

**CANADIAN
HUMAN RIGHTS
TRIBUNAL**



**TRIBUNAL CANADIEN
DES DROITS
DE LA PERSONNE**

BETWEEN/ENTRE:

RICHARD WARMAN

Complainant

and/et

CANADIAN HUMAN RIGHTS COMMISSION

Commission

and/et

ALEXAN KULBASHIAN, JAMES SCOTT RICHARDSON,
TRI-CITY SKINS.COM, CANADIAN ETHNIC CLEANSING TEAM and
AFFORDABLESPACE.COM

Respondents

BEFORE/DEVANT:

ATHANASIOS HADJIS

THE CHAIRPERSON/
LE PRÉSIDENT

LE PRÉSIDENT

ROCH LEVAC

THE REGISTRAR/
LE GREFFIER

LE GREFFIER

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CANADIAN HUMAN RIGHTS TRIBUNAL/TRIBUNAL CANADIEN
DES DROITS DE LA PERSONNE

SITTING IN THE ARGUS ROOM, HOLIDAY INN OAKVILLE - CENTRE
590 ARGUS ROAD, OAKVILLE, ONTARIO ON
WEDNESDAY, NOVEMBER 10, 2004, AT 09:30 A.M. LOCAL TIME

CASE FOR HEARING/CAUSE DEVANT ÊTRE ENTENDUE

IN THE MATTER of a complaint filed by Richard Warman dated February 5, 2002 pursuant to section 13, subsection 1 of the Canadian Human Rights Act against Alexian Kulbashian, James Scott Richardson, Tri-CitySkins.com, Canadian Ethnic Cleansing Team and AffordableSpace.com. Complainant alleges that the respondents have engaged in a discriminatory practice on the grounds of religion, race and national and ethnic origin in the matter related to the usage of a telecommunication undertaking.

APPEARANCES/COMPARUTIONS

Monette Maillet	on behalf of the Canadian Human Rights Commission
Richard Warman	on his own behalf
Vahe Kulbashian	on behalf of Alexian Kulbashian
Alexian Kulbashian	on his own behalf
James Scott Richardson	on his own behalf

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LIST OF EXHIBITS / PIÈCES JUSTICATIVES

EXHIBIT	DESCRIPTION	PAGE
R-2 (Appendix I, Pg. 20)	Two-page article from London Free Press written by Kelly Pedro dated February 5, 2003.	2001
"C"	Fax cover page from Mr. Peter Lindsay to Mr. Peter Keirluk dated January 20th, 2003.	2030
"D"	Four-page document, Notice of Application from the Ontario Court of Justice dated 21st day of August, 2003.	2033
"E"	Letter of Peter Lindsay to Mr. Peter Keirluk dated October 7, 2003.	2041

1 Oakville, Ontario

2 --- Upon commencing on Wednesday, November 10th, 2004
3 at 9:30 a.m.

4 REGISTRY OFFICER: All rise.

5 THE CHAIRPERSON: Thank you.

6 Good morning.

7 MS MAILLET: Good morning.

8 REGISTRY OFFICER: Please be seated.

9 THE CHAIRPERSON: Are you ready?

10 MR. ALEXAN KULBASHIAN: Yes, I am.

11 TERRY DAVID WILSON, Resumed:

12 CROSS-EXAMINATION BY MR. ALEXAN KULBASHIAN (Cont'd):

13 MR. ALEXAN KULBASHIAN: Okay.

14 Going back to the same thing I did
15 yesterday, I think I must have misphrased it, so I'm
16 going to be just going over one question.

17 Let's say I was a member of the NDP
18 party, and let's say I owned an office building and I
19 rented out an office to the party.

20 If the members of the NDP that were
21 in the office, like, since I'm a supporter of the NDP,
22 I obviously know who they were, I would know roughly
23 what their ideology would be, I would rent out an
24 office to them.

25 If they organize a coup, would be I

1 responsible for this?

2 DET/CST. WILSON: If you -- again,
3 using this an analogy to your apartment building of
4 AffordableSpace, if you knew that the coup was going on
5 and you facilitated that coup from going on, yes, you
6 would be party to the offence.

7 Much like AffordableSpace, where in
8 my belief you knew the content of those articles and
9 facilitated them to be viewed on the world wide web.

10 MR. ALEXAN KULBASHIAN: Okay. Now,
11 getting back to the question I asked you, not the
12 extension you gave me.

13 If the extent of my knowledge was
14 that they were the NDP party and I supported their
15 ideologies and they organize a coup --

16 MR. WARMAN: Objection. Mr. Wilson
17 just answered that to the best of his ability.

18 MR. ALEXAN KULBASHIAN: I think he
19 answered that and more, but I don't think he actually
20 answered the question that I asked him.

21 MR. WARMAN: Mr. Kulbashian doesn't
22 like the answer that Mr. Wilson gave him.

23 MR. ALEXAN KULBASHIAN: I don't think
24 he answered my question.

25 THE CHAIRPERSON: Well, I think he

1 did. He told you --

2 MR. ALEXAN KULBASHIAN: My question
3 was not in relation to a server, my question was
4 directly if I was a member of the NDP party, like, if I
5 was an NDP supporter.

6 THE CHAIRPERSON: Well, if it's just
7 a question about the NDP, then it's not relevant, but
8 obviously here you are making the analogy to your
9 situation.

10 MR. ALEXAN KULBASHIAN: But I didn't
11 ask him about an analogy.

12 THE CHAIRPERSON: Perhaps the
13 question should be rephrased.

14 The suggestion that's being put to
15 you, for whatever value it may have, is that in your
16 response just now you assumed that there was some
17 degree of knowledge, but the suggestion is being put to
18 you is what if the individual did not have that
19 knowledge, all the person knew in the generic sense
20 that the group formed one political party, would he
21 then be responsible for further actions taken by that
22 political party?

23 DET/CST. WILSON: No, if their
24 knowledge is not included in that sort of framework,
25 knowledge, consent and control, knowledge is not there,

1 then no, he would not be a party to the offence I
2 guess.

3 MR. ALEXAN KULBASHIAN: Okay. And if
4 I also had the discretion to not let anybody from the
5 Liberal party or PC party rent office space in my
6 building, would that change the situation?

7 DET/CST. WILSON: No, I don't believe
8 so.

9 MR. ALEXAN KULBASHIAN: That's good.

10 MR. WARMAN: Objection. Mr.
11 Hadjis --

12 THE CHAIRPERSON: Yes.

13 MR. WARMAN: This is the third time
14 these hypothetical questions have been posed to Mr.
15 Wilson.

16 First, we had the bank robbery
17 analogy, then we had the chocolate child pornography
18 analogy, now it's being put to him again in the
19 NDP/Liberal party analogy.

20 It's been asked and answered numerous
21 times.

22 THE CHAIRPERSON: Move on, Mr.
23 Kulbashian, please, I have a sense of this witness'
24 opinion on such things.

25 MR. ALEXAN KULBASHIAN: Right, I'm

1 moving on. Okay.

2 Then some questions that would be
3 slightly outside I guess. When you go for lunch breaks
4 with Ms Maillet and Mr. Warman every day, do you talk
5 about the case?

6 DET/CST. WILSON: No. I'm told not
7 to talk about a case by the Tribunal head.

8 MR. ALEXAN KULBASHIAN: Have you ever
9 talked about the case with Mr. Warman and Ms Maillet
10 outside the court room?

11 DET/CST. WILSON: No, sir.

12 THE CHAIRPERSON: To be fair, I
13 believe I had made specific permission of discussion on
14 documents that needed to be copied - I don't remember
15 if there was something else.

16 I did permit discussions on certain
17 specific issues.

18 MS MAILLET: That's correct, in terms
19 of the procedural aspects of the case, not the content
20 of his cross-examination.

21 THE CHAIRPERSON: Right.

22 MS MAILLET: Or what may come up,
23 absolutely not, but there were some allowances made,
24 just in terms of organization.

25 THE CHAIRPERSON: For the record, I

1 have seen you speaking in this hotel with counsel for
2 the Commission and Mr. Warman; right, Mr. Wilson?

3 DET/CST. WILSON: Yes, sir.

4 THE CHAIRPERSON: But are you
5 testifying -- that's a fair question, that you have not
6 spoken about the content of your case?

7 DET/CST. WILSON: Not about the
8 content, no, sir.

9 MR. ALEXAN KULBASHIAN: About
10 anything to do with the case?

11 DET/CST. WILSON: Yes, when I was
12 going home, my travel, how I was going back and forth,
13 the documents that the Tribunal wished to have for this
14 week.

15 MR. ALEXAN KULBASHIAN: Okay. So,
16 coming back to what I said yesterday, does somebody
17 have to be racist to support the Palestinians, I guess
18 Israel?

19 DET/CST. WILSON: No, sir.

20 MR. ALEXAN KULBASHIAN: Somebody who
21 would have anti-Israeli opinions, would that be a white
22 supremacist?

23 DET/CST. WILSON: No, sir.

24 THE CHAIRPERSON: We have had that
25 question.

1 MR. ALEXAN KULBASHIAN: That's
2 actually not a question I asked yesterday, it was a
3 very different question.

4 THE CHAIRPERSON: I know the answer.

5 MR. ALEXAN KULBASHIAN: Because
6 yesterday you actually answered yes, saying that

7 THE CHAIRPERSON: Bring it up to me
8 afterwards, if there's a contradiction.

9 MR. ALEXAN KULBASHIAN: Do you think
10 it's possible that I decided to remove that tattoo on
11 my arm because as I was growing up I was changing my
12 political opinions?

13 DET/CST. WILSON: Is it possible?

14 MR. ALEXAN KULBASHIAN: Yes.

15 DET/CST. WILSON: I guess in the
16 realm of possibilities, yes.

17 MR. ALEXAN KULBASHIAN: Okay. That's
18 actually yes or no.

19 Is it possible?

20 DET/CST. WILSON: Yes, it's possible.

21 MR. ALEXAN KULBASHIAN: That's good,
22 thanks.

23 Okay. Getting to just the core of my
24 questions. Actually just one more question about the
25 binder you have on me.

1 If you look in that binder, can you
2 actually open the binder.

3 THE CHAIRPERSON: Which binder is
4 this, No. 3; right?

5 MR. ALEXAN KULBASHIAN: The one with
6 my name there.

7 THE CHAIRPERSON: There's only one
8 binder that has the name of Mr. Kulbashian on it, is
9 that the case?

10 DET/CST. WILSON: Yes. The cases are
11 combined in all three binders, but I think he's
12 suggesting the one binder here.

13 MR. ALEXAN KULBASHIAN: Because
14 there's one that would be specifically for me and one
15 for James.

16 If you could just turn to the first
17 tab, and just keep turning through pages, through tabs.

18 Do you ever notice any blank tab
19 separations there?

20 DET/CST. WILSON: Yes, sir.

21 MR. ALEXAN KULBASHIAN: Would that be
22 because any documents were removed from that binder?

23 DET/CST. WILSON: No, sir.

24 MR. ALEXAN KULBASHIAN: Do you
25 normally --

1 DET/CST. WILSON: Well, I can
2 honestly say that because of the re-organization of
3 these binders during the whole process of this
4 Tribunal, stuff has been removed and placed in other
5 binders and stuff like that to facilitate you being
6 able to view these binders and to facilitate the
7 documents going to you.

8 So, the way the binders are now are
9 definitely not the way the binders were when I picked
10 them up from the London Police Service.

11 MR. ALEXAN KULBASHIAN: How many
12 blank tab separations do you see there?

13 DET/CST. WILSON: I have no idea,
14 sir. If you want to wait, I can count.

15 MR. ALEXAN KULBASHIAN: That would be
16 fine. Go ahead.

17 DET/CST. WILSON: There are seven
18 with documents on it and then there are three more with
19 no documents at the end of it, just blank folders at
20 the end of it.

21 THE CHAIRPERSON: So, the first seven
22 tabs?

23 DET/CST. WILSON: The seven are ones
24 that have documents intermittently spread.

25 THE CHAIRPERSON: And there are three

1 at the end only?

2 DET/CST. WILSON: There are four at
3 the end, I'm sorry, four at the end that are just
4 blank.

5 MR. ALEXAN KULBASHIAN: And would
6 these documents be moved to, let's say, James' folder
7 or another folder?

8 DET/CST. WILSON: They could be in
9 the front of the folder here, they could be in James'
10 folder, they could be in a third folder which we
11 re-organized so you could review again.

12 THE CHAIRPERSON: Let me put it
13 another way.

14 When you brought those binders with
15 you on the first day of your testimony was each of
16 those tab separators -- were there documents following
17 each of those tab separators including the last four
18 where they are blank now?

19 DET/CST. WILSON: Each of the tab
20 separators in the first seven would have documents in
21 it, the last three wouldn't, they would just be a
22 progression of one to 25 in case I had to put something
23 else in there at a later date.

24 THE CHAIRPERSON: Did I understand
25 your evidence just now that only the last three or four

1 are blank and that within the body, if I can say,
2 amongst the documents the tab separators there are no
3 blank ones?

4 DET/CST. WILSON: Oh no, there's
5 seven blank ones.

6 THE CHAIRPERSON: Seven blank ones?

7 DET/CST. WILSON: I'm sorry, maybe I
8 misunderstood. There's seven blank ones where the
9 documents are to be, and then there's four at the end
10 there that are just the continuation from 1 to 25.

11 THE CHAIRPERSON: Just you moment.

12 All right. So, the material that -
13 okay. So the material that was within those binders --
14 let me repeat my earlier question.

15 On the day that you came here for the
16 first day of your evidence, those seven blank ones,
17 were there documents there?

18 DET/CST. WILSON: I believe so, yes.

19 THE CHAIRPERSON: So, they have been
20 removed subsequent to the first day of your testimony?

21 DET/CST. WILSON: Yes, from the
22 September time, yes, sir.

23 THE CHAIRPERSON: That's what I am
24 referring to?

25 DET/CST. WILSON: Yes, sir.

1 THE CHAIRPERSON: August/September.

2 DET/CST. WILSON: Yes, sir.

3 Not removed, not -- they would be
4 somewhere in these three binders, again, to facilitate
5 Mr. Kulbashian flipping through them, to re-organizing
6 the third binder for this session so he could look at
7 them.

8 And again, there are four
9 confidential documents that would have been included in
10 that binder as well or in those binders as well that
11 would have been removed as well.

12 THE CHAIRPERSON: Withdrawn and shown
13 to the Tribunal--

14 DET/CST. WILSON: Right, yes, sir.

15 THE CHAIRPERSON: --for the
16 confidentiality discussion yesterday?

17 MR. ALEXAN KULBASHIAN: Were the four
18 confidential documents be in my binder, or in the
19 binder that would be, I guess, more reserved to me?

20 DET/CST. WILSON: I have to look at
21 the page of the confidential documents.

22 The search warrant would have been in
23 your binder from the U.S. search warrant. The witness
24 list would have been in yours. The confidential source
25 information would have been only Mr. Richardson's I

1 believe.

2 THE CHAIRPERSON: There was only the
3 one document that was under discussion yesterday.

4 MR. ALEXAN KULBASHIAN: That's right.

5 THE CHAIRPERSON: That did not relate
6 to you at all.

7 MR. ALEXAN KULBASHIAN: And so there
8 was seven documents removed from the centre, I guess,
9 the core, the bulk of the binder and moved to other
10 binders?

11 DET/CST. WILSON: Yes, sir.

12 MR. ALEXAN KULBASHIAN: And would any
13 of them have been left at the police station or would
14 they all be here?

15 DET/CST. WILSON: No, sir. I
16 testified that all the documents I testified in
17 September would have been included here, unfortunately
18 re-organized now.

19 THE CHAIRPERSON: I believe your
20 evidence was that there may be other material back at
21 the London Police Service.

22 DET/CST. WILSON: Yes, sir, I'm sorry
23 if I misunderstood his question.

24 THE CHAIRPERSON: Including your note
25 book; right?

1 DET/CST. WILSON: Yes, sir. But the
2 material that I retrieved in September, is the material
3 I have beside me here.

4 MR. ALEXAN KULBASHIAN: Okay. If I
5 could get you to turn to R-2, appendix I, page 11.

6 DET/CST. WILSON: Yes, sir.

7 THE CHAIRPERSON: Let me just -- this
8 is the middle of some other document.

9 Is this --

10 MR. ALEXAN KULBASHIAN: This document
11 has actually been included, I think.

12 THE CHAIRPERSON: Tab 62, right, of
13 HR-1.

14 MR. ALEXAN KULBASHIAN: Yes, it's
15 also tab 62.

16 THE CHAIRPERSON: Maybe rather refer
17 to it in this way.

18 MR. ALEXAN KULBASHIAN: Yeah, we
19 should do that way. That way we don't double include,
20 I guess.

21 THE CHAIRPERSON: You know what,
22 that's a waste of time.

23 What we'll do, is I will consider it
24 although it's doubly numbered, the same document. I
25 will just say -- let me just ask you one question, Mr.

1 Kulbashian.

2 MR. ALEXAN KULBASHIAN: Yes.

3 This is the last page of the
4 document.

5 THE CHAIRPERSON: The last page of
6 this excerpt from --

7 MR. ALEXAN KULBASHIAN: Which would
8 be the crown brief.

9 THE CHAIRPERSON: The crown brief,
10 page 11.

11 So, page 1 to 11 of appendix I of R-2
12 are photocopies of what we already have extracted.

13 MR. ALEXAN KULBASHIAN: Yeah, we
14 included them separately.

15 THE CHAIRPERSON: You put them in
16 separately.

17 MR. ALEXAN KULBASHIAN: Yes.

18 THE CHAIRPERSON: For that purpose I
19 will consider it produced and we will continue with the
20 same document, appendix I.

21 MR. ALEXAN KULBASHIAN: If it would
22 be easier for us to refer to it as HR-1.

23 THE CHAIRPERSON: No, that's fine,
24 you have separated it out.

25 MR. ALEXAN KULBASHIAN: Could you

1 read the last sentence on that page.

2 DET/CST. WILSON: It says:

3 "As a result of..."

4 THE CHAIRPERSON: Just a second.

5 MS MAILLET: I'm sorry, we don't have
6 the page.

7 MR. ALEXAN KULBASHIAN: It would be
8 page 11.

9 THE CHAIRPERSON: Page 11, yes.

10 MR. ALEXAN KULBASHIAN: We're talking
11 about R-2.

12 MS MAILLET: Yes. We went to tab 62.

13 THE CHAIRPERSON: Right, but I would
14 rather just work with R-2 right now instead of
15 searching and searching for the location.

16 MR. ALEXAN KULBASHIAN: The last
17 page.

18 MS MAILLET: Last page. Appendix I,
19 page 11, last page of the crown brief.

20 DET/CST. WILSON: It's actually tab
21 60 in HR-1.

22 MS MAILLET: Oh, tab 60.

23 THE CHAIRPERSON: So now, is that
24 exactly the same document?

25 MR. ALEXAN KULBASHIAN: It should be

1 exactly the same document, we just --

2 THE CHAIRPERSON: Oh, I see. You
3 have all sorts of things. I went straight to the very
4 front and saw the May 10th. Oh, there are several
5 things here.

6 MR. ALEXAN KULBASHIAN: These are the
7 ones.

8 THE CHAIRPERSON: I see. All right.
9 Well, look, I mean just to keep things--

10 MR. ALEXAN KULBASHIAN: Simple.

11 THE CHAIRPERSON: --simple let's look
12 at -- what did I just say?

13 MR. ALEXAN KULBASHIAN: HR-1.

14 THE CHAIRPERSON: We'll look at HR-1,
15 tab 60.

16 MR. ALEXAN KULBASHIAN: That's what
17 we'll call it.

18 So, are you on HR-1 tab 60?

19 DET/CST. WILSON: Yes, sir.

20 MR. ALEXAN KULBASHIAN: Okay. So,
21 did you testify yesterday that you had consulted the
22 Crown Law Office in Toronto?

23 DET/CST. WILSON: Yes, sir.

24 MR. ALEXAN KULBASHIAN: Okay. Can
25 you read the last sentence?

1 DET/CST. WILSON: It says:
2 "As a result of this information
3 an application to the Attorney
4 General for a CC...",
5 which stands for Criminal Code,
6 "...319 (willful promotion of
7 hatred charge) was applied for."
8 MR. ALEXAN KULBASHIAN: Would that be
9 different than consultation?
10 DET/CST. WILSON: No, sir, it
11 wouldn't.
12 MR. ALEXAN KULBASHIAN: What is the
13 difference between consultation and applying for
14 something?
15 DET/CST. WILSON: As I said yesterday
16 in my testimony, I created a package, presented it to
17 the Crown Law Office and therefore making an
18 application for a Criminal Code 319 charge.
19 MR. ALEXAN KULBASHIAN: What's the
20 difference between consultation and application?
21 DET/CST. WILSON: In this context?
22 MR. ALEXAN KULBASHIAN: In any
23 context.
24 DET/CST. WILSON: Consultation means
25 you would consult with somebody, you would talk to

1 them, which I did; an application means you would put a
2 formal proposal in front of them so they could review,
3 which I did.

4 MR. ALEXAN KULBASHIAN: Well, what is
5 another fundamental difference between consultation and
6 application?

7 DET/CST. WILSON: I don't know, sir.

8 MR. ALEXAN KULBASHIAN: As far as
9 outcome of either of those actions?

10 DET/CST. WILSON: Well, if I
11 consulted to them about a 319 charge and they refused it
12 and I made an application to them and they refused it,
13 the outcome would be the same, they refused it.

14 MR. ALEXAN KULBASHIAN: Would a
15 consultation -- if I put it to you this way, like, that
16 a consultation would -- the results of a consultation
17 would be extracting more information or getting
18 information about, you know, an item or something in
19 general and an application could be either approved or
20 denied; is that true?

21 DET/CST. WILSON: If you're to me
22 about the semantics I used yesterday, looking back
23 maybe I should have used application.

24 MR. ALEXAN KULBASHIAN: Okay.

25 DET/CST. WILSON: But it appears that

1 consultation is correct too because the Crown Law
2 Office consulted with me and I produced a package for a
3 319 wilful promotion of hatred charge against you.

4 MR. ALEXAN KULBASHIAN: Okay, thank
5 you.

6 If you could turn to appendix I, 15,
7 page 15. It's R-1, appendix I and page 15. The
8 document is --

9 THE CHAIRPERSON: R-2. R-2, right?

10 MR. ALEXAN KULBASHIAN: R-2, appendix
11 I, 14 and 15, those page.

12 THE CHAIRPERSON: Let me find it
13 first. This is not something we have seen before.

14 MR. ALEXAN KULBASHIAN: Okay.

15 THE CHAIRPERSON: So this is document
16 that has not been produced.

17 MR. ALEXAN KULBASHIAN: Wasn't
18 produced.

19 DET/CST. WILSON: I have seen this
20 document before. It was a document that was produced
21 at Mr. Kulbashian's bail review as a result of the
22 assault charge in Toronto, by Mr. David Gomes who's an
23 associate of Mr. Lindsay.

24 It's an affidavit put forward by Mr.
25 Gomes.

1 THE CHAIRPERSON: Okay.

2 MR. ALEXAN KULBASHIAN: Could you
3 turn to the second page and could you read section
4 3(c).

5 DET/CST. WILSON: I'm sorry, section?

6 MR. ALEXAN KULBASHIAN: 3(c).

7 DET/CST. WILSON: 3(c):

8 "During that statement there is
9 no statement by Mr. Kulbashian
10 of any involvement in
11 contributing to or controlling
12 the content of the Tri-City
13 Skins website. Moreover, Mr.
14 Kulbashian was never asked
15 during the statement and never
16 said anything about whether he
17 had any power to shut down that
18 website."

19 MR. ALEXAN KULBASHIAN: Thank you.
20 Would you consider that to be true?

21 DET/CST. WILSON: That you didn't
22 have any power to shut down?

23 MR. ALEXAN KULBASHIAN: No, do you
24 consider that statement, that section to be true, where
25 it says during that statement.

1 Do you know what statement he's
2 referring to?

3 DET/CST. WILSON: I believe he's
4 referring to your video statement.

5 MR. ALEXAN KULBASHIAN: Okay. And
6 would you consider this block of text to be true?

7 DET/CST. WILSON: I have no reason to
8 not.

9 MR. ALEXAN KULBASHIAN: Okay, thank
10 you.

11 MS MAILLET: Mr. Chair, I'm just
12 wondering, first of all, has this document been
13 produced?

14 THE CHAIRPERSON: Well, because it
15 was identified, in that sense.

16 MS MAILLET: This is an affidavit
17 that is obviously not the affidavit of Mr. Wilson and
18 we're not able to cross-examine the author of the
19 affidavit, so I'm just having --

20 THE CHAIRPERSON: Well, you know, the
21 rules in this administrative process are broader than
22 in a court room.

23 Be mindful of the fact, as I have
24 advised all the parties from the beginning, that the
25 Tribunal is well aware of context and probative value

1 that documents such as this may have.

2 I understood it, the way it's been
3 used is not to prove this statement, the proposition
4 was put to this witness. That's what I understood the
5 question to be.

6 MS MAILLET: It appears there was an
7 exhibit attached to it. I believe that's incomplete.

8 THE CHAIRPERSON: Good point to make.
9 Again, it's an incomplete document.

10 MR. WARMAN: Sorry. And just in
11 relation to that, this is the second affidavit that's
12 been produced with parts missing.

13 THE CHAIRPERSON: That is what I just
14 said, here is another document which is incomplete.

15 MR. WARMAN: Okay.

16 THE CHAIRPERSON: Well, you have
17 already prepared your documents, Mr. Kulbashian, so I
18 suppose it may be difficult to adjust things but,
19 ordinarily when you produce a document you're supposed
20 to produce the entire document.

21 If there were annexes attached to it
22 they were supposed to be there.

23 MR. ALEXAN KULBASHIAN: This document
24 doesn't --

25 THE CHAIRPERSON: They're informing

1 me that there was an Exhibit "A", see on the first page
2 of the affidavit, Mr. Gomes' affidavit, it says,
3 Exhibit "A" and at the bottom of No. 2.

4 So when that's referred to in an
5 affidavit, the exhibit forms part of that affidavit, in
6 fact typically there's a stamp and a signature by the
7 affiant on that exhibit, so it's all one.

8 So, in effect, you have taken a piece
9 of the document and produced it.

10 MR. ALEXAN KULBASHIAN: In that
11 case --

12 THE CHAIRPERSON: I don't think
13 anything turns on that.

14 MR. ALEXAN KULBASHIAN: In that case
15 I'll ask another question.

16 If you could read the first page of
17 the affidavit, which would be page 14. Could you read
18 I guess, section 2.

19 DET/CST. WILSON:

20 "I am very familiar with the
21 workings of the world wide
22 web..."

23 Again, this is not me speaking this
24 is Mr. Gomes speaking.

25 THE CHAIRPERSON: I'm sorry, No. 2.

1 Okay.

2 DET/CST. WILSON:

3 "I am very familiar with the
4 workings of the world wide web
5 and use it and other Internet
6 services on a daily basis. On
7 May 23rd, 2002 at the request of
8 Peter Lindsay I tried to access
9 the "C.E.C.T. website on the
10 world wide web at the listed
11 address of www.wpcect.com. This
12 address was obtained by way of a
13 search conducted at
14 www.yahoo.com of "Canadian
15 Ethnic Cleansing Team".

16 I was not able to access the website
17 but was instead forwarded to a website hosting company
18 called: "Affordable - Space.com".

19 This means to me that the website
20 cannot be accessed by the public and is effectively
21 shut down. I attach the results my search as Exhibit
22 "A" to this affidavit."

23 Which is not attached to the
24 affidavit.

25 MR. ALEXAN KULBASHIAN: Do you

1 remember the Exhibit "A" on this?

2 DET/CST. WILSON: No, I don't.

3 MR. ALEXAN KULBASHIAN: Do you know
4 what it would be referring to?

5 DET/CST. WILSON: I think, as Mr.
6 Gomes, has explained here it would be referring to his
7 search.

8 MR. ALEXAN KULBASHIAN: And would you
9 have been in court that day when this was presented?

10 DET/CST. WILSON: Yes, sir, I would.

11 MR. ALEXAN KULBASHIAN: Okay. Do you
12 know this to be a fact that the site was shut down on
13 that day?

14 DET/CST. WILSON: On May 23rd, 2002?

15 MR. ALEXAN KULBASHIAN: That's right.

16 DET/CST. WILSON: Yes, sir.

17 MR. ALEXAN KULBASHIAN: Okay. If you
18 could turn to page 19, section 1, appendix I, page 19.
19 This is in R-2 again.

20 THE CHAIRPERSON: Just a moment.

21 This one we have looked at before.

22 MR. ALEXAN KULBASHIAN: That's right.

23 I'm not going to look at it again.

24 When I asked you if you agreed with
25 this document, do you remember what you answered?

1 DET/CST. WILSON: Agreed with this
2 document?

3 MR. ALEXAN KULBASHIAN: Yes, with
4 this document, with the contents of this document and
5 if this is how the conversation went about with Mr.
6 Steacy?

7 DET/CST. WILSON: Give me a second
8 then, please.

9 MS MAILLET: Mr. Chair, if I may,
10 there were a lot of discussions going on about that
11 document. If he could perhaps direct the witness to
12 what exactly it was.

13 MR. ALEXAN KULBASHIAN: There was one
14 question on this, actually two questions.

15 MS MAILLET: My objection is that
16 there were a lot -- my recollection is that there was a
17 lot of discussion going on about this document and his
18 question is very broad in terms of what do you remember
19 saying about the document.

20 If he could just narrow -- if I can
21 just finish, Mr. Kulbashian, if he could narrow his
22 question to exactly what it is he's looking for with
23 respect to his prior testimony.

24 THE CHAIRPERSON: I expected that to
25 occur. I'm just giving Mr. Wilson the opportunity to

1 read the document.

2 MS MAILLET: Yes.

3 DET/CST. WILSON: I remember this
4 document. Dean Steacy, who's an officer of the
5 Canadian Human Rights Commission.

6 MR. ALEXAN KULBASHIAN: And remember
7 when I asked you if this was an accurate portrayal of
8 the conversation, you remember what you answered?

9 DET/CST. WILSON: I believe it is.

10 MR. ALEXAN KULBASHIAN: You answered
11 absolutely. Would you agree?

12 DET/CST. WILSON: Okay, absolutely.

13 MR. ALEXAN KULBASHIAN: Okay. So no,
14 earlier on, I could read back this from the transcript.

15 THE CHAIRPERSON: Yes.

16 MR. ALEXAN KULBASHIAN: The question
17 is:

18 "MR. ALEXAN KULBASHIAN: Is this
19 an accurate portrayal of the
20 conversation?

21 DET/CST. WILSON: Absolutely,
22 sir."

23 MR. ALEXAN KULBASHIAN: And you
24 continued on.

25 "We never got into your computer

1 at all because of the
2 encryption...",
3 which was a continuation of the question.

4 I'll get back into that, if you want
5 me, later on in my closing statement.

6 But do you remember answering
7 absolutely?

8 DET/CST. WILSON: If that's in the
9 transcript, sir, I answered absolutely.

10 MR. ALEXAN KULBASHIAN: Also do you
11 remember what you told me absolutely meant?

12 DET/CST. WILSON: It means without
13 exception.

14 MR. ALEXAN KULBASHIAN: Okay. That's
15 good. And would you agree that the second paragraph
16 there is still true?

17 THE CHAIRPERSON: Look, he just
18 answered, he said absolutely.

19 MR. ALEXAN KULBASHIAN: Now, I'm just
20 saying, would you believe the content of the second
21 paragraph is still true?

22 DET/CST. WILSON: Absolutely.

23 THE CHAIRPERSON: He just said that.

24 MR. ALEXAN KULBASHIAN: And do you
25 remember cracking the computer.

1 DET/CST. WILSON: No, I don't.

2 MR. ALEXAN KULBASHIAN: Okay, thank
3 you.

4 So, unless we're reading different
5 documents, were you able to crack any part of the
6 computer?

7 DET/CST. WILSON: Not to my
8 knowledge, no, sir.

9 MR. ALEXAN KULBASHIAN: Thank you.
10 So, if you could turn to the next page which would be
11 appendix I, page 20 in R-2.

12 THE CHAIRPERSON: Just a minute,
13 please. Page 1 of appendix...?

14 MR. ALEXAN KULBASHIAN: Appendix I.
15 Page 20 of appendix I, sorry, it's
16 the next page over.

17 THE CHAIRPERSON: This is something
18 according to my notes has not been produced yet; right?

19 MR. ALEXAN KULBASHIAN: This one
20 hasn't been produced.

21 Might have to ask the witness.

22 THE CHAIRPERSON: Yes.

23 MR. ALEXAN KULBASHIAN: Do you know
24 what this document is?

25 DET/CST. WILSON: It looks like it

1 it's an electronic copy of a London Free Press news
2 article written by Kelly Pedro.

3 MR. ALEXAN KULBASHIAN: Have you read
4 this article before?

5 DET/CST. WILSON: Yes, I believe I
6 have.

7 MR. ALEXAN KULBASHIAN: Was this an
8 article that was published upon my return to Canada
9 after the U.S.

10 DET/CST. WILSON: I can tell you that
11 it appears to be published Wednesday, February 5th,
12 2003.

13 MR. ALEXAN KULBASHIAN: Okay. If you
14 could read --

15 THE CHAIRPERSON: Any objection to
16 this being produced?

17 MS MAILLET: No.

18 THE CHAIRPERSON: It's produced.

19 EXHIBIT NO. R-2 (Appendix I, Pg.
20 20): Two-page article from
21 London Free Press written by
22 Kelly Pedro dated February 5,
23 2003.

24 MR. ALEXAN KULBASHIAN: If you could
25 read the third paragraph down.

1 DET/CST. WILSON:

2 "Kulbashian was investigated by
3 the FBI's anti-terrorist unit
4 after a threat was posted on a
5 Web site, said Sgt. Don
6 McKinnon, head of the London
7 police hate crime unit."

8 MR. ALEXAN KULBASHIAN: Keep going.

9 DET/CST. WILSON:

10 "`He was arrested December 14 by
11 the FBI and INS in a joint
12 operation,' McKinnon said."

13 They were investigating an Internet
14 site with a threat on it. Their investigation led to
15 the name Alex Kulbashian.

16 The threat outlined a bombing
17 involving a large number of people that was supposed to
18 take place in California, McKinnon said.

19 It was big enough that the FBI across
20 the country were scrambling.

21 McKinnon declined to release the name
22 of the institution against which the threat was
23 directed, but he said it is used by more than 600
24 people in California. The institution, he said, is in
25 "a big city on the coast.

1 And official of the FBI headquarters
2 in Washington declined to comment, saying officers
3 don't talk about investigation in which no charges have
4 been laid."

5 MR. ALEXAN KULBASHIAN: Thank you.

6 Okay. All right. First of all, do
7 you know why Det. McKinnon would say anything like this
8 to the media?

9 DET/CST. WILSON: You have to ask
10 Det. McKinnon.

11 MR. ALEXAN KULBASHIAN: Okay. Do you
12 consider this to be the truth.

13 DET/CST. WILSON: Yes, sir, I do.

14 MR. ALEXAN KULBASHIAN: Do you - give
15 me one second, okay.

16 All right. We'll move on from this,
17 and if we could turn to appendix II, page 2. I think
18 it's 2.

19 THE CHAIRPERSON: Yes, the affidavit
20 of Mr. Don McKinnon, is that it?

21 MR. ALEXAN KULBASHIAN: Yeah, that's
22 page 2, the affidavit of Mr. Don McKinnon.

23 Do you recognize think the document?

24 DET/CST. WILSON: It's the affidavit
25 of my sergeant at the time, Don McKinnon.

1 MR. ALEXAN KULBASHIAN: Should we
2 produce it?

3 THE CHAIRPERSON: It has already been
4 produced.

5 MR. ALEXAN KULBASHIAN: It has been
6 produced.

7 THE CHAIRPERSON: Yes.

8 MR. ALEXAN KULBASHIAN: Okay. If you
9 could turn to -- and do you recognize it?

10 DET/CST. WILSON: Yes, sir.

11 MR. ALEXAN KULBASHIAN: Do you
12 remember testifying yesterday that you haven't seen
13 this document?

14 DET/CST. WILSON: That I haven't seen
15 this document?

16 MR. ALEXAN KULBASHIAN: Yes, that you
17 haven't read this document.

18 DET/CST. WILSON: It was produced
19 yesterday.

20 MR. ALEXAN KULBASHIAN: But do you
21 recognize the document, like from seeing it before this
22 court appearance?

23 DET/CST. WILSON: No, I didn't write
24 this document, Det. McKinnon wrote this document in his
25 affidavit.

1 MR. ALEXAN KULBASHIAN: And you never
2 read the document?

3 DET/CST. WILSON: No, it was
4 produced - I have to look at the date it was produced.

5 MR. ALEXAN KULBASHIAN: Either way.

6 DET/CST. WILSON: It was sworn the
7 24th day of March, 2003 I believe.

8 MR. ALEXAN KULBASHIAN: That's right.

9 DET/CST. WILSON: Yes, I would have
10 been on my way to British Columbia when this was sworn
11 to.

12 MR. ALEXAN KULBASHIAN: If you could
13 look at section 2.

14 DET/CST. WILSON: Yes, sir.

15 MR. ALEXAN KULBASHIAN: And if you
16 could hang on a second, read section 3.

17 DET/CST. WILSON:

18 "The websites for C.E.C.T. and
19 Vinland Voice were signed off by
20 Totenkopf and the image of a
21 skull with two fists on each
22 side of it. In an e-mail
23 correspondence to the Metro
24 Toronto Police Service sent on
25 December 14th, 2001, Mr.

1 Kulbashian admitted to being
2 "Alex Kraus" and to being the
3 administrator for the C.E.C.T.
4 In a subsequent statement
5 referred to in paragraph 5 of
6 this Affidavit, Mr. Kulbashian
7 admitted to being Totenkopf."

8 MR. ALEXAN KULBASHIAN: Thanks.

9 That's fine.

10 DET/CST. WILSON:

11 "The image of the skull...".

12 MR. ALEXAN KULBASHIAN: If you could
13 go down to section 5.

14 DET/CST. WILSON: Yes, sir.

15 MR. ALEXAN KULBASHIAN: And read 5
16 rows down after where it says 'consultants'.

17 DET/CST. WILSON:

18 "He admitted that he identified
19 himself as Alex Kraus and
20 Totenkopf on the Internet.

21 MR. ALEXAN KULBASHIAN: Okay. So do
22 you agree with that?

23 DET/CST. WILSON: Do agree that you
24 admitted to it?

25 MR. ALEXAN KULBASHIAN: Yes.

1 DET/CST. WILSON: I have no reason to
2 doubt Det. McKinnon.

3 MR. ALEXAN KULBASHIAN: Now, start
4 reading from the top of that paragraph.

5 DET/CST. WILSON:

6 "On January 30th, 2002, Alexan
7 Kulbashian provided a video
8 statement to Detective
9 Constable. Wilson of the London
10 Police Service. I monitored the
11 interview. In this statement,
12 Mr. Kulbashian indicated that he
13 is a computer software engineer.
14 He indicated that he is
15 self-taught in this field and
16 had worked fulltime for three
17 years for Weisman Consultants.
18 He admitted that he identified
19 himself as "Alex Krause" and
20 "Totenkopf" on the Internet."

21 MR. ALEXAN KULBASHIAN: Thanks. Now,
22 do you believe this to be true?

23 MR. WARMAN: Objection, Member
24 Hadjis.

25 THE CHAIRPERSON: Yes.

1 MR. WARMAN: Mr. Wilson is being
2 cross-examined on Det. McKinnon's words. He's already
3 identified that this is not his affidavit, he was not
4 involved in the drafting of it, he was on his way to B.
5 C.

6 THE CHAIRPERSON: The question that
7 just came was not about the affidavit, it was about the
8 proposition that's in the affidavit. That was the
9 question that was just put.

10 MR. WARMAN: They are not Mr.
11 Wilson's words.

12 THE CHAIRPERSON: I understand that,
13 I understand that, Mr. Warman, but the proposition is
14 being put to him.

15 Go ahead, ask your question again.

16 MR. ALEXAN KULBASHIAN: If I could
17 just clarify. So far there's a lot of, like I guess, a
18 lot of documents that are, I guess, relating to each
19 other to state that I admitted to being Totenkopf and
20 in the very end a lot of the documents end up relying
21 on something like this where somebody said during the
22 interview, for example, when I brought up Hogan's notes
23 in September.

24 THE CHAIRPERSON: You don't have to
25 go further. You were putting a proposition to this

1 witness for his knowledge.

2 So, what was your question again?

3 MR. ALEXAN KULBASHIAN: My question
4 is, did I state that I was Totenkopf during the
5 interview?

6 DET/CST. WILSON: In my recollection
7 of your video interview, no, you didn't.

8 MR. ALEXAN KULBASHIAN: Aside from a
9 lengthy phone conversation that I had with you, did I
10 state ever state I was Totenkopf?

11 DET/CST. WILSON: Did you ever state
12 you were Totenkopf?

13 MR. ALEXAN KULBASHIAN: Yes.

14 DET/CST. WILSON: I believe, as I
15 testified before, other than the telephone
16 conversation, no, I don't believe you did, sir.

17 MR. ALEXAN KULBASHIAN: And do you
18 know if you were talking to me during that phone
19 conversation?

20 DET/CST. WILSON: Yes, sir.

21 MR. ALEXAN KULBASHIAN: For sure.

22 DET/CST. WILSON: Yes, sir.

23 MR. ALEXAN KULBASHIAN: Had you ever
24 talked to me before?

25 DET/CST. WILSON: On the phone, and

1 again when we're talking on the phone, are we talking
2 the date of September 28th, 2001 when I arrested James.

3 MR. ALEXAN KULBASHIAN: Had you ever
4 talked to me on the phone before that date?

5 DET/CST. WILSON: No, sir.

6 MR. ALEXAN KULBASHIAN: Had you ever
7 seen me before that date?

8 DET/CST. WILSON: Didn't know you
9 exist.

10 MR. ALEXAN KULBASHIAN: So how would
11 you know what my voice was?

12 DET/CST. WILSON: I didn't identify
13 you through your voice, sir.

14 MR. ALEXAN KULBASHIAN: For the
15 purpose of that phone conversation where you typed up
16 your brief, do you know how you identified me?

17 DET/CST. WILSON: For the purpose of
18 that phone conversation, you identified yourself as
19 Alex Krause, and when speaking to you and later
20 subsequent investigation led me to believe that Alex
21 Krause was Alexan Kulbashian was Totenkopf.

22 MR. ALEXAN KULBASHIAN: However, you
23 had never talked to me before, that's correct?

24 DET/CST. WILSON: That's correct,
25 sir.

1 MR. ALEXAN KULBASHIAN: Okay.

2 If you could turn to page 4. If you
3 could look at section 6.

4 THE CHAIRPERSON: Yes, what part?

5 MR. ALEXAN KULBASHIAN: If you could
6 first read the second line where it says, "he made".

7 DET/CST. WILSON:

8 "He made the layout for the
9 website and designed the
10 scripts. In his statement, Mr.
11 Kulbashian indicated he is the
12 administrator and manager of
13 AffordableSpace.com."

14 MR. ALEXAN KULBASHIAN: Do you
15 consider that to be true?

16 DET/CST. WILSON: Yes, sir, I do.

17 MR. ALEXAN KULBASHIAN: Did I state
18 that I was the administrator or manager?

19 DET/CST. WILSON: I believe that's
20 the impression you gave in your video statement, the
21 way you described how you controlled
22 AffordableSpace.com, yes, sir.

23 MR. ALEXAN KULBASHIAN: That's
24 impression; right?

25 DET/CST. WILSON: Yes, sir, that's...

1 MR. ALEXAN KULBASHIAN: That's fine,
2 thank you.

3 If you could read down where it says,
4 seven lines down from there after "C.E.C.T. for free",
5 if you could read that line.

6 DET/CST. WILSON:

7 "He indicated that
8 Affordablespace.com was not
9 designed to be a racist server
10 and that it included such
11 non-racist websites such as
12 Bermudarentals.com (operated by
13 Fiona Campbell)."

14 MR. ALEXAN KULBASHIAN: Thank you.
15 If you read down where it says, "While Mr.
16 Kulbashian..."

17 DET/CST. WILSON:

18 "While Mr. Kulbashian claimed
19 that he could not control what
20 was going on on any website, he
21 also admitted that he could
22 choose not to sell space to an
23 organization he did not approve
24 of and that he could shut down a
25 website if he did not approve of

1 its content."

2 MR. ALEXAN KULBASHIAN: And, in your
3 opinion, how would you know whether I approved of the
4 site content?

5 DET/CST. WILSON: Again, in my
6 earlier testimony --

7 MR. ALEXAN KULBASHIAN: No, just a
8 question. How would you know, like?

9 DET/CST. WILSON: I think I'm going
10 to answer that.

11 THE CHAIRPERSON: You interrupted his
12 answer.

13 MR. ALEXAN KULBASHIAN: Oh, sorry.

14 DET/CST. WILSON: Again, in my
15 earlier testimony when you gave your statement to me
16 when I asked you if you would put a Jewish or
17 anti-racist site on your server you said no and that
18 you could control who would be on that server or
19 hosting company.

20 MR. ALEXAN KULBASHIAN: My question
21 was, in order for me not to approve of a site's content
22 what would that have to mean?

23 DET/CST. WILSON: You would have
24 knowledge of the contents.

25 MR. ALEXAN KULBASHIAN: So, if I

1 didn't have knowledge of content, then I would not
2 whether or not I approved?

3 DET/CST. WILSON: But I believe you
4 did have--

5 MR. ALEXAN KULBASHIAN: That's a
6 question yes or no?

7 DET/CST. WILSON: I can't answer that
8 question.

9 MR. ALEXAN KULBASHIAN: The question
10 was, if I didn't have knowledge of the content, then I
11 wouldn't necessarily know whether or not I approved of
12 the content.

13 DET/CST. WILSON: If you didn't have
14 knowledge of the content on that website I wouldn't
15 have formed reasonable --

16 MR. ALEXAN KULBASHIAN: It doesn't
17 matter, my question was --

18 THE CHAIRPERSON: Don't interrupt the
19 answers.

20 MR. ALEXAN KULBASHIAN: He's not
21 answering my question.

22 THE CHAIRPERSON: Well, let him
23 finish his answer.

24 MR. ALEXAN KULBASHIAN: I'm asking a
25 question.

1 THE CHAIRPERSON: Mr. Kulbashian,
2 don't argue with me. I want the witness to finish his
3 answer, then you ask your question, all right.

4 MR. ALEXAN KULBASHIAN: All right.

5 THE CHAIRPERSON: Finish your answer.

6 DET/CST. WILSON: Yes, if you didn't
7 have knowledge then I wouldn't have formed reasonable
8 probable grounds to believe he has committed an
9 offence.

10 So, therefore, if I didn't believe
11 you had knowledge, you wouldn't have been charged with
12 anything.

13 MR. ALEXAN KULBASHIAN: Was that my
14 question to you?

15 THE CHAIRPERSON: If you have another
16 question, just ask it, okay.

17 MR. ALEXAN KULBASHIAN: Okay. My
18 question is, if I did not know of the content on a
19 site, would I be able to know whether or not I approved
20 in order to be able to shut it down?

21 DET/CST. WILSON: No, sir.

22 MR. ALEXAN KULBASHIAN: That's good.
23 Thank you.

24 Do you believe there were some
25 non-racist on the server?

1 DET/CST. WILSON: Yes, sir, I believe
2 you told me that in the interview.

3 MR. ALEXAN KULBASHIAN: Okay, that's
4 good.

5 If you could turn to appendix II,
6 page 8 in R-2.

7 It's appendix II. One second
8 while --

9 THE CHAIRPERSON: Appendix II, what
10 page?

11 MR. ALEXAN KULBASHIAN: It's page 8
12 appendix II.

13 MS MAILLET: It's a continuation of
14 the affidavit.

15 MR. ALEXAN KULBASHIAN: It's a
16 continuation --it's in the same affidavit.

17 THE CHAIRPERSON: Oh. Which item?

18 MR. ALEXAN KULBASHIAN: Okay.
19 Actually could we turn one page back to page 7 my page
20 numbers are weird so, if you would read second 13.

21 DET/CST. WILSON:

22 "I am advised by Peter Keirluk,
23 Assistant Crown Attorney in
24 London, that Mr. Kulbashian's
25 trips to Arizona in the spring

1 and fall of 2002 were undertaken
2 without his prior knowledge or
3 consent. Mr. Keirluk advised me
4 that he learned that Mr.
5 Kulbashian was in Arizona from
6 his counsel Peter Lindsay in
7 November, 2002. At that point
8 Mr. Lindsay advised that Mr.
9 Kulbashian was visiting his
10 ailing wife and newborn child
11 and that it was his intention
12 return. Mr. Lindsay advised
13 that Mr. Kulbashian had not
14 changed his residency. On the
15 basis of the information
16 provided by Mr. Lindsay, Mr.
17 Keirluk agreed in writing that
18 Mr. Kulbashian would not be
19 charged with breaching his
20 recognizance on the basis of
21 non-compliance with his
22 residency condition. Attached
23 and marked as Exhibit "I"..."
24 which --

25 THE CHAIRPERSON: Attached and

StenoTran

1 marked.

2 DET/CST. WILSON:

3 "...and marked as Exhibit

4 "I",--"

5 which is...

6 THE CHAIRPERSON: Not included.

7 DET/CST. WILSON: Not included,

8 "...is a copy of the letter

9 provided by Mr. Keirluk to Mr.

10 Lindsay to this effect."

11 THE CHAIRPERSON: Just for the

12 record, when I say not included, it's part of the text

13 but it has not been included in the photocopies that

14 have been provided to us.

15 DET/CST. WILSON:

16 "When I made Mr. Keirluk aware

17 of the involvement of the I.N.S.

18 and the F.B.I., as well as the

19 other factors which lead me to

20 conclude that Mr. Kulbashian had

21 indeed taken up residency in the

22 United States, Mr. Keirluk took

23 the position that his earlier

24 position was based on incomplete

25 and inaccurate information and

1 that the Crown was not bound as
2 a result."

3 MR. ALEXAN KULBASHIAN: Okay, thank
4 you.

5 Now, turn back to the first page
6 where it states that in the spring and fall that the
7 trips were undertaken with no prior knowledge or
8 consent; is that true?

9 DET/CST. WILSON: No, I believe you
10 had consent for one of those trips.

11 MR. ALEXAN KULBASHIAN: Thank you.

12 Also, do you believe it to be true
13 that Mr. Keirluk changed his position based on the fact
14 that I was arrested in the U.S.

15 DET/CST. WILSON: Do I believe he
16 changed his position?

17 MR. ALEXAN KULBASHIAN: Position on
18 the warrant for the --

19 DET/CST. WILSON: It doesn't say the
20 warrant, it actually says the charge.

21 MR. ALEXAN KULBASHIAN: On the fail
22 to comply charge.

23 DET/CST. WILSON: On the charge.

24 MR. ALEXAN KULBASHIAN: Yes.

25 DET/CST. WILSON: No, he didn't

1 because your fail to comply charge was withdrawn.

2 MR. ALEXAN KULBASHIAN: Do you
3 believe at this point Mr. Keirluk knew about my arrest
4 in the U.S?

5 DET/CST. WILSON: Again, I wasn't
6 privileged to Det. McKinnon's and Mr. Keirluk's
7 conversation concerning this, and just from the facts
8 that I see, is that he didn't change his position from
9 when I talked to him, which was the fact that he wasn't
10 going to proceed with that charge.

11 MR. ALEXAN KULBASHIAN: Did you talk
12 to Mr. Keirluk at any time in December of 2002?

13 DET/CST. WILSON: Yes, sir, I did.

14 MR. ALEXAN KULBASHIAN: Do you know
15 if he was aware that I was arrested in the U.S.

16 DET/CST. WILSON: Yes, sir, he did.

17 MR. ALEXAN KULBASHIAN: All right,
18 thank you. If you could read section 14.

19 DET/CST. WILSON:

20 "In December of 2002, I was
21 advised by special agent of the
22 F.B.I. that the F.B.I. was
23 investigation a message on a
24 website called StopIslam.com
25 which threatened death and

1 violence to the Muslim student
2 population of San Francisco
3 University. The investigation
4 concluded that the message on
5 the website which was located on
6 Affordablespace.com, was posted
7 by someone other than Mr.
8 Kulbashian."

9 MR. ALEXAN KULBASHIAN: Okay, thank
10 you.

11 Yesterday basically you testified
12 that you were the one in contact with the FBI; is that
13 right?

14 DET/CST. WILSON: Yes, I did speak to
15 the FBI.

16 MR. ALEXAN KULBASHIAN: And did they
17 also speak to Det. McKinnon?

18 DET/CST. WILSON: From this affidavit
19 it does look like that.

20 MR. ALEXAN KULBASHIAN: Would you
21 have known if they had spoken to Det. McKinnon?

22 DET/CST. WILSON: We were both
23 involved in the investigation and I do believe Det.
24 McKinnon did speak to the FBI.

25 MR. ALEXAN KULBASHIAN: And do you

1 know if Det. McKinnon or yourself might have told the
2 FBI that I ran the site and the server?

3 DET/CST. WILSON: I can't answer for
4 Det. McKinnon.

5 MR. ALEXAN KULBASHIAN: Can you
6 answer for yourself?

7 DET/CST. WILSON: Yes, I will. I
8 believe that you still had control over AffordableSpace
9 at this time which was --

10 MR. ALEXAN KULBASHIAN: The question
11 is, did you tell them that I had control of
12 AffordableSpace and did you talk about the StopIslam
13 site and say that I had control over that too?

14 DET/CST. WILSON: No, I believe they
15 contacted us because they already had your name
16 concerning AffordableSpace and just wanted some
17 background information concerning that.

18 I'd like to make it clear to the
19 Tribunal, although this happened in December of '02,
20 that the FBI contacted us concerning Mr. Kulbashian, we
21 didn't contact the FBI to search for Mr. Kulbashian.

22 MR. ALEXAN KULBASHIAN: And when they
23 asked you about control of AffordableSpace, you told
24 them what you believed.

25 DET/CST. WILSON: Yes, sir.

1 MR. ALEXAN KULBASHIAN: Had there
2 been any indication of any control of AffordableSpace
3 after July 5th when there was a transfer of control
4 from -- when you got the copy of the transfer of
5 control?

6 DET/CST. WILSON: You exerted some
7 control I believe in July when you were able to
8 transfer your, I guess, ownership to Mr. Weingand.

9 MR. ALEXAN KULBASHIAN: So, is there
10 a difference between exerting some control and having
11 control.

12 DET/CST. WILSON: Not in my mind.

13 MR. ALEXAN KULBASHIAN: What is the
14 difference between does control and can control?

15 Simple question.

16 THE CHAIRPERSON: Well, I have a
17 simple answer.

18 MR. ALEXAN KULBASHIAN: Oh, sorry.

19 THE CHAIRPERSON: He's testified his
20 definition of control included your ability to shut it
21 down. The fact that, with some involvement by you in
22 July, it was shut down.

23 Is that your answer?

24 DET/CST. WILSON: Yes, sir.

25 MR. ALEXAN KULBASHIAN: Okay, that's

1 what I'm asking. What is the difference between does
2 control and can control?

3 THE CHAIRPERSON: I just -- look.

4 MR. ALEXAN KULBASHIAN: I wanted to
5 ask this question.

6 THE CHAIRPERSON: And I said no, say
7 it in a different way. It doesn't make sense.

8 MR. ALEXAN KULBASHIAN: Is it true
9 that somebody who does control something is in control
10 of that thing, and if somebody can control something,
11 could possibly be in control of that thing?

12 THE CHAIRPERSON: Forget it. That
13 question is incomprehensible. You just used control
14 four times.

15 MR. ALEXAN KULBASHIAN: That's why I
16 tried to ask him the question. I asked him straight
17 forward. That's fine, I'll move on.

18 DET/CST. WILSON: Maybe I can --

19 THE CHAIRPERSON: Something that I
20 can understand, Mr. Kulbashian.

21 MR. ALEXAN KULBASHIAN: The
22 difference between having control and being able to
23 control, the difference between those two.

24 DET/CST. WILSON: Well, maybe I can
25 make it clear with AffordableSpace.

1 THE CHAIRPERSON: Go ahead please,
2 because I don't understand the question.

3 DET/CST. WILSON: The registered
4 owner as of July was a guy named Steven Weingand who
5 ran Micetrap which is one of the world's leading
6 providers of white power material.

7 Mr. Weingand was the registered owner
8 of AffordableSpace, but I still believe and still do
9 believe to this day that in December of 2002, Mr.
10 Kulbashian still had some semblance of control over
11 AffordableSpace.

12 THE CHAIRPERSON: Why do you believe
13 that?

14 DET/CST. WILSON: The fact of the
15 influence within Mr. Weingand, the conversation.
16 Again, he's not the registered owner, but I believe
17 that AffordableSpace. Again, do I have any --

18 THE CHAIRPERSON: What is the source
19 of your opinion?

20 DET/CST. WILSON: Probably just his
21 control in July that certain websites were shut down
22 and since July to December we had no other contact with
23 Mr. Kulbashian essentially, unless his influence in the
24 United States.

25 Again, it's my believe that StopIslam

1 was again on AffordableSpace and, again, the FBI was
2 led to Mr. Kulbashian through that website.

3 So, again, those two events showed me
4 that he ha some sort of connection with AffordableSpace
5 and from his past experience, I believe he had some
6 control over it.

7 MR. ALEXAN KULBASHIAN: Okay.

8 DET/CST. WILSON: Again, we're
9 talking December, 2002.

10 THE CHAIRPERSON: In December, 2002
11 you don't have any affirmative knowledge of actual
12 control?

13 DET/CST. WILSON: No, sir.

14 MR. ALEXAN KULBASHIAN: And you
15 state --

16 THE CHAIRPERSON: Hold on, I'm asking
17 a question.

18 MR. ALEXAN KULBASHIAN: Sorry.

19 THE CHAIRPERSON: But you have no
20 reason to suspect that he ceased having control; is
21 that what you're saying?

22 You have no affirmative information--

23 DET/CST. WILSON: No, sir.

24 MR. ALEXAN KULBASHIAN:

25 THE CHAIRPERSON: --that he had

1 control from July to December of 2002?

2 DET/CST. WILSON: Yes, sir. Yes,
3 sir.

4 MR. ALEXAN KULBASHIAN: And did you
5 state to the FBI that I did have control?

6 DET/CST. WILSON: Yes, sir.

7 MR. ALEXAN KULBASHIAN: Okay. Just
8 clarification. I'm not sure if it was mix-up when you
9 were talking about transfer of control from myself, you
10 said something about June.

11 Was that -- we talking about the
12 time --

13 DET/CST. WILSON: I think it's when
14 we spoke in front of Judge Hamilton. If I got the
15 dates wrong, I apologize

16 MR. ALEXAN KULBASHIAN: No, the
17 transfer of control just states, which you had
18 testified to before, was on February 4th; am I right of
19 2002?

20 DET/CST. WILSON: Yes, sir, you were
21 able to produce documents in June or July of that year
22 to Justice Hamilton to prove that ownership had been
23 switched over as of February.

24 MR. ALEXAN KULBASHIAN: Okay, thank
25 you.

1 THE CHAIRPERSON: Sorry, when you
2 were saying July just now, that was when the evidence
3 was produced of the actual act of, but transfer of
4 ownership occurred in February?

5 DET/CST. WILSON: In February, but in
6 July Justice Hamilton also requested that certain
7 website be shut down and Mr. Kulbashian was able to
8 exert some control through that new owner to have those
9 shut down.

10 MR. ALEXAN KULBASHIAN: However, in
11 that time, aside from that specific incident, was there
12 any situation or anything that could say -- any
13 indication that I did maintain or administer or run any
14 sites on AffordableSpace.com?

15 DET/CST. WILSON: No, sir.

16 MR. ALEXAN KULBASHIAN: Okay, thank
17 you.

18 So, if you could turn to appendix II,
19 page 19.

20 I'm not sure if this was previously
21 produced, I think it was. I have a check mark here.

22 THE CHAIRPERSON: No, it wasn't.

23 MR. ALEXAN KULBASHIAN: It wasn't.

24 THE CHAIRPERSON: Is it one page or
25 two pages?

1 Is it just a cover sheet?

2 MR. ALEXAN KULBASHIAN: No, this
3 is -- it goes on from page 23 to page 29.

4 THE CHAIRPERSON: 23, I thought you
5 told me it was 19.

6 MR. ALEXAN KULBASHIAN: Sorry, about
7 that I think I skipped something. Sorry about that.

8 Here you go. Yeah, page 19. Okay,
9 just page 19.

10 THE CHAIRPERSON: That's Peter
11 Lindsay's fax cover sheet?

12 MR. ALEXAN KULBASHIAN: That's right.

13 THE CHAIRPERSON: Okay. So let's
14 see. It's addressed to Mr. Keirluk.

15 Have you seen this document, Mr.
16 Wilson?

17 DET/CST. WILSON: No, sir, I haven't.

18 THE CHAIRPERSON: All right.

19 MR. ALEXAN KULBASHIAN: I'm just
20 going to be referring to the contents of the document
21 not necessarily the document.

22 MS MAILLET: If we could maybe just
23 identify the document and then if they want to produce
24 it during their evidence, then they are free to do so.

25 MR. ALEXAN KULBASHIAN: Okay.

1 THE CHAIRPERSON: I don't have
2 consent. Let's identify it.

3 MR. ALEXAN KULBASHIAN: Okay.

4 REGISTRY OFFICER: A fax cover page
5 from Mr. Peter Lindsay to Mr. Peter Keirluk dated
6 January 20th, 2003 will be marked for identification as
7 document "C".

8 EXHIBIT NO. "C": Fax cover page
9 from Mr. Peter Lindsay to Mr.
10 Peter Keirluk dated January
11 20th, 2003.

12 MR. ALEXAN KULBASHIAN: Can you read
13 the date on that document?

14 DET/CST. WILSON: It's dated --

15 THE CHAIRPERSON: January 20th, 2003.

16 DET/CST. WILSON: January 20th, 2003
17 at 5:17 p.m.

18 MR. ALEXAN KULBASHIAN: Can you read
19 the message.

20 DET/CST. WILSON:

21 "I write to confirm that you
22 told me this afternoon that the
23 December 3rd, 2002 warrant for
24 fail to comply has been taken
25 off the police computer, and

1 accordingly, Mr. Kulbashian
2 should not be arrested on his
3 return to Canada. Further, you
4 advised me that the Crown will
5 not lay or proceed with a fail
6 to comply charge in relation to
7 the matters in the warrant which
8 pertain only to his residence.
9 Thank you for your assistance.
10 I will see you on January 30th,
11 2003."

12 MR. ALEXAN KULBASHIAN: Okay. Is it
13 possible that Mr. Keirluk had told my lawyer that the
14 warrant was removed off the computer?

15 DET/CST. WILSON: It's possible.

16 MR. ALEXAN KULBASHIAN: Was it
17 removed off the computer?

18 DET/CST. WILSON: No.

19 MR. ALEXAN KULBASHIAN: If you go to
20 page 31 of the same appendix.

21 MS MAILLET: What page?

22 MR. ALEXAN KULBASHIAN: Sorry, page 1
23 of appendix II.

24 Do you recognize this document?

25 DET/CST. WILSON: It would appear to

1 be another application, I guess, created by Mr. David
2 Gomes who I understand is Mr. Lindsay's associate.

3 MR. ALEXAN KULBASHIAN: Was Mr. Gomes
4 my lawyer at the time?

5 DET/CST. WILSON: Yes, sometimes
6 during your bail hearing he was your lawyer.

7 MR. ALEXAN KULBASHIAN: Okay.

8 THE CHAIRPERSON: This document has
9 not been produced. Is there an objection to it?

10 MS MAILLET: Yes, it's not signed, I
11 just -- maybe produce or identify the document, and I
12 don't believe Mr. Wilson's ever seen this document.
13 He's identified what it is, but..

14 MR. ALEXAN KULBASHIAN: Have you ever
15 seen this document?

16 DET/CST. WILSON: I don't believe I
17 have.

18 THE CHAIRPERSON: Well then, we'll
19 identify it.

20 MR. ALEXAN KULBASHIAN: Just a
21 question.

22 THE CHAIRPERSON: Do you want me to
23 identify it? Are you going to ask a question on it?

24 MR. ALEXAN KULBASHIAN: I'm going to
25 ask a question about it.

1 THE CHAIRPERSON: Let's identify it.

2 MR. ALEXAN KULBASHIAN: Thank you.

3 REGISTRY OFFICER: Four-page
4 document, Notice of Application from the Ontario Court
5 of Justice dated 21st day of August, 2003 will be
6 marked for identification as document "D".

7 MR. ALEXAN KULBASHIAN: Thank you.

8 EXHIBIT NO. "D": Four-page
9 document, Notice of Application
10 from the Ontario Court of
11 Justice dated 21st day of
12 August, 2003.

13 THE CHAIRPERSON: Now, ostensibly
14 it's a Notice of Application to the Ontario Court of
15 Justice.

16 MR. ALEXAN KULBASHIAN: I just have a
17 question though as to how Ms Maillet would know whether
18 or not Det. Wilson had seen this document before.

19 MS MAILLET: Because I had said that
20 I don't believe Mr. Wilson had seen the document, he's
21 asking how I will know that.

22 THE CHAIRPERSON: She said that after
23 he already said that.

24 MR. ALEXAN KULBASHIAN: He stated
25 that after she had said that.

1 MS MAILLET: That's not the case, but
2 I don't want to argue with him.

3 THE CHAIRPERSON: Mr. Kulbashian,
4 please.

5 MR. ALEXAN KULBASHIAN: No, it's an
6 issue I wanted to bring up.

7 THE CHAIRPERSON: No you know what, I
8 suspected that too, because I saw that it said 21st day
9 of August, 2003 and we have the evidence of that
10 witness who at that time was working in British
11 Columbia. It would be my suspicion too.

12 MR. ALEXAN KULBASHIAN: Can you read
13 the first paragraph.

14 DET/CST. WILSON: It says:

15 "Take notice that an application
16 will be made on Friday the 5th
17 day of December, 2003 at
18 courtroom No. 6, 80 Dundas
19 Street, London, Ontario for (1)
20 an order pursuant to section 7
21 and 24 of the Charter staying
22 these proceedings based on (a)
23 the fact that to try this charge
24 would constitute a failure to
25 honour a court undertaking not

1 prosecute..."

2 MR. ALEXAN KULBASHIAN: Crown

3 undertaking.

4 DET/CST. WILSON:

5 "...a Crown, I'm sorry, a Crown
6 undertaking not to prosecute Mr.
7 Kulbashian on this charge and
8 (b) the doctrine of abuse of
9 process, and (2), such further
10 an other relief as may seem
11 just."

12 MR. ALEXAN KULBASHIAN: Thank you.

13 Would it be possible that this
14 document would be the reason why the Crown would drop
15 the charges?

16 DET/CST. WILSON: I'm in British
17 Columbia at this time, but it's possible boss.

18 MR. ALEXAN KULBASHIAN: So, if this
19 was possible, would it also be possible that the Crown
20 did not in fact keep his promise to not prosecute on
21 the residence?

22 DET/CST. WILSON: I have no idea,
23 sir.

24 MR. WARMAN: Mr. Kulbashian is asking
25 Mr. Wilson to give an opinion as to whether Mr. Keirluk

1 breached an undertaking which I think is a little off
2 side.

3 MR. ALEXAN KULBASHIAN: My question
4 is --

5 THE CHAIRPERSON: In my mind I'm
6 trying to connect the credibility issues and I still
7 don't find it sometimes.

8 MR. ALEXAN KULBASHIAN: Det. Wilson
9 testified earlier on --

10 THE CHAIRPERSON: What I can say is
11 this, in the last document you provided in that
12 affidavit there was an answer provided through the
13 words of Mr. McKinnon repeating the words of Mr.
14 Keirluk in a document that you produced just now that
15 says that Mr. Keirluk was of the opinion that
16 misinformation had been provided to him by your lawyer
17 and that entitled him to treat the undertaking as not
18 binding.

19 I saw that just now before in a
20 document that you referred us to. So, I don't know if
21 this witness know about that, but he did say that, you
22 did produce that information to me.

23 MR. ALEXAN KULBASHIAN: Also there is
24 some inconsistencies that I pointed out in that
25 document too to this witness.

1 THE CHAIRPERSON: You just cited an
2 extract to me of an affidavit that was your exhibit
3 that said that, so...

4 MR. ALEXAN KULBASHIAN: My question
5 would be --

6 THE CHAIRPERSON: Please, I want you
7 to link everything to the issue of the credibility of
8 this witness and nothing else.

9 MR. ALEXAN KULBASHIAN: My question
10 is if testified earlier on --

11 THE CHAIRPERSON: Who is?

12 MR. ALEXAN KULBASHIAN: He's
13 testifying right now he wouldn't know one way or
14 another --

15 THE CHAIRPERSON: Mr. Wilson?

16 MR. ALEXAN KULBASHIAN: Mr. Wilson,
17 that he would not know one way or the another because
18 he was of the country --

19 THE CHAIRPERSON: Out Of the
20 province.

21 MR. ALEXAN KULBASHIAN: Oh, sorry,
22 out of the province, right, why he would testify
23 yesterday that the Crown dropped the charges because
24 there was no - what's the word for it - there was not
25 prospect of conviction.

1 THE CHAIRPERSON: So just ask the
2 question.

3 MR. ALEXAN KULBASHIAN: So how would
4 you know, how would you be able to know the Crown
5 dropped the charges, because there was no prospect of
6 conviction if you say now that you would not know one
7 way or another because of the fact that you were out of
8 the province?

9 DET/CST. WILSON: I didn't say that.
10 What I said is, as a result of this Tribunal in
11 September, I made an inquiry to the Attorney General of
12 Ontario --

13 MR. ALEXAN KULBASHIAN: I'm talking
14 about these things, the failure to --

15 THE CHAIRPERSON: You are not letting
16 him answer the question. Let him answer the question.

17 MR. ALEXAN KULBASHIAN: Okay, sure.

18 THE CHAIRPERSON: I want to hear a
19 period at the end of the answer and then you ask your
20 question.

21 DET/CST. WILSON: And as a result of
22 that inquiry by the Attorney General I received a
23 letter advising me that there was no reasonable
24 expectation of conviction and that's why they didn't
25 proceed with the substantive charges.

1 MR. ALEXAN KULBASHIAN: Okay. But if
2 you read this affidavit was for the failure to comply
3 of residence?

4 DET/CST. WILSON: And, sir, I was out
5 of the province when this document was produced to the
6 court.

7 MR. ALEXAN KULBASHIAN: However, you
8 did testify yesterday that, when I was talking about
9 failure to comply charges that they were dropped
10 because there was no prospect of conviction.

11 THE CHAIRPERSON: And he just
12 answered why.

13 MR. ALEXAN KULBASHIAN: Okay.

14 THE CHAIRPERSON: So, what's your
15 next question?

16 MR. ALEXAN KULBASHIAN: But he was
17 answering about another -- about substantive charge,
18 that's what he just said.

19 THE CHAIRPERSON: Substantive charge.

20 MR. ALEXAN KULBASHIAN: Substantive
21 charge, which would be September 14th.

22 THE CHAIRPERSON: So your question is
23 relating to...?.

24 MR. ALEXAN KULBASHIAN: The bail, the
25 breach of bail, fail to comply.

1 THE CHAIRPERSON: The breach of bail.

2 MR. ALEXAN KULBASHIAN: Which he also
3 testified that fail to comply were dropped because
4 of --

5 THE CHAIRPERSON: Why was there
6 prosecution on the breach of bail. Now, I'm trying to
7 understand a bit better.

8 Was there a prosecution on the breach
9 of bail?

10 DET/CST. WILSON: No, sir, they were
11 withdrawn. From my information they were withdrawn as
12 well, and I don't like to make assumptions, but because
13 the substantive charges there's no reasonable
14 expectation of conviction, therefore, in usual course,
15 in my experience as a police officer, breaches are also
16 withdrawn because to prove the breach you have to first
17 prove the substantive charge.

18 MR. ALEXAN KULBASHIAN: If you look
19 at the end of this document, I understand it's not
20 signed, this is the best evidence we have, like, we
21 submitted everything we could.

22 Okay. Do you see the dates?

23 DET/CST. WILSON: Yes, sir, the dates
24 of the 21st day of August, 2003.

25 MR. ALEXAN KULBASHIAN: Okay. And

1 would you agree that, as you just read that, it's
2 possible that these charges were dropped in the summer
3 as opposed to, like maybe a day or two after this as
4 opposed to later on?

5 DET/CST. WILSON: It's very possible.

6 MR. ALEXAN KULBASHIAN: Okay. So, if
7 you could turn to the next page which would be page 35
8 of appendix II, it's one document.

9 DET/CST. WILSON: Yes, sir.

10 THE CHAIRPERSON: I'm sorry, page 35.

11 DET/CST. WILSON: Again, just to
12 clarify, I would never have seen this document before.

13 MR. ALEXAN KULBASHIAN: I understand.

14 DET/CST. WILSON: It was produced
15 October the 7th, 2003.

16 THE CHAIRPERSON: Follow the same
17 process we followed until now.

18 REGISTRY OFFICER: The letter of
19 Peter Lindsay to Mr. Peter Keirluk dated October 7,
20 2003 will be marked for identification as document "E".

21 EXHIBIT NO. "E": Letter of
22 Peter Lindsay to Mr. Peter
23 Keirluk dated October 7, 2003.

24 THE CHAIRPERSON: Just a moment,
25 please.

1 MR. ALEXAN KULBASHIAN: Thank you.

2 MR. RICHARDSON: Was that "D" or "E"?

3 REGISTRY OFFICER: "E".

4 THE CHAIRPERSON: I remind you, Mr.
5 Kulbashian, unless these documents get independently
6 produced later this not included as part of the record.

7 MR. ALEXAN KULBASHIAN: Okay.

8 THE CHAIRPERSON: Yes. Go ahead,
9 please.

10 MR. ALEXAN KULBASHIAN: Okay. If you
11 could read -- first of all, can you read the date on
12 the document.

13 DET/CST. WILSON: October 7th, 2003.

14 MR. ALEXAN KULBASHIAN: Can you read
15 the top of that document, the very top.

16 DET/CST. WILSON: It says, it's going
17 where it says, London Crown Office, October 8th, 2003,
18 3:33 p.m. from the London Crown Office.

19 MR. ALEXAN KULBASHIAN: That's right.
20 Would you agree that this would be a fax from the
21 London Crown Office?

22 DET/CST. WILSON: Looks like it to
23 me.

24 MR. ALEXAN KULBASHIAN: Okay. If you
25 just glance at the letter, would do you see this to be

1 like one conversation or two conversations?

2 DET/CST. WILSON: Appears to be a fax
3 from Mr. Lindsay that was written on the bottom I
4 believe that's Mr. Keirluk's signature on the bottom
5 faxed back to Mr. Lindsay.

6 MR. ALEXAN KULBASHIAN: Okay. So if
7 you could read the -- you read the date as October 7th,
8 am I right?

9 DET/CST. WILSON: Yes, sir.

10 MR. ALEXAN KULBASHIAN: If you could
11 read the content of the message.

12 DET/CST. WILSON:

13 "I confirm that you have advised
14 me as follows during our
15 telephone conversation this
16 afternoon.

17 1) The Crown will withdraw
18 all the above charges against
19 Mr. Kulbashian on October 10,
20 2003.

21 2) The crown undertakes not
22 to rely on any of those charges.

23 3) The Crown agrees to Mr.
24 Kulbashian appearing by counsel
25 on October the 10th, 2003.

1 Thank you for your
2 assistance. Yours truly."

3 The signature of Peter Lindsay.

4 THE CHAIRPERSON: And the charges
5 referred to --

6 MR. ALEXAN KULBASHIAN: These are the
7 substantive, the September 14th charges.

8 THE CHAIRPERSON: May I ask the
9 witness, please.

10 MR. ALEXAN KULBASHIAN: Oh, sorry.

11 THE CHAIRPERSON: The charges
12 referred to are section 264 an 464?

13 DET/CST. WILSON: Yes.

14 THE CHAIRPERSON: Those are what?

15 DET/CST. WILSON: Threats and --
16 threats to cause death, threats to cause property
17 damage 2, it says times four because it will be threats
18 to cause property damage, threats of death against the
19 Jewish community, threats of property damage, threats
20 of death against the Muslim community, counselling
21 murder which is 464(a), it's actually counselling the
22 uncommitted indictable offence of murder, and because
23 it's times two, it's counselling the uncommitted
24 indictable offence of property damage.

25 MR. ALEXAN KULBASHIAN: So, this was

1 dated, and if you read what the Crown wrote.

2 DET/CST. WILSON: Yes, sir. I
3 believe Mr. Keirluk wrote back:

4 "Confirmed as herein set out.
5 October the 8th, 2003."

6 MR. ALEXAN KULBASHIAN: And which
7 would be the same date as the reply was faxed back?

8 DET/CST. WILSON: Yes.

9 MR. ALEXAN KULBASHIAN: So would you
10 agree that it's possible that my charges were dropped
11 on October 10th?

12 DET/CST. WILSON: It's very possible.

13 MR. ALEXAN KULBASHIAN: And would you
14 agree that there might be a difference between -- quite
15 a big difference between when my fail to comply charges
16 were dropped and these charges were dropped?

17 DET/CST. WILSON: There appears to be
18 a difference, yes, sir.

19 MR. ALEXAN KULBASHIAN: Do you
20 believe that if the Crown had made a decision that
21 there was no prospect of conviction he would have
22 waited maybe three months before he dropped the
23 charges?

24 DET/CST. WILSON: I can't answer for
25 the Crown.

1 MR. ALEXAN KULBASHIAN: Okay. So, is
2 it possible that before there was a decision made that
3 there was no prospect of conviction, my fail to comply
4 charges were dropped?

5 DET/CST. WILSON: It's possible.

6 MR. ALEXAN KULBASHIAN: Okay. Thank
7 you.

8 And would you happen to know what
9 October 10th was scheduled to be?

10 DET/CST. WILSON: I have no idea.
11 Just appears to be a court appearance by you. I don't
12 know what it was scheduled as.

13 MR. ALEXAN KULBASHIAN: Were you
14 scheduled to come to London October 10th?

15 DET/CST. WILSON: No, sir.

16 MR. ALEXAN KULBASHIAN: Would they
17 have called you if there was a prelim on October 10th?

18 DET/CST. WILSON: I would think so.

19 MR. ALEXAN KULBASHIAN: Do you know
20 why you weren't called?

21 DET/CST. WILSON: I have no idea.

22 MR. ALEXAN KULBASHIAN: Okay, thank
23 you.

24 So, coming down to, just put this
25 document here so I'm more organized. Okay.

1 I asked this question yesterday but I
2 was actually interrupted so I'm not sure if I can ask
3 it again, I'll try. I'm not sure like if it was an
4 objection or...

5 You testified yesterday that Det.
6 Stumpf -- is he a detective or...

7 DET/CST. WILSON: Yes, sir.

8 MR. ALEXAN KULBASHIAN: Okay. Det.
9 Stumpf is trained and certified to extract information,
10 mirror information from a computer?

11 DET/CST. WILSON: Yes, sir.

12 MR. ALEXAN KULBASHIAN: Okay. You
13 also testified that that's what he did with James'
14 computer?

15 DET/CST. WILSON: Yes, sir.

16 MR. ALEXAN KULBASHIAN: And you also
17 testified that there is quite a bit missing on James'
18 computer from -- on the CD from James' computer?

19 DET/CST. WILSON: It appears there is
20 no, like, application processes on the list we have in
21 front of us, yes.

22 MR. ALEXAN KULBASHIAN: Okay. First
23 of all, how did you find the CD?

24 I think you defined it as anything
25 modified on the computer; am I right.

1 DET/CST. WILSON: No, I believe what
2 is on the CD is the created documents.

3 MR. ALEXAN KULBASHIAN: Okay.

4 DET/CST. WILSON: In the storage
5 space of the computer.

6 MR. ALEXAN KULBASHIAN: Okay.

7 DET/CST. WILSON: Again, I m no
8 computer expert so I apologize if it's not clear.

9 MR. ALEXAN KULBASHIAN: Okay. So you
10 stated that they were the created documents.

11 So, anything that would have been
12 created after the operation was installed, you'd say,
13 right, some modifications to the computer?

14 DET/CST. WILSON: That's my
15 understanding, sir.

16 MR. ALEXAN KULBASHIAN: Did they
17 explain to you what it was when you talked to Stumpf,
18 or...

19 DET/CST. WILSON: No, he would be
20 called as a witness.

21 MR. ALEXAN KULBASHIAN: Okay.

22 Would you consider any programs that
23 were installed or added to the computer to be created
24 documents?

25 DET/CST. WILSON: I don't have any

1 expertise. If you tell me that, I wouldn't have
2 anything to disagree with that.

3 MR. ALEXAN KULBASHIAN: Okay. How do
4 you define a mirror, by the way?

5 DET/CST. WILSON: What --

6 MR. ALEXAN KULBASHIAN: A mirror.

7 THE CHAIRPERSON: Mirror image of a
8 computer?

9 MR. ALEXAN KULBASHIAN: Just a
10 mirror.

11 THE CHAIRPERSON: Because a mirror
12 could be what we have in the bathroom.

13 MR. ALEXAN KULBASHIAN: A bathroom
14 mirror then.

15 THE CHAIRPERSON: Is that what you
16 want?

17 Come on, be serious, Mr. Kulbashian,
18 ask your question.

19 MR. ALEXAN KULBASHIAN: No, this is
20 serious, it is serious.

21 THE CHAIRPERSON: Please, sir.

22 MR. ALEXAN KULBASHIAN: It is
23 serious, actually. Like a mirror just in general. How
24 would you define the word mirror?

25 THE CHAIRPERSON: Don't play games.

1 MR. ALEXAN KULBASHIAN: I'm not
2 playing games.

3 MR. ALEXAN KULBASHIAN: Why would you
4 ask a question like that?

5 MR. ALEXAN KULBASHIAN: Oh, because
6 you'll will see, there is two more questions and it
7 will lead directly --

8 THE CHAIRPERSON: You should hear --
9 look, this is a serious process we're going through.

10 MR. ALEXAN KULBASHIAN: This is
11 serious.

12 THE CHAIRPERSON: You want to know
13 whether the diskette was a mirror image of the
14 computer; right?

15 MR. ALEXAN KULBASHIAN: He testified
16 that it was.

17 THE CHAIRPERSON: Right. And that
18 would mean an exact copy, an identical image; right?

19 MR. ALEXAN KULBASHIAN: Right.

20 THE CHAIRPERSON: You don't have to
21 play games, do you know what a mirror is. This is not
22 television. Come on.

23 MR. ALEXAN KULBASHIAN: I'm just
24 asking a question. I just want to maybe let him --

25 THE CHAIRPERSON: It bothers me. I

1 don't care what you may think about how the witness --

2 MR. ALEXAN KULBASHIAN: The problem
3 is I'm not a lawyer and the best chance I have for me
4 to get him to define it and then maybe retract what he
5 said.

6 So, okay.

7 THE CHAIRPERSON: Just put it to him,
8 if a mirror image implies an exact identical copy of
9 another object, then was the CD a mirror image.

10 Is that a fair question?

11 MR. ALEXAN KULBASHIAN: That's a fair
12 question.

13 DET/CST. WILSON: It's my
14 understanding, yes, sir, it was.

15 THE CHAIRPERSON: Your understanding
16 is the CD was a mirror image of the computer?

17 DET/CST. WILSON: Again, my
18 understanding is is that when I give it to Constable
19 Stumps or Det. Stumpf, for any sort of investigation
20 they do they don't do it off of the computer that we
21 seize, any examination they would do it off a mirror
22 image of that computer, therefore, not altering any of
23 the evidence inside in case we have to produce it in
24 court.

25 So they produce -- what Cst. Stumpf

1 would classify as a mirror image and do their
2 examination from that mirror image, which would mean to
3 me would be an exact copy.

4 THE CHAIRPERSON: So then to be exact
5 then, the CD that's been provided here is not itself
6 the mirror image of the computer?

7 DET/CST. WILSON: No.

8 THE CHAIRPERSON: You're saying now,
9 if I understand you correctly, a mirror image was made
10 of the hard drive and from that mirror image portions
11 were extracted and put onto that CD that has been
12 disclosed in this case?

13 DET/CST. WILSON: For disclosure
14 purposes, you're right, they don't produce -- for
15 disclosure purposes the applications of that computer.

16 MR. ALEXAN KULBASHIAN: Would the CD
17 have been made from the mirror image?

18 DET/CST. WILSON: Yes, sir, they
19 wouldn't alter the actual computer.

20 MR. ALEXAN KULBASHIAN: Is the mirror
21 image the one that the police, I guess, review, go
22 through?

23 DET/CST. WILSON: Yes, sir.

24 MR. ALEXAN KULBASHIAN: Is it
25 possible that the mirror image was modified before the

1 CD was written?

2 DET/CST. WILSON: Yes, for -- again,
3 the mirror image is something that Constable Stumpf
4 would examine. It's a mirrored hard drive, they mirror
5 their hard drive onto another hard drive they examine
6 that mirror image, therefore, again not altering the
7 original again.

8 And so, therefore, he would do his
9 examination, what he would find on that examination, he
10 would place on a CD that we would make as a disclosure.

11 MR. ALEXAN KULBASHIAN: Okay. And
12 you said that they don't interact with the original so
13 they don't modify anything on the original?

14 DET/CST. WILSON: Yeah, from my
15 understanding that's the reason the process is done
16 that way.

17 MR. ALEXAN KULBASHIAN: Okay. And so
18 the mirror image where the CD is written from is where
19 things do get modified?

20 DET/CST. WILSON: Yes, sir, that is
21 where Cst. Stumpf would look at them.

22 MR. ALEXAN KULBASHIAN: If things do
23 get modified and the copy of the CD is from the
24 mirrored image where things have been modified, is it
25 possible that the content was modified before being

1 written to the CD?

2 DET/CST. WILSON: No, sir.

3 MR. ALEXAN KULBASHIAN: But you
4 testified that things do get modified in the mirror
5 image?

6 DET/CST. WILSON: They get modified
7 in the fact that as soon as you look at a document it
8 becomes modified.

9 Again, I'm starting to feel myself
10 testify outside my realm. I'm nowhere near a computer
11 expert, but that's the information I received from Cst.
12 Stumpf.

13 MR. ALEXAN KULBASHIAN: I understand
14 that but this is evidence that was brought by you or
15 supplied by you to the Commission; am I right.

16 THE CHAIRPERSON: Let me ask the
17 question, so I understand better.

18 DET/CST. WILSON: Yes, sir.

19 THE CHAIRPERSON: When you have -- a
20 mirror image is made.

21 DET/CST. WILSON: Yes, sir.

22 THE CHAIRPERSON: It is an immediate
23 process to immediately copy in an identical fashion
24 what is on the hard drive?

25 DET/CST. WILSON: Yes, sir.

1 THE CHAIRPERSON: But it is your
2 understanding, if I heard your testimony correct,
3 please confirm to me, that then once working within the
4 mirror image inevitably computers change things and
5 that is why it's modified or...

6 DET/CST. WILSON: No, they don't
7 change anything. What happens is Cst. Stumpf works
8 from that mirror image, locates information pertinent
9 to the investigation and discloses that.

10 If at any time during the trial there
11 would be an issue of any modifications or stuff like
12 that, we were able to produce the original computer as
13 part of the criminal trial and Cst. Stumpf would show
14 the process he would do.

15 THE CHAIRPERSON: In the context of
16 this case--

17 DET/CST. WILSON: Yes, sir.

18 THE CHAIRPERSON: --where we're
19 dealing with that CD?

20 DET/CST. WILSON: Yes, sir.

21 THE CHAIRPERSON: As indicated in our
22 evidence here, there is a mirror image somewhere from
23 that -- that mirror image was recorded onto a CD or
24 another hard drive?

25 DET/CST. WILSON: My understanding

1 would be on to a hard drive so it would have enough
2 space to overtake it.

3 THE CHAIRPERSON: And then Mr. Stumpf
4 then may extract parts of that mirror image on a hard
5 drive and place them on a CD?

6 DET/CST. WILSON: Yes, sir.

7 THE CHAIRPERSON: All right. Where
8 can modifications occur? You indicated modifications
9 occur --

10 DET/CST. WILSON: It's my
11 understanding from Cst. Stumpf the reason they don't do
12 it from the original because any time you would open a
13 program or something like that a modification is
14 potential within that program, just by clicking it
15 open, right, changes the dates of when it's modified.

16 THE CHAIRPERSON: Right. So question
17 mark.

18 DET/CST. WILSON: That's the modified
19 is, but the content within those documents is not
20 changed.

21 THE CHAIRPERSON: But the question
22 mark is, if you click open that same program while it's
23 in the mirror image in Mr. Stumpf's computer will it
24 also make those same types of changes like date, for
25 instance?

1 DET/CST. WILSON: No, not on the
2 original.

3 THE CHAIRPERSON: Not on the
4 original.

5 DET/CST. WILSON: On that one?

6 THE CHAIRPERSON: On Mr. Stumpf's
7 computer.

8 DET/CST. WILSON: Again, I think I'm
9 sort of outside my realm to say yes or no.

10 It would be my belief because it's a
11 hard drive, yes, it would change those specific stuff.

12 Again, Cst. Stumpf would be recording
13 dates and times of what he did to that computer so he
14 could testify to it as well.

15 MR. ALEXAN KULBASHIAN: Is Mr. Stumpf
16 here today?

17 DET/CST. WILSON: No, he's not.

18 MR. ALEXAN KULBASHIAN: Okay. Now,
19 my other question is, let's say, you know what
20 compressed files are; right?

21 DET/CST. WILSON: From my
22 understanding they're like zip files.

23 MR. ALEXAN KULBASHIAN: That's true.
24 I'm not sure if I have to clarify this, or...

25 THE CHAIRPERSON: I have some

1 understanding.

2 MR. ALEXAN KULBASHIAN: Okay. So,
3 let's say there was documents stored in a zip file and
4 if you want to extract those documents, would they be
5 extracted into the mirror image when the mirror image
6 was made?

7 DET/CST. WILSON: I have no idea.

8 MR. ALEXAN KULBASHIAN: Would there
9 be anywhere else to extract it?

10 DET/CST. WILSON: I have no idea.

11 MR. ALEXAN KULBASHIAN: Okay. Is it
12 possible that when files are extracted on the mirror
13 image they are extracted straight to the mirror image?

14 DET/CST. WILSON: Unfortunately, it's
15 outside my realm. I can't say what is possible and
16 what is not possible. Well,

17 MR. ALEXAN KULBASHIAN: Okay. And,
18 well, the question is pretty simple.

19 Have you ever extracted files from a
20 computer?

21 THE CHAIRPERSON: Extracted from --

22 MR. ALEXAN KULBASHIAN: Extracted
23 files from a zip file on your computer?

24 DET/CST. WILSON: I have opened them.
25 If that's extracting them I have opened zip files.

1 MR. ALEXAN KULBASHIAN: Have you
2 extracted the content so they are no longer a zip file.

3 DET/CST. WILSON: I've opened them up
4 and stored them, I think that's sort of my --

5 MR. ALEXAN KULBASHIAN: You have
6 stored them. Okay, that's fine.

7 DET/CST. WILSON: Yes, sir.

8 MR. ALEXAN KULBASHIAN: And you
9 extracted them to your computer; am I right?

10 DET/CST. WILSON: Yes, sir.

11 MR. ALEXAN KULBASHIAN: SO, that
12 means that modified the data on the computer; is that
13 right?

14 DET/CST. WILSON: That's my
15 understanding.

16 THE CHAIRPERSON: I want to be clear,
17 that question and the answer.

18 So, if you take a mirror image click
19 on a zip file and the files that are stored inside with
20 algorithms and I don't know what and they become
21 extracted into mini-files, you have essentially
22 modified the original hard drive's image; is that your
23 question?

24 MR. ALEXAN KULBASHIAN: That's right.

25 DET/CST. WILSON: It's my

1 understanding you would modify the date, the last time
2 somebody opened it, I guess, would be the date, but the
3 contents wouldn't be modified.

4 THE CHAIRPERSON: It would no longer
5 be a mirror image, though; correct?

6 DET/CST. WILSON: I apologize, yes,
7 sir.

8 THE CHAIRPERSON: The desk top on the
9 computer may have shown zip file "x", by clicking and
10 extracting now what you have is 10 files instead of
11 only one zip file?

12 DET/CST. WILSON: Yes, sir

13 THE CHAIRPERSON: Ten icons, let's
14 say on the desk top?

15 DET/CST. WILSON: Yes, sir.

16 THE CHAIRPERSON: Instead of one.

17 MR. ALEXAN KULBASHIAN: Yes, sir.

18 MR. ALEXAN KULBASHIAN: Okay. Now,
19 do the police use in case?

20 DET/CST. WILSON: I have no idea,
21 sir.

22 MR. ALEXAN KULBASHIAN: Do you know
23 what in case is?

24 DET/CST. WILSON: No, I don't.

25 MR. ALEXAN KULBASHIAN: Okay. I

1 guess there's no point of asking that question.

2 So, now stating that, when you
3 extract a zip file, for example, things would obviously
4 be extracted and modify the image, not necessarily just
5 the dates of files, also the fact that there would be
6 extra files in existence.

7 Do you personally or do any of the
8 detectives on the case go through the documents to
9 review them to build a case, or does Det. Stumpf do
10 that?

11 DET/CST. WILSON: Det. Stumpf would
12 analyze the computer, extract the information that he
13 deems to be significant in the investigation, place
14 that on a CD and if I wanted to look at it, then I
15 could look at it on the CD.

16 But at no time would I ever go near
17 the computer. They scare me.

18 MR. ALEXAN KULBASHIAN: Is it
19 possible that

20 MR. RICHARDSON: Sorry, Mr. Chair.

21 MR. ALEXAN KULBASHIAN: Okay. So,
22 you just testified that computers scare you?

23 DET/CST. WILSON: Yes, sir.

24 MR. ALEXAN KULBASHIAN: Did you spend
25 four months before the investigation talking to James

1 on the computer?

2 DET/CST. WILSON: Yes, sir, I did.

3 MR. ALEXAN KULBASHIAN: Did you do
4 anything else on that computer aside from talk to
5 James?

6 DET/CST. WILSON: I don't understand
7 the question.

8 MR. ALEXAN KULBASHIAN: Did you use
9 that computer to purely talk to James?

10 DET/CST. WILSON: That is an
11 investigative technique.

12 MR. ALEXAN KULBASHIAN: Oh. Was it a
13 home computer?

14 DET/CST. WILSON: That's an
15 investigate technique.

16 THE CHAIRPERSON: Sorry, I don't
17 understand.

18 DET/CST. WILSON: I don't wish to
19 give up where I would make correspondence to offenders.

20 THE CHAIRPERSON: So, you were using
21 the computer for the purposes of your investigation; is
22 what you're saying.

23 DET/CST. WILSON: Yes, sir.

24 MR. ALEXAN KULBASHIAN: Okay. Does
25 anything else ever get done on the computer, I'm not

1 going to ask you what specifically, but does anything
2 else other than talking to James get done on that
3 computer?

4 THE CHAIRPERSON: Before you object,
5 you mean the question like, do you use it for word
6 processing?

7 MR. ALEXAN KULBASHIAN: I'm not going
8 to ask him specifics.

9 THE CHAIRPERSON: Does he use it for
10 word processing.

11 MR. ALEXAN KULBASHIAN: Do you use
12 that computer for word processing?

13 DET/CST. WILSON: Yes.

14 MR. ALEXAN KULBASHIAN: So, you'd say
15 that you do put quite a bit of time into computer?

16 DET/CST. WILSON: Yeah, unfortunately
17 policing nowadays you have to spend a lot of time in
18 front of a computer.

19 MR. ALEXAN KULBASHIAN: Do they still
20 scare you?

21 DET/CST. WILSON: Yes, sir, they do.

22 MR. ALEXAN KULBASHIAN: Okay.

23 THE CHAIRPERSON: Is this line of
24 questioning around the usage of the word scare, is that
25 why?

1 MR. ALEXAN KULBASHIAN: Oh no.

2 DET/CST. WILSON: I guess I'll
3 withdraw it if that's the case.

4 THE CHAIRPERSON: Many people would
5 say they are scared of computers but they have to use
6 them.

7 MR. ALEXAN KULBASHIAN: That's true.
8 It's just the idea that he wouldn't go near a computer.

9 THE CHAIRPERSON: I think we have
10 evidence that you did go near the computer for the
11 purpose of this investigation?

12 DET/CST. WILSON: For the purposes of
13 corresponding with Mr. Richardson, yes, sir, I did.

14 MR. ALEXAN KULBASHIAN: Okay. Do you
15 go to the computer for any other purpose other than
16 corresponding with Mr. James Richardson?

17 DET/CST. WILSON: For word
18 processing, sir, yes.

19 MR. ALEXAN KULBASHIAN: Or Internet.

20 DET/CST. WILSON: Yes, sir.

21 MR. ALEXAN KULBASHIAN: To view
22 sites?

23 MR. ALEXAN KULBASHIAN: So, you
24 stated that you don't go near the computer; am I right.

25 Is it possible that when Chris

1 Stumpf --

2 THE CHAIRPERSON: Sorry, what do you
3 mean by that?

4 He doesn't go near the computer.

5 MR. ALEXAN KULBASHIAN: He doesn't go
6 near the computer. I'm sorry to be specific, the mirror
7 image --

8 THE CHAIRPERSON: I didn't understand
9 the question.

10 MR. ALEXAN KULBASHIAN: He testified
11 that he doesn't go near the mirror image computer; I
12 that right?

13 DET/CST. WILSON: Yes, sir.

14 MR. ALEXAN KULBASHIAN: So does Mr.
15 Stumpf go near the mirror image computer?

16 DET/CST. WILSON: He's the analyst.

17 MR. ALEXAN KULBASHIAN: Have you ever
18 heard -- I asked you this before, I'm not sure if you
19 can try to think, have you ever heard of a forum called
20 in case?

21 DET/CST. WILSON: I have already
22 testified I don't.

23 MR. ALEXAN KULBASHIAN: Have you seen
24 Mr. Stumpf's report on what he did to James' computer
25 and what words he searched for?

1 DET/CST. WILSON: I've seen his
2 statement. I don't recall that word being used, if
3 that's the next question you're going to ask.

4 I don't recall in case being used.

5 MR. ALEXAN KULBASHIAN: Do we have
6 that statement here. I think it was included, put into
7 evidence.

8 THE CHAIRPERSON: I believe it is in
9 evidence.

10 MR. ALEXAN KULBASHIAN: That's what
11 I'm trying to find because I couldn't find it when I
12 was at hoe and it might not have been in HR so I'm not
13 sure exactly what was included.

14 THE CHAIRPERSON: Ah there it is,
15 HR-8.

16 MR. ALEXAN KULBASHIAN: HR-8.

17 THE CHAIRPERSON: Am I right?

18 It's a loose sheet, three-sheet
19 document.. MR. RICHARDSON: Mr. Chair, can we have our
20 afternoon break?

21 THE CHAIRPERSON: Morning break.

22 MR. RICHARDSON: Morning break. Yes,
23 thank you very much.

24 THE CHAIRPERSON: Yes.

25 MR. ALEXAN KULBASHIAN: Then I will

1 look for the document in the meantime.

2 REGISTRY OFFICER: All right.

3 ---Recess taken at 11:00 a.m.

4 ---On resuming at 11:30 a.m.

5 REGISTRY OFFICER: Order please. All
6 rise

7 Please be seated.

8 MR. ALEXAN KULBASHIAN: If we could
9 turn to -- sorry, should I continue?

10 THE CHAIRPERSON: Yes.

11 MR. ALEXAN KULBASHIAN: Okay. If we
12 could turn to HR-8, which was Stumpf's report.

13 DET/CST. WILSON: Yes, sir.

14 MR. ALEXAN KULBASHIAN: Is this what
15 you submitted?

16 DET/CST. WILSON: Yes, this is Det.
17 Stumpf's statement.

18 MR. ALEXAN KULBASHIAN: If you could
19 look at the very back, the page it says 5 on top.

20 DET/CST. WILSON: Yes, sir.

21 MR. ALEXAN KULBASHIAN: Okay. And if
22 you look where it says "x" 14:54 hours I performed.

23 DET/CST. WILSON: Yes, sir.

24 MR. ALEXAN KULBASHIAN: Can you read
25 it?

1 DET/CST. WILSON: It says:
2 "At 14:54 hours I performed an
3 in case tech search for the
4 following search terms:
5 C.E.C.T. (Canadian Ethnic
6 Cleansing Team) MacDonald
7 (surname of alias used by Terry
8 Wilson in contacting C.E.C.T.)
9 Conrad (given one name of alias
10 used by Terry Wilson in
11 contacting C.E.C.T.) Skins (
12 Tri-City Skins another local
13 group) Wilson (surname of
14 investigating officer) Alex
15 (given one of associate Alex
16 Krause) Krause (surname of
17 associate Alex Krause)
18 Richardson (surname of accused)
19 Dickhead (Dickhead database on
20 web was supposed to have
21 personal addresses of police
22 officers) database (Dickhead
23 database on web was supposed to
24 have personal addresses et
25 cetera of police officers)

1 I believed that these terms
2 would help narrow down my search
3 to items that were relevant to
4 the investigation. This search
5 was allowed to run overnight.

6 MR. ALEXAN KULBASHIAN: Was there a
7 report of the results of the search?

8 DET/CST. WILSON: Doesn't look like
9 it, sir.

10 MR. ALEXAN KULBASHIAN: Were you
11 given a report of the results of the search?

12 DET/CST. WILSON: No, sir.

13 MR. ALEXAN KULBASHIAN: So, do you
14 know if the search ended up, I guess, netted anything?

15 DET/CST. WILSON: I don't know, sir.

16 MR. ALEXAN KULBASHIAN: Okay.

17 So, in this portion that you read it
18 refers to something called in case?

19 DET/CST. WILSON: Yes, sir, it does.

20 MR. ALEXAN KULBASHIAN: Have you ever
21 been explained what in case is?

22 DET/CST. WILSON: No, sir, for the
23 third time.

24 MR. ALEXAN KULBASHIAN: Okay. If I
25 told you that in case was a way that police would

1 search for deleted files; what would you say?

2 DET/CST. WILSON: I would have no
3 reason to doubt you.

4 MR. ALEXAN KULBASHIAN: Okay. Now,
5 do you have any idea of how a computer deletes files?

6 DET/CST. WILSON: I have no idea.

7 MR. ALEXAN KULBASHIAN: Would you say
8 it is possible that the computer doesn't actually
9 delete the file but just the record to the file so it
10 doesn't waste time?

11 DET/CST. WILSON: I have no reason to
12 doubt you, if that's what you're telling me.

13 MR. ALEXAN KULBASHIAN: Have you ever
14 used a program called undelete for Windows to recover
15 maybe lost files?

16 DET/CST. WILSON: No, sir.

17 MR. ALEXAN KULBASHIAN: Okay. Have
18 you ever used any programs to recover lost files, let's
19 say, your computer crashed or something went wrong?

20 DET/CST. WILSON: No, I call the IT
21 guys when that happens.

22 MR. ALEXAN KULBASHIAN: Okay.

23 THE CHAIRPERSON: I'm mindful of the
24 fact that these programs exist but something is not
25 erased from the hard drive ordinarily; okay, is that

1 what you're getting at?

2 MR. ALEXAN KULBASHIAN: That's right.

3 But you have heard of deleted files
4 being recovered as part of an investigative technique
5 of police?

6 DET/CST. WILSON: Yes, sir.

7 MR. ALEXAN KULBASHIAN: Okay. And
8 noting that it's likely that the reason why files can
9 be recovered is because the actual data of the file
10 doesn't get destroyed since it might take a long time?

11 DET/CST. WILSON: I don't know how
12 they're recovered, sir.

13 THE CHAIRPERSON: As I say, I'm
14 mindful of the fact that computers in a simple way by
15 changing a character on a name treat it as deleted
16 although it may or may not still be there depending on
17 whether it's been recorded.

18 Is that correct, in your opinion,
19 sir?

20 MR. ALEXAN KULBASHIAN: That's right.
21 Thanks.

22 THE CHAIRPERSON: I'm trying to move
23 it along.

24 MR. ALEXAN KULBASHIAN: That way I
25 don't have to waste time. Thank you very much.

1 So, Mr. Wilson, you testified that a
2 mirror was made of the hard drive.

3 DET/CST. WILSON: That's my
4 understanding, sir.

5 MR. ALEXAN KULBASHIAN: And there was
6 an analysis done on that hard drive?

7 DET/CST. WILSON: Yes, sir.

8 MR. ALEXAN KULBASHIAN: And that the
9 hard drive -- that after a subsequent data analysis
10 there would be a CD written for your review?

11 DET/CST. WILSON: A CD -- and again I
12 think if you read the last line.

13 THE CHAIRPERSON: Where?

14 DET/CST. WILSON: The last line of
15 page 5, it says:

16 "I believed that these terms
17 would narrow down my search to
18 items that were relevant."

19 Those are the items that Det. Stumpf
20 would reveal, would put on a CD for me to review.

21 THE CHAIRPERSON: Yes, but you said
22 you didn't see the search results from the overnight
23 search.

24 DET/CST. WILSON: No. Again, the CD
25 is not the mirrored copy, the CD is relevant

1 information given to me for disclosure.

2 THE CHAIRPERSON: Are you saying the
3 relevant information was simply what resulted from the
4 search, or was there a selective process engaged using
5 the discretion -- Mr. Stumpf used his own discretion to
6 decide what would be relevant or not?

7 DET/CST. WILSON: Yes, sir.

8 THE CHAIRPERSON: And provided that
9 to you on the CD?

10 DET/CST. WILSON: Yes, sir, and
11 that's one of the processes he would have done to
12 select items from that.

13 THE CHAIRPERSON: To narrow it down?

14 DET/CST. WILSON: Yes, sir. Yes,
15 sir.

16 MR. ALEXAN KULBASHIAN: Okay. Now,
17 looking at, just a second, let me get the list back.

18 Looking at -- if you could turn to
19 HR-1, tab 50 which is a listing of drive D which would
20 be contents of the CD.

21 THE CHAIRPERSON: Just a moment.

22 DET/CST. WILSON: Yes, sir.

23 THE CHAIRPERSON: HR-1, tab 20.

24 Yes?

25 MR. ALEXAN KULBASHIAN: Okay. Do you

1 see there is a file or there is shortcut there
2 called --

3 THE CHAIRPERSON: Shortcut.

4 MR. ALEXAN KULBASHIAN: It says
5 shortcut, it says results 11 to 20 for sex.

6 THE CHAIRPERSON: Hold on a second.

7 DET/CST. WILSON: Is it in the third
8 column, sir?

9 MR. ALEXAN KULBASHIAN: It's in the
10 first column, it's called results.

11 THE CHAIRPERSON: Results 11 to 20
12 for sex. That's the one you want to talk about?

13 MR. ALEXAN KULBASHIAN: Yes.

14 DET/CST. WILSON: Yes, sir.

15 MR. ALEXAN KULBASHIAN: Do you think
16 that if you did a search on the shortcut there would be
17 C.E.C.T., is there C.E.C.T. in that name?

18 DET/CST. WILSON: I don't know, sir.

19 MR. ALEXAN KULBASHIAN: MacDonald in
20 that name?

21 DET/CST. WILSON: No, sir.

22 MR. ALEXAN KULBASHIAN: Conrad?

23 DET/CST. WILSON: I don't believe so.

24 MR. ALEXAN KULBASHIAN: Skins?

25 DET/CST. WILSON: No, sir.

1 MR. ALEXAN KULBASHIAN: Or any of
2 these -- just in order to make it short any of these
3 words that are --

4 DET/CST. WILSON: In that line there,
5 no, sir, there isn't.

6 MR. ALEXAN KULBASHIAN: All right.
7 Have you ever created a shortcut on your desktop?

8 DET/CST. WILSON: Yes, sir.

9 MR. ALEXAN KULBASHIAN: Do you --

10 THE CHAIRPERSON: I'm sorry?

11 MR. ALEXAN KULBASHIAN: Do you know
12 the difference between a shortcut and an actual
13 document?

14 DET/CST. WILSON: No, sir, I don't.

15 MR. ALEXAN KULBASHIAN: Would the
16 shortcut have contents of documents or would it just be
17 a link to a document?

18 DET/CST. WILSON: My understanding it
19 would just be, I click on it, it's a link to the
20 document stored somewhere in the hard drive.

21 MR. ALEXAN KULBASHIAN: Okay. Is it
22 safe to say that it wasn't only those search terms that
23 he was searching for, that maybe he just grabbed other
24 files that he might have seen of interest?

25 DET/CST. WILSON: Yes, sir. That

1 would only one of the techniques he would use.

2 Again, I don't want to speak for Cst.
3 Stumpf, but that would be, from my understanding, one
4 of the investigative techniques he would have used to
5 find information on that computer as well as other ways
6 he would have analyzed.

7 MR. ALEXAN KULBASHIAN: Okay. Is it
8 possible if an undelete program, like, you know a:
9 delete reversal program like in case, is it possible
10 that if a program -- if it finds something that it
11 recovers, it would be modifying the mirror?

12 DET/CST. WILSON: I don't know. I
13 don't know anything about in case, sir.

14 MR. ALEXAN KULBASHIAN: So, if
15 something that was deleted gets recovered would it be
16 modified in the mirror image.

17 DET/CST. WILSON: I don't know.

18 THE CHAIRPERSON: Well, I don't want
19 these questions to go on for ever. I already
20 established that the minute it would seem that the
21 mirrored hard drive is touched upon on the police
22 detective's computer there is an automatic change.
23 That was your suggestion earlier; right?

24 DET/CST. WILSON: Yes, sir.

25 THE CHAIRPERSON: So, in theory if

1 one of the changes was that a file that was present on
2 that mirrored image of the hard drive as deleted and
3 then through an undelete program resurfaced, that's a
4 change as well; correct?

5 DET/CST. WILSON: Yes, sir. Again, I
6 don't know very much about it, but that would make
7 sense to me anyway, yes, sir.

8 THE CHAIRPERSON: Okay.

9 MR. ALEXAN KULBASHIAN: Okay. So
10 would that be further modifications to the computer?

11 DET/CST. WILSON: Not to the original
12 computer, no, sir.

13 MR. ALEXAN KULBASHIAN: Would Stumpf
14 ever go through any of the files?

15 THE CHAIRPERSON: Mr. Stumpf.

16 MR. ALEXAN KULBASHIAN: I'm sorry,
17 Mr. Stumpf. Would Mr. Stump ever go through any of the
18 files?

19 DET/CST. WILSON: Go through any...?

20 MR. ALEXAN KULBASHIAN: Any files in
21 his analysis. Any files --

22 DET/CST. WILSON: Again, on the
23 mirrored hard drive?

24 MR. ALEXAN KULBASHIAN: Yes.

25 DET/CST. WILSON: Yes, sir, that's

1 how he would analyze it, he would go in each function.

2 MR. ALEXAN KULBASHIAN: Okay. But he
3 would -- so he would effectively either have a program
4 that went through files or he himself would go through
5 the files?

6 DET/CST. WILSON: Yes, sir.

7 MR. ALEXAN KULBASHIAN: Would it be
8 safe to say that files on -- that file themselves on
9 that would be modified?

10 THE CHAIRPERSON: I just said that.

11 MR. ALEXAN KULBASHIAN: Oh no,
12 specific files that actually exist would be modified on
13 the mirror image?

14 THE CHAIRPERSON: Can you be more
15 specific. You have mentioned that three times.

16 MR. ALEXAN KULBASHIAN: Well, I was
17 talking about --

18 THE CHAIRPERSON: What do you mean,
19 more specifically?

20 MR. ALEXAN KULBASHIAN: I'm not
21 talking about the image being modified, I'm talking
22 about the specific file that existed that gets modified
23 from being interacted with or viewed or reviewed or had
24 a program scanned through it?

25 THE CHAIRPERSON: So your question is

1 would a file be modified--

2 MR. ALEXAN KULBASHIAN: The file
3 itself that existed, could the contents of the file be
4 modified through interaction?

5 DET/CST. WILSON: It's outside my
6 realm, I have no idea.

7 MR. ALEXAN KULBASHIAN: Would you
8 know if Mr. Stumpf went through any of the files and
9 modified them, either directly or indirectly?

10 DET/CST. WILSON: I would say no, he
11 didn't.

12 MR. ALEXAN KULBASHIAN: Isn't that
13 outside your realm?

14 DET/CST. WILSON: Okay, I don't know
15 then, sir.

16 MR. ALEXAN KULBASHIAN: Okay.

17 So, is it possible --

18 THE CHAIRPERSON: For instance, I
19 don't want to be causing confusion here, you just told
20 me before that from your understanding the mere,
21 m-e-r-e, activity in a hard drive may change it?

22 DET/CST. WILSON: Yes, sir.

23 THE CHAIRPERSON: So, if the mirror
24 image is essentially the hard drive and he goes into it
25 to do searches or whatever, something could change?

1 DET/CST. WILSON: Yes, sir.

2 THE CHAIRPERSON: All right.

3 MR. ALEXAN KULBASHIAN: So, also so
4 it's possible that the file had been modified, and it
5 would be after his analysis that the CD would be
6 written; am I right?

7 THE CHAIRPERSON: That the CD?

8 MR. ALEXAN KULBASHIAN: CD would be
9 written.

10 DET/CST. WILSON: Yes, sir.

11 MR. ALEXAN KULBASHIAN: Okay. Did
12 Mr. Stumpf ever tell you specifically that he did not
13 modify any of the files on the computer?

14 DET/CST. WILSON: That's why it is my
15 understanding that is the reason he is the trained
16 analyst so he could testify to any modification he
17 would make on that mirrored CD and justify why that was
18 in front of the court.

19 MR. ALEXAN KULBASHIAN: Did he tell
20 you specifically or file a report on that he did not
21 modify any files on the computer?

22 DET/CST. WILSON: That he did not
23 modify any files on the computer?

24 MR. ALEXAN KULBASHIAN: Yes.

25 DET/CST. WILSON: I'd have to say no,

1 he didn't file a report telling me, no, he did not.

2 MR. ALEXAN KULBASHIAN: Did he tell
3 you verbally?

4 DET/CST. WILSON: No, sir.

5 MR. ALEXAN KULBASHIAN: Did you ask
6 him?

7 DET/CST. WILSON: No, sir.

8 MR. ALEXAN KULBASHIAN: So, is it
9 possible that he did modify and interact with either
10 log files or any other text files on the computer?

11 DET/CST. WILSON: I have no doubt
12 that him opening up files and I have no doubt that he
13 placed files on a CD, but If you're suggesting that he
14 modified the content of those, I would say, no, that's
15 not a possibility.

16 MR. ALEXAN KULBASHIAN: Did he tell
17 you that they did not modify the content?

18 DET/CST. WILSON: I trust in another
19 police officer that he wouldn't modify the content and
20 he was producing a disclosure document for me.

21 MR. ALEXAN KULBASHIAN: But was there
22 any discussion either way; there wasn't; was there?

23 DET/CST. WILSON: No, because I trust
24 in another police officer.

25 MR. ALEXAN KULBASHIAN: Because if

1 you look over here in this report, in his brief
2 report -- would this be the brief report or the full
3 report of what he did prior to scanning with in case?

4 DET/CST. WILSON: That would be the
5 document he produced to me on Mr. Richardson's
6 computer.

7 MR. ALEXAN KULBASHIAN: Is it
8 possible when a file gets undeleted or you know
9 recovered from deletion that it might overwrite parts
10 of or entirely other files that exist on the computer?

11 DET/CST. WILSON: I don't know.

12 THE CHAIRPERSON: Well, your
13 question --

14 MR. ALEXAN KULBASHIAN: He doesn't
15 know, yeah.

16 MR. ALEXAN KULBASHIAN: So, far you
17 state that all the computer stuff was handled by the
18 expert; am I right?

19 DET/CST. WILSON: By Cst. Stumpf,
20 yes, sir.

21 MR. ALEXAN KULBASHIAN: Okay. I will
22 refer to him as Constable from now on.

23 So, Cst. Stumpf would be the one who
24 would be privy to all computer-related information and
25 would be passing on information to you?

1 DET/CST. WILSON: Yes, sir.

2 MR. ALEXAN KULBASHIAN: Okay.

3 Regardless of -- so would be the one to arrange whether
4 or not my computer got cracked from other departments
5 or other labs?

6 DET/CST. WILSON: No, I think I made
7 some inquiries with other police departments on their
8 ability to do that, and -- but if there was anybody
9 trying to get into your computer, it would be somebody
10 trained in the process of retrieving evidence from a
11 computer and it wouldn't be me.

12 And essentially if I took it
13 anywhere, I would be carrying the hard drive with me,
14 that would be about it.

15 MR. ALEXAN KULBASHIAN: So, any
16 indication of whether or not the computer was cracked
17 would be supplied to you by another officer, I'm
18 guessing?

19 DET/CST. WILSON: Yes, sir.

20 MR. ALEXAN KULBASHIAN: Did any
21 officer supply you any information or any indication
22 that the computer might have been cracked?

23 DET/CST. WILSON: No, sir, they
24 didn't.

25 MR. ALEXAN KULBASHIAN: Any portion

1 of the computer?

2 DET/CST. WILSON: I believe that they
3 mentioned that they had some of it open, but it wasn't
4 the encrypted section of your computer.

5 MR. ALEXAN KULBASHIAN: Okay. Which
6 would mean that it would already be open from the
7 start?

8 DET/CST. WILSON: I don't know, sir.
9 They mentioned that they were able to read a small
10 portion of the computer but the encrypted section of
11 your computer was never opened, it's my understanding.

12 MR. ALEXAN KULBASHIAN: So they never
13 told you that a small portion of the encryption was
14 cracked either?

15 DET/CST. WILSON: No, I don't recall
16 that at all, sir.

17 MR. ALEXAN KULBASHIAN: Do you recall
18 telling Dean Steacy that a small portion of the
19 encryption was cracked?

20 DET/CST. WILSON: I believe the
21 document said that they had opened a small portion of
22 the computer. I'd have to look at the document again.
23 If you can refer me to the correct document, I will
24 have a look at it again.

25 MR. ALEXAN KULBASHIAN: Okay.

1 The document is at --

2 MR. RICHARDSON: It's appendix I.

3 MR. ALEXAN KULBASHIAN: It's R-2,
4 appendix I, page 19.

5 DET/CST. WILSON: As I read this
6 document, and I recall the document because it was sent
7 by Dean Steacy, it appears I did use the word 'crack a
8 small portion of the hard drive', but that there was a
9 much larger portion that was sort of still unencrypted
10 I believe.

11 So yeah, I told Mr. Steacy that a
12 part of your computer was cracked open I guess.

13 MR. ALEXAN KULBASHIAN: Okay. And so
14 if you turn to page 22.

15 Actually sorry, give me a sec. I'm
16 just going to locate the document. All right.

17 All right. Actually it's in the same
18 document, sorry I didn't -- I had been confused.

19 Page 19. If you continue reading
20 after the 1,000 Cds. Okay, see where it says he said?

21 DET/CST. WILSON:

22 "He said that there is
23 information on the websites."

24 THE CHAIRPERSON: From the websites.

25 DET/CST. WILSON:

1 "From the websites of the
2 Tri-City Skins, the Canadian
3 Ethnic Cleansing Team, the
4 Vinland Voice.

5 MR. ALEXAN KULBASHIAN: Okay, thank
6 you.

7 Now, if the computer wasn't cracked,
8 if the encryption wasn't cracked, was the site
9 information on the unencrypted portion?

10 DET/CST. WILSON: I was never
11 supplied any information on the unencrypted or
12 encrypted portion of your computer.

13 MR. ALEXAN KULBASHIAN: Do you think
14 you would have been supplied if it was relevant to the
15 case?

16 DET/CST. WILSON: Absolutely.

17 MR. ALEXAN KULBASHIAN: And did
18 anybody tell you that there was this kind of
19 information on the unencrypted portion?

20 DET/CST. WILSON: No, sir, I don't
21 believe they did.

22 MR. ALEXAN KULBASHIAN: Did you tell
23 the investigator --

24 MS MAILLET: Sir, I'm going to object
25 to this question.

1 Mr. Kulbashian has already gone
2 through this document with Det. Wilson and we have
3 already established that the sentence that said, I
4 asked if he had seen what was on the disks may not
5 directly relate to, he said there was information from
6 the websites. Mr. Kulbashian was interpreting it that
7 way and it was possible that it could be interpreted a
8 different way, we've gone through this before.

9 He was interpreting it to say that
10 the information from the Tri-City Skins and the
11 C.E.C.T. were information that was on Mr. Kulbashian's
12 computer and that was the suggestion that he kept
13 making to Det. Wilson last time about this document.

14 THE CHAIRPERSON: What was Det.
15 Wilson's answer?

16 MS MAILLET: He said, in his opinion,
17 he had never told -- that the information from Tri-City
18 Skins, Vinland Voice and C.E.C.T. wasn't something that
19 had been cracked from Mr. Kulbashian's CD, and that'
20 the way Dean Steacy may have worded it did not change
21 his mind about what was on Mr. Kulbashian's CD. I
22 believe we're just revisiting that.

23 MR. ALEXAN KULBASHIAN: In that case
24 was there any CD in question at this time where there
25 was information from Tri-City Skins, C.E.C.T. and

1 Vinland Voice?

2 DET/CST. WILSON: Mr. Richardson's
3 computer.

4 MR. ALEXAN KULBASHIAN: Is there any
5 information from the Tri-City site?

6 DET/CST. WILSON: I'm trying to
7 remember if there was a Tri-City's icon on the front
8 page of Mr. Richardson's computer.

9 Again, I'm sorry, I can't recall, so
10 I'd have to say no, there was no Tri-City information.

11 MR. ALEXAN KULBASHIAN: Is there any
12 information from the C.E.C.T. sites, the question is
13 information from, I don't mean just a link or to the
14 site?

15 DET/CST. WILSON: Yes, sir, it says
16 C.E.C.T. -- if you look at the logs.

17 MR. ALEXAN KULBASHIAN: Right.

18 DET/CST. WILSON: On tab 50.

19 MR. ALEXAN KULBASHIAN: Yes.

20 DET/CST. WILSON: There are two, I
21 guess, files that are entitled C.E.C.T C. CAS and
22 C.E.C.T. CBK.

23 So, it does appear on Mr.
24 Richardson's computer this that there is Canadian
25 Ethnic Cleansing Team material on his computer.

1 MR. ALEXAN KULBASHIAN: Okay. When
2 you looked at where it says C.E.C.T. CAS, did you have
3 a chance to look at those files?

4 DET/CST. WILSON: No, sir.

5 MR. ALEXAN KULBASHIAN: Do you know
6 what those files are?

7 DET/CST. WILSON: No, I don't.

8 MR. ALEXAN KULBASHIAN: The fact that
9 they are titled C.E.C.T. does that mean it would be
10 from this site or from an organization?

11 DET/CST. WILSON: I don't know, sir,
12 I never looked at them.

13 MR. ALEXAN KULBASHIAN: So did you
14 comment to the investigator without looking at them?

15 DET/CST. WILSON: Comment to what
16 investigator?

17 MR. ALEXAN KULBASHIAN: To the
18 investigator of the Commission without looking at them?

19 DET/CST. WILSON: Sir, I believe I'm
20 commenting in this file here about your computer not
21 Mr. Richardson's computer.

22 MR. ALEXAN KULBASHIAN: But you just
23 told me that the CD there was not -- where I was
24 talking about the Cds you testified that I was mistaken
25 and misinterpreting what was said over there and that

1 that CD was actually referring to James Richardson's
2 computer.

3 DET/CST. WILSON: No, sir. You asked
4 me if there was anything on the computer that had
5 Canadian Ethnic Cleansing Team, Vinland Voice or
6 Tri-City Skins.

7 I then asked you to clarify, did you
8 mean your computer or Mr. Richardson's computer and I
9 went on to say on Mr. Richardson's computer. there
10 does seem to be references to that.

11 If you're only preferring to talk
12 about your computer, again your computer was never
13 cracked so I could never figure out if there was
14 anything.

15 MR. ALEXAN KULBASHIAN: Which was --
16 Ms Maillet's objection, I'm sure if you heard entirety,
17 she was stating that in a previous discussion on this
18 topic you had noted how I was mistaken about the
19 contents of the conversation and the disks that he was
20 referring to there were in fact disks from James'
21 computer as opposed to mine.

22 DET/CST. WILSON: This is a memo
23 written by Dean Steacy an investigator with the
24 Commission to Richard Warman. It is a memo written
25 after a conversation that I had with Mr. Steacy.

1 It's not in quotations, 'my statement
2 to Mr. Steacy', it is just a memo outside of my realm
3 of writing it. It's from Mr. Steacy to Mr. Warman.

4 MR. ALEXAN KULBASHIAN: And when I
5 asked you if you agreed with this, didn't you say
6 absolutely?

7 DET/CST. WILSON: I agreed that Mr.
8 Steacy, wrote this, yes, Mr. Steacy wrote this and sent
9 it to Mr. Warman.

10 MR. ALEXAN KULBASHIAN: And when I
11 asked if you agreed with the content of the article,
12 did you say absolutely also?

13 DET/CST. WILSON: Very well could
14 have, sir.

15 MR. ALEXAN KULBASHIAN: And would you
16 have read the article before you said absolutely or
17 would you have just said absolutely based on the fact
18 that you did have a conversation with Mr. Steacy?

19 DET/CST. WILSON: I did have a
20 conversation with Mr. Steacy, I had several
21 conversations with Mr. Steacy.

22 MR. ALEXAN KULBASHIAN: And so if
23 there was something in there that didn't happen in the
24 conversation, would you still have said you absolutely
25 agree with the topic of the conversation and the

1 contents of the conversation?

2 DET/CST. WILSON: Now that you bring
3 it to light, depending on the way you interpret what he
4 puts in here, if we're only referring to your computer,
5 then obviously I couldn't say you had Tri-City Skins or
6 C.E.C.T. or Vinland Voice on your computer because it
7 wasn't cracked.

8 MR. ALEXAN KULBASHIAN: If you were
9 referring to James' computer?

10 DET/CST. WILSON: If I was referring
11 to James' computer, yes, then he does have C.E.C.T. and
12 Vinland Voice on there.

13 MR. ALEXAN KULBASHIAN: Does he have
14 Tri-City?

15 DET/CST. WILSON: From this thing, I
16 don't believe so.

17 THE CHAIRPERSON: From tab 50.

18 DET/CST. WILSON: I'm sorry, from tab
19 50, the logs of his computer, it doesn't appear that
20 there's any Tri-City Skins his computer.

21 MR. ALEXAN KULBASHIAN: So you said,
22 so basically if we're talking from the perspective of
23 my computer this would not apply.

24 So let's take this from perspective
25 of James' computer.

1 So you said there is no evidence of
2 Tri-City Skins related?

3 DET/CST. WILSON: Not from the logs I
4 have in front of me, no.

5 MR. ALEXAN KULBASHIAN: Aside from
6 the file that's called cect.something, would you say
7 that there is any information from the website of
8 C.E.C.T.

9 DET/CST. WILSON: Yes. Well, if you
10 want to say Vinland Voice 5 is a Canadian Ethnic
11 Cleansing Team document, then yes, the last one from
12 the bottom says Canadian Ethnic Cleansing Team VV5
13 which is my understanding to belong to Vinland Voice.

14 So that would be a Canadian Ethnic
15 Cleansing Team newsletter, so, yes, that would be
16 included on James' computer as well and it would be the
17 newsletter referring to the threat.

18 MR. ALEXAN KULBASHIAN: Is there a
19 difference between C.E.C.T. and Vinland Voice?

20 DET/CST. WILSON: Yes, sir, it's two
21 different websites.

22 MR. ALEXAN KULBASHIAN: So, when you
23 say information websites wouldn't you consider it
24 redundant to say C.E.C.T. and Vinland Voice?

25 DET/CST. WILSON: No, they are two

1 different websites but one is an organization and one
2 is a newsletter put out by that organization.

3 MR. ALEXAN KULBASHIAN: But in this
4 document is says that you told him - I'm not sure if
5 you did - that there was also information from the
6 websites of Tri-City, C.E.C.T. and Vinland Voice.

7 The website of C.E.C.T. is Vinland
8 Voice, the website, the C.E.C.T. website,

9 MS MAILLET: If we could have Mr.
10 Kulbashian slow down, because I know I'm having a hard
11 time following along.

12 MR. ALEXAN KULBASHIAN: Is C.E.C.T.
13 the Vinland Voice website?

14 DET/CST. WILSON: No, sir it's not,
15 it's two separate websites.

16 MR. ALEXAN KULBASHIAN: So when
17 there's a reference here that there's information from
18 the website of C.E.C.T was there information from the
19 website of C.E.C.T. on James' computer.

20 DET/CST. WILSON: It would appear --

21 THE CHAIRPERSON: We have already had
22 an answer on that.

23 MR. ALEXAN KULBASHIAN: Okay.

24 If I could just have a minute to
25 confer with my co-respondent because he's just --

1 THE CHAIRPERSON: Yes.

2 MR. ALEXAN KULBASHIAN: Sorry. So do
3 you believe that information that's pasted into an
4 e-mail is reliable?

5 DET/CST. WILSON: That's pasted into
6 an e-mail, I'm sorry.

7 MR. ALEXAN KULBASHIAN: Yes, pasted
8 and sent by e-mail; is it reliable?

9 DET/CST. WILSON: Just -- no, sir
10 there's --.

11 MR. ALEXAN KULBASHIAN: It's not
12 reliable.

13 And do you believe that it's
14 modifiable?

15 DET/CST. WILSON: Yes, sir, it's an
16 electronic document.

17 MR. ALEXAN KULBASHIAN: When you
18 paste information from something that you grab into an
19 e-mail, do you usually find that the information
20 appears differently or gets modified?

21 DET/CST. WILSON: It can, I guess,
22 depending on what program you would paste it into.

23 I don't know.

24 MR. ALEXAN KULBASHIAN: Would you say
25 if an individual received e-mails from another

1 individual in order to say build his case that that
2 information would be reliable?

3 THE CHAIRPERSON: I didn't quite
4 understand your question.

5 MR. ALEXAN KULBASHIAN: Okay. Let's
6 put it this way.

7 Mr. Warman testified that he had
8 received a lot of his content through e-mail from other
9 people that were pasted to him.

10 Is it possible - does that
11 information seem reliable to you?

12 MR. WARMAN: Objection, that's
13 mischaracterizing the evidence completely.

14 MR. ALEXAN KULBASHIAN: Not
15 necessarily.

16 MR. WARMAN: In fact --

17 THE CHAIRPERSON: Yes, go ahead.

18 MR. WARMAN: What, in fact, was
19 stated was that some of the material that was contained
20 in the evidence that was entered by myself was cut and
21 pasted, or may have been cut and pasted from material
22 that was sent between myself and the Commission.

23 So, it's not saying that this was
24 received from outside sources e-mail, other than --
25 sorry.

1 THE CHAIRPERSON: Your evidence was
2 that it was cut and pasted on the e-mail into a text
3 document?

4 MR. WARMAN: Yes.

5 MR. ALEXAN KULBASHIAN: And it was
6 produced as a text document.

7 For instance, Mr. Kulbashian, are you
8 talking about -- let's be specific instead -- you do
9 this a lot.

10 Let's look specifically at some of
11 the exhibits that I think you're getting at.

12 Is tab 18 an example of what you're
13 talking about, tab 19.

14 MR. ALEXAN KULBASHIAN: We're talking
15 about all articles that were admitted by --

16 THE CHAIRPERSON: Vinland Voice
17 articles like tab 18 of HR-1?

18 MR. ALEXAN KULBASHIAN: Articles like
19 that.

20 THE CHAIRPERSON: Right.

21 MR. ALEXAN KULBASHIAN: Or pretty
22 much any of the e-mails.

23 THE CHAIRPERSON: It's sort of a
24 hypothetical. In the context of this case you are
25 referring to something that is cut from -- allegedly

1 cut from an e-mail and pasted into this format that we
2 see here at tab 18?

3 MR. ALEXAN KULBASHIAN: Any format
4 but sent by e-mail.

5 THE CHAIRPERSON: Yes. Well, the
6 evidence was, if I recall, that this had been cut. I
7 can check.

8 My note here suggests that these were
9 all received by -- the testimony of Mr. Warman was that
10 this information was received by him by e-mail from his
11 subscription that he had at Vinland Voice and that what
12 he's done for the purposes of this binder is that he
13 cut and pasted the document.

14 That's the context in which I
15 understood the evidence to be.

16 So now you can ask your question.

17 MR. ALEXAN KULBASHIAN: In regards to
18 that fact, would you consider any information that's
19 received by e-mail to be reliable like the actual
20 content; would it have integrity?

21 DET/CST. WILSON: Not standing alone,
22 no, sir.

23 MR. ALEXAN KULBASHIAN: Okay. For
24 example, is it possible for somebody to send an e-mail
25 posing as somebody else?

1 DET/CST. WILSON: Absolutely, sir. I
2 did it.

3 MR. ALEXAN KULBASHIAN: Okay. Have
4 you done it at any other times?

5 DET/CST. WILSON: I can't say that,
6 it's an investigative technique.

7 MR. ALEXAN KULBASHIAN: Okay.

8 Is an attachment more reliable than
9 something that's included in an e-mail, in the body of
10 the e-mail?

11 DET/CST. WILSON: From a police
12 standpoint I would confirm the information that is in
13 an attachment, just like I would confirm the
14 information inside the e-mail.

15 MR. ALEXAN KULBASHIAN: Okay. Now,
16 would you consider any information obtained from a
17 modifiable source that has been modified to be
18 reliable?

19 DET/CST. WILSON: I don't understand
20 the question, sir.

21 MR. ALEXAN KULBASHIAN: Would you
22 consider any information from a modifiable source and
23 from a source that has been modified to be reliable?

24 THE CHAIRPERSON: I still don't
25 understand the question.

1 MR. ALEXAN KULBASHIAN: Digital
2 information I would say. In the perspective of the CD
3 that came from a mirror hard drive that was modified?

4 THE CHAIRPERSON: Try again.

5 MR. ALEXAN KULBASHIAN: Okay. I'll
6 try again, okay.

7 So, would you consider a CD obtained
8 from a mirror image that was modified to be reliable?

9 THE CHAIRPERSON: What do you mean by
10 reliable?

11 MR. ALEXAN KULBASHIAN: Reliable as
12 in having integrity, data integrity, content integrity,
13 any kind of integrity.

14 DET/CST. WILSON: If you're talking
15 about the documents that Cst. Stumpf produced to me by
16 way of CD from that mirrored image, yes, I do believe
17 they have integrity.

18 MR. ALEXAN KULBASHIAN: I'm talking
19 about any example in general.

20 DET/CST. WILSON: Well, I can say yes
21 or no then because I believe that probably there's
22 other things out there that wouldn't have integrity,
23 but if you're relating to the fact that the information
24 supplied to me by Cst. Stumpf that I believe has
25 integrity.

1 MR. ALEXAN KULBASHIAN: Was there any
2 certificates provided with the CD to state or like any
3 kind of affidavit to state that the information had
4 integrity?

5 DET/CST. WILSON: We didn't need an
6 affidavit, we would have called Cst. Stumpf to the
7 stand.

8 MR. ALEXAN KULBASHIAN: But do you
9 have one now for the police purposes?

10 DET/CST. WILSON: No, sir, I don't.

11 MR. ALEXAN KULBASHIAN: Okay. So
12 coming back to the AffordableSpace.com server, now do
13 you agree with my description that it's like an
14 apartment building, et cetera?

15 DET/CST. WILSON: That's how you
16 described it to me, sir.

17 MR. ALEXAN KULBASHIAN: Would you
18 agree with that?

19 DET/CST. WILSON: That sounds like a
20 pretty good analogy.

21 MR. ALEXAN KULBASHIAN: Okay. And
22 would you say that there's any differences between
23 let's say a hosting server and an apartment building?

24 I mean, like -- I'm sorry. From a
25 registration perspective, from sign-up and lease

1 perspective would you say there would be a difference
2 in the way it would be done?

3 DET/CST. WILSON: Yes.

4 MR. ALEXAN KULBASHIAN: Would you say
5 that somebody would necessarily have to approach the
6 individual renting the server to sign up for a site?

7 DET/CST. WILSON: It would be my
8 understanding that somebody that runs a hosting server,
9 you know, to get paid, they would have to know who was
10 on their server to get paid.

11 MR. ALEXAN KULBASHIAN: When you
12 printed out the cover page of AffordableSpace for one
13 of the court hearings, did you see any credit cards
14 symbols near the bottom, Visa, Master Card, Pay Pal?

15 DET/CST. WILSON: I remember seeing
16 it at some point, but I can't remember if it was the
17 one I produced at court or not.

18 MR. ALEXAN KULBASHIAN: Do you
19 remember seeing any Visa, Master Card, Pay Pal symbol
20 on the front?

21 DET/CST. WILSON: Yes, sir.

22 MR. ALEXAN KULBASHIAN: Have you ever
23 bought anything on line?

24 DET/CST. WILSON: Yes, sir, I have.

25 MR. ALEXAN KULBASHIAN: Do you talk

1 to somebody in particular, specifically when you go and
2 ask for a product to be shipped to you when you put
3 your credit card number in?

4 DET/CST. WILSON: No, sir, I don't.

5 MR. ALEXAN KULBASHIAN: So, is it
6 possible that the entire process was automated without
7 my knowledge?

8 DET/CST. WILSON: The sign-up
9 process?

10 MR. ALEXAN KULBASHIAN: Mm-hmm?

11 DET/CST. WILSON: Absolutely.

12 MR. ALEXAN KULBASHIAN: Okay. Do you
13 know anything about Micetrap, the guy who runs
14 Micetrap?

15 DET/CST. WILSON: Mr. Weingand?

16 MR. ALEXAN KULBASHIAN: Yes.

17 DET/CST. WILSON: A little bit.

18 MR. ALEXAN KULBASHIAN: Would you
19 consider him to be racist?

20 DET/CST. WILSON: I would consider
21 that the material he offers on his website -- I don't
22 know him personally, but I would consider the materials
23 he offered on his website--

24 MR. ALEXAN KULBASHIAN: To be racist?

25 DET/CST. WILSON: --to be racist.

1 MR. ALEXAN KULBASHIAN: White
2 supremacist?

3 DET/CST. WILSON: Yes, sir.

4 MR. ALEXAN KULBASHIAN: So, would you
5 think that somebody that -- since you agree that the
6 transfer of ownership that happened between myself and
7 Mr. Weingand, would you agree that somebody who held
8 those views or who would sell something like that would
9 allow pro-Jewish, anti-Islam site on this server?

10 DET/CST. WILSON: Pro-Jewish anti-
11 Islam site?

12 MR. ALEXAN KULBASHIAN: Sure.

13 DET/CST. WILSON: I would say
14 probably would be outside the norm for him.

15 MR. ALEXAN KULBASHIAN: Did you keep
16 in contact with the FBI after I had been deported from
17 the U.S. about anything?

18 DET/CST. WILSON: I don't recall any
19 conversation after you were brought back, no.

20 MR. ALEXAN KULBASHIAN: Did you
21 contact them to prepare for my fail to comply charges?

22 DET/CST. WILSON: I think I sent a
23 request for statements from two integral officers that
24 spoke to him in Arizona, spoke to Mr. Kulbashian,
25 apologize, in Arizona.

1 MR. ALEXAN KULBASHIAN: Okay. Did
2 any of the statements state that the somebody had been
3 arrested for owning and operating the StopIslam site?

4 DET/CST. WILSON: I don't recall
5 that, sir, no.

6 MR. ALEXAN KULBASHIAN: Did you ever
7 hear anything about somebody being arrested for owning
8 and operating the StopIslam site?

9 DET/CST. WILSON: No, sir. My
10 involvement with that investigation ended with you.

11 MR. ALEXAN KULBASHIAN: Is it
12 possible that a Jewish individual from New York was
13 arrested for the StopIslam site?

14 DET/CST. WILSON: It's very possible.
15 I know that you weren't involved in that threat.

16 MR. ALEXAN KULBASHIAN: I wasn't in
17 any way?

18 DET/CST. WILSON: No, sir.

19 MR. ALEXAN KULBASHIAN: At all?

20 DET/CST. WILSON: That's what the FBI
21 told me.

22 MR. ALEXAN KULBASHIAN: Okay. So,
23 have you ever heard of bulk registration for domains?

24 DET/CST. WILSON: No, sir.

25 MR. ALEXAN KULBASHIAN: Have you ever

1 bought a domain name?

2 DET/CST. WILSON: No, sir.

3 MR. ALEXAN KULBASHIAN: Do you know
4 what domain names are?

5 DET/CST. WILSON: They are just
6 addresses on the Internet from my understanding.

7 MR. ALEXAN KULBASHIAN: So, basically
8 www. -- for example, wpcect would be a domain name?

9 DET/CST. WILSON: My understanding is
10 yes, sir.

11 MR. ALEXAN KULBASHIAN: Okay. And
12 have you ever seen sites that sell domain names?

13 DET/CST. WILSON: Yes, sir, I have.

14 MR. ALEXAN KULBASHIAN: Do you do
15 who-is look up on any domain names?

16 MR. WARMAN: Sorry, can you repeat
17 the question.

18 THE CHAIRPERSON: Slow down, please.
19 Slow down.

20 MR. ALEXAN KULBASHIAN: Did you do a
21 who-is look up?

22 THE CHAIRPERSON: Say again.

23 MR. ALEXAN KULBASHIAN: Did you do a
24 who-is look up on any of the domain names that you
25 attributed to AffordableSpace.com?

1 DET/CST. WILSON: They were done. I
2 didn't do them because, again, I don't think I'm very
3 versed in being able to do that competently.

4 MR. ALEXAN KULBASHIAN: Okay. Did
5 you also -- okay, so you have never heard of bulk
6 registration?

7 DET/CST. WILSON: No, sir.

8 THE CHAIRPERSON: What's the word
9 again?

10 MR. ALEXAN KULBASHIAN: Bulk.

11 THE CHAIRPERSON: Bulk.

12 MR. ALEXAN KULBASHIAN: Bulk
13 registration. What do you suppose that would be?

14 MR. WARMAN: Objection.

15 THE CHAIRPERSON: He's never heard of
16 it. How can he possibly answer.

17 MR. ALEXAN KULBASHIAN: Just as a
18 guess.

19 THE CHAIRPERSON: I have an objection
20 from Mr. Warman.

21 What's the objection?

22 MR. WARMAN: He's already testified
23 that he doesn't have any awareness or knowledge.

24 MR. ALEXAN KULBASHIAN: I'm saying,
25 what would his opinion be?

1 THE CHAIRPERSON: How can he --

2 MR. ALEXAN KULBASHIAN: Well, he's
3 giving his opinion all the time.

4 THE CHAIRPERSON: Mr. Kulbashian.

5 MR. ALEXAN KULBASHIAN: It's true.
6 He's going off opinion so far, so --

7 THE CHAIRPERSON: Mr. Kulbashian --

8 MR. ALEXAN KULBASHIAN: Yes, I'm
9 here.

10 THE CHAIRPERSON: The witness said he
11 doesn't know what bulk registration is, so why would
12 you ask him to surmise what bulk registration is.

13 MR. ALEXAN KULBASHIAN: Okay. So..

14 THE CHAIRPERSON: I will ask it.
15 Have you any idea -- can you think of what bulk
16 registration is?

17 DET/CST. WILSON: Just from the name
18 I would think it would be just big registration, but I
19 have no idea.

20 MR. ALEXAN KULBASHIAN: So, during
21 the investigation of the Tri-City and C.E.C.T. and --
22 actually ignoring Tri-City for this case, Vinland Voice
23 threat, were there any computer experts involved in the
24 investigation before any of the arrests were made?

25 DET/CST. WILSON: Prior to the

1 arrests? No, sir.

2 MR. ALEXAN KULBASHIAN: Were you
3 confident enough to serve a warrant to executelink
4 yourself?

5 DET/CST. WILSON: Yes, sir.

6 MR. ALEXAN KULBASHIAN: Did you
7 interpret the contents of the warrant -- the contents
8 of the information provided by executelink?

9 DET/CST. WILSON: Did I interpret it?

10 MR. ALEXAN KULBASHIAN: Did you do it
11 yourself?

12 DET/CST. WILSON: Yes, sir.

13 MR. ALEXAN KULBASHIAN: So, would you
14 say you are competent enough to interpret technical
15 information provided --

16 DET/CST. WILSON: The technical
17 information from there?

18 MR. ALEXAN KULBASHIAN: Provided.

19 DET/CST. WILSON: No, sir.

20 MR. ALEXAN KULBASHIAN: But you did
21 just say that you interpreted it yourself.

22 Did you run that information by a
23 computer expert?

24 DET/CST. WILSON: No, sir.

25 MR. ALEXAN KULBASHIAN: So, based on

1 information you're giving us, you stated that you are
2 not a computer expert and that you don't have very much
3 knowledge about computers, however, you did yourself
4 interpret information included on the information
5 seized by the warrants, with the warrants?

6 DET/CST. WILSON: Yes, sir.

7 THE CHAIRPERSON: Does anyone
8 remember where the warrant is?

9 DET/CST. WILSON: It would be --

10 MR. ALEXAN KULBASHIAN: It's HR-4.

11 DET/CST. WILSON: HR-4, second page,
12 sir.

13 MR. ALEXAN KULBASHIAN: HR-4 first
14 page. Is there anything before that?

15 THE CHAIRPERSON: It's altogether.

16 DET/CST. WILSON: Oh, I'm sorry,
17 HR-4, yes.

18 MR. ALEXAN KULBASHIAN: There is no
19 warrant attached.

20 This is actual information seized
21 with the warrant.

22 THE CHAIRPERSON: Yes, the document
23 ceased.

24 MR. ALEXAN KULBASHIAN: So are we
25 ready?

1 DET/CST. WILSON: Yes, sir.

2 MR. ALEXAN KULBASHIAN: So, if you
3 turn to the second page of that information.

4 DET/CST. WILSON: Yes, sir.

5 MR. ALEXAN KULBASHIAN: You see where
6 it says user name?

7 DET/CST. WILSON: Yes, sir.

8 MR. ALEXAN KULBASHIAN: It says --
9 what does it say?

10 DET/CST. WILSON: Cox88.

11 MR. ALEXAN KULBASHIAN: Do you know
12 what an NAS identifier is?

13 DET/CST. WILSON: No.

14 MR. ALEXAN KULBASHIAN: Do you know
15 what an NAS IP address is?

16 DET/CST. WILSON: No.

17 MR. ALEXAN KULBASHIAN: Service type?

18 DET/CST. WILSON: No.

19 MR. ALEXAN KULBASHIAN: Frame
20 protocol.

21 DET/CST. WILSON: None of that.

22 MR. ALEXAN KULBASHIAN: None of
23 those.

24 DET/CST. WILSON: I can tell you
25 right now none of those. I can read the date and the

1 time at top and know that Cox88 would be an e-mail
2 address associated to Mr. Richardson.

3 MR. ALEXAN KULBASHIAN: E-mail
4 address, or account?

5 DET/CST. WILSON: User name, I guess
6 is the way it's phrased there.

7 MR. ALEXAN KULBASHIAN: Okay. Have
8 you ever heard of a concept of spoofing IP addresses?

9 DET/CST. WILSON: No.

10 MR. ALEXAN KULBASHIAN: Do you know
11 about spoofing means?

12 DET/CST. WILSON: No idea.

13 MR. ALEXAN KULBASHIAN: In English in
14 general.

15 DET/CST. WILSON: It means making fun
16 of.

17 MR. ALEXAN KULBASHIAN: Okay. But
18 not -- making fun of is one thing. Do you know the
19 actual meaning if I put it to you that spoofing means
20 mimicking.

21 DET/CST. WILSON: Sure.

22 MR. ALEXAN KULBASHIAN: Like a spoof
23 of a show would be like mimicking of a show?

24 DET/CST. WILSON: Sure.

25 MR. ALEXAN KULBASHIAN: from that

1 what you would you think spoofing an IP address would
2 mean?

3 DET/CST. WILSON: Making up an IP
4 address.

5 THE CHAIRPERSON: For your
6 information, Mr. Kulbashian, when you ask two types of
7 questions, I listen to the answers.

8 MR. ALEXAN KULBASHIAN: So, I will --

9 THE CHAIRPERSON: Don't try to enter
10 your evidence through your questioning of this witness.

11 MR. ALEXAN KULBASHIAN: I'm not
12 entering evidence.

13 THE CHAIRPERSON: No, but I mean the
14 answer that is recorded here he nothing because he says
15 he doesn't know.

16 MR. ALEXAN KULBASHIAN: Okay.

17 THE CHAIRPERSON: In terms of my
18 notes.

19 MR. ALEXAN KULBASHIAN: Okay.

20 THE CHAIRPERSON: I hope you -- you
21 know, you ask it once and he says he has no idea.

22 You ask it again and you ask it
23 again, it's being registered somehow in a greater way
24 because you have asked all these questions.

25 You will have your opportunity to

1 lead your evidence. If you are an expert in the field,
2 you have an expert that is going to testify - you said
3 you will not be bringing any experts or other
4 witnesses - well, anyway, you can lead your own
5 evidence on this matter.

6 MR. ALEXAN KULBASHIAN: These IP
7 addresses that you stated you collected were from
8 e-mails that James sent you?

9 THE CHAIRPERSON: Sorry, could you
10 ask --

11 MR. ALEXAN KULBASHIAN: The IP
12 addresses and times were e-mails that James allegedly
13 sent you?

14 DET/CST. WILSON: I believe they were
15 either the e-mails -- no, they were actually the log
16 chat lines when he signed in on those dates.

17 And he would mention the fact that
18 the Vinland Voice, it's a biggie, I guess, on September
19 6th.

20 MR. ALEXAN KULBASHIAN: Is it
21 possible that IP addresses get spoofed on IRC or get
22 mimicked on IRC?

23 DET/CST. WILSON: On IRC?

24 MR. ALEXAN KULBASHIAN: Yes.

25 DET/CST. WILSON: If that's a chat

1 line, it's possible.

2 MR. ALEXAN KULBASHIAN: Have you ever
3 chatted on IRC?

4 DET/CST. WILSON: No.

5 MR. ALEXAN KULBASHIAN: Okay. Did
6 you get any -- did you request records of IP addresses
7 of e-mails that you received from James?

8 DET/CST. WILSON: No.

9 MR. ALEXAN KULBASHIAN: Are you still
10 sure that James e-mailed you those e-mails?

11 DET/CST. WILSON: Yes.

12 MR. ALEXAN KULBASHIAN: With any
13 documentary evidence?

14 DET/CST. WILSON: James identified
15 himself in one of the e-mails and supplied me with his
16 phone number, which by the way corresponds with page 4
17 of the Internet service provider Execulink.

18 The phone number at the bottom that
19 says DSL number, that is the same phone number that he
20 supplied me on an e-mail he sent to me and identified
21 himself as James.

22 MR. ALEXAN KULBASHIAN: Did you know
23 James' phone number before you started talking to him?

24 DET/CST. WILSON: No. James gave it
25 to me.

1 MR. ALEXAN KULBASHIAN: You had no
2 idea what the phone number was?

3 DET/CST. WILSON: James gave it to
4 me.

5 MR. ALEXAN KULBASHIAN: Did you know
6 of Maggie before you started talking to James?

7 DET/CST. WILSON: No, I didn't.

8 MR. ALEXAN KULBASHIAN: So, you were
9 never aware of, like, Maggie's existence in the
10 movement before you talked to James?

11 DET/CST. WILSON: No, sir, I wasn't.

12 MR. ALEXAN KULBASHIAN: Was any of
13 that information passed on to you by previous
14 investigators in the hate crime unit?

15 MR. WARMAN: Objection, already asked
16 and answered.

17 MR. ALEXAN KULBASHIAN: That was two
18 different questions.

19 THE CHAIRPERSON: Okay. Are you
20 making a submission?

21 MR. ALEXAN KULBASHIAN: They were two
22 different questions.

23 MR. ALEXAN KULBASHIAN: Did any
24 information that was collected prior to your joining
25 the HCU, the hate crime unit, was any of that

1 information passed on to you.

2 DET/CST. WILSON: Okay, I'm sorry,
3 prior to me joining the hate crime unit....?

4 MR. ALEXAN KULBASHIAN: Was
5 information collected by the hate crime unit passed on
6 to you as intelligence?

7 DET/CST. WILSON: Concerning this
8 investigation?

9 MR. ALEXAN KULBASHIAN: Concerning
10 any investigation.

11 DET/CST. WILSON: They passed on
12 material concerning a whole bunch of investigations
13 when I joined the unit.

14 MR. ALEXAN KULBASHIAN: Did they pass
15 on intelligence information or are you supposed to
16 start from scratch?

17 DET/CST. WILSON: No, they passed on
18 intelligence information.

19 MR. ALEXAN KULBASHIAN: They never
20 passed on information about Maggie, I guess?

21 DET/CST. WILSON: No, sir, they
22 didn't.

23 MR. ALEXAN KULBASHIAN: Okay. So,
24 again, is it possible that the information that was
25 provided in this document here was not up to par?

1 THE CHAIRPERSON: Which document.

2 MR. ALEXAN KULBASHIAN: This
3 document. That it doesn't have the integrity it should
4 have, HR-4.

5 THE CHAIRPERSON: HR-4.

6 DET/CST. WILSON: No, sir, it's not.
7 I believe it to be in a solid document, I guess.

8 MR. ALEXAN KULBASHIAN: That's what
9 you believe though.

10 DET/CST. WILSON: Yes, sir. And you
11 have to understand the criminal process, again, is that
12 this document would be produced as disclosure.

13 If there was ever an issue about how
14 people at Execulink got this information, we would call
15 a technician from Execulink and they would explain it
16 on the stand.

17 MR. ALEXAN KULBASHIAN: Okay.

18 Do you know if AffordableSpace.com
19 was run by one person or many people?

20 DET/CST. WILSON: It's my information
21 it was run by you, sir.

22 MR. ALEXAN KULBASHIAN: Was it being
23 operated, at this time not like, after this matter?

24 DET/CST. WILSON: On September 14th?

25 MR. ALEXAN KULBASHIAN: Yes.

1 DET/CST. WILSON: I believe it was
2 run by you and you explained it very well to me in your
3 statement.

4 MR. ALEXAN KULBASHIAN: Okay. Do you
5 know if it had more than one machine?

6 DET/CST. WILSON: More than one...

7 MR. ALEXAN KULBASHIAN: Is it
8 possible AffordableSpace.com had more than one server
9 throughout the world?

10 DET/CST. WILSON: I believe the only
11 server that I was able to locate was at Carinet in
12 California.

13 MR. ALEXAN KULBASHIAN: Is it
14 possible there were other servers?

15 DET/CST. WILSON: In the realm of
16 possibilities, very possible.

17 MR. ALEXAN KULBASHIAN: Is it also
18 possible that there were employees for
19 AffordableSpace.com?

20 DET/CST. WILSON: I didn't locate
21 any, but it's possible.

22 MR. ALEXAN KULBASHIAN: Did you ever
23 do an investigation to see if there was anybody else
24 involved with AffordableSpace.com?

25 DET/CST. WILSON: Again, sir, if I

1 did an investigation where I thought somebody else had
2 knowledge, consent, control over AffordableSpace and
3 had knowledge about the threat, there'd be three of
4 you here, or four of you.

5 MR. ALEXAN KULBASHIAN: But did you
6 do an investigation to see if there was anybody else
7 that was employed by--

8 DET/CST. WILSON: I didn't locate
9 anybody else, sir.

10 MR. ALEXAN KULBASHIAN: Did you do an
11 investigation to try to locate --

12 DET/CST. WILSON: Yes, sir, I did an
13 investigation to try to locate more members of the
14 Canadian Ethnic Cleansing Team as well.

15 MR. ALEXAN KULBASHIAN: My question
16 was specifically to AffordableSpace.com.

17 DET/CST. WILSON: Yes, sir, and I
18 didn't locate any.

19 MR. ALEXAN KULBASHIAN: Did you try
20 to locate, let's say, tech support, representatives?

21 DET/CST. WILSON: I didn't locate
22 any, sir.

23 MR. ALEXAN KULBASHIAN: Did you try
24 e-mailing AffordableSpace while I was locked up in
25 London?

1 THE CHAIRPERSON: Hold on. Is there
2 an objection? We have got an answer already.

3 MR. ALEXAN KULBASHIAN: Okay.

4 MR. WARMAN: Just on the whole line
5 of questioning, it's very repetitive. He starts with
6 one question, If he doesn't get the answer he likes he
7 asks it again.

8 MR. ALEXAN KULBASHIAN: No, if I
9 don't get --

10 MR. WARMAN: Excuse me, can I finish
11 the objection?

12 THE CHAIRPERSON: Mr. Kulbashian, one
13 at a time.

14 MR. WARMAN: It's the whole process,
15 it's the whole line of questioning, it's the
16 repetitive nature of the questions. He's badgering the
17 witness.

18 THE CHAIRPERSON: Yes, indeed.

19 One question on one topic.

20 MR. ALEXAN KULBASHIAN: Okay. My
21 response to that objection is that if I get an evasive
22 answer or a partial answer, then I ask again just to
23 see if I can get a full answer.

24 THE CHAIRPERSON: Why don't you ask
25 my permission first before you do that.

1 MR. ALEXAN KULBASHIAN: Okay. In
2 that case did you try e-mailing any of the
3 AffordableSpace.com e-mail addresses while I was locked
4 up in London?

5 THE CHAIRPERSON: I'm sorry, could
6 you repeat your question.

7 MR. ALEXAN KULBASHIAN: Did you try
8 e-mailing any AffordableSpace.com e-mail addresses, for
9 example, abuse or info while I was locked up for the
10 September 14th charge?

11 THE CHAIRPERSON: You say it so fast,
12 for example wooo, wooo, that's what I heard.

13 MR. ALEXAN KULBASHIAN: Oh no, I
14 said, did you e-mail AffordableSpace.com e-mail
15 addresses, for example, abuse or
16 info@affordablespace.com while I was locked up in
17 London?

18 DET/CST. WILSON: No, sir.

19 MR. ALEXAN KULBASHIAN: So, you
20 wouldn't have known for sure if you would have gotten a
21 response from any of those e-mail addresses while I was
22 still in jail?

23 DET/CST. WILSON: I wouldn't, sorry.

24 MR. ALEXAN KULBASHIAN: You wouldn't
25 have know maybe if you had gotten a response from

1 anybody if you had e-mailed those e-mail addresses --

2 DET/CST. WILSON: I didn't e-mail
3 them, so I didn't get a response.

4 MR. ALEXAN KULBASHIAN: Okay. Do you
5 think if you had gotten a response it would have been
6 proof that there was other people involved?

7 DET/CST. WILSON: I have no idea,
8 I didn't e-mail them.

9 MR. ALEXAN KULBASHIAN: Did you try
10 to use that as a form of investigation? Obviously not.

11 DET/CST. WILSON: No, I didn't.

12 MR. ALEXAN KULBASHIAN: Did you try
13 e-mailing any of the e-mail addresses on the sites to
14 see if there was anybody else involved?

15 DET/CST. WILSON: On the sites?

16 MR. ALEXAN KULBASHIAN: On any of the
17 sites that you were investigating?

18 ---(reporter appeals)

19 THE CHAIRPERSON: Slow down. Take a
20 sip of water.

21 MR. ALEXAN KULBASHIAN: Did you try
22 e-mailing any of the e-mail addresses on any of the
23 sites you were investigating during your investigation?

24 DET/CST. WILSON: No, sir.

25 MR. ALEXAN KULBASHIAN: Do you think

1 that would have been, I guess, an effective way to find
2 more members of the groups?

3 DET/CST. WILSON: No, sir. I believe
4 at that point my cover as Conrad MacDonald was pretty
5 much over and done with.

6 MR. ALEXAN KULBASHIAN: Was it
7 difficult for you to create another cover under another
8 name?

9 DET/CST. WILSON: I was dealing with
10 another investigation, I didn't e-mail anybody else in
11 your membership.

12 MR. ALEXAN KULBASHIAN: Did you
13 e-mail anybody during the investigation before there
14 was an arrest place?

15 DET/CST. WILSON: Mr. Richardson.

16 MR. ALEXAN KULBASHIAN: Did you
17 e-mail anybody else?

18 DET/CST. WILSON: I don't recall
19 anybody else replying to me besides James.

20 MR. ALEXAN KULBASHIAN: Do you recall
21 e-mailing anybody else besides James?

22 DET/CST. WILSON: I attempted to
23 e-mail another gentleman from the Tri-Cities as well
24 as, I believe that I tried to also e-mail somebody on
25 the Toronto Skinheads site and, again, didn't get any

1 response.

2 MR. ALEXAN KULBASHIAN: Did you try
3 e-mailing more than one e-mail address on the C.E.C.T.
4 sites?

5 DET/CST. WILSON: No. Actually if I
6 go back to my testimony that's not how I got James'
7 e-mail address.

8 I read it on a forum site and that's
9 how I contacted James, was on the Tri-City's forum site
10 where he supplied his e-mail address. That's how I
11 started talking to him.

12 At no time did I ever e-mail anybody
13 off the site at all.

14 MR. ALEXAN KULBASHIAN: And what
15 e-mail did you get from the Tri-City Skins sites to, as
16 you say, e-mail James?

17 DET/CST. WILSON: Coxwain 24.

18 MR. ALEXAN KULBASHIAN: Cox...?

19 DET/CST. WILSON: Coxwain 24.

20 MR. ALEXAN KULBASHIAN: At...?

21 MR. RICHARDSON: Hotmail.

22 DET/CST. WILSON: Okay, James said
23 Hotmail. Yes, at Hotmail then.

24 MR. ALEXAN KULBASHIAN: Do you think
25 that if somebody was a member of C.E.C.T. he would

1 probably maybe use his C.E.C.T. e-mail address to post
2 on the forum?

3 DET/CST. WILSON: I have no idea. I
4 know that he, James contacted me, or I contacted James
5 using that e-mail and he responded.

6 MR. ALEXAN KULBASHIAN: Using...?.

7 DET/CST. WILSON: Using Coxwain 24
8 and then as the relationship grew he used another
9 e-mail address from the Canadian Ethnic Cleansing Team
10 site.

11 MR. ALEXAN KULBASHIAN: Is it
12 possible he obtained that e-mail address afterward; he
13 didn't have that before?

14 DET/CST. WILSON: Is it possible?
15 No, I sent that e-mail address to him and he replied to
16 me.

17 MR. ALEXAN KULBASHIAN: I mean, is it
18 possible that he didn't have the cect@wpcect.com
19 E-mail address beforehand and that's why he was talking
20 to you through the Hotmail account?

21 DET/CST. WILSON: Yeah, it's possible
22 in August he might not have had a Canadian Ethnic
23 Cleansing Team e-mail address, absolutely, sir.

24 MR. ALEXAN KULBASHIAN: But did you
25 see those e-mail addresses on the Canadian Ethnic

1 Cleansing Team sites?

2 DET/CST. WILSON: Yes, sir.

3 MR. ALEXAN KULBASHIAN: Do you know
4 if maybe somebody else would have had those e-mail
5 addresses that were on there?

6 DET/CST. WILSON: I don't know, sir.

7 MR. ALEXAN KULBASHIAN: How many
8 e-mail addresses did you see on the Canadian Ethnic
9 Cleansing Team site as @wpcect.com?

10 DET/CST. WILSON: From my
11 recollection, there was a couple of chapters throughout
12 Canada that you were proposing, each one had an
13 individual e-mail address and I believe there were
14 maybe three or four other e-mail addresses, recruiter,
15 administrator, info support, something like that.

16 I believe there was a couple other
17 e-mail addresses on that site as well.

18 MR. ALEXAN KULBASHIAN: So, is it I
19 guess safe to say that it is possible that there were
20 more than just two people in C.E.C.T.?

21 DET/CST. WILSON: Yes, sir.

22 MR. ALEXAN KULBASHIAN: And did you
23 continue to investigate to find out who else was in
24 C.E.C.T.?

25 DET/CST. WILSON: Yes, sir, but again

1 it became extremely difficult after James' arrest and
2 your arrest.

3 MR. ALEXAN KULBASHIAN: Okay. How
4 many e-mail addresses did you find on Vinland Voice?

5 DET/CST. WILSON: I don't recall any
6 e-mail addresses on Vinland Voice.

7 There could have been, but I don't
8 recall them -- I didn't correspond with anybody. I
9 read the Voice by pulling it up, but didn't correspond
10 with anybody off either one of those sites, so...

11 MR. ALEXAN KULBASHIAN: One second.
12 Is it safe to say that the three e-mail addresses aside
13 from chat e-mail addresses were administrative,
14 recruitment and public press relations?

15 DET/CST. WILSON: Sure, sir.

16 MR. ALEXAN KULBASHIAN: Let me see if
17 I can find it here.

18 Actually if you want to be more
19 clear, if you turn to section 33 of HR-1.

20 THE CHAIRPERSON: Tab 33.

21 MR. ALEXAN KULBASHIAN: Sorry, yeah,
22 tab 33 of HR-1.

23 MR. RICHARDSON: 32?

24 MR. ALEXAN KULBASHIAN: 33.

25 THE CHAIRPERSON: Okay.

1 DET/CST. WILSON: Go ahead, sir.

2 MR. ALEXAN KULBASHIAN: So, can you
3 read what e-mail addresses are on that site?

4 DET/CST. WILSON: There is
5 totenkopf@wpcect.com.

6 MR. ALEXAN KULBASHIAN: Which is?

7 DET/CST. WILSON: Public relations.

8 For internal affairs and joining if
9 you're not already a member of a pro-white organization
10 wpcanada@wpcect.com.

11 For human resources and joining if
12 you're not already a member of a pro-white
13 organization. tcs_cect@wpcect.com.

14 MR. ALEXAN KULBASHIAN: Okay. You
15 stated previously that you believed I was Totenkopf; is
16 that right?

17 DET/CST. WILSON: Yes, sir.

18 MR. ALEXAN KULBASHIAN: Not a member
19 of a group called Totenkopf but just Totenkopf?

20 DET/CST. WILSON: Yes. Just an
21 individual yes, sir, sorry.

22 MR. ALEXAN KULBASHIAN: Okay. If you
23 look beside where it says, what does it say, public
24 press relations.

25 DET/CST. WILSON: Public press

1 relations comma...

2 MR. ALEXAN KULBASHIAN: Does it say
3 anything about web master or management of content or
4 anything like that?

5 DET/CST. WILSON: No, sir.

6 MR. ALEXAN KULBASHIAN: Do you
7 believe that there was somebody that was actually web
8 master for this site other than myself?

9 DET/CST. WILSON: Other than
10 yourself, no, sir.

11 The way you complained it to me is
12 that you designed the website, but in your words only a
13 few times was a contributing person to the content.

14 So, in your words, you were the
15 manager of that site by designing it.

16 MR. ALEXAN KULBASHIAN: Did I say
17 that I was the manager or did I say that I was the
18 designer?

19 DET/CST. WILSON: Web designer, I'm
20 sorry, yes.

21 MR. ALEXAN KULBASHIAN: Would that be
22 the same thing as manager?

23 DET/CST. WILSON: Well, you were the
24 web designer, controller of the access to the Internet
25 through AffordableSpace.com so that would, in my

1 opinion, be in some way managing that site.

2 MR. ALEXAN KULBASHIAN: Okay. And
3 did I also tell you that I only twice contributed to
4 that site, or once or twice?

5 DET/CST. WILSON: I think you said
6 once or twice, yes, sir.

7 MR. ALEXAN KULBASHIAN: And would
8 that mean that other contributions would have probably
9 been uploaded by other people?

10 DET/CST. WILSON: Yes, sir.

11 MR. ALEXAN KULBASHIAN: So somebody
12 else was doing uploading for that site?

13 DET/CST. WILSON: I believe other
14 people sent in articles that James or yourself would
15 have placed on the website.

16 I believe other people have written
17 documents included in that website over the period of
18 two months, yes, sir.

19 MR. ALEXAN KULBASHIAN: Is there any
20 indication at all, either documentary or, you know,
21 with strong implication that would state that neither
22 me or James actually uploaded to the site on a regular
23 basis?

24 DET/CST. WILSON: Yes, sir.
25 Concerning the threat very strong towards Mr.

1 Richardson as the threat placed on September the 14th,
2 a draft copy of that threat is located on his computer
3 that Cst. Stumpf advises in his log was last modified
4 the day before it was seen on the Internet, therefore,
5 telling me that Mr. Richardson couldn't have pulled it
6 off the Internet and saved it on his computer, it was
7 actually on his computer previous to it being on the
8 Internet.

9 For yourself, Totenkopf being the
10 public relations officer and the fact that that
11 corresponds with a business card located in your home
12 that says Totenkopf public relations officer, as well
13 as the totality of the rest of the evidence and your
14 ability to monitor stuff on AffordableSpace leads me to
15 believe that you purveyed that threat.

16 MR. ALEXAN KULBASHIAN: All right.
17 So, you said that the last modified date was the day
18 before, before the threat or vv5.com?

19 DET/CST. WILSON: Yes, if I can look
20 at the exact one again, the log, and I apologize if I
21 can't recall which tab it was at.

22 THE CHAIRPERSON: 50?

23 DET/CST. WILSON: Is it 50? Thank
24 you, sir.

25 50. Yes, sir. When you look at the

1 log that's printed out here, vv5, which is the one
2 Vinland Voice 5 which is the one that has the threat on
3 it, when you look in the third column it says last
4 modified it says September 14th, 2001 at 3:45 a.m.

5 What that tells me is that that is,
6 and again the threat was perceived on the 14th of
7 September, sent out on the Internet on the 14th of
8 September and I received it as an e-mail as well as a
9 group e-mail, that would tell me that it was last
10 modified prior to being placed on the Internet.

11 MR. ALEXAN KULBASHIAN: Okay. So
12 what time was the content uploaded to the site?

13 DET/CST. WILSON: I don't know. I
14 viewed it on the 14th, sir, during the morning.

15 MR. ALEXAN KULBASHIAN: Do you
16 believe that there is -- during the morning. What time
17 would you say, roughly?

18 DET/CST. WILSON: When I woke up,
19 sir.

20 MR. ALEXAN KULBASHIAN: What time
21 would you roughly wake, up six, seven?

22 DET/CST. WILSON: Yes.

23 MR. ALEXAN KULBASHIAN: Okay. So
24 would you say that if the threat was at six or seven
25 o'clock in the morning on that site that it would be

1 reasonable or maybe that "threat" to have been posted
2 before 3:45 a.m. on that same day?

3 DET/CST. WILSON: No, I think it's
4 reasonable to assume that James last modified it at
5 3:45 in the morning and then uploaded it to the website
6 and then sent me an e-mail with it on.

7 MR. ALEXAN KULBASHIAN: Is it
8 possible that that content was downloaded from the web
9 when it was viewed at 3:45?

10 DET/CST. WILSON: Was it downloaded?

11 MR. ALEXAN KULBASHIAN: Yeah?

12 DET/CST. WILSON: I don't know, sir.

13 MR. ALEXAN KULBASHIAN: Okay. Is it
14 possible that the content was sent to James by somebody
15 before he uploaded it to the site?

16 DET/CST. WILSON: That James didn't
17 write that and it was sent to James in some form and he
18 uploaded it on the site; is that what you're asking me?

19 MR. ALEXAN KULBASHIAN: No, no. I'm
20 saying is it possible that that content was sent to
21 James by someone else before that someone else uploaded
22 it to the site?

23 DET/CST. WILSON: It's possible.

24 MR. ALEXAN KULBASHIAN: Okay. Is it,
25 tough question, is the communication of a threat

1 illegal?

2 DET/CST. WILSON: Yes, sir, it is.

3 MR. ALEXAN KULBASHIAN: Is thinking
4 about the threat in your head illegal?

5 DET/CST. WILSON: No, sir.

6 MR. ALEXAN KULBASHIAN: Is writing a
7 document for yourself about a threat illegal?

8 DET/CST. WILSON: If it is purveyed
9 to other people, yes, sir, it is.

10 MR. ALEXAN KULBASHIAN: If it's what?

11 DET/CST. WILSON: If it's purveyed to
12 other people, if you write it down, other people either
13 view it in some form, yes, then yes, it becomes
14 illegal.

15 MR. ALEXAN KULBASHIAN: If you copy a
16 threat and you download on a computer to view; is that
17 illegal?

18 DET/CST. WILSON: To view personally?

19 MR. ALEXAN KULBASHIAN: Yes?

20 DET/CST. WILSON: Or...

21 MR. ALEXAN KULBASHIAN: View
22 personally?

23 DET/CST. WILSON: No, sir.

24 MR. ALEXAN KULBASHIAN: Would that
25 mean the person who downloaded the copy of the threat

1 to view was the person who made the threat?

2 DET/CST. WILSON: Sorry, I don't
3 understand that.

4 MR. ALEXAN KULBASHIAN: Would the
5 person who downloaded and copied the threat to view it,
6 would that be the person who made the threat; would he
7 be liable for the threat?

8 DET/CST. WILSON: If he purveyed that
9 threat in some way to another person, yes, he would be
10 criminally responsible for that, yes.

11 MR. ALEXAN KULBASHIAN: However if he
12 download a threat that was already let's say on the
13 web, copied it for documentation purposes or just to
14 keep track of what was going on, would he be liable for
15 that threat?

16 DET/CST. WILSON: If he kept it for
17 his own personal use, no, but if the threat is purveyed
18 to other people, then yes, he commits an offence.

19 THE CHAIRPERSON: Let's be reminded
20 again, it's not a Criminal Code violation that is at
21 stake here it's section 13 of the Human Rights
22 violation.

23 MR. ALEXAN KULBASHIAN: That's true,
24 that's true.

25 So, talking about, I guess, this is

1 just getting to a side note about totality of evidence,
2 the totality of like disclosure and like that.

3 So far you were commenting on some of
4 the exhibits that were missing from documents which --
5 I didn't have the exhibits, it was just all that I had,
6 right.

7 So, for documents that were --

8 THE CHAIRPERSON: I don't know what
9 you are talking about.

10 MR. ALEXAN KULBASHIAN: The
11 documents, for example, the affidavit that I
12 introduced.

13 THE CHAIRPERSON: Yes.

14 MR. ALEXAN KULBASHIAN: There was an
15 exhibit missing.

16 THE CHAIRPERSON: Yes.

17 MR. ALEXAN KULBASHIAN: But that is
18 all I had.

19 Now the thing is, does that fall
20 under best evidence act, unless somebody says that it
21 was modified or it's not what it is, then does it still
22 fall --

23 THE CHAIRPERSON: You don't have to
24 get into all of this. The documents speak for
25 themselves.

1 I mean, technically, yes, the
2 exhibits were missing but I don't know if it has any
3 bearing because the purpose of those documents seemed
4 to have been for what the documents were used in the
5 cross-examination.

6 I don't think you are going to get an
7 objection from the other side. The objections were
8 made, I believe, before your questions were posed.

9 Many of the questions that you asked
10 thereafter related to the documents themselves. I'm
11 not sure that the absence of the exhibits made a
12 difference.

13 If you want to complete them by
14 getting them, that's fine.

15 MR. ALEXAN KULBASHIAN: I don't have
16 anything.

17 THE CHAIRPERSON: And that's why you
18 are referring to best evidence.

19 MR. ALEXAN KULBASHIAN: Yes.

20 THE CHAIRPERSON: Maybe you can refer
21 to that in your own evidence and explain it away in
22 your evidence later.

23 All right.

24 MR. ALEXAN KULBASHIAN: Okay, thank
25 you.

1 Going off of what the Chair said,

2 Det. Wilson--

3 DET/CST. WILSON: Yes, sir.

4 MR. ALEXAN KULBASHIAN: --do you have
5 (inaudible)--

6 DET/CST. WILSON: I have the
7 disclosure that was supplied to me by Cst. Stumpf of
8 the CD that you were supplied with.

9 MR. ALEXAN KULBASHIAN: Was there a
10 print-out of the actual contents of the drive, I don't
11 mean the CD.

12 DET/CST. WILSON: I think the only
13 print-out I have is the log there in tab 50.

14 THE CHAIRPERSON: There is tab 51 as
15 well.

16 DET/CST. WILSON: Was it tab 51 as
17 well.

18 MS MAILLET: I believe tab 51 was a
19 print-out of one of the items listed at tab 50.

20 THE CHAIRPERSON: Inside. So the
21 subset of what is in tab 50?

22 DET/CST. WILSON: Yes.

23 MR. ALEXAN KULBASHIAN: Okay. Now,
24 getting into that then, what best evidence is, is it
25 possible that there would be -- actually, is it

1 probably that there was evidence or -- sorry, certain
2 items or lack of certain items on the rest of the
3 computer that would completely absolve James'
4 possibility of having uploaded the file to the FTP.

5 DET/CST. WILSON: No. Again, I
6 believe you have to sort of view what the police are
7 supposed to do.

8 Our responsibility is to disclose all
9 the information to the crown. There are some
10 exceptions of information that would be supplied to
11 defence, but my job is to supply everything to the
12 crown. We don't exclude anything.

13 MR. ALEXAN KULBASHIAN: No, I mean,
14 the fact that there is only one CD here.

15 DET/CST. WILSON: Yes, sir.

16 MR. ALEXAN KULBASHIAN: And the fact
17 that there is only one CD here, so far we have your
18 opinion of whether or not he uploaded or somebody
19 uploaded the contents, however there's nothing -- we
20 don't have anything extending outside that CD to show
21 whether or not there was an FTP program or any other
22 program to upload the content; was there?

23 DET/CST. WILSON: No, sir, we don't.

24 MR. ALEXAN KULBASHIAN: Also, do you
25 see any -- do you believe that James was uploading

1 copies of all Vinland Voices?

2 DET/CST. WILSON: Uploading all the
3 copies?

4 MR. ALEXAN KULBASHIAN: Of all the
5 Vinland Voices?

6 THE CHAIRPERSON: The content?

7 DET/CST. WILSON: Like he was writing
8 all the content?

9 MR. ALEXAN KULBASHIAN: No,
10 uploading.

11 THE CHAIRPERSON: Uploading, which I
12 understand to mean the electronic process by which
13 something leaves a personal computer and goes up onto a
14 server for broadcast on the website.

15 DET/CST. WILSON: I believe the
16 majority of the times when you look at his chat line,
17 especially when it comes to the date of the delete, he
18 was very much involved in uploading that information
19 onto the Internet.

20 MR. ALEXAN KULBASHIAN: Did you find
21 copies of any of the Vinland Voices other than Vinland
22 Voice issue 5 on his computer?

23 DET/CST. WILSON: No, sir, and the
24 log just says Vinland Voice 5.

25 MR. ALEXAN KULBASHIAN: So, is it

1 possible that he wasn't even involved in
2 vinlandvoice.com?

3 DET/CST. WILSON: Not -- no. I
4 believe that he was.

5 MR. ALEXAN KULBASHIAN: Is it
6 possible?

7 DET/CST. WILSON: Very involved. No,
8 sir, because --

9 MR. ALEXAN KULBASHIAN: Is it
10 possible?

11 DET/CST. WILSON: In the realm of
12 possibilities, in this instance, I don't think so.

13 MR. ALEXAN KULBASHIAN: Well yes or
14 no, is it possible that he was not involved in the
15 Vinland Voice?

16 MR. WARMAN: Objection. Mr.
17 Kulbashian is directing the witness on how to answer
18 the question.

19 MR. ALEXAN KULBASHIAN: I just asked
20 for a yes or no answer. It's straight forward.

21 THE CHAIRPERSON: Well, the question
22 is, is it possible that Mr. Richardson was not involved
23 with every issue of the Vinland Voice.

24 MR. ALEXAN KULBASHIAN: Any issue of
25 the Vinland Voice as a whole.

1 THE CHAIRPERSON: Is it possible?

2 DET/CST. WILSON: It's possible.

3 MR. ALEXAN KULBASHIAN: Thank you
4 very much.

5 MR. ALEXAN KULBASHIAN: Okay. That's
6 it. Thank you very much.

7 THE CHAIRPERSON: Okay.

8 Re-examination after the lunch break,
9 right?

10 MS MAILLET: Yes, that would be
11 great.

12 THE CHAIRPERSON: Okay.

13 So, how long do you think you will
14 be?

15 Do we need a shortened lunch break or
16 will you be able to finish by the end of the day?

17 MS MAILLET: I'm pretty sure we'll be
18 done by the end of the day.

19 MR. RICHARDSON: Can we take a short
20 lunch. I don't see any reason to take an hour and a
21 half or two hours.

22 THE CHAIRPERSON: I do. I take hour
23 and a half lunches.

24 As a lawyer once said in a case I was
25 doing, it was very complex, a lawyer from across the

1 country, this lawyer from Montreal, as I am, less than
2 an hour and a half lunch is uncivilized.

3 MS MAILLET: I'll try to get done in
4 an hour and a half.

5 I have a lot of things to go over for
6 my re-examination.

7 An hour and forty-five?

8 THE CHAIRPERSON: An hour and
9 forty-five.

10 ---Luncheon recess taken at 12:30 p.m.

11 ---On resuming at 2:20 p.m.

12 REGISTRY OFFICER: All rise.

13 THE CHAIRPERSON: Thank you.

14 REGISTRY OFFICER: Please be seated.

15 THE CHAIRPERSON: Yes.

16 MRS. MAILLET: Yes, Mr. Chair.

17 In terms of the re-examination of
18 Det. Wilson, Mr. Warman will be going and ask him a few
19 questions and then I will conclude.

20 THE CHAIRPERSON: Mr. Warman.

21 MR. WARMAN: Thank you.

22 RE-EXAMINATION BY MR. WARMAN:

23 MR. WARMAN: Mr. Wilson, I have a few
24 very small number of questions for you.

25 The first thing that I would like to

1 refer you to is Exhibit R-4 and Exhibit HR-9.

2 Exhibit R-4 is the Triskele symbol.

3 DET/CST. WILSON: Okay. HR-9.

4 Yes sir.

5 THE CHAIRPERSON: Just a second,
6 please. So, R-4..

7 MR. WARMAN: R-4 and I'm sorry, I've
8 got it marked as HR-9-1, the image of the Tri-City
9 Skins patch on the bomber jacket.

10 THE CHAIRPERSON: Yes, HR-9, the
11 first page.

12 DET/CST. WILSON: Yes sir.

13 MR. WARMAN: So, Mr. Wilson, there
14 was some reference in cross-examination as to the
15 Triskele being representative of Druids, nymphs, Sicily
16 and ancient Syracuse.

17 Just wondering if you have any reason
18 to believe that this symbol is associated as it is
19 pictured in HR-9-1 is affiliated with any of those
20 things?

21 DET/CST. WILSON: No, sir.

22 MR. WARMAN: Do you have any reason
23 to believe that it is associated with something other
24 than those things?

25 DET/CST. WILSON: I believe it's

1 associated as a type of swastika.

2 MR. WARMAN: Thank you. Would you
3 describe this as the symbol of the Tri-City Skinheads?

4 DET/CST. WILSON: Yes, sir.

5 MR. WARMAN: I'd just like to refer
6 you to the next item in HR-9 which is the half maple
7 leaf and half Celtic cross.

8 DET/CST. WILSON: Yes, sir.

9 THE CHAIRPERSON: Mr. Warman, I'm
10 just going to advise you, that that last question was
11 very leading. So, perhaps a bit more retrained in your
12 question.

13 MR. RICHARDSON: Mr. Chair, shouldn't
14 the questions about the symbols be left to the expert
15 witness tomorrow?

16 Mr. Wilson is not an expert witness,
17 so anything that he testifies would just be his opinion
18 and the expert witness tomorrow --

19 THE CHAIRPERSON: That's right, but
20 his opinion is being sought in the context of his own
21 experience, as I understood it, in the domain.

22 I mean, very many questions were
23 asked by you and Mr. Kulbashian about all sorts of
24 things that were not within any officially designated
25 expertise.

1 So good for the goose, good for the
2 gander.

3 MR. RICHARDSON: Fair enough.

4 MR. WARMAN: Mr. Wilson, pursuant to
5 your investigation, did you have reason to form a
6 belief as to what this half maple leaf and half Celtic
7 cross represented?

8 DET/CST. WILSON: Yes, sir, it's a
9 symbol used by the C.E.C.T. found on their websites and
10 found on this jacket here.

11 MR. WARMAN: Thank you.

12 Turn now to HR-1, tab 42, page 2.

13 DET/CST. WILSON: Tab 42.

14 THE CHAIRPERSON: What tab did you
15 say, 42 or 32?

16 MR. WARMAN: Tab 42, page 2.

17 DET/CST. WILSON: Yes, sir.

18 MR. WARMAN: In the cross-examination
19 there was reference to this symbol being an ancient
20 Buddhist symbol.

21 I'm just wondering if during the
22 course of your investigation you developed any
23 connection between that symbol and - sorry, I'm trying
24 not to be leading here - between that symbol and
25 Buddhism as a religion?

1 DET/CST. WILSON: No, sir, I
2 recognize this symbol as a swastika.

3 MR. WARMAN: Thank you.

4 MR. RICHARDSON: Is the witness an
5 expert in Buddhism?

6 MR. WARMAN: Sir...

7 Question No. 3.

8 THE CHAIRPERSON: Let me just
9 interrupt so we won't have these interruptions again.

10 First of all, you don't just sit
11 there and make comments, Mr. Richardson. If you have an
12 objection, you get up and say I object to the question.

13 If you think the answers that are
14 coming, once they're given and you didn't make an
15 objection, are weak or can't be supported, that's all
16 submissions that you will make in argument.

17 MR. RICHARDSON: Okay.

18 MR. ALEXAN KULBASHIAN: There was no
19 question on whether or not that was a Buddhist symbol,
20 just a question on whether or not it was a sun wheel,
21 just to correct.

22 THE CHAIRPERSON: I don't recall
23 ultimately all the way back. I seem to recall hearing
24 the word Buddha somewhere during the course of this
25 hearing. I don't remember if it was in your first

1 cross-examination, your second cross-examination or in
2 examination-in-chief.

3 But you know, under the
4 circumstances, it has been mentioned at one point I
5 recall, so I will allow the question, nonetheless.

6 But the questions do have to arise
7 from questions that were put by the respondents in
8 cross-examination.

9 MR. WARMAN: Yes.

10 Mr. Wilson, there were numerous
11 questions put to you by Mr. Richardson that, in fact,
12 he lived in Hamilton and not in London.

13 And I'm just wondering if you have
14 any way to -- during the course of your investigation
15 if you came upon anything that would cause you to
16 reconcile that, or whether there was any other
17 explanation besides whether he lived in Hamilton or in
18 London?

19 DET/CST. WILSON: No. To this day,
20 as well as at the time of the investigation I believe
21 Mr. Richardson, and at the time of this offence resided
22 in London.

23 MR. WARMAN: The next question is,
24 and this document has been referenced numerous times,
25 but I'm led to believe it hasn't in fact -- it's the

1 question of the transfer of the ownership of
2 AffordableSpace.

3 THE CHAIRPERSON: Can you draw our
4 attention to the document and I'll see if it's been
5 marked as produced.

6 MR. ALEXAN KULBASHIAN: The document
7 was never produced from what I remember.

8 It wasn't produced, I referred to it.

9 THE CHAIRPERSON: So, where is the
10 document?

11 MR. ALEXAN KULBASHIAN: I would
12 pretty much had to jog his memory if he ever remembers
13 ever hearing something like that seeing something like
14 that, but it was not produced as far as I know.

15 THE CHAIRPERSON: All right. Is it
16 in the material?

17 MR. ALEXAN KULBASHIAN: It's with the
18 witness.

19 THE CHAIRPERSON: Okay. It's not in
20 anything I have.

21 MR. ALEXAN KULBASHIAN: It's not
22 within any document.

23 MR. WARMAN: I'm prepared to proceed
24 simply on the basis of his recollection from the
25 document as well.

1 THE CHAIRPERSON: If you want to give
2 me a document, go ahead and give it to me.

3 The question I'm asking is simply, do
4 I have it already here in these binders, and the answer
5 I'm told is, no.

6 Nothing prevents you from entering
7 another document into evidence.

8 We're just using these binders for
9 the purposes of convenience, that's why I think these
10 were provided to me.

11 MR. ALEXAN KULBASHIAN: The documents
12 were never marked down as an exhibit or produced at
13 all.

14 THE CHAIRPERSON: That document?

15 MR. ALEXAN KULBASHIAN: That document
16 was not and I would have a objection to it being
17 produced right now.

18 THE CHAIRPERSON: Why?

19 MR. ALEXAN KULBASHIAN: And then the
20 details cross-examined.

21 I just referred to whether or not he
22 knows of any transfer of ownership not he knows what
23 the document said.

24 THE CHAIRPERSON: It doesn't make a
25 difference.

1 If you open the door on the issue of
2 ownership, certainly it's a matter that can be dealt
3 with in re-examination.

4 MR. ALEXAN KULBASHIAN: That's right,
5 But having documents included or having other parts of
6 the document or be relating to a detailed document that
7 I would have to be review and be able to maybe --

8 THE CHAIRPERSON: But you say you've
9 seen this document.

10 MR. ALEXAN KULBASHIAN: No, I asked
11 him if he had seen the document or an indication that
12 there was a transfer of ownership.

13 THE CHAIRPERSON: Mr. Kulbashian,
14 bear with me.

15 The way you just spoke, I had the
16 impression that document about the transfer of
17 ownership is found in one of those two binders that is
18 in the possession of the witness; is that correct?

19 MR. ALEXAN KULBASHIAN: It's
20 possible.

21 THE CHAIRPERSON: It's possible.

22 MR. ALEXAN KULBASHIAN: I just asked
23 him if he knew of any transfer of ownership.

24 THE CHAIRPERSON: You didn't see it
25 there.

1 MR. ALEXAN KULBASHIAN: I don't
2 remember seeing it.

3 THE CHAIRPERSON: Did you remember
4 seeing it or not?

5 MR. ALEXAN KULBASHIAN: I know that,
6 from -- I don't remember seeing it. I only remember
7 the document because it came out in court before.

8 THE CHAIRPERSON: Well, if you're
9 going to object, you're going to object only if there's
10 an attempt to produce it.

11 MR. ALEXAN KULBASHIAN: Right now
12 that's my objection.

13 MR. WARMAN: Mr. Wilson, based on
14 your recollection of the document that transferred the
15 ownership of AffordableSpace, can you recall who the
16 ownership was transferred to and from on that document?

17 DET/CST. WILSON: It was transferred
18 from Mr. Kulbashian to a gentleman named Steven
19 Weingand.

20 MR. WARMAN: Thank you.

21 Turn now to HR-1, tab 20, page 1.

22 DET/CST. WILSON: Yes, sir.

23 THE CHAIRPERSON: Tab 20?

24 MR. WARMAN: HR-1, tab 20, page 1.

25 THE CHAIRPERSON: Just a second.

1 Yes, HR-1, tab 20, page 1. Yes.

2 MR. WARMAN: Mr. Wilson, in the
3 cross-examination by the respondents it was suggested
4 to you that this opening page might contain a threat
5 against property but did not in fact contain threats
6 against people or groups themselves.

7 DET/CST. WILSON: Yes, sir.

8 MR. WARMAN: I was just wondering if
9 I could direct your attention to line five down from
10 the top, and what the first full sentence in that
11 paragraph, if you could read it, please.

12 DET/CST. WILSON: Is it the one that
13 starts:

14 "I have..."

15 MR. WARMAN: No, it starts:

16 "The time..."

17 DET/CST. WILSON: Oh.

18 "The time for RAHOWA has
19 arrived."

20 MR. WARMAN: And what was your
21 testimony that RAHOWA stood for?

22 DET/CST. WILSON: It stands for
23 racial holy war.

24 MR. WARMAN: Can you go down below
25 where it says Editor's Voice, the second full paragraph

1 there and the last full sentence in that that starts:

2 "A lot..."

3 DET/CST. WILSON: Starts:

4 "A lot..."

5 MR. WARMAN: Sorry, the second full
6 paragraph below where it says Editor's Voice bold and
7 underlined.

8 DET/CST. WILSON: Oh, it says:

9 "A lot of white folks died
10 tragically and as always the
11 Jews are mixed up in it. I do
12 not take kindly to innocent
13 whites dying for nothing
14 especially because of those
15 dirty Jews."

16 MR. WARMAN: And can you continue
17 just with the next sentence, please.

18 DET/CST. WILSON: It says:

19 "And yes, I hold "all" Muslims
20 personally responsible as well,
21 even the American government for
22 bringing this war onto American
23 soil by supplying Jews with
24 weapons to destroy the Muslims.
25 Now is the time to take back our

1 streets. I am proclaiming my
2 own act of war. I encourage all
3 racialists and especially all
4 C.E.C.T. members to do the same.
5 There are many targets on
6 Canadian soil such as B'Nai
7 Brith offices, Mosad temples
8 and, as far as I'm concerned,
9 any Jew/Arab temple, building,
10 house, and even cars. There are
11 no innocent Jews, especially in
12 a time of war. I ask that you
13 mourn the loss of many of our
14 kin that perished in New York
15 and Washington, and I want you
16 to channel that anger and use it
17 to fight our enemies."

18 MR. WARMAN: And can you continue
19 with the next paragraph starting with the end of the
20 first line:

21 "Many more...."

22 DET/CST. WILSON:

23 "Many more whites will die
24 fighting the Muslims and Jews.
25 Perhaps this will be the final

1 war. I don't know. What I do
2 know is that we must never let
3 this happen to us again. We
4 need to call upon our government
5 and stop all immigration to
6 North America. We need to
7 deport all Jews and Muslims,
8 Arabs and any other known
9 terrorist group or religion. By
10 allowing them to live in our
11 country and seek refuge, we are
12 allowing them to use our own
13 resources; i.e., welfare and
14 public records, et cetera
15 against us. These are our
16 streets, this is our land and
17 the time to fight is now. This
18 is in fact our RAHOWA. United
19 we will win."

20 MR. WARMAN: Can you tell me what, in
21 that particular first page of the Vinland Voice
22 newsletter No. 5 caused you to believe that there were,
23 in fact, threats against not just property but also
24 people?

25 MR. RICHARDSON: Mr. Chair, these

1 questions have already been asked in the first round of
2 questions of by Mr. Warman. I guess the same would
3 apply, the question has been asked and answered
4 already.

5 THE CHAIRPERSON: I recall there
6 being some discussion about this, but you're asking
7 specifically about...?

8 MR. WARMAN: I'm asking for the
9 differential between property and people because that
10 was --

11 THE CHAIRPERSON: In that context the
12 question was not asked. Go ahead.

13 DET/CST. WILSON: The first thing
14 that would come to my mind is the fact that there is a
15 reference to white folk dying, and that their class --
16 they describe it as their own RAHOWA which stands for
17 racial holy war.

18 The next thing I would look to is the
19 fact of proclaiming war on all Muslims and Jews, and
20 that he goes on to say that there are no innocent
21 Jews -- the line states:

22 "There are no innocent Jews,
23 especially in a time of war."

24 That line right there really puts it
25 to me the fact that they are not talking about property

1 they're actually talking about the race or religion
2 John of Judaism.

3 MR. WARMAN: Thank you. There was a
4 suggestion put to you that in fact WPCanada was a group
5 or collectivity within C.E.C.T.

6 I'm just wondering if you can tell me
7 if this article is written in the first person singular
8 or the plural?

9 DET/CST. WILSON: This is written in
10 the first person as WPCanada being one individual.

11 MR. WARMAN: Thank you.

12 Barring any comment from Member
13 Hadjis, had those are my questions.

14 RE-EXAMINATION BY MS MAILLET:

15 MS MAILLET: Mr. Wilson, in
16 cross-examination you gave evidence, or you testified
17 that you wanted to keep the respondents in custody,
18 that was something that you wanted to happen.

19 Could you please indicate what your
20 concerns were and why you wanted that to happen?

21 DET/CST. WILSON: Well, our first
22 concern, again, under the criminal process to keep
23 somebody in custody there are really only two reasons
24 that a criminal court will keep somebody in custody,
25 one, is their fail to attend court in the future, which

1 was not an issue with these two gentleman.

2 The secondary or tertiary ground
3 would be the safety to community.

4 First of all, if you just look at the
5 threat as it stands alone it's a threat to a large
6 population, actually two large populations within
7 Canada.

8 So, therefore, any release of these
9 two gentleman would be difficult to put any court
10 imposed conditions to keep unidentified Jewish and
11 Muslim people safe. So, therefore, custody, in my
12 opinion, was only an option.

13 When it comes to Mr. Kulbashian, at
14 that time he had a history of violence, he was
15 presently under investigation for assault and, again,
16 the assault was classed as a racial assault against a
17 black man. I do understand now that he has been
18 acquitted in front of the Court of Appeal for that, but
19 at that time that history of violence was there.

20 When you look at the overall sort of
21 theme in a skinhead movement, the act of RAHOWA, racial
22 holy war, is a theme that runs fairly steadily through
23 their belief system, the fact that individual acts of
24 violence will cause this RAHOWA, and violence is a very
25 much part of that sort of culture, I would guess, you

1 would say, in my experience, dealing with skinhead
2 movements.

3 MS MAILLET: Now, there was a
4 suggestion as well in cross-examination that you were
5 acting out of a personal vendetta of sorts against the
6 respondents, and I just wanted you to clarify in what
7 roll you were proceeding either as a police officer or
8 as a person with some sort of axe to grind, I suppose.

9 Those were the suggestions that were
10 made in cross-examination. I want to give you an
11 opportunity to speak to that.

12 DET/CST. WILSON: Yes. I acted just
13 as a police officer, but as a police officer one of my
14 No. 1 concerns is, first of all, is the safety of
15 individuals within the City of London because I was a
16 London police officer but also other citizens as well.
17 That is my first concern.

18 So, the zeal I guess that was put on
19 it to keep these two gentlemen in custody, absolutely
20 as a police officer there was a lot of zeal to keep
21 them in custody because, again, I had reason to believe
22 some fear for other people.

23 Did I have an axe to grind. I didn't
24 know Mr. James Richardson and Mr. Alex Kulbashian until
25 August some time in 2001, and some time after September

1 28th 2001. No axe to grind whatsoever.

2 MS MAILLET: Thank you.

3 There were also suggestions in
4 cross-examination that the content of documents were
5 modified or fabricated.

6 Now, if I could just bring your
7 attention to, again, the testimony with respect to Mr.
8 Richardson's hard drive and how that was mirrored and
9 copied and so on.

10 I just wanted to clarify because I
11 know there was a bit of confusion in terms of how the
12 documents were actually modified when it came to
13 copying them, and my question to you as well is, do you
14 have any reason to believe that the content was
15 modified as a result of the procedure that went on?

16 DET/CST. WILSON: None whatsoever.
17 The content's not modified, what the modification would
18 be, is every time you open a file on a computer - and,
19 again, I'd like to put myself as not being an expert in
20 computers whatsoever - but my understanding is every
21 time you would open a file there is a minor
22 modification to the file because of just opening it,
23 but at no time does that change the content of that
24 file in any way.

25 So there's no reason for me to

1 believe that the content contained within the Cds that
2 you have received and the CD I have from Cst. Stumpf is
3 altered in any way.

4 MS MAILLET: And is there any reason
5 to doubt the dignity or the integrity of those
6 documents that were copied?

7 DET/CST. WILSON: None whatsoever.

8 MS MAILLET: Thank you. If I could
9 just turn your attention to HR-8 which is Det. Stumpf's
10 or Cst. Stumpf's statement.

11 DET/CST. WILSON: Yes, Ma'am.

12 MS MAILLET: I just wanted to
13 clarify the chronology of what happened.

14 THE CHAIRPERSON: Just a moment,
15 please.

16 Yes.

17 MRS. MAILLET: Sir, if you could just
18 turn to page 3 of that document.

19 DET/CST. WILSON: Yes, Ma'am.

20 MS MAILLET: And I'd like you to read
21 what Cst. Stumpf indicates that he did starting from
22 the middle of that page on Wednesday, December 5th.

23 DET/CST. WILSON: It states:

24 "On Wednesday, December 5th,
25 2001 at 10:50 hours I began to

1 examine the in case image of the
2 suspect hard drive. I familiar
3 with the directory structure of
4 the system. I "copied out"
5 "C.E.C.T." and "first edition"
6 file directories from the my
7 computer directory."

8 MS MAILLET: My documents directory.

9 DET/CST. WILSON: I'm sorry:

10 "My documents directory.

11 At 12:45 hours I copied out
12 the "newsletter" directory from
13 the same location to
14 D:/C.E.C.T.--" and then:
15 "(my storage drive)"

16 Storage spelled incorrectly.

17 "I also copied out my
18 documents/pers files which
19 includes the "25287265.dat" file
20 which I believe to be the ICQ
21 chat program data file which is
22 associated to the UIN or ICQ
23 number given to the user at the
24 registration. I used the
25 Internet and went to the ICQ web

1 page at www.icq.com. I wanted
2 to know the name associated to
3 UIN No. 25287265. I received
4 the following information. It's
5 registered to Cox88.wpcept. The
6 quote or introduction line
7 attached to it read "my ICQ No.
8 is 25287265" I am a 27-year-old
9 guy from Hamilton, Ontario,
10 Canada and I am interested in
11 white power. I work in other
12 services and I speak English and
13 German."

14 MS MAILLET: Okay. Sorry, if you
15 could just go back to page 2 and start reading two
16 thirds of the way down where it says:

17 "Det/Cst. Wilson also asked me
18 to download..."

19 DET/CST. WILSON:

20 "Det/Cst. Wilson also asked me
21 to download exact copies of
22 three specific web pages
23 associated with hate crime.

24 They were:

25 www.tri-cityskins.com,

1 www.vinlandvoice.com and
2 www.wpcect.com.

3 I used a program called HT
4 track website copier to perform
5 this. It is a free program that
6 is downloaded from the Internet.

7 Once downloaded I checked
8 each..."

9 It says sits,
10 "...to ensure and the contents
11 of what I had downloaded was the
12 same as what actually appeared
13 on the Internet at the time.
14 These were recorded to a CD for
15 the disclosure."

16 MS MAILLET: Thank you. Sir, there
17 were also suggestions during your cross-examination
18 that throughout your investigation and possibly
19 thereafter that there were times that you, it was
20 suggested by the respondents, either misled the court,
21 there was even a suggestion that perjured yourself,
22 were the words that they used, and I want to give you
23 an opportunity as well to answer to that in
24 re-examination.

25 DET/CST. WILSON: The only thing I

1 can answer, at no time did I mislead a court at any
2 time and at no time did I mislead an officer of the
3 court at any time.

4 MS MAILLET: Thank you. If you could
5 please turn to tab 25 of HR-1.

6 THE CHAIRPERSON: Let me just close
7 up the previous one.

8 25?

9 MRS. MAILLET: Yes.

10 THE CHAIRPERSON: Yes.

11 MRS. MAILLET: Now, in
12 cross-examination by Mr. Kulbashian he brought your
13 attention to this first part of the page here with
14 respect to an article that was written by what's signed
15 Totenkopf at the bottom.

16 DET/CST. WILSON: Yes, Ma'am.

17 MR. WARMAN: And it indicates:

18 "This issue has a special
19 message from Alex Krause."

20 Now, Alex Krause and Totenkopf --
21 well and many others we've heard today are pseudonyms.

22 DET/CST. WILSON: Aliases.

23 MS MAILLET: Or aliases, yes.

24 And is this a common thing that
25 people use in the white supremacist movement?

1 MR. ALEXAN KULBASHIAN: I think
2 that's leading.

3 THE CHAIRPERSON: That's a leading
4 question. Very good.

5 MS MAILLET: They are catching on.

6 THE CHAIRPERSON: They're catching
7 on.

8 So, rephrase your question.

9 MS MAILLET: I will try to rephrase
10 it

11 Do you know of situations where
12 pseudonyms are used?

13 DET/CST. WILSON: Yes, Ma'am.

14 MS MAILLET: And why would people use
15 pseudonyms?

16 DET/CST. WILSON: Many use aliases:
17 to disguise their actual name.

18 MS MAILLET: Why would they want to
19 disguise their name?

20 DET/CST. WILSON: And a lot of times,
21 in my profession, being a police officer, people
22 disguise their names because they're involved in
23 criminal behaviour.

24 MS MAILLET: It was also suggested
25 with respect to tab 25 and the Editor's Voice section

1 which appears underneath the first section here.

2 DET/CST. WILSON: Yes, Ma'am.

3 MS MAILLET: That this was simply an
4 anti-racial political statement.

5 DET/CST. WILSON: Yes, Ma'am.

6 MS MAILLET: Now, Mr. Kulbashian had
7 you read the beginning of that and I'm going to have
8 you finish reading that excerpt.

9 DET/CST. WILSON: Okay.

10 MS MAILLET: So, if you could start
11 at the second paragraph on the second page which
12 indicates:

13 "They may be..."

14 DET/CST. WILSON: Page 2 of 9?

15 MS MAILLET: That's right.

16 DET/CST. WILSON:

17 "They may be good at many things
18 but Jews are the best at using
19 the victims's complex. The art
20 of finding the stupidest thing
21 to cry about and portray
22 themselves as victims. They
23 claim to be victims of
24 injustice, obsession, Nazism,
25 terrorism --:

1 THE CHAIRPERSON: Oppression.

2 DET/CST. WILSON: I'm sorry.

3 "...oppression, Nazism,
4 terrorism and anti-Semitism, et
5 cetera. The list goes on ad
6 nauseam. Now they see the doors
7 wide open to randomly bomb the
8 cities of the country they
9 occupy. I support the suicide
10 attacks against the Israeli
11 people, for even though the
12 Palestinians don't have a U.S.
13 funded army, they will not let
14 any Jew live in peace as long as
15 Israel is illegally occupying
16 their land. Maybe England would
17 like to allocate a piece of its
18 own land to house the Zionist
19 plague. I for one would put
20 them in warm waters somewhere in
21 the tropical Pacific."

22 MS MAILLET: That's fine.

23 DET/CST. WILSON: Okay.

24 MS MAILLET: Thank you. Now, as well
25 in cross-examination Mr. Kulbashian suggested to you

1 that he hadn't admitted in the interview to you at the
2 police station that he was writing as Totenkopf and
3 there was some confusion around that.

4 If I could have you turn to tab 62 of
5 HR-1.

6 DET/CST. WILSON: Yes, Ma'am.

7 MR. ALEXAN KULBASHIAN: I'm sorry,
8 there
9 is some confusion. I never asked whether I was
10 writing, I asked whether or not I was Totenkopf.

11 THE CHAIRPERSON: Speak up.

12 MR. WARMAN: I never asked whether or
13 not I was writing, I asked him whether or not I told
14 him I was Totenkopf. I never asked whether or not I
15 wrote as Totenkopf.

16 MS MAILLET: Okay. I was confused.
17 When he was cross-examining Mr. Wilson I was confused
18 whether he was asking if he wrote articles under
19 Totenkopf or if he knew that as Totenkopf he had
20 written racist things, so I wanted an opportunity to
21 clarify that.

22 MR. ALEXAN KULBASHIAN: The question
23 was whether or not I was Totenkopf. It was straight
24 forward.

25 THE CHAIRPERSON: There were so many

1 questions, I'm trying to recall whether it was
2 specifically one or the other.

3 Can you repeat your question, please,
4 Ma'am just so I'm clear what we're talking about.

5 MS MAILLET: Yes, yes.

6 Yes, there was a suggestion in
7 cross-examination Mr. Kulbashian had asked Mr. Wilson
8 if during the interview he had admitted to writing as
9 Totenkopf. That's how I understood his question.

10 If I'm wrong, the evidence is already
11 in, won't insist. That was my understanding of his
12 question.

13 THE CHAIRPERSON: If he had written
14 as Totenkopf, whether that question was asked during
15 the interview, is that what you're going to?

16 MS MAILLET: That's what he had asked
17 in the cross-examination.

18 MR. ALEXAN KULBASHIAN: Was this
19 recently today.

20 MS MAILLET: Yes.

21 MR. ALEXAN KULBASHIAN: I think it
22 was referring to where Det. McKinnon stated that I told
23 Det. Wilson that I was Totenkopf during the interview,
24 if you remember the affidavit.

25 And then when I asked him and said,

1 did I tell you I was Totenkopf during my interview.

2 THE CHAIRPERSON: Hold on, let me
3 just check my notes.

4 MS MAILLET: I apologize, I had a
5 hard time sometimes following the question because he
6 was speaking quickly, and if that's the case that's
7 fine.

8 THE CHAIRPERSON: Well, do you wish
9 to follow up in a question or not. I'm looking through
10 my notes to see what is recorded.

11 MS MAILLET: It's not critical, Mr.
12 Chair. If I misunderstood, I apologize. It was my
13 understanding --

14 THE CHAIRPERSON: In was in relation
15 to what exhibit number?

16 MS MAILLET: Well, he didn't refer to
17 him an exhibit number.

18 THE CHAIRPERSON: It was in the
19 context of the affidavit, I'm told.

20 MR. ALEXAN KULBASHIAN: In context --

21 MS MAILLET: The affidavit, I
22 believe, is R-2, appendix II, page 8.

23 MR. ALEXAN KULBASHIAN: It was --
24 okay, it's where he talks about during the statement.

25 Oh, it's page 5, section 8, I think.

1 Wait a second, never mind, never mind.

2 Oh, it's page 3 section 5.

3 THE CHAIRPERSON: I have a note to
4 the effect that Mr. Wilson testified that Mr.
5 Kulbashian did not say he was Totenkopf or Krause
6 during the inter view.

7 MS MAILLET: Okay, that's fine.

8 THE CHAIRPERSON: Identified as that.

9 MS MAILLET: Identified as that.

10 That's fine.

11 THE CHAIRPERSON: As opposed to
12 writing it.

13 MS MAILLET: Okay.

14 Mr. Wilson, in the context of your
15 cross-examination you were asked about whether or not
16 you had communicated that Mr. Kulbashian had some
17 control over AffordableSpace in December of 2002.

18 Do you recall that questioning?

19 DET/CST. WILSON: Yes, Ma'am.

20 MS MAILLET: Yes. If you could turn
21 to appendix -- or R-2 appendix II, again it's Don
22 McKinnon's affidavit, page 8 and just read paragraph
23 15.

24 DET/CST. WILSON:

25 "I was further advised by the

1 FBI that on December 12th or
2 13th, 2002, the FBI and the INS
3 arrested Mr. Kulbashian at his
4 apartment in Glendale, Arizona.
5 At that time Mr. Kulbashian
6 provided a statement in which he
7 admitted that he had a computer
8 and that he was doing free-lance
9 Internet work on it. Mr.
10 Kulbashian admitted that he was
11 running AffordableSpace at the
12 time (this despite Mr.
13 Kulbashian's representation that
14 he had transferred the ownership
15 of the server to Steve Weingand
16 in accordance with Mr. Justice
17 Hamilton's order)."

18 MS MAILLET: That's fine, thank you.

19 Is it possible that that is-- does
20 that help clarify for you where that came from, that he
21 had some semblance of control?

22 DET/CST. WILSON: Yes, it does.

23 MS MAILLET: Sir, as well during your
24 cross-examination Mr. Kulbashian was asking you whether
25 or not simply being anti-Israeli meant that you were

1 racist and it was that line of questioning.

2 MR. ALEXAN KULBASHIAN: I think I
3 said white power, white supremacist.

4 THE CHAIRPERSON: The whole context,
5 you were making a comparison with being anti-Israeli--

6 MR. ALEXAN KULBASHIAN: Oh, okay.

7 THE CHAIRPERSON: I think in that
8 context, I mean, it may have not been one specific
9 question, but there was a whole discussion about what
10 does anti-Semitic mean.

11 So, go ahead.

12 MS MAILLET: And he had asked you if
13 you knew of any reason to think that he was racist and
14 what you had indicated his affiliation with the white
15 supremacist movement.

16 If I could just turn you to HR-10,
17 please, that is --

18 MR. ALEXAN KULBASHIAN: Can I clarify
19 the question then, because I asked if I was white
20 power.

21 THE CHAIRPERSON: You have to speak
22 up.

23 MR. ALEXAN KULBASHIAN: I'd like to
24 clarify the question then, because now the confusion
25 has been cleared up, I asked whether or not I was white

1 power.

2 THE CHAIRPERSON: Let me hear the
3 question. We haven't heard the question.

4 MR. ALEXAN KULBASHIAN: You heard the
5 question right thousand.

6 THE CHAIRPERSON: No, we haven't
7 heard the question from Me Maillet.

8 MS MAILLET: Yes.

9 THE CHAIRPERSON: Me Maillet, the
10 question?

11 MS MAILLET: Yes, the question is,
12 under HR-10, could you please first of all identify
13 what this was at HR-10?

14 DET/CST. WILSON: These are articles
15 seized a result of a search warrant executed on Mr.
16 Kulbashian's residence found in his bedroom.

17 The first one is a set of business
18 cards, very close up picture of a set of business
19 cards.

20 MS MAILLET: Before we go through
21 them, I would just ask you, so they will know where I'm
22 getting at, would the contents found at Mr.
23 Kulbashian's residence that were seized from his
24 bedroom exemplify his beliefs?

25 DET/CST. WILSON: Yes, it would. It

1 would give me an indication of the owner of this
2 property would be a white supremacist or white power
3 person.

4 MS MAILLET: Okay. I'm going to get
5 you to turn to the two last pages of HR-10.

6 DET/CST. WILSON: Yes, Ma'am.

7 MS MAILLET: When you seized the
8 property, what exactly was the page that was -- that a
9 picture was taken of here?

10 DET/CST. WILSON: This is, I guess, a
11 drawing book or an artist blank binder I guess of
12 paper. It was located again in Mr. Kulbashian's
13 bedroom.

14 MS MAILLET: Could you go through
15 there's a list of names on the left-hand side.

16 Could you please read those.

17 DET/CST. WILSON: It's a list of
18 names that run from top to bottom.

19 MS MAILLET: Yes?

20 DET/CST. WILSON: At the top it says
21 niggers, mugs, trash, kykes, I think it says zogs is
22 the next one, spicks.

23 MS MAILLET: It's hard to read, I
24 know.

25 DET/CST. WILSON: Yes.

1 THE CHAIRPERSON: The word after
2 that, the one begins with "W".

3 DET/CST. WILSON: Yes W...

4 MR. WARMAN: Is it OPS?

5 DET/CST. WILSON: Can I just have a
6 second. I'm wondering if there is a better picture of
7 that. No, these are --

8 MS MAILLET: That's fine.

9 DET/CST. WILSON: And I think then it
10 goes unfortunately, I apologize, I can't read that
11 word.

12 Then it goes gooks, and then again
13 the last word I can't quite read, so...

14 MS MAILLET: Okay. Then if you
15 could - and then if you could turn to the second page.

16 DET/CST. WILSON: Yes, Ma'am.

17 MS MAILLET: The last page of HR-10.
18 What is the depiction up at the top there?

19 DET/CST. WILSON: At the top it's a
20 depiction of a hangman's noose and with a caption
21 beside it that states:

22 "hang the niggers high"

23 And underneath it in smaller writing
24 it says:

25 "still just a nigger..."

1 MS. MAILLET: Thank you, sir. Those
2 are all of my questions, Mr. Chair.

3 THE CHAIRPERSON: Excellent.

4 MR. RICHARDSON: Excellent. Nice and
5 short.

6 THE CHAIRPERSON: So of course you
7 don't have the next witness available?

8 MS MAILLET: No, I apologize, but she
9 will begin tomorrow at one o'clock.

10 THE CHAIRPERSON: There we go. Thank
11 you very much, Mr. Wilson.

12 DET/CST. WILSON: Thank you, sir.

13 THE CHAIRPERSON: Thank you all for
14 today.

15 So, we will start up tomorrow.

16 MR. RICHARDSON: Sorry, Mr. Chair, I
17 won't be coming tomorrow. I will keep in touch with
18 Mr. Kulbashian. I have other things I need to do, I
19 just thought I would tell you right now.

20 I went the expert witness, I have
21 nothing that I need to hear or say to her anyway, so it
22 won't matter.

23 THE CHAIRPERSON: Sir, you know these
24 proceedings are important.

25 MR. RICHARDSON: I realize that.

1 THE CHAIRPERSON: I want it to be on
2 the record from your part that you are, as you just
3 said, you will not be available.

4 You are prepared to allow the
5 proceedings to continue without you.

6 MR. RICHARDSON: Oh yes, yes, yes.

7 THE CHAIRPERSON: You are waiving any
8 claim that you may wish to make hereafter that the
9 proceedings proceeded without your presence.

10 MR. RICHARDSON: Yes.

11 THE CHAIRPERSON: And you are relying
12 to some extent on the assistance that Mr. Kulbashian,
13 both Mr. Kulbashians will provide for tomorrow

14 MR. ALEXAN KULBASHIAN: There is also
15 one matter that we were dealing with yesterday about
16 any other witnesses, you took --

17 THE CHAIRPERSON: Oh yes, Mr.
18 Richardson, wasn't here, that's true.

19 I asked at the end of the day
20 yesterday Mr. Kulbashian whom he will be having
21 testify, he indicated himself possible.

22 I'm looking for the high level, as I
23 said, the high water mark. You can later decide not to
24 call someone, but whom could you possibly end up
25 calling.

1 MR. RICHARDSON: I'm calling no
2 witnesses other than maybe possibly myself.

3 THE CHAIRPERSON: So, it's
4 yourselves, no other witnesses.

5 MR. ALEXAN KULBASHIAN: Also the
6 other question about the Appeal Court decision that was
7 handed in.

8 THE CHAIRPERSON: Yes.

9 MR. ALEXAN KULBASHIAN: Was that
10 filed?

11 THE CHAIRPERSON: I have it in my
12 book.

13 MR. ALEXAN KULBASHIAN: Was that
14 filed?

15 THE CHAIRPERSON: It was handed up, I
16 just included it in tab 60.

17 REGISTRY OFFICER: 61.

18 THE CHAIRPERSON: I consider it as
19 having been entered into evidence.

20 MR. VAHE KULBASHIAN: Sorry, do we
21 have to discuss that, or just the tab because --

22 THE CHAIRPERSON: Because it was a
23 legal document it doesn't need to be identified, if
24 that's what you mean.

25 MR. VAHE KULBASHIAN: I'm sorry,

1 because I don't know. Are there going to be any
2 discussions on that one, or just they submitted and you
3 are going to decide?

4 THE CHAIRPERSON: What I can tell you
5 is this, the context by which this ended coming in,
6 through which it ended up coming in, is that the
7 original exhibit, original tab only had the
8 sentencing--

9 MR. ALEXAN KULBASHIAN: Okay.

10 THE CHAIRPERSON: --reasons and I
11 felt, and I agreed with you when you objected--

12 MR. ALEXAN KULBASHIAN: Yes.

13 THE CHAIRPERSON: --that that was
14 incomplete and that in order for there to be a complete
15 record the Tribunal should have in its possession the
16 entire judicial history of that case not just the
17 sentencing.

18 MR. ALEXAN KULBASHIAN: All right.

19 THE CHAIRPERSON: That's why it was
20 entered. If you wanted to ask questions on it, you
21 could have.

22 MR. ALEXAN KULBASHIAN: The issue
23 was--

24 THE CHAIRPERSON: It was in the file.

25 MR. ALEXAN KULBASHIAN: No, the issue

1 was the indication that it might have just been a
2 technicality that I was released on because I remember
3 there was something about that in the beginning of the
4 case.

5 MS MAILLET: Well --

6 THE CHAIRPERSON: I will tell you
7 this much, when I said you had a right to question that
8 with this witness, but it may not be involved in this
9 prosecution.

10 Although it's been entered as
11 evidence, it's still a decision of the court which in
12 some ways is treated as an authority.

13 We make a distinction when it comes
14 to legal submissions at the end between authorities and
15 evidence.

16 MR. ALEXAN KULBASHIAN: right.

17 THE CHAIRPERSON: So, lawyers or
18 parties are not required to file as evidence decisions
19 from courts per se, we sometimes do it for convenience
20 in the course of a hearing, this would be perhaps an
21 example of that.

22 But when you are making your
23 submissions, you can refer to decisions of courts
24 without these decisions having been entered into
25 evidence.

1 We recognize the fact that this is a
2 judicial authority that has expressed an opinion, so,
3 for instance, if in your argument to support the
4 statement that you were acquitted you wish to refer to
5 this endorsement from the Court of Appeal, I mean it's
6 a judicial document, it speaks for itself.

7 I don't know if there is any comment
8 to be made from the other side.

9 MR. WARMAN: (nodding)

10 MS MAILLET: (nodding)

11 THE CHAIRPERSON: So, what I'm saying
12 is that at the end of the day when we do legal
13 arguments, you don't have to have submitted as evidence
14 any decisions of courts, whether they pertain to you or
15 others, in theory at least from the courts.

16 If it's from -- sometimes from
17 smaller courts, inferior courts, let's say, a labour
18 arbitrator, for instance sometimes you may want to
19 enter it into evidence, but ordinarily, no, you don't
20 have to.

21 MR. ALEXAN KULBASHIAN: Okay.

22 THE CHAIRPERSON: Okay. Anything
23 else today?

24 MR. ALEXAN KULBASHIAN: That should
25 be it.

1 THE CHAIRPERSON: Tomorrow then, one
2 o'clock. So we will have an early lunch and we will
3 see if we can go as quickly as possible, that is to
4 say, take short breaks, if any at all. Okay.

5 MR. ALEXAN KULBASHIAN: Thank you
6 very much.

7 REGISTRY OFFICER: All rise.
8 --- Whereupon the hearing adjourned to Thursday,
9 November 11th, 2004 at 1:00 p.m.

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I HEREBY CERTIFY THAT the
foregoing is a true and accurate
transcript of the proceedings to
the best of my skill and
ability.

Beverley Dillabough, C.S.R.