 15643:6,<br/> 15646:14, 15651:18,<br/> 15660:13, 15666:15,<br/> 15667:15, 15668:5,<br/> 15668:25, 15671:18,<br/> 15672:3, 15677:1,<br/> 15678:4, 15678:23,<br/> 15679:15, 15679:20,<br/> 15686:4, 15691:1,<br/> 15694:5, 15694:21,<br/> 15695:5, 15696:16,<br/> 15714:6, 15717:23,<br/> 15720:16, 15726:10<br/> <b>Two</b><sup>[1]</sup> - 15618:11<br/> <b>Two-page</b> <sup>[1]</sup> - 15618:11<br/> <b>type</b> <sup>[6]</sup> - 15549:2,<br/> 15582:9, 15643:18,<br/> 15656:7, 15656:10,<br/> 15656:15<br/> <b>typed</b> <sup>[5]</sup> - 15544:7,<br/> 15675:13, 15675:14,<br/> 15708:6, 15708:7<br/> <b>types</b> <sup>[1]</sup> - 15669:9<br/> <b>typewritten</b> <sup>[1]</sup> -<br/> 15544:12<br/> <b>typing</b> <sup>[1]</sup> - 15581:9</p> | <p>15694:5, 15694:8,<br/> 15694:16, 15695:10,<br/> 15695:16, 15695:22,<br/> 15700:6, 15701:16,<br/> 15702:24, 15704:12,<br/> 15704:20, 15706:6,<br/> 15710:25, 15712:5<br/> <b>umm</b> <sup>[2]</sup> - 15690:17,<br/> 15693:14<br/> <b>ummm'</b> <sup>[1]</sup> - 15560:14<br/> <b>unbearable</b> <sup>[1]</sup> -<br/> 15640:18<br/> <b>unbelievably</b> <sup>[1]</sup> -<br/> 15628:14<br/> <b>uncertain</b> <sup>[2]</sup> -<br/> 15725:17, 15725:23<br/> <b>uncertainty</b> <sup>[2]</sup> -<br/> 15532:9, 15687:16<br/> <b>uncle</b> <sup>[3]</sup> - 15569:7,<br/> 15571:10, 15641:10<br/> <b>under</b> <sup>[15]</sup> - 15534:25,<br/> 15535:7, 15546:19,<br/> 15546:23, 15548:5,<br/> 15552:21, 15563:6,<br/> 15565:3, 15571:17,<br/> 15602:21, 15651:2,<br/> 15651:21, 15652:3,<br/> 15684:8, 15707:14<br/> <b>undermine</b> <sup>[1]</sup> -<br/> 15555:10<br/> <b>underneath</b> <sup>[1]</sup> -<br/> 15547:10<br/> <b>understood</b> <sup>[4]</sup> -<br/> 15591:4, 15645:4,<br/> 15649:16, 15674:7<br/> <b>undertake</b> <sup>[1]</sup> -<br/> 15545:24<br/> <b>undertaking</b> <sup>[1]</sup> -<br/> 15658:10<br/> <b>unfair</b> <sup>[2]</sup> - 15628:15,<br/> 15680:24<br/> <b>Universal</b> <sup>[1]</sup> - 15724:16<br/> <b>unlikely</b> <sup>[1]</sup> - 15584:13<br/> <b>unreasonable</b> <sup>[2]</sup> -<br/> 15548:17, 15582:1<br/> <b>up</b> <sup>[77]</sup> - 15534:22,<br/> 15535:7, 15536:1,<br/> 15536:23, 15544:22,<br/> 15548:7, 15548:11,<br/> 15550:3, 15551:2,<br/> 15551:6, 15559:23,<br/> 15561:19, 15576:20,<br/> 15581:8, 15589:3,<br/> 15590:21, 15604:24,<br/> 15610:12, 15615:18,<br/> 15617:5, 15617:14,<br/> 15622:10, 15631:3,<br/> 15631:19, 15633:23,<br/> 15634:21, 15636:16,<br/> 15643:10, 15645:10,</p> | <p>15645:25, 15650:18,<br/> 15651:9, 15651:10,<br/> 15651:16, 15653:23,<br/> 15654:6, 15654:10,<br/> 15655:20, 15655:24,<br/> 15656:2, 15657:14,<br/> 15663:1, 15664:14,<br/> 15666:5, 15674:6,<br/> 15677:8, 15687:23,<br/> 15687:24, 15691:4,<br/> 15693:15, 15702:13,<br/> 15702:15, 15704:14,<br/> 15704:16, 15704:19,<br/> 15705:8, 15705:18,<br/> 15706:3, 15706:5,<br/> 15706:20, 15707:24,<br/> 15708:1, 15708:3,<br/> 15708:6, 15711:15,<br/> 15711:17, 15711:20,<br/> 15714:9, 15716:9,<br/> 15718:1, 15718:13,<br/> 15719:9, 15720:1,<br/> 15722:3, 15723:6,<br/> 15724:2, 15726:24<br/> <b>upside</b> <sup>[1]</sup> - 15635:23</p> | <p style="text-align: center;"><b>V</b></p> <p><b>V10</b> <sup>[2]</sup> - 15698:1,<br/> 15698:2<br/> <b>vaguely</b> <sup>[1]</sup> - 15711:23<br/> <b>value</b> <sup>[2]</sup> - 15626:9,<br/> 15725:24<br/> <b>various</b> <sup>[9]</sup> - 15539:8,<br/> 15539:19, 15543:20,<br/> 15544:16, 15546:10,<br/> 15551:16, 15680:2,<br/> 15686:25<br/> <b>vehicle</b> <sup>[2]</sup> - 15584:13,<br/> 15584:15<br/> <b>vehicles</b> <sup>[1]</sup> - 15656:22<br/> <b>venue</b> <sup>[2]</sup> - 15553:7,<br/> 15553:9<br/> <b>version</b> <sup>[5]</sup> - 15683:10,<br/> 15689:14, 15696:10,<br/> 15708:6, 15708:7<br/> <b>vicinity</b> <sup>[4]</sup> - 15538:13,<br/> 15631:10, 15632:20,<br/> 15646:7<br/> <b>victim</b> <sup>[3]</sup> - 15631:10,<br/> 15632:20, 15643:20<br/> <b>victims</b> <sup>[2]</sup> - 15594:3,<br/> 15722:9<br/> <b>view</b> <sup>[6]</sup> - 15535:25,<br/> 15536:5, 15571:17,<br/> 15583:23, 15682:19,<br/> 15683:22<br/> <b>Viewed</b> <sup>[1]</sup> - 15637:5<br/> <b>views</b> <sup>[5]</sup> - 15631:15,</p> | <p>15632:1, 15632:25,<br/> 15633:2, 15703:7<br/> <b>violence</b> <sup>[2]</sup> - 15557:1,<br/> 15573:25<br/> <b>violent</b> <sup>[1]</sup> - 15715:12<br/> <b>virtually</b> <sup>[2]</sup> - 15595:14,<br/> 15631:1<br/> <b>visit</b> <sup>[2]</sup> - 15693:15,<br/> 15707:8<br/> <b>visited</b> <sup>[4]</sup> - 15537:5,<br/> 15562:14, 15566:14,<br/> 15652:6<br/> <b>visiting</b> <sup>[1]</sup> - 15573:20<br/> <b>Volume</b><sup>[1]</sup> - 15528:22</p> | <p style="text-align: center;"><b>W</b></p> <p><b>Wagner</b><sup>[17]</sup> - 15535:10,<br/> 15535:24, 15537:2,<br/> 15539:1, 15539:2,<br/> 15539:12, 15540:23,<br/> 15541:2, 15542:5,<br/> 15543:15, 15545:9,<br/> 15545:15, 15549:22,<br/> 15550:12, 15550:21,<br/> 15551:3, 15599:11<br/> <b>wait</b> <sup>[1]</sup> - 15704:11<br/> <b>waited</b> <sup>[2]</sup> - 15577:2,<br/> 15577:8<br/> <b>waiting</b> <sup>[1]</sup> - 15574:25<br/> <b>walk</b> <sup>[1]</sup> - 15605:1<br/> <b>walked</b> <sup>[2]</sup> - 15577:9,<br/> 15674:15<br/> <b>wallet</b> <sup>[21]</sup> - 15592:19,<br/> 15592:25, 15593:3,<br/> 15593:11, 15630:24,<br/> 15644:16, 15644:25,<br/> 15645:4, 15645:18,<br/> 15645:25, 15646:1,<br/> 15646:6, 15669:22,<br/> 15670:4, 15670:7,<br/> 15670:11, 15670:21,<br/> 15671:6, 15671:9,<br/> 15671:11, 15671:19<br/> <b>wants</b> <sup>[2]</sup> - 15543:25,<br/> 15620:21<br/> <b>warning</b> <sup>[2]</sup> - 15541:15,<br/> 15541:16<br/> <b>washed</b> <sup>[2]</sup> - 15589:4,<br/> 15590:19<br/> <b>way'</b> <sup>[1]</sup> - 15555:3<br/> <b>ways</b> <sup>[5]</sup> - 15570:9,<br/> 15664:3, 15712:12,<br/> 15712:14, 15713:11<br/> <b>weapon</b> <sup>[8]</sup> - 15609:6,<br/> 15632:10, 15633:7,<br/> 15643:13, 15643:15,<br/> 15643:17, 15705:15,<br/> 15705:16</p> | <p><b>wear</b> <sup>[4]</sup> - 15587:3,<br/> 15587:5, 15587:20,<br/> 15588:1<br/> <b>wearing</b> <sup>[9]</sup> - 15586:14,<br/> 15586:18, 15587:11,<br/> 15591:5, 15612:6,<br/> 15612:7, 15725:19,<br/> 15726:4, 15726:17<br/> <b>weather</b> <sup>[2]</sup> - 15610:17,<br/> 15641:8<br/> <b>Wednesday</b><sup>[1]</sup> -<br/> 15528:21<br/> <b>week</b> <sup>[1]</sup> - 15679:20<br/> <b>weekend</b> <sup>[1]</sup> - 15588:2<br/> <b>weeks</b> <sup>[6]</sup> - 15649:22,<br/> 15652:8, 15652:22,<br/> 15677:2, 15678:4,<br/> 15716:23<br/> <b>welcome</b> <sup>[1]</sup> - 15730:9<br/> <b>Wempe</b><sup>[1]</sup> - 15530:9<br/> <b>west</b> <sup>[1]</sup> - 15624:23<br/> <b>wet</b> <sup>[3]</sup> - 15588:22,<br/> 15590:20, 15591:10<br/> <b>whereabouts</b> <sup>[1]</sup> -<br/> 15719:14<br/> <b>whilst</b> <sup>[1]</sup> - 15564:25<br/> <b>who'd</b> <sup>[1]</sup> - 15549:25<br/> <b>whole</b> <sup>[4]</sup> - 15552:25,<br/> 15576:14, 15667:11,<br/> 15674:2<br/> <b>whoops</b> <sup>[1]</sup> - 15607:5<br/> <b>Wilde</b><sup>[1]</sup> - 15529:12<br/> <b>Williams</b><sup>[103]</sup> -<br/> 15549:14, 15552:22,<br/> 15553:6, 15553:19,<br/> 15554:25, 15555:23,<br/> 15556:11, 15558:24,<br/> 15565:13, 15566:1,<br/> 15566:6, 15567:6,<br/> 15567:10, 15568:18,<br/> 15583:2, 15590:7,<br/> 15592:6, 15592:14,<br/> 15592:18, 15594:1,<br/> 15594:5, 15595:12,<br/> 15596:7, 15596:16,<br/> 15596:18, 15597:23,<br/> 15598:13, 15598:22,<br/> 15599:17, 15600:22,<br/> 15604:5, 15605:3,<br/> 15608:21, 15611:11,<br/> 15613:1, 15613:5,<br/> 15613:25, 15615:5,<br/> 15616:9, 15617:20,<br/> 15620:21, 15621:25,<br/> 15622:10, 15622:23,<br/> 15625:4, 15625:15,<br/> 15625:17, 15626:25,<br/> 15628:5, 15628:11,<br/> 15628:18, 15629:11,<br/> 15631:8, 15632:2,</p> |
| <p style="text-align: center;"><b>U</b></p> <p><b>Umm</b><sup>[31]</sup> - 15534:15,<br/> 15546:17, 15556:21,<br/> 15557:12, 15594:10,<br/> 15596:11, 15600:20,<br/> 15601:23, 15652:10,<br/> 15652:13, 15654:20,<br/> 15656:9, 15671:14,<br/> 15672:10, 15692:16,<br/> 15693:5, 15694:1,</p>   |   |   |  |   |  |  |



|  |   |  |   |
|--|---|--|---|
| <p>15634:14, 15635:18,<br/>15638:13, 15638:18,<br/>15639:21, 15640:25,<br/>15641:12, 15642:21,<br/>15644:21, 15645:3,<br/>15646:2, 15646:5,<br/>15647:14, 15647:21,<br/>15648:1, 15648:18,<br/>15649:20, 15651:14,<br/>15652:17, 15652:19,<br/>15653:11, 15653:19,<br/>15654:8, 15673:10,<br/>15673:19, 15674:2,<br/>15674:4, 15674:7,<br/>15676:3, 15676:4,<br/>15676:14, 15676:16,<br/>15678:5, 15678:10,<br/>15679:5, 15680:15,<br/>15681:1, 15681:2,<br/>15681:6, 15681:25,<br/>15682:4, 15683:5,<br/>15683:23, 15684:1,<br/>15685:19, 15685:25,<br/>15686:9, 15686:18,<br/>15689:1<br/><b>Williams'</b> [5] -<br/>15581:22, 15585:5,<br/>15603:17, 15681:5,<br/>15682:19<br/><b>Wilson</b> [5] - 15530:6,<br/>15685:23, 15717:21,<br/>15728:2, 15728:5<br/><b>wind</b> [1] - 15639:25<br/><b>Wind</b> [1] - 15640:8<br/><b>Windemere</b> [1] -<br/>15624:24<br/><b>windy</b> [2] - 15640:3,<br/>15640:6<br/><b>Winnipeg</b> [34] -<br/>15539:1, 15539:7,<br/>15541:20, 15542:10,<br/>15542:12, 15543:10,<br/>15543:20, 15544:4,<br/>15544:15, 15546:10,<br/>15549:16, 15556:14,<br/>15560:3, 15561:24,<br/>15562:1, 15562:4,<br/>15562:16, 15623:23,<br/>15624:7, 15624:11,<br/>15624:15, 15624:20,<br/>15625:6, 15625:22,<br/>15626:4, 15629:14,<br/>15672:1, 15694:6,<br/>15694:21, 15695:5,<br/>15698:16, 15714:6,<br/>15723:11<br/><b>winter</b> [1] - 15669:23<br/><b>wish</b> [6] - 15597:4,<br/>15641:24, 15642:1,<br/>15642:6, 15642:9,</p> | <p>15728:20<br/><b>Witness</b> [6] - 15586:10,<br/>15586:13, 15586:16,<br/>15587:4, 15587:7,<br/>15590:18<br/><b>witness</b> [4] - 15684:15,<br/>15691:14, 15728:20,<br/>15730:14<br/><b>witnessed</b> [3] -<br/>15618:22, 15658:22,<br/>15691:5<br/><b>Wolch</b> [5] - 15717:18,<br/>15717:19, 15718:6,<br/>15728:1, 15728:5<br/><b>Wolch's</b> [1] - 15651:15<br/><b>woman</b> [8] - 15556:18,<br/>15558:15, 15569:14,<br/>15574:10, 15698:1,<br/>15698:16, 15708:16,<br/>15714:8<br/><b>woman'</b> [2] - 15569:8<br/><b>woman's</b> [2] -<br/>15698:11, 15714:7<br/><b>women</b> [11] - 15539:7,<br/>15543:19, 15545:3,<br/>15556:14, 15556:15,<br/>15557:23, 15694:5,<br/>15694:21, 15695:5,<br/>15709:19, 15714:6<br/><b>wonder</b> [4] - 15539:15,<br/>15549:7, 15562:6,<br/>15598:2<br/><b>wondering</b> [1] -<br/>15725:25<br/><b>wooden</b> [9] - 15547:4,<br/>15547:5, 15602:11,<br/>15607:12, 15608:6,<br/>15625:8, 15632:11,<br/>15633:8, 15710:15<br/><b>wooden-handled</b> [2] -<br/>15607:12, 15608:6<br/><b>word</b> [3] - 15599:14,<br/>15607:3, 15714:18<br/><b>words</b> [12] - 15553:25,<br/>15567:1, 15605:22,<br/>15632:23, 15667:19,<br/>15668:12, 15670:25,<br/>15674:3, 15676:9,<br/>15681:10, 15684:19,<br/>15728:11<br/><b>wore</b> [2] - 15586:7,<br/>15587:20<br/><b>work'</b> [3] - 15569:5,<br/>15569:6, 15570:1<br/><b>workaholic</b> [1] -<br/>15577:24<br/><b>world</b> [1] - 15575:16<br/><b>worried</b> [1] - 15700:15<br/><b>worth</b> [1] - 15559:6<br/><b>wounds</b> [4] - 15631:12,</p> | <p>15631:14, 15632:22,<br/>15643:19<br/><b>Wright</b> [22] - 15531:8,<br/>15691:14, 15691:15,<br/>15691:17, 15694:10,<br/>15697:23, 15703:15,<br/>15705:21, 15708:4,<br/>15709:22, 15712:13,<br/>15715:8, 15719:24,<br/>15724:25, 15726:1,<br/>15727:16, 15727:25,<br/>15728:4, 15728:17,<br/>15729:1, 15730:11,<br/>15730:13<br/><b>write</b> [2] - 15722:6,<br/>15727:15<br/><b>writer</b> [1] - 15723:11<br/><b>writing</b> [4] - 15721:7,<br/>15722:21, 15729:16,<br/>15729:22<br/><b>written</b> [3] - 15540:2,<br/>15572:19, 15672:2<br/><b>Wrongful</b> [1] - 15528:3<br/><b>wrongly</b> [1] - 15548:24<br/><b>wrote</b> [8] - 15562:15,<br/>15648:1, 15648:22,<br/>15708:8, 15723:1,<br/>15724:23, 15729:9</p> | <p>15598:5, 15600:5,<br/>15602:25, 15612:21,<br/>15647:6, 15681:17,<br/>15681:21, 15682:18,<br/>15683:22, 15687:21,<br/>15688:18, 15728:7<br/><b>youngest</b> [1] -<br/>15712:21<br/><b>yourself</b> [6] - 15547:7,<br/>15587:15, 15588:11,<br/>15614:21, 15634:13,<br/>15655:12<br/><b>Yup</b> [2] - 15701:14,<br/>15711:3</p> |
| <b>Y</b>   |   |  |   |
| <p><b>year</b> [12] - 15626:23,<br/>15660:2, 15660:4,<br/>15660:12, 15667:15,<br/>15668:5, 15671:18,<br/>15694:19, 15700:7,<br/>15708:15, 15713:16<br/><b>years</b> [32] - 15533:21,<br/>15548:15, 15548:18,<br/>15548:24, 15549:12,<br/>15549:19, 15550:3,<br/>15550:15, 15562:5,<br/>15562:13, 15567:25,<br/>15576:1, 15580:3,<br/>15580:4, 15581:20,<br/>15598:1, 15600:7,<br/>15607:25, 15645:23,<br/>15660:13, 15667:15,<br/>15668:5, 15668:25,<br/>15671:18, 15687:12,<br/>15691:25, 15708:11,<br/>15712:21, 15713:3,<br/>15717:24<br/><b>yesterday</b> [22] -<br/>15534:20, 15535:2,<br/>15537:1, 15540:1,<br/>15544:20, 15551:12,<br/>15572:24, 15596:8,<br/>15597:7, 15597:9,</p>   |   |  |   |

