

**CANADIAN  
HUMAN RIGHTS  
TRIBUNAL**



**TRIBUNAL CANADIEN  
DES DROITS  
DE LA PERSONNE**

**BETWEEN/ENTRE:**

RICHARD WARMAN

**Complainant**

**le plaignant**

**and/et**

CANADIAN HUMAN RIGHTS COMMISSION

**Commission**

**la Commission**

**and/et**

MARC LEMIRE

**Respondent**

**l'intimé**

**and/et**

ATTORNEY GENERAL OF CANADA;  
CANADIAN ASSOCIATION FOR FREE EXPRESSION;  
CANADIAN FREE SPEECH LEAGUE;  
CANADIAN JEWISH CONGRESS;  
FRIENDS OF SIMON WIESENTHAL CENTER  
FOR HOLOCAUST STUDIES;  
LEAGUE OF HUMAN RIGHTS OF B'NAI BRITH

**Interested Parties**

**les parties intéressées**

**CONDENSED TEXT WITH INDEX**

**BEFORE/DEVANT:**

ATHANASIOS D. HADJIS

CHAIRPERSON/  
PRÉSIDENT

LINE JOYAL

REGISTRY OFFICER/  
L'AGENTE DU GREFFE

**FILE NO./N<sup>o</sup> CAUSE:**

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

HEARING HELD AT THE DAYS INN, 1677 WILSON AVENUE, TORONTO,  
ONTARIO, ON WEDNESDAY, JANUARY 31, 2007

CASE FOR HEARING

IN THE MATTER of the complaint filed by Richard Warman dated November 23rd, 2003 pursuant to section 13(1) of Canadian Human Rights Act against Marc Lemire. The complainant alleges that the respondent has engaged in a discriminatory practice on the grounds of religion, sexual orientation, race, colour and national or ethnic origin in a matter related to the usage of telecommunication undertakings.

APPEARANCES/COMPARUTIONS

Richard Warman	On his own behalf
Giacomo Vigna	For the Canadian Human Rights Commission
Barbara Kulaszka	For the Respondent
Simon Fothergill	For the Attorney General of Canada
Paul Fromm	For the Canadian Association for Free Expression

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1 Toronto, Ontario

2 --- Upon resuming on Wednesday, January 31, 2007

3 at 10:00 a.m.

4 THE CHAIRPERSON: Mr. Vigna?

5 MR. VIGNA: Mr. Chair, before we  
6 begin, I wanted to say that I tried to locate pages 13,  
7 14 of tab 13, when it was sent actually and --

8 THE CHAIRPERSON: I'm not quite sure  
9 what you're talking about here. I don't know what your  
10 talking about. Hold on.

11 MR. VIGNA: It's two postings.

12 THE CHAIRPERSON: All right, tab 13.

13 MR. VIGNA: Tab 13, that's pages 13  
14 and 14. They're two postings that were on the  
15 FreedomSite.

16 THE CHAIRPERSON: I'm sorry?

17 MR. VIGNA: They're two postings on  
18 the FreedomSite.

19 THE CHAIRPERSON: Right, and those  
20 were brought up by Ms Kulaszka as not being in the  
21 disclosure. Is that why --

22 MR. VIGNA: She asked me to locate  
23 it, when it was disclosed. I went through my files. I  
24 can't seem to find it, if it was disclosed, at what  
25 point and time, if it was. But in any event, what I'll

1 submit you to, Mr. Chair, it was stuff that was on the  
2 FreedomSite that's in possession of the respondent, so  
3 I don't think there's any prejudice. I tried to locate  
4 it anyways but I don't seem to be able to.

5 THE CHAIRPERSON: In the meantime,  
6 why don't you just keep trying. I mean --

7 MR. VIGNA: I'll keep on trying. I  
8 looked through all the files, and I'm just saying that  
9 to this point, I haven't found it.

10 THE CHAIRPERSON: Right, okay. We'll  
11 see by the end of the day what emerges, by the end of  
12 the hearing.

13 MR. VINGA: Okay, so --

14 THE CHAIRPERSON: I mean, it looks  
15 like it's in amongst all these other ones so --

16 MR. VIGNA: It was part of Craig  
17 Harrison file. Ms Kulaszka was more familiar with that  
18 file, these two tabs, because it was also about the  
19 FreedomSite.

20 THE CHAIRPERSON: Okay. Okay.

21 MR. VIGNA: But they were basically  
22 on the --

23 THE CHAIRPERSON: I'll wait until  
24 you -- the final word on this.

25 MR. VIGNA: Thank you.

1 PREVIOUSLY AFFIRMED: RICHARD WARMAN

2 EXAMINATION-IN-CHIEF BY MR. VIGNA (Cont'd)

3 MR. VIGNA: Okay. Mr. Warman, under  
4 the same oath, we will continue.

5 We left off yesterday on the black  
6 binder. We're going to -- before we go to the green  
7 binder, which deals with the content of the website,  
8 which is more current, I would like you to go on the  
9 Internet and locate JR's Online, just to give us a  
10 visual representation of the present contents of JR's  
11 Online, which I believe you've already filed in terms  
12 of tabs, at the beginning of tab 1, 2 --

13 MS KULASZKA: I wonder if I could  
14 raise a point. If the Commission is using this type of  
15 evidence, will we have access to the same equipment?

16 THE CHAIRPERSON: Mr. Vigna, is there  
17 anything that prevents that?

18 MR. VIGNA: You can use my computer,  
19 if that's what's being asked, yes.

20 THE CHAIRPERSON: Is that what you  
21 mean?

22 MS KULASZKA: Yes, just so that if we  
23 need it in cross-examination, we could go through the  
24 same thing.

25 THE CHAIRPERSON: You can click on --

1           yes, I guess so.

2                           MR. VIGNA:   Yes.

3                           THE CHAIRPERSON:  I mean, if  
4           Mr. Vigna has no objection.

5                           MS KULASZKA:  Thank you.

6                           THE CHAIRPERSON:  Now, I did have one  
7           question though, from a technical point of view,  
8           Mr. Vigna.  You'll be showing this thing, that I gather  
9           is the Internet at this time, right?

10                          MR. VIGNA:  JR's Online, but you have  
11           the hard copy.

12                          THE CHAIRPERSON:  That's what I  
13           wanted to ask.  So everything that we'll be viewing  
14           today is in a hard copy form as well?

15                          MR. VIGNA:  You are asking me if  
16           everything we'll be-- we're doing today is on hard  
17           copy.  I will say simply this, to be precise:  The JR's  
18           Online is on hard copy.

19                          THE CHAIRPERSON:  Yes.

20                          MR. VIGNA:  And I notice that there  
21           was some kind of a problem with the FreedomSite.  It  
22           doesn't seem to -- all the sites open, except the  
23           FreedomSite.  It seems like it takes years to actually  
24           open up.  And the last time we checked, it seemed to be  
25           opening.  But we have the hard copy, which we got this

1 weekend.

2 THE CHAIRPERSON: All right. All I'm  
3 trying to establish is, how will I be able to have an  
4 official record --

5 MR. VIGNA: Yes.

6 THE CHAIRPERSON: -- of what we will  
7 be viewing?

8 MR. VIGNA: There's two things.  
9 First, I have the hard copy.

10 THE CHAIRPERSON: Second?

11 MR. VIGNA: And you see, I brought  
12 CD-ROMs, so in case we have something that's not  
13 provided, we'll try to actually -- on the spot, to do  
14 the CD-ROM picture of it. But I don't want to leave  
15 you with anything that hasn't been physically filed.

16 THE CHAIRPERSON: Oh, so you have  
17 those there to --

18 MR. VIGNA: They haven't been -- what  
19 you're going to --

20 The CHAIRPERSON: -- to record?

21 MR. VIGNA: Sorry?

22 THE CHAIRPERSON: Those CD-ROMs that  
23 you've got are actually to write out, to record --

24 MR. VIGNA: Yes.

25 THE CHAIRPERSON: -- what we're

1           seeing on the screen?

2                           MR. VIGNA:   Yeah, they're blank.   But  
3           the ones -- we're not going to record it, because you  
4           have it already.

5                           THE CHAIRPERSON:   Printed out?

6                           MR. VIGNA:   Yeah.

7                           MS KULASZKA:   Yes, that was my  
8           problem with JRBooksOnline.   We were disclosed -- what  
9           we were disclosed are printouts of JRBooksOnline from  
10          the website, which looks very different from what we  
11          actually got entered into evidence before the Tribunal.  
12          What was entered in before the Tribunal were cut and  
13          pastes.   And so you don't really know what the website  
14          looks like, looking at what the Commission entered into  
15          evidence.   You are going to see it today.

16                          THE CHAIRPERSON:   Okay.

17                          MS KULASZKA:   But what you are seeing  
18          today is visually very different from what is entered  
19          into evidence.

20                          THE CHAIRPERSON:   The content -- the  
21          words used, is that the same?   It's more the image  
22          that's different, is that what you are alluding to?

23                          MS KULASZKA:   It's important for me  
24          that the actual image of what the website looks like is  
25          entered into evidence because --

1 THE CHAIRPERSON: Okay.

2 MS KULASZKA: -- it goes to --

3 THE CHAIRPERSON: I have no objection  
4 to that. And if they don't do it, you enter it into  
5 evidence in cross-examination, is all I can say. You  
6 want it before me, right? That's what's important. Is  
7 that what you're saying?

8 MS KULASZKA: It really puts a big  
9 burden on me.

10 THE CHAIRPERSON: Why?

11 MS KULASZKA: They ought to be  
12 required to put into evidence what they disclosed to  
13 us. You know, it never occurred to me --

14 THE CHAIRPERSON: Oh, it's --

15 MS KULASZKA: -- they would start  
16 putting into evidence something quite different.

17 THE CHAIRPERSON: Well, are you  
18 saying it's difficult for you to --

19 MS KULASZKA: It means I have to run  
20 it off, make twelve copies, put it in a binder.

21 MR. VIGNA: I have the -- I have more  
22 than enough. I have twenty of these blank --

23 THE CHAIRPERSON: Is that an option?  
24 I have no objection. I remember in the file that I had  
25 done, I think it was with Mr. Kulbashian, who was here

1           yesterday, that I was given a CD at one point. I don't  
2           remember who provided it to me, whether it was  
3           Mr. Kulbashian or the Commission. It was the  
4           Commission.

5                       MS KULASZKA: So that is acceptable  
6           to the Tribunal that we make copies --

7                       THE CHAIRPERSON: Yes. Yes, if --

8                       MS KULASZKA: -- off the actual  
9           website, and what it looks like?

10                      THE CHAIRPERSON: Yes. Yes, and I  
11           think that's what Mr. Vigna was alluding to. I  
12           remember that I had received from one of Mr. Vigna's  
13           colleagues -- that's right, it was from the Commission,  
14           an exhibit which was in the form of a CD. And I simply  
15           copied it onto my computer and I had it as -- under  
16           that exhibit number.

17                      MS KULASZKA: Okay, that's fine. It  
18           takes the burden off me.

19                      THE CHAIRPERSON: That's acceptable.  
20           So if you want to do it either here with those CDs, or  
21           on your own and then present it to me, I have no  
22           problem with that, okay?

23                      MR. VIGNA: I have twenty blanks,  
24           and we have the break now.

25                      THE CHAIRPERSON: That's right, okay.

1 And it applies to you Mr. Vigna, also. If you see  
2 something that you want to -- that's only on the  
3 screen, and it's not in your paperwork --

4 MR. VIGNA: Yes.

5 THE CHAIRPERSON: -- give me the CD  
6 version. My only concern is that it be contemporary.  
7 If the CD was prepared last week and what we see on the  
8 screen differs somewhat from what's on your CD, that --

9 MR. VIGNA: No, the CD is blank.

10 THE CHAIRPERSON: Sorry? Yes, I know  
11 it's blank, so I'm fine. Mr. Warman?

12 MR. WARMAN: Sorry, I just --

13 THE CHAIRPERSON: Oh, you just wanted  
14 to -- okay.

15 MR. VIGNA Enter the CD-ROM which I  
16 had which was used for the printout, and then we'll go  
17 to the actual Internet to show the actual visual thing  
18 that we --

19 THE CHAIRPERSON: Right. Will I have  
20 to identify things as we go along, that this is from  
21 the CD and -- that we should produce -- that this is  
22 the CD that will be entered into evidence now or --

23 MR. VIGNA: Yes.

24 THE CHAIRPERSON: Okay.

25 MR. VIGNA: Because that's the CD

1 that was used to make the printouts.

2 THE CHAIRPERSON: Okay.

3 MR. VIGNA: And we'll put that in  
4 evidence.

5 THE CHAIRPERSON: The CD itself?

6 MR. VIGNA: The CD itself.

7 THE CHAIRPERSON: And you have  
8 multiple copies of that CD at this moment?

9 MR. VIGNA: I sent it out to the  
10 parties and I'll give this one to you, to the Tribunal.

11 THE CHAIRPERSON: Let's do it another  
12 way. Let me just take a moment. You are saying that  
13 that's the CD from which these printouts that are in my  
14 hand, were made?

15 MR. VIGNA: Yes.

16 THE CHAIRPERSON: So if we see  
17 that -- if you're putting them on the screen simply to  
18 make it easy for us to view, while at the same time  
19 looking at our papers, I don't know if we need to have  
20 the CD, unless there's some difference between the two.

21 MR. VIGNA: Mr. Warman suggested  
22 that. Maybe he can explain.

23 THE CHAIRPERSON: Yes, Mr. Warman?

24 MR. WARMAN: Mr. Chair, it would  
25 be -- because there were concerns raised by the

1           respondent about the nature of what was presented on  
2           hard copy versus what may have been saved at the  
3           relevant time, the only thing that I wanted to do was  
4           to show you, this is what it looked like --

5                         THE CHAIRPERSON:   Okay.

6                         MR. WARMAN:   -- when I saved the  
7           screen shot on date X.

8                         THE CHAIRPERSON:   Okay.   So let's  
9           have a complete record then.  So whenever it's -- I'm  
10          willing to allow you to take some time, if you need, to  
11          make more copies of that CD, but there may be a  
12          requirement about the number of copies that need to be  
13          provided to the Tribunal, if we are going to enter it  
14          into evidence.

15                        MR. VIGNA:   I just want to ask  
16          Mr. Warman a question,  which is technical.  In terms  
17          of making copies, is that possible to do it to one  
18          computer?

19                        MR. WARMAN:   Yes, I don't see why  
20          not.  I mean, you know --

21                        MR. VIGNA:   Okay.

22                        MR. WARMAN:   Are you indicating it  
23          would be preferable to do that right now before we  
24          do --

25                        THE CHAIRPERSON:   No.

1 MR. WARMAN: Just afterwards.

2 THE CHAIRPERSON: Afterwards, yes.

3 MR. WARMAN: Okay, fine. Thank you.

4 THE CHAIRPERSON: All right. And if  
5 any discrepancy is noted by anybody, then bring it to  
6 my attention.

7 MR. VIGNA: I'll be relying --

8 THE CHAIRPERSON: No, we'll do it  
9 afterwards. It's not a problem.

10 MR. VIGNA: I'll be relying on  
11 Mr. Warman for that operation because I'm not very  
12 technically inclined.

13 THE CHAIRPERSON: I know, Mr. Vigna,  
14 I've noticed. Go ahead. I notice, Mr. Vigna, you've  
15 opted for the wall instead of a screen.

16 MR. VIGNA: We had a little problem  
17 with that, too. The -- it broke.

18 THE CHAIRPERSON: Not just computers  
19 are a challenge for you.

20 MR. VIGNA: That's why -- paper is  
21 more reliable, though.

22 THE CHAIRPERSON: I'll assume then  
23 that your computer does not have a wallpaper motif --

24 MR. VIGNA: No.

25 MR. CHAIRPERSON: -- in the

1 background.

2 MR. WARMAN: Mr. Chair, just for the  
3 ease of fluidity, it may actually be easier if I just  
4 lead this through on my own, just to show you -- I can  
5 take you to individual tabs and show you what it looks  
6 like.

7 THE CHAIRPERSON: So you just want  
8 Mr. Vigna to introduce you -- okay, sorry.

9 MR. WARMAN: So if I could take you  
10 to tab 2, please.

11 THE CHAIRPERSON: Yes, just go ahead.  
12 Tab 2 of --

13 MR. WARMAN: Of the large one.

14 THE CHAIRPERSON: Did you find it?

15 MR. WARMAN: Yes, of the large  
16 binder, please.

17 THE CHAIRPERSON: I thought we were  
18 using the green binder today.

19 MR. VIGNA: The title is "The  
20 International Jew."

21 MR. WARMAN: Yes, so what you can  
22 see here is that --

23 MR. VIGNA: Can you just go up and  
24 point to it, Mr. Warman?

25 THE CHAIRPERSON: I can see it. You

1 are referring to that file entry with the name --

2 MR. WARMAN: Yes.

3 THE CHAIRPERSON: Okay.

4 MR. WARMAN: So you can see that the  
5 title is "The International Jew - Index.htm"; that the  
6 date modified was 11/10, meaning the 11th of October,  
7 2004, at 5:42 p.m. So that's the date on which I saved  
8 this screen shot. And now I'll bring up the screen  
9 shot.

10 Now, this is simply the same thing,  
11 and it gives you all of the various materials that are  
12 contained in the hard copy printout.

13 THE CHAIRPERSON: Yes, I understand.

14 MR. WARMAN: And just, again, to show  
15 the availability of all of the various chapters, you'll  
16 note if I scroll over a particular underlined version,  
17 it comes up at the bottom with the full URL link that  
18 it would then take you to if I clicked on it.

19 THE CHAIRPERSON: I understand.

20 MR. WARMAN: So that is the first  
21 one. This is the last -- this is page 7 of tab 2.

22 THE CHAIRPERSON: Page 7 of tab 2?  
23 Just a second. Okay, so the -- right, because what I'm  
24 looking at here is just in one single font. On screen,  
25 it was --

1 MS KULASZKA: There's no number "1"  
2 in front of the preface. In the hard copy there is.

3 THE CHAIRPERSON: True.

4 MR. WARMAN: So that's just simply to  
5 show it's the same.

6 THE CHAIRPERSON: Okay, take your  
7 notes, bring him back to it afterwards. I'm not going  
8 to have a dialogue going on here, aside with me and  
9 him.

10 MR. WARMAN: The next document you  
11 can see is again the 11th of October 2004, and is  
12 entitled, "Bolshevism is Jewish." If I take you to tab  
13 4 of HR1.

14 THE CHAIRPERSON: Okay, just a  
15 second, please. Okay. Again, I note the font is  
16 different. Can you explain that to me, Mr. Warman?

17 MR. WARMAN: No, I'm sorry, I can't.

18 MR. VIGNA: Mr. Chair, that's  
19 probably when we -- at the Commission, when we printed  
20 it from our computer. That's okay.

21 THE CHAIRPERSON: Okay, so let me  
22 understand then. These screen shots that you took,  
23 Mr. Warman, you then sent them off to the Commission?

24 MR. WARMAN: And then put them on  
25 this CD --

1 THE CHAIRPERSON: CD that is --

2 MR. WARMAN: And provided it to the  
3 Commission.

4 THE CHAIRPERSON: That is now in --  
5 that is in the computer at this moment?

6 MR. WARMAN: Yes, those -- this CD,  
7 as I understand it, was disclosed to all the parties.

8 THE CHAIRPERSON: Okay.

9 MR. WARMAN: And these print-offs are  
10 the hard copies printed off by the Commission, of the  
11 electronic files that I have provided to them.

12 THE CHAIRPERSON: Okay.

13 MR. WARMAN: CD-ROM. Although I did  
14 print off some of them in hard copy and provided hard  
15 copies to the Commission as well. So if there is a  
16 hard copy version that isn't included here, I did  
17 submit further materials to the Commission from  
18 JRBooksOnline.

19 THE CHAIRPERSON: Okay.

20 MR. WARMAN: Just so that's clear.

21 THE CHAIRPERSON: I just want to be  
22 clear I understand you then.

23 MR. WARMAN: Yes.

24 THE CHAIRPERSON: You're saying that  
25 you submitted the CD to them?

1 MR. WARMAN: Yes.

2 THE CHAIRPERSON: And in addition,  
3 you followed up with some hard copies of other  
4 material?

5 MR. WARMAN: And possibly of these  
6 materials as well.

7 THE CHAIRPERSON: Okay.

8 MR. WARMAN: The material was so  
9 voluminous on the website, I didn't print off every --

10 THE CHAIRPERSON: I understand.

11 MR. WARMAN: Sorry, I'll just go back  
12 there. So you see that this is -- Hellmut Schramm's  
13 Jewish Ritual-Murder was saved on the 18th of  
14 September, 2004. And then when you bring it up, this  
15 is what it becomes.

16 THE CHAIRPERSON: Okay, and which tab  
17 was it, so I can compare?

18 MR. WARMAN: This is tab 7.

19 MR. VIGNA: Tab 7, I believe. Is it  
20 Tab 7?

21 MR. WARMAN: Yes, tab 7.

22 MS KULASZKA: What date was that  
23 saved on again?

24 THE CHAIRPERSON: September 18th,  
25 2004.

1 MR. WARMAN: Yes. Then it just goes  
2 through the various materials, including the note from  
3 the translator. Again, this one the forward, 18th  
4 September, 2004. Again, I think this is in tab 7-A.

5 THE CHAIRPERSON: 7-A, okay. And you  
6 said it was 18th of -- sorry, I interrupted you there.  
7 18th of --

8 MR. WARMAN: 18 September 2004.

9 THE CHAIRPERSON: Yes.

10 MR. WARMAN: So I won't go through  
11 each of them. I'll skip to 7-C.

12 THE CHAIRPERSON: Okay.

13 MR. VIGNA: Mr. Chair, if he doesn't  
14 go through all of them, we'll file the whole CD-ROM.  
15 So I'll take it for granted there will be no problems  
16 on --

17 THE CHAIRPERSON: As a general idea,  
18 would what we see on -- all of those various files on  
19 that CD have been produced in the previous two days, or  
20 is there anything that was not produced?

21 MR. WARMAN: Yes, there were a number  
22 of documents. Because the Jewish Ritual-Murder file  
23 was huge --

24 THE CHAIRPERSON: Yes.

25 MR. WARMAN: -- there are electronic

1 chapters from it that weren't filed, but that were  
2 included within the broader Jewish Ritual-Murder file  
3 on the website, and that are saved on this CD.

4 THE CHAIRPERSON: Right.

5 MR. WARMAN: But as I indicated,  
6 really what I was trying to do in submitting that  
7 evidence was simply to give, you know, the gist of the  
8 kind of material, and the subsequent material is just  
9 more of the same.

10 THE CHAIRPERSON: I understand.  
11 Working through the technical issues with it --

12 MR. WARMAN: Yes.

13 THE CHAIRPERSON: -- that would put  
14 into evidence in electronic form material that wasn't  
15 in hard copy form. Does that pose any problem? Well,  
16 I guess they're looking at you, Ms Kulaszka. Is there  
17 any issue on that? I mean, it was part of the full  
18 disclosure to you. Or would you rather that --

19 MS KULASZKA: There is a problem.  
20 There was no disclosure of this material.

21 MR. CHAIRPERSON: Oh.

22 MS KULASZKA: It's on a CD, and I  
23 didn't get that CD until about a week before the  
24 hearing. All of a sudden I started getting these CDs  
25 of material. I started getting faxes, I started

1 getting brown envelopes by courier.

2 THE CHAIRPERSON: Okay, well --

3 MS KULASZKA: So I protest. They  
4 can't -- they can't be allowed to do this. There are  
5 rules. There's reasons for rules. They can't be  
6 allowed to simply, at the hearing, start producing  
7 material.

8 THE CHAIRPERSON: Again, I -- let's  
9 put it in context. It looks to me like the texts are  
10 the same as the written material, is it not?

11 MS KULASZKA: Unless I've  
12 misunderstood, Mr. Warman, he just said that this CD  
13 contains material that's never been disclosed.

14 THE CHAIRPERSON: No, no, that's not  
15 what I understood. I understood -- that wasn't the  
16 question I asked. I don't know what his answer was.  
17 My question was, has everything that -- do all of those  
18 files that we're looking at on the screen there --

19 MS KULASZKA: Are they in hard copy?

20 THE CHAIRPERSON: Are they in the  
21 hard copies that I have already seen and entered into  
22 evidence? And the answer is, I heard at least about  
23 the Ritual-Murders article, that there were other  
24 chapters that were not photocopied because -- for the  
25 reasons indicated by Mr. Warman, that will be found on

1           that CD. So my only concern at this time, that I  
2           raised with my question was, whether it's important  
3           that when the copies are made for all of us to turn  
4           this CD into an exhibit, that only the files that  
5           relate to hard copies be --

6                           MS KULASZKA: Oh, I agree.

7                           THE CHAIRPERSON: -- copied onto the  
8           CD-ROM.

9                           MS KULASZKA: I agree with that.

10                          THE CHAIRPERSON: You agree? Okay,  
11           that was my question. Okay, so I think what you should  
12           do then, Mr. Warman, if you can, is select only the  
13           computer files of what's already been filed in the  
14           black binder, HR-2.

15                          MR. WARMAN: Yes, that's fine.

16                          THE CHAIRPERSON: Okay.

17                          MR. WARMAN: So here is tab 7-C  
18           "Before 1840." The text.

19                          THE CHAIRPERSON: Did you get the  
20           date of the screen shot on that one?

21                          MR. WARMAN: Yes. I'll go back.

22                          THE CHAIRPERSON: Did you show it?

23                          THE WITNESS: I believe it was the  
24           same, yes, 18 September, 2004. And I'll go to tab 7-E,  
25           and this is saved the 18th of September, 2004.

1 THE CHAIRPERSON: Page 3 version,  
2 yes.

3 MR. WARMAN: Yes.

4 THE CHAIRPERSON: Okay.

5 MR. WARMAN: That's the parallels  
6 between the electronic versions that I saved and the  
7 print-offs.

8 THE CHAIRPERSON: Okay, so Mr. Vigna,  
9 you'll undertake -- I don't know if you'll be able to  
10 do it by the end of this week, maybe by the end of the  
11 day would be -- I mean, the sooner the better --

12 MR. VIGNA: As soon as possible.

13 THE CHAIRPERSON: -- to make copies.

14 MR. VIGNA: I guess, before the  
15 cross-examination.

16 THE CHAIRPERSON: That would be  
17 helpful, I guess, but as long as the CD is there to be  
18 available to be -- yes, but you know, it would be  
19 better before the cross-examination so they can look at  
20 it before it's --

21 MR. VIGNA: I don't think it's a long  
22 operation. Would you agree, Mr. Warman?

23 MR. WARMAN: I don't think it will  
24 take long.

25 THE CHAIRPERSON: Okay. So at least

1 two copies for the Tribunal, and one for the respondent  
2 and --

3 MR. VIGNA: Make several copies.

4 THE CHAIRPERSON: Make as many as  
5 you --

6 MR. VIGNA: If they have to go  
7 somewhere else outside, we'll --

8 THE CHAIRPERSON: Okay.

9 MR. VIGNA: -- have them ordered.

10 THE CHAIRPERSON: Okay.

11 MR. WARMAN: Mr. Chair, this is just  
12 for your visual reference of what the -- this is the  
13 current website as of today so it's just --

14 MR. VIGNA: You're on the Internet  
15 right now? Yes?

16 MR. WARMAN: Yes, I am.

17 MR. VIGNA: And that page would be,  
18 would that be tab 1?

19 THE CHAIRPERSON: Well, now -- I just  
20 want to make sure. Have we produced this binder?

21 MR. VIGNA: Not that binder. We're  
22 still in the old binder.

23 THE CHAIRPERSON: Oh, sorry.

24 MR. VIGNA: The green binder is only  
25 for the Freedom site. We're on JR's Online --

1 THE CHAIRPERSON: All right, so --

2 MR. VIGNA: -- which is another site  
3 altogether, which we've already filed.

4 THE CHAIRPERSON: Well, you say tab  
5 1. Are you referring to tab 1, Mr. Vigna?

6 MR. VIGNA: Yes, that's what I think.

7 THE CHAIRPERSON: Oh.

8 MR. VIGNA: I think -- but yes, the  
9 date does seem to be different.

10 THE CHAIRPERSON: Well, that's -- tab  
11 1 appears to be from 2004.

12 MR. VIGNA: Would it be possible to  
13 make a copy of that screen shot, Mr. Warman, of that  
14 site on one of the CDs?

15 THE CHAIRPERSON: Mr. Warman, hold on  
16 a second. Ms Kulaszka is making a request.

17 MS KULASZKA: Can I request that  
18 Mr. Warman make a PDF of it? A PDF is much better at  
19 capturing images. I don't know what kind of software  
20 he's using but he's missing images. You just print  
21 PDFs and save it, so it would be much more accurate.

22 THE CHAIRPERSON: Would that be  
23 possible for you, Mr. Warman?

24 MR. WARMAN: If someone wishes to  
25 give me the --

1 THE CHAIRPERSON: Save as a -- do you  
2 have the Adobe Acrobat on your computer?

3 MR. WARMAN: Actually, I don't think  
4 there is Adobe on this computer.

5 MR. VIGNA: I think we put it  
6 yesterday on --

7 MR. WARMAN: Oh, okay.

8 THE CHAIRPERSON: Mr. Vigna is  
9 getting a crash course on computers.

10 MR. WARMAN: Perhaps someone wishes  
11 to direct me on doing that.

12 THE CHAIRPERSON: My understanding is  
13 a print to PDF might help us. Correct? And we don't  
14 have it there. It doesn't appear to be there. So  
15 would you like me to take a five-minute break? Perhaps  
16 Mr. Lemire could -- or Ms Kulaszka could consult with  
17 Mr. Vigna and Mr. Warman and see how we could do that.  
18 That does seem logical to me. I have some experience  
19 with computers and saving it in PDF format often is a  
20 better way --

21 MR. VIGNA: I had it downloaded  
22 yesterday. I'll verify at the break.

23 THE CHAIRPERSON: I'll take a  
24 five-minute break, see if you can figure that out.

25 --- Recessed at 10:39 a.m.

1 --- Resumed at 10:50 a.m.

2 THE CHAIRPERSON: I understand  
3 Mr. Vigna has a PDF reader, not PDF writer. Correct?

4 MR. VIGNA: Correct, Mr. Chair. We  
5 are going to interrupt the part about the computer for  
6 now. I'm going to let Mr. Warman take the lead.

7 THE CHAIRPERSON: Okay.

8 MR. VIGNA: If there is anything that  
9 I need to raise in terms of questions for the  
10 Commission, I'll do it. But I think he's pretty well  
11 versed in the material.

12 THE CHAIRPERSON: Look, I want to  
13 be -- I want to be realistic about this, okay? I'm  
14 addressing myself to all sides, including the  
15 respondent.

16 Look, out of curiosity, I myself  
17 checked the Canadian Human Rights Tribunal website just  
18 now. I have PDF writer but I'm not going to lend you  
19 my PDF writer.

20 MR. VIGNA: My colleague is going to  
21 lend it to me.

22 THE CHAIRPERSON: Fine. But just to  
23 tell you that, with a -- I guess our website is fairly  
24 simple, and the major distinction is that when you put  
25 it in PDF, you can see the -- see it the way it would

1 print-off. For instance, you see at the top end, it  
2 says, "Canadian Human Rights Tribunal". At the bottom  
3 it has the URL, just like a colour printout would look.

4 When you save it as HTML, all you see  
5 is basically the same screen you would see when you are  
6 on the web. But on occasion, I have had experience  
7 with other websites that I've used, and I know where --  
8 as we see here from time to time, "image is not  
9 available" it says, and sometimes there are words in  
10 those images. Hence, I guess, the objection.

11 But we are all here in this room.  
12 We're all seeing it together. We will all be seeing  
13 the same material, so if any discrepancies emerge that  
14 are of any significance from what ends up being copied  
15 through an HTML copying process, then it's free to you,  
16 Ms Kulaszka, to bring it up and we'll address it.

17 I mean, I'm not going to get all  
18 technical if the image of a flower doesn't make it  
19 into -- because it's the text. We're talking here  
20 about written material. That's what's important. But,  
21 nonetheless, all discrepancies can be brought to my  
22 attention. But it would be good if the Commission  
23 would get the latest tools.

24 MR. VIGNA: We will be taking care of  
25 that.

1 I'll let Mr. Warman introduce the  
2 green binder that's before you. We'll leave where we  
3 were at, and be more practical, And then we'll come  
4 back it to later this afternoon.

5 THE CHAIRPERSON: All right.

6 MR. WARMAN: Mr. Chair, just to close  
7 on --

8 THE CHAIRPERSON: Yes.

9 MR. WARMAN: -- this subject of the  
10 JRBooksOnline. You can see this is a current day  
11 version of the website that we are seeing. The only  
12 real purpose is to show, here it is, it's still Online.

13 THE CHAIRPERSON: I understand.

14 MR. WARMAN: So we'll just be saving  
15 the --

16 THE CHAIRPERSON: I sensed that but,  
17 if you'd rather do it in a more complete fashion later  
18 on, go ahead.

19 MR. WARMAN: Yes, we will save the  
20 PDF version of the home page because it was shown here,  
21 and submit that.

22 THE CHAIRPERSON: Fine. So,  
23 Mr. Vigna, you said now you are alluding -- you're  
24 alluding to the green file?

25 MR. VIGNA: The green binder.

1 Mr. Warman will take us through the green binder and  
2 he'll give us the necessary nuances that need to be  
3 made in terms of introduction of evidence.

4 THE CHAIRPERSON: Can you give me  
5 just a broader description of it? Oh, here it is.  
6 "Excerpts".

7 MR. VIGNA: First page.

8 THE CHAIRPERSON: "Excerpts of  
9 content from [www.freedomsite.org](http://www.freedomsite.org), as of January 28th,  
10 '07."

11 MR. VIGNA: That was Sunday, which I  
12 basically printed at the hotel and put in a binder.

13 THE CHAIRPERSON: Okay. So that's  
14 the description. That should be entered as an --

15 THE REGISTRAR: Do you want that as a  
16 HR exhibit or a Commission exhibit?

17 MR. VIGNA: Both.

18 THE CHAIRPERSON: We've been using HR  
19 until now.

20 THE REGISTRAR: Okay.

21 THE CHAIRPERSON: So we'll stay that  
22 way since the complainant is in the witness box.

23 THE REGISTRAR: The binder entitled  
24 "Excerpt of Contents from [www.freedomsite.org](http://www.freedomsite.org) as of  
25 January 28th, '07" will be filed as Commission Exhibit

1 HR-3.

2 EXHIBIT NO. HR-3: Excerpt of  
3 Contents from  
4 www.freedomsite.org as of  
5 January 28th, '07

6 THE CHAIRPERSON: And the same  
7 principles as we have used until now with the other  
8 binder will apply. You'll ask for the production of  
9 each tab?

10 MR. VIGNA: Correct, Mr. Chair.

11 THE CHAIRPERSON: And then those tabs  
12 that are not produced in that fashion will be removed,  
13 ultimately.

14 MR. VIGNA: So, Mr. Warman, can you  
15 tell us to the -- take us to the tabs of relevance that  
16 you would like to bring to our attention, that you've  
17 looked at and --

18 MR. WARMAN: Okay.

19 MR. VIGNA: -- we'll produce them,  
20 and then we'll go through the contents.

21 MR. WARMAN: So this material --

22 MR. VIGNA: You are -- where are you  
23 now? Tab 1? Tab A?

24 MR. WARMAN: Tab A. So some of the  
25 material -- well, all of the material will be entered

1           pursuant to the hearsay rule in that Mr. Vigna printed  
2           off this material.  It's been provided to me by the  
3           Commission.  I've now viewed it.  But to the extent  
4           that I have seen portions of the website previously,  
5           I'll be identifying those -- those portions of the  
6           website that are consistent with my recollection of the  
7           website.

8                           THE CHAIRPERSON:  Okay.

9                           MR. WARMAN:  So tab A is a 15-page  
10           document downloaded from the freedomsite.org on the  
11           28th of January, 2007.  The first page is entitled,  
12           "Welcome to Canada's Freedom Resource Centre".  I'm not  
13           sure if that's sufficient to identify it as a title?

14                          THE CHAIRPERSON:  You've identified  
15           it as being --

16                          MR. WARMAN:  So --

17                          THE CHAIRPERSON:  -- an excerpt from  
18           the Freedomsite website, right?

19                          MR. WARMAN:  Yes.  So sorry, I'm just  
20           wondering, do we need to introduce each tab as a  
21           separate exhibit?

22                          THE CHAIRPERSON:  I want to, yes.  I  
23           want to --

24                          MR. WARMAN:  Okay.

25                          THE CHAIRPERSON:  I want to follow

1 the same procedure.

2 MR. WARMAN: So is that sufficient  
3 to --

4 THE CHAIRPERSON: Yes. Well,  
5 Mr. Vigna didn't ask me so --

6 MR. WARMAN: I'm sorry.

7 MR. VIGNA: I would like to produce  
8 the entire tab, but like Mr. Warman, so that  
9 everybody's clear, explained, this was printed by  
10 myself and he looked at it afterwards.

11 THE CHAIRPERSON: I understand. I  
12 understand how you -- I understand the process. Don't  
13 complicate it. I know what you were doing here. So  
14 you would like this produced?

15 MR. VIGNA: Correct.

16 THE CHAIRPERSON: Okay.

17 MR. WARMAN: So if I turn to -- well,  
18 the first page you can see, below the sort of melange  
19 or collage of photos, states:

20 "The Freedomsite and Marc Lemire  
21 are under attack by the Canadian  
22 'Human Rights Commission  
23 enforcers'".

24 MR. VIGNA: And on page 2?

25 MR. WARMAN: If I turn to page 3.

1 THE CHAIRPERSON: Page 3, yes.

2 MR. WARMAN: The first full, sort of,  
3 section at the top right:

4 "May 16th, 2006: Rulings before  
5 the Canadian Human Rights  
6 Tribunal.(BIAS Exposed:"  
7 Bias being all capitalized.

8 "Three ruling so far and Marc  
9 Lemire has lost them all!"

10 MR. VIGNA: What about the second  
11 inscription?

12 MR. WARMAN: Second post, again dated  
13 May 16th, 2006 states:

14 "Witness List of Experts  
15 testifying before the Canadian  
16 Human Rights Tribunal,  
17 (Including expert reports)".

18 Further down, February 6th, 2006,  
19 states:

20 "Canadian Jewish Groups join  
21 censorship brigade to silence  
22 Freedomsite."

23 February 5th, 2006:

24 "Radio Freedom: Paul Fromm  
25 Interviews Marc Lemire on the

1 Canadian Human Rights Tribunal  
2 attack on the Freedomsite."

3 The rest of it is much the same.

4 THE CHAIRPERSON: I see that we have  
5 experienced the common occurrence, when we're printing  
6 directly off the Internet, the right side ends up  
7 getting cut off.

8 MR. WARMAN: Yes.

9 THE CHAIRPERSON: So I'm mindful of  
10 that, although sometimes one is able to surmise. For  
11 instance, I notice on page -- I guess on the fourth  
12 sheet, it says -- we can see "Barba Kulaszka", so I'm  
13 gathering the last two letters are "r-a".

14 THE CHAIRPERSON: Okay.

15 MR. VIGNA: Thirteen.

16 THE CHAIRPERSON: The one --

17 MR. VIGNA: Thirteen.

18 THE CHAIRPERSON: The last page is  
19 the one that has a "May 16th, 2005" and a "Wolfgang --"

20 MR. WARMAN: Yes.

21 THE CHAIRPERSON: Okay.

22 MR. WARMAN: I just note the sale of  
23 a Wolfgang Droege memorial on DVD.

24 MR. VIGNA: Can you explain the  
25 pictures and the -- Wolfgang Droege, in terms of the

1 evidence as being --

2 MS KULUSZKA: Can I just get the page  
3 of that? Are we on tab A?

4 THE CHAIRPERSON: Tab A, if you go  
5 one, two, three sheets back from the end.

6 MR. VIGNA: That's the right page.

7 MR. WARMAN: A memorial being sold  
8 through the FreedomSite website, Mr. Droege having been  
9 identified in previous testimony as the leader  
10 immediately prior, or prior to Mr. Lemire, as head of  
11 the Heritage Front.

12 The second last page, just below his  
13 picture, talks about the fact that Mr. Droege was shot  
14 to death. And immediately below that, it states, "Read  
15 entire obituary by Paul Fromm".

16 MR. VIGNA: Was this event in the  
17 media?

18 MR. WARMAN: Yes, the -- Mr. Droege's  
19 killing was extensively covered in the -- well, at  
20 least in the Toronto media.

21 So tab B is a six-page document. The  
22 first three pages are links from the FreedomSite, and  
23 the last three pages are more extensive materials about  
24 the Heritage Front, from the Heritage Front portion of  
25 the website.

1                   MR. VIGNA: Could you go through each  
2 one and tell us, more or less, what you know about each  
3 link, briefly?

4                   MR. WARMAN: Well, the first --  
5 sorry, I should identify it for the purposes of  
6 tendering it. It was printed off on the 28th of  
7 January, 2007 by Mr. Vigna, and I have since reviewed  
8 it. And the links page is consistent with my personal  
9 knowledge of it.

10                  MR. VIGNA: I would like to file.

11                  MS KULASZKA: Could I just --

12                  THE CHAIRPERSON: Yes.

13                  MS KULASZKA: Mr. Lemire just pointed  
14 out this is no longer the Freedom site; it's the  
15 heritagefront.com. Am I looking at the same page?

16                  MR. WARMAN: The first three pages  
17 are --

18                  THE CHAIRPERSON: Yes, I see what you  
19 are saying.

20                  MS KULASZKA: We're no longer on the  
21 Freedom site.

22                  THE CHAIRPERSON: Yes, okay, let  
23 me -- I'll get the clarification, thank you. What you  
24 are referring to is the top right-hand corner, right,  
25 Ms Kulaszka?

1 MS KULASZKA: Yeah.

2 THE CHAIRPERSON: I see it right  
3 there. The first three pages say "freedomsite.org".  
4 The last three pages say "heritagefront.com" at the top  
5 right corner.

6 MR. VIGNA: It's a link, I believe.

7 THE CHAIRPERSON: Can you explain  
8 that to me?

9 MR. VIGNA: I can explain it perhaps,  
10 Mr. Chair. There's a link from Freedomsite to Heritage  
11 Front.

12 THE CHAIRPERSON: Okay, so --

13 MR. VIGNA: So in my view, it would  
14 be --

15 THE CHAIRPERSON: Let's take a  
16 shortcut here so we don't waste much time. So you're  
17 saying that when you click on "Heritage Front", which  
18 appears on the first page of Freedomsite -- of tab B,  
19 it opened up what is on the last three pages?

20 MR. VIGNA: From memory, that's what  
21 I recall. The respondent could be -- could clarify --

22 THE CHAIRPERSON: Mr. Warman, do you  
23 know?

24 MR. WARMAN: No, I'm sorry.

25 THE CHAIRPERSON: You don't? Okay.

1 Ms Kulaszka, this is the explanation they're providing.

2 MR. VIGNA: The respondent can also  
3 have better knowledge because it's his website, after  
4 all. But if you want, we can verify that by --

5 MS KULASZKA: Could I ask why the  
6 Heritage Front web page is being put in evidence, what  
7 the purpose is?

8 MR. VIGNA: Mr. Chair, the reason is  
9 because there's a link to the -- from the Freedom site  
10 to the Heritage Front. So in my view, it would be --  
11 by doing that, you -- you are making it an integral  
12 part of your website.

13 THE CHAIRPERSON: Well, that -- that  
14 could be argued. There's nothing to say his point is  
15 valid --

16 MR. VIGNA: That would be my -- that  
17 would be my --

18 THE CHAIRPERSON: But that does make  
19 it arguably relevant, Ms Kulaszka. But I just want to  
20 be clear what we're looking at here.

21 So you clicked on "Heritage Front"  
22 and it opened up the second -- have you seen these last  
23 three pages, Mr. Warman? The Heritage Front --

24 MR. WARMAN: No, I've not. The link  
25 pages are consistent -- well, apart from the hard

1           copies that I've got before me. But the links, the  
2           first three pages, the links pages --

3                         THE CHAIRPERSON: Yes, okay.

4                         MR. WARMAN: -- are consistent with  
5           my recollection --

6                         THE CHAIRPERSON: All right.

7                         MR. WARMAN: -- of having seen  
8           them --

9                         THE CHAIRPERSON: Well, what about  
10          these last three pages?

11                        MR. WARMAN: No. Well, apart from  
12          have -- them having been disclosed to me by the  
13          Commission, and having reviewed them.

14                        MS KULUSZKA: I also have never seen  
15          the pages before now.

16                        MR. VIGNA: Maybe we don't  
17          necessarily have to put them in evidence, if it's going  
18          to be a problem.

19                        THE CHAIRPERSON: Why don't we  
20          withdraw them, Mr. Vigna?

21                        MR. VIGNA: Okay.

22                        THE CHAIRPERSON: I'm going to  
23          withdraw them then.

24                        MR. VIGNA: Do you have the same  
25          position, Mr. Warman?

1 MR. WARMAN: That's fine.

2 THE CHAIRPERSON: Okay. We're  
3 withdrawing -- withdrawing the last three sheets, tab  
4 B, which began with the Heritage Front logo at the top.  
5 So now we'll -- we'll limit our discussion with regard  
6 to tab B now to the three pages that are left, which  
7 are the links, right?

8 MR. VIGNA: Correct.

9 THE CHAIRPERSON: Okay. So go ahead,  
10 please.

11 MR. VIGNA: So, Mr. Warman, can you  
12 explain the first three pages and contents?

13 MR. WARMAN: Sorry, have you tendered  
14 it? Has it been --

15 THE CHAIRPERSON: I don't think so,  
16 actually.

17 MR. VIGNA: We produced -- we would  
18 like to produce pages 1, 2 and 3.

19 THE CHAIRPERSON: Yes.

20 MR. VIGNA: So now that it's  
21 produced, can you explain the contents and the links in  
22 it --

23 MR. WARMAN: Sure.

24 MR. VIGNA: -- and your knowledge of  
25 the -- the links, and the logos next to the links, what

1           you know about them, what there's been judicial  
2           determinations on, et cetera. Start with the first  
3           one.

4                       MR. WARMAN: The first, third and  
5           fourth organizations that are linked to, those being  
6           the Canada First Immigration Reform Committee, the  
7           Canadian Association For Free Expression, and Citizens  
8           For Foreign Aid Reform, I understand to be headed all  
9           by Mr. Fromm.

10                      MS KULASZKA: I would object to any  
11           testimony by Mr. Warman about these organizations.  
12           He's not an expert in --

13                      THE CHAIRPERSON: All goes to the  
14           credibility to be given to his evidence. That is his  
15           understanding. So if you want, you can challenge him  
16           on his understanding afterwards.

17                      MR. VIGNA: A question, Mr. Chair.  
18           The first one, Canada First Immigration Reform  
19           Committee, is that a website you visited and were able  
20           to see who was the author or the person connected with  
21           that website?

22                      MR. WARMAN: To the best of my  
23           knowledge, all three of those groups are headed by  
24           Mr. Fromm. I have visited each of the websites. I  
25           have reviewed the corporate documents for the Canadian

1 Association For Free Expression, and Mr. Fromm is  
2 listed therein.

3 MR. VIGNA: Those corporate documents  
4 were presented at what point at the -- can you recall  
5 the circumstances?

6 MR. WARMAN: They were obtained by me  
7 through the -- I believe it's the Ministry of Consumer  
8 and Corporate Affairs, because it is an incorporated  
9 body. And I can't recall when exactly they were  
10 obtained.

11 MS KULASZKA: Which organization  
12 is -- do these papers refer to? I'm sorry, I think --  
13 did I miss that or --

14 MR. WARMAN: C-A-F-E. So the Canada  
15 First Immigration Reform Committee, whenever I have  
16 reviewed it, the website or its contents, essentially  
17 rails against immigration, in particular -- or almost  
18 exclusively, dealing with issues surrounding non-white  
19 immigration to Canada.

20 CAFE has a history of intervening in  
21 cases in support of individuals within the white  
22 supremacist and neo-Nazi movements.

23 CFAR, whenever I've reviewed its  
24 materials, is -- or the materials that I've reviewed  
25 have been largely dedicated towards restricting or

1 eliminating foreign aid.

2 MR. VIGNA: And Heritage Front?

3 MR. WARMAN: Heritage Front is the  
4 second link on the page. It has an extensive history  
5 as a neo-Nazi organization in Canada. It was much more  
6 active in the 1980s and '90s. It indicates itself that  
7 it is an organization created to support  
8 "Euro-Canadians". It states that:

9 "The Heritage Front has been in  
10 public existence for over 10  
11 years and is Canada's largest"  
12 -- what is described as a -- "racialist" organization.

13 They then state that their mandate  
14 is:

15 "To preserve our heritage in a  
16 militantly pro-white  
17 militantly-positive sense".

18 The Heritage Front, of course, has  
19 been the subject of a previous order by this Tribunal  
20 and the Federal Court of Canada, and they have also  
21 been the subject of contempt proceedings. And the  
22 Federal Court of Canada, in Justice Blais' national  
23 security ruling on Mr. Zundel, indicates that  
24 Mr. Lemire is a successor-head to the organization,  
25 following Mr. Droege.

1                   MR. VIGNA: On page 2 on the  
2 right-hand side, the black box with all the listings,  
3 can you just describe what that is and what that  
4 represents, at what point in time?

5                   MR. WARMAN: Meaning the links from  
6 the current -- the actual page on the Freedom site?

7                   MR. VIGNA: Correct.

8                   MR. WARMAN: Yes, that's the same as  
9 the previous testimony in that regard. It would take  
10 you to those portions of the website, if you -- if you  
11 clicked on them.

12                   THE CHAIRPERSON: You're talking  
13 about the left side?

14                   MR. WARMAN: The top left.

15                   MR. VIGNA: Yes.

16                   MR. WARMAN: Where it says, "Home,  
17 organizations, newest files", et cetera.

18                   So right beside that is indicated  
19 "Freedom-site sponsored material".

20                   The first is "Freedom-site  
21 controversial columnists". It states:

22                   "Articles and opinions from"

23 -- I presume that's supposed to be --

24 "thought-provoking Canadians.

25 Columnists include people like

1 Doug Collins"

2 -- and then lists the other individuals.

3 MR. VIGNA: And to cross-reference  
4 with yesterday's tabs in the main binder, that would be  
5 in tab 19 -- 18 and 19, if you just briefly look at it.

6 MR. WARMAN: Yes. Well, tab 19 is  
7 one of the other ones that's listed there. Actually,  
8 tab 19 isn't listed there but it is another  
9 individual -- under the "Controversial Columnists"  
10 postings.

11 MR. VIGNA: Okay, go on.

12 MR. WARMAN: The "Exposed" section to  
13 the far right of that indicates that they have profiles  
14 on the "Canadian Jewish Congress, B'Nai Brith and the  
15 Simon Wiesenthal Centre, along with the Canadian  
16 Security Intelligence Section" -- "Service", excuse  
17 me.

18 At the bottom right, picture  
19 collection or "Picture library", states that it has:

20 "Pictures from groups like the  
21 Heritage Front, the Canadian  
22 Association for Free Expression,  
23 Ernst Zundel and David Duke".

24 And apart from that, the other  
25 material on those pages is the same as has been given

1 in previous testimony with regard to the --

2 MR. VIGNA: Pictures.

3 MR. WARMAN: -- web posting and such  
4 things. Tab C --

5 THE CHAIRPERSON: Very long tab.

6 MR. WARMAN: -- is an expanse of --  
7 of material from the FreedomSite website and various  
8 portions thereof.

9 Perhaps it would be easiest to go  
10 through and identify which portions of it that I have  
11 specific knowledge of, having viewed it previously, and  
12 other portions that Mr. Vigna has provided to me and  
13 that I've reviewed.

14 MR. VIGNA: We'll produce it as we go  
15 along, Mr. Chair.

16 THE CHAIRPERSON: Well, why don't  
17 we -- if there are portions in it, let's go through it  
18 and then anything that we have difficulty with, as we  
19 had with the last one, we'll remove physically since  
20 there may no other option than doing it that way at  
21 this point.

22 MR. VIGNA: All right.

23 THE CHAIRPERSON: And then at the  
24 end, whatever is left, we'll produce. Okay?

25 MR. VIGNA: That's fine.

1 THE CHAIRPERSON: I don't want you  
2 to -- are we going to lead evidence on it along the  
3 way, or are we going to --

4 MR. VIGNA: To be practical, perhaps  
5 we can just reverse whatever's said on the production  
6 to be also as evidence.

7 THE CHAIRPERSON: Okay.

8 MR. VIGNA: You don't -- do you  
9 understand?

10 THE CHAIRPERSON: I understand.  
11 We'll do it all in one shot. Yes, okay.

12 MR. VIGNA: Yes.

13 MR. WARMAN: So the first two pages  
14 are the "Freedomsite Store", containing a book list,  
15 audio catalogue, video catalogue and miscellaneous.  
16 I've seen this before myself.

17 The "Miscellaneous" includes  
18 "T-shirts and Equal Rights for Whites cards".

19 The "Audio Catalogue" includes  
20 "Speeches, Radio Freedom and HF" -- meaning Heritage  
21 Front -- "on the radio, and much much more."

22 MR. VIGNA: The address mentioned on  
23 the first page?

24 MR. WARMAN: Yes.

25 MR. VIGNA: And the date?

1                   MR. WARMAN: The address is given as  
2 the previous contact address for the FreedomSite, and  
3 the -- and this is downloaded directly from the  
4 FreedomSite website.

5                   MR. VIGNA: The same address we saw  
6 yesterday, in terms of the FreedomSite?

7                   MR. WARMAN: Yes. So the next  
8 section is a nine-page document, which is the books  
9 section of the store. On the fourth page --

10                  THE CHAIRPERSON: Fourth page of the  
11 book section?

12                  MR. WARMAN: Yes, excuse me. I note  
13 that at the top, there is a work entitled, "My  
14 Awakening: A Path to Racial Understanding", sold by  
15 David Duke or -- sorry, authored by David Duke, offered  
16 for sale through the FreedomSite.

17                  Note that Mr. Duke was a former Klan  
18 leader and that the book outlines his desire to save  
19 his people from the immigration invasion, and the  
20 persecution of anti-white affirmative action and other  
21 measures.

22                  MR. VIGNA: Mr. Chair, on this point,  
23 I just want to raise something. The other day, there  
24 was a mention, when we had the preliminary matters,  
25 about this book being seized.

1                   We've undertaken some inquiries with  
2 Customs to verify if this book is on that prohibited  
3 list, as well as other books. We're still waiting for  
4 a response, but I'd just like to make the parties aware  
5 of that, particularly that there was a mention by the  
6 respondent lawyer that this book was seized. And I  
7 want to reserve the right to produce any evidence I  
8 obtain shortly on this issue.

9                   THE CHAIRPERSON: Your comment is  
10 made.

11                   MR. WARMAN: So three books below  
12 that, there's a work entitled "The Immigration  
13 Invasion".

14                   It states that:

15                   "America is being invaded,  
16 combination of U.S. government  
17 policy and really big business  
18 seeking cheap labour to replace  
19 Americans. American will no  
20 longer be a European majority  
21 government -- country in 2050.  
22 The timely analysis of the  
23 damage caused by this invasion."

24                   On the next page, the second -- well,  
25 third book down is entitled "Immigration: Where

1 Canada's Forefathers Stood" states that:

2 "Canada Prime Ministers and  
3 leaders were united. Canada was  
4 a European country. That we  
5 were founded as a multiracial  
6 stewpot is just a mythPrime  
7 Minister Sir Robert Borden  
8 claimed that 'Canada was a white  
9 man's country'."

10 The next page, the second book down  
11 is entitled "Immigration: Parliament versus the  
12 People."

13 THE CHAIRPERSON: Yes, Immigration:  
14 Parliament -- okay.

15 MR. WARMAN: It states that:  
16 "...public opinion polls and  
17 submissions to Parliamentary  
18 committees clearly prove that  
19 Canadians do not want the racial  
20 make-up of their country  
21 changed. The politicians of  
22 course ignore them."

23 The second page after that, the  
24 second book down, Theodore Roosevelt on "Race, Riots,  
25 Reds and Crime". Although, it then states "by

1 Archibald Roosevelt":

2 "His support for racially-  
3 oriented immigration controls,  
4 suppression of riots, reds and  
5 crime."

6 The next book is entitled, "All I  
7 Don't Know: Nation, Common Sense about America's  
8 Immigration Disaster." It states:

9 "The immigration tsunami touched  
10 off by the 1965 Immigration Act,  
11 and complicated by the political  
12 resistance to assimilation,  
13 known as multiculturalism, has  
14 broken."

15 It states that:

16 "The U.S. badly needs to  
17 drastically reduce immigration  
18 now."

19 So the second page after that is  
20 listed as the "FreedomSite Store Heritage Front  
21 Videos", and I've seen this previously. And it offers  
22 what are described as "Professionally edited Heritage  
23 Front videos from across Canada".

24 On the third page -- excuse me,  
25 fourth page, there is a video by Mike Taylor on

1 immigration. States:

2 "As a former Immigration  
3 Officer, Taylor saw our broken  
4 system from the inside, how  
5 powerful economic interests  
6 decided to bring in unskilled  
7 third worlders to depress the  
8 minimum wage, how immigration  
9 hurts our poor."

10 Immediately below that, there's a  
11 section entitled "Holocaust Revisionism, Ernst Zundel  
12 Videos".

13 The first one is entitled,  
14 "Auschwitz: Did Four Million Really Die?" It's  
15 described as "a must-see".

16 The next video offered for sale is by  
17 David Irving, "Sink the Auschwitz!"

18 The next six pages are the  
19 FreedomSite store's audio offerings. Again, I've seen  
20 this material before.

21 The first -- the second offering on  
22 the first page says:

23 "Douglas Christie, Canada's  
24 leading free speech lawyer. He  
25 has represented some of Canada's

1 leading thought crimes victims;  
2 Ernst Zundel, James Keegstra,  
3 Malcolm Ross, and Paul Fromm.  
4 Christie was also the founder in  
5 1970 of the Western Canada  
6 concept. He is a -- he is  
7 trenchant observer of the fault  
8 lines of Confederation and the  
9 increasing destruction and  
10 corruption of Canada's once fair  
11 judicial system."

12 On the next page, it offers material  
13 from Mr. Fromm, including what -- work entitled "My Job  
14 on the Line: B'nai Brith Wants Me Fired", about his  
15 dismissal from the Peel Board of Education.

16 To the far left, he describes "Red  
17 China's Plan For World Domination."

18 MR. VIGNA: Do you mean the far  
19 right?

20 MR. WARMAN: Excuse me, the far  
21 right. And in between those, there's one entitled  
22 "Immigration Invasion: Target Canada", and states:  
23 "Discusses the 1999 boat people  
24 invasion of Canada's west coast  
25 and the befuddled government's

1 response".

2 At the top of the next page, the  
3 second one from the left is entitled, "Immigration: The  
4 Politics of Replacement":

5 "How Canada's immigration  
6 policies will destroy and  
7 replace the European majority  
8 here by 2050, part of the United  
9 Nations new world order".

10 Immediately beside that, it offers  
11 another one, and the description of which includes,  
12 "Exposing the lunacy of anti-racism".

13 On the next page, it offers material  
14 from Ms Kulaszka, what purports to be, "a devastating  
15 indictment of one-sided government's political  
16 repression."

17 At the bottom, it offers various  
18 Heritage Front audio materials, and that extends onto  
19 the next page.

20 All of this material is from the  
21 Freedomsite website.

22 The next three pages are the store's  
23 miscellaneous section for the Freedomsite. It  
24 offers -- and again, I've personally seen this  
25 material. It offers Heritage Front T-shirts for sale.

1           It offers cards with the expression on the front,  
2           "Immigration Can Kill You", and indicates that the back  
3           of the card states:

4                               "AIDS, multi-drug resistant TB,  
5                               hepatitis, malaria, ethnic gang  
6                               violence and drug pushing,  
7                               poorly screened immigration and  
8                               'refugees' endanger you and your  
9                               family."

10                              The next cards that are offered for  
11           sale have "Equal Rights for Whites" on one side, with a  
12           question mark. And on the back, it states:

13                               "You've heard it from the  
14                               government and the media before,  
15                               'Equal Rights For All'. But the  
16                               facts show that the status,  
17                               cultural traditions and rights  
18                               of European-Canadians are being  
19                               relentlessly attacked.  
20                               Meanwhile, other groups in  
21                               Canada" -- and then it's cut  
22                               off. Well, it says "R".

23                              Then it goes:

24                               "Encourages and given all media  
25                               and government resources to

1                   celebrate and promote their own  
2                   heritage. Are you as tired as  
3                   we are of this blatant  
4                   anti-white discrimination?"

5                   These are listed as "cards on behalf  
6                   of the Heritage Front".

7                   Next three pages of it are entitled  
8                   "Free Speech Dead - History of the Freedom-site".

9                   MS KULASZKA: To make sure I have the  
10                  right page, it -- at the top, it just says, "History  
11                  of the Freedom-Site". Is that it?

12                  MR. WARMAN: Yes, and the URL link is  
13                  "Is free speech dead?"

14                  MS KULASZKA: Oh, I see.

15                  THE CHAIRPERSON: Oh, okay. The end  
16                  of -- the portion that follows [freedom-site.org](http://freedom-site.org), "Is  
17                  free speech dead?"

18                  MR. WARMAN: This section goes  
19                  through what it indicates is "a timeline history of the  
20                  Freedom-site", and links to a number of articles about  
21                  that history.

22                  MR. VIGNA: Just briefly go through  
23                  the history part, and see if there's descriptions that  
24                  you're familiar with, or you've already testified  
25                  about.

1 MR. WARMAN: The timeline begins  
2 January, 1996. It states: "Freedom-Site opens with a  
3 few pages on Pathway Communications in Toronto." June  
4 28th, 1996: "Pathway Communications in Toronto shuts  
5 down Freedom-Site due to content."

6 June, 1996: "Freedom-Site moves to  
7 Fairview Technologies, ftcnet.com in Oliver, B.C."

8 MR. VIGNA: You testified about that  
9 company yesterday. Who was it linked to?

10 MR. WARMAN: Mr. Bernard Klatt.

11 MR. VIGNA: Okay, go on.

12 MR. WARMAN: July 19, 1996: "Sol  
13 Littman of the Simon Wiesenthal tries to pressure our  
14 ISP (ftcnet.com) to shut us down and cancel our  
15 account. ftcnet refuses."

16 March 22nd, 1998: "Ftcnet and CAFE  
17 (meaning the Canadian Association For Free Expression)  
18 hold a press conference in Oliver, B.C. to denounce  
19 censorship."

20 April 26, 1998: "Ftcnet Web Services  
21 is sold to different provider. FreedomSite moves to  
22 Worldwide Internet Publishing Company (USA)."

23 May 20th, 1998: "Jewish groups  
24 succeed in pressuring Interlog Internet in Toronto to  
25 kick off Marc Lemire."

1                   It then goes through further  
2 materials that are linked -- in relation to the history  
3 of the FreedomSite.

4                   MR. VIGNA:  Again, the history seems  
5 to indicate that June, 1999 was the last inscription.  
6 What do you know, from knowledge, regards whether it  
7 stopped in 1999 or if it still existed?

8                   MR. WARMAN:  No, to the best of my  
9 knowledge, it is in fact still in existence.

10                  MR. VIGNA:  Okay.

11                  MR. WARMAN:  So the next single page  
12 that I've seen is the FreedomSite mailing lists.

13                  THE CHAIRPERSON:  Oh, the -- after  
14 the section, you mean?

15                  MR. WARMAN:  Yes, sorry.

16                  THE CHAIRPERSON:  Oh, okay.  Right,  
17 okay.

18                  MR. WARMAN:  It offers the  
19 FreedomSite mailing list.  It indicates that;

20                         "If you sign up, you'll get the  
21 latest news from groups like the  
22 Canadian Association For Free  
23 Expression, Canada First  
24 Immigration Reform Committee,  
25 Citizens For Foreign Aid Reform,

1                   The Heritage Front, Canadian  
2                   Patriot Networks, and the  
3                   Freedomsite."

4                   On the next side, "FS discussion", it  
5           offers:

6                   "An unmoderated mailing list on  
7                   immigration, free speech,  
8                   Euro-Canadian rights, media  
9                   bias, and much much more, all  
10                  from a distinctly Canadian  
11                  tone."

12                  It indicates that this material will  
13                  send out the same as the FS Announce, the material on  
14                  the left-hand side, but that the difference is this  
15                  list allows you to comment on, and discuss the issues.

16                  The next five pages are the  
17                  controversial columnists listing from the Freedomsite,  
18                  and it lists various articles, including the Doug  
19                  Collins' ones.

20                  On the third page in, it offers  
21                  comments from an individual named "Promajority".

22                  MR. VIGNA: It mentions "Promajority"  
23                  with a inscription, the "New World Order". Do you see  
24                  that?

25                  THE CHAIRPERSON: Where?

1 MR. VIGNA: 3 of 5 at the bottom.

2 THE CHAIRPERSON: Yes.

3 MR. VIGNA: It says "Promajority"?

4 THE CHAIRPERSON: Yes.

5 MR. VIGNA: Then there's the "New  
6 World Order".

7 THE CHAIRPERSON: Yes.

8 MR. VIGNA: Do you see that,  
9 Mr. Warman?

10 MR. WARMAN: I do.

11 MR. VIGNA: Do you know what that  
12 terminology refers to, particularly that it's in the  
13 quotation marks.

14 MR. WARMAN: Well, having read a lot  
15 of documents that refer to the "New World Order", it's  
16 generally perceived to be a sort of conspiratorial --

17 MS KULASZKA: I object to this.  
18 George Bush, the President of the United States, used  
19 that term. It's on the U.S. dollar bill, I think.

20 THE CHAIRPERSON: I'm familiar with  
21 the use of that term that came post-1989. Your  
22 understanding is that has another --

23 MR. WARMAN: Yes, the --

24 THE CHAIRPERSON: -- definition?

25 You can cross-examine later, Ms

1           Kulaszka but -- I'm familiar with the use of the term  
2           in the sense that Ms Kulaszka used it. But is there  
3           another use of the term that you're familiar with,  
4           Mr. Warman?

5                         MR. WARMAN: Yes, although its  
6           relevance to these hearings isn't really substantive  
7           so --

8                         MR. VIGNA: I'll move on then.

9                         MR. WARMAN: July 21st, in the  
10          "Promajority" section, the heading of the article is  
11          entitled "An Eye For an Eye: (Jewish Revenge on  
12          Germans)".

13                        THE CHAIRPERSON: I missed that one,  
14          I'm sorry. I didn't follow you. July --

15                        MR. WARMAN: July 21st --

16                        THE CHAIRPERSON: July 21st? Yes.

17                        MR. WARMAN: Yes.

18                        THE CHAIRPERSON: Okay. July 21st,  
19          okay.

20                        MR. WARMAN: Sorry, I think that may  
21          actually be -- because of the way the page is  
22          structured, that may actually be a Collins column.

23                        THE CHAIRPERSON: Yes.

24                        MR. VIGNA: That's at page 3 of 5?

25                        MR. WARMAN: Yes.

1 MR. VIGNA: On the right --

2 MR. WARMAN: And in fact, it does  
3 appear to be.

4 On the next page, it lists Kevin  
5 Alfred Strom, and the article, "AIDS SECRETS: What the  
6 Government and the Media Don't Want You to Know", which  
7 has been previously introduced.

8 And again at the bottom, it states:

9 "Are you a writer? Submit your  
10 pieces to be included on the  
11 Controversial Columnist's page.  
12 Just e-mail it to  
13 webmaster@freedomsite.org."

14 Next section is two pages, entitled,  
15 "Exposed". States that it's "in-depth research" --  
16 "Investigative and in-depth research on censorship  
17 organizations in Canada."

18 Three of the groups are the Simon  
19 Wiesenthal Centre, the Canadian Jewish Congress and  
20 B'Nai Brith Canada.

21 Underneath those headings it  
22 states -- underneath all of the headings of the table  
23 of contents, it states:

24 "This web page is dedicated to  
25 the dozens of diligent

1 researchers from all over Canada  
2 who have teamed together to  
3 investigate and expose the  
4 parasites who hang off the  
5 government's pursestrings and  
6 make careers off the backs of  
7 honest, hard-working Canadians  
8 who are sick of the status quo."

9 After that section, there's a  
10 two-page section entitled "Text Library". It offers a  
11 collection of documents.

12 The fourth one down is described as,  
13 "Universities are outbidding each other for their  
14 'share' of blacks to meet government RACE QUOTAS", with  
15 "race quotas" highlighted -- excuse me, in all caps.

16 At the bottom, it states:

17 "Spreading Scientific Illiteracy  
18 Among Minorities. Talks about  
19 Blacks thinking that Egypt was  
20 primarily black, and other --"

21 I presume that should be "follies"  
22 but it's listed as "follicies". Or it could be  
23 "fallacies".

24 THE CHAIRPERSON: Yes, I thought it  
25 might be "fallacies".

1                   MR. WARMAN: The second posting from  
2 the bottom of the last page is described as "Up Front,  
3 Online, Issue Number One, December, 1991."

4                   Articles include; "David Duke: Where  
5 No Klan Has Gone Before"; "Open Door Immigration  
6 Insanity: What Would Our Founding Fathers Say?"

7                   MR. VIGNA: Are you familiar from  
8 news broadcasts and information, who David Duke is and  
9 where he's located, and what events have been relayed  
10 about him in the news?

11                  MR. WARMAN: Well, I think his own  
12 book description describes him as a former Klan leader.  
13 I'm aware that he's based in the United States. I'm  
14 aware that he's also been convicted of criminal  
15 offences in relation to his solicitation of donations.

16                  But apart from that, I think  
17 that's -- the fact that he's a former Klan leader and  
18 is being included in this material.

19                  MR. VIGNA: That's fine. Move on.

20                  MR. WARMAN: The next four pages is a  
21 picture library on the website.

22                  The first miscellaneous thing  
23 indicates that "Schindlers List Exposed as a FICTIONAL  
24 ACCOUNT" -- all capitalized, "FICTIONAL ACCOUNT".

25                  "Later publications of this book list it as

1 'non-fiction'. "Only when it comes to the 'Holocaust'  
2 (tm) can things become fact by mere repetition".

3 Then provides pictures of -- the  
4 Canadian Association For Free Speech pictures, Citizens  
5 For Foreign Aid Review -- excuse me -- Reform  
6 pictures, then provides an extensive list of Heritage  
7 Front pictures.

8 On the next subsequent page, it  
9 provides Ernst Zundel and David Duke pictures,  
10 including what are indicated as David Duke wearing a  
11 Klan robe in front of the British parliament, 1978 and  
12 David Duke leading a watch along the Mexican border.  
13 He is in a specially-made car that bears the sign "Klan  
14 Border Watch".

15 I believe the next three pages may be  
16 a duplicate of the previous history of the Freedomsite  
17 which -- I'm not sure if that's included in other  
18 copies.

19 THE CHAIRPERSON: I do have that.

20 MR. WARMAN: So perhaps I should take  
21 that out.

22 MR. VIGNA: Yes, that's a duplicate.  
23 It's a duplicate, Mr. Chair. We can pass by that.

24 THE CHAIRPERSON: How far does it go?

25 MR. WARMAN: I believe it's three

1 pages.

2 THE CHAIRPERSON: So we'll remove  
3 three pages, everybody.

4 MR. VIGNA: Yes, it's -- the  
5 Freedomsite.

6 MR. WARMAN: Next page is simply the  
7 search page for the Freedomsite. I've counted as the  
8 next twenty-two pages, being the table of contents for  
9 the Freedomsite.

10 THE CHAIRPERSON: Does that go right  
11 to the very end?

12 MR. WARMAN: I believe it does, yes.

13 MR. VIGNA: I would like to file this  
14 entire tab C as an exhibit, Mr. Chair, and the  
15 testimony that went along for the production would be  
16 valid for the contents of it as well.

17 THE CHAIRPERSON: Okay.

18 MR. WARMAN: So essentially on the  
19 first page.

20 THE CHAIRPERSON: Where are you now?

21 MR. WARMAN: On the first page of the  
22 table of contents.

23 THE CHAIRPERSON: Okay, I thought you  
24 were -- you had ended.

25 MR. WARMAN: Sorry.

1 THE CHAIRPERSON: Go ahead.

2 MR. WARMAN: If you go down  
3 approximately halfway, there's a bullet point that  
4 states, "Scott Brockie".

5 THE CHAIRPERSON: Yes.

6 MR. WARMAN: "Christian Victim of  
7 Militant Homosexual Lobby & Their Human Rights  
8 Commission Allies". Approximately two to three inches  
9 below that, it states:

10 "PROTEST! Winnipeg open line  
11 host gets fired over comments!  
12 Write and Complain! Winnipeg  
13 Radio Station 1290 crumbles to  
14 CRTC! Plus update on the radio  
15 personality who was fired from  
16 AM1290 for supposedly making  
17 'Anti-gay' comments".

18 The third page goes through a variety  
19 of things, including the CAFE support for Ernst Zundel,  
20 their support of Doug Collins, following the finding  
21 that he was responsible for violating the B.C. Human  
22 Rights legislation, and that, "This is an outrage",  
23 according to CAFE director.

24 It talks about CAFE -- this is about  
25 half way down -- CAFE press release, and "Paul Fromm

1 being fired from his teaching position in Peel Region".

2 On the next page, about an inch down,  
3 there's a thread or -- well, there's a section  
4 entitled, "Updates". And approximately the third one  
5 down from that states:

6 "Kurz of B'Nai Brith calling  
7 Jews 'parasites' and 'swindlers'  
8 illegal".

9 Approximately half way down the page  
10 is a bullet point, "Press Release, December 24, 1999".

11 It reads:

12 "Homosexuals and Feminists Use  
13 Faculty Position to Punish  
14 Critic: Halifax Theology Student  
15 Faces Expulsion For Off-Campus  
16 Views".

17 The next section lists material from  
18 the Canada First Immigration Reform Committee.

19 On the page following that, the  
20 second one beneath it is the case against Immigration,  
21 the second bullet point, I guess.

22 Towards the bottom, approximately an  
23 inch-and-a-half from the bottom, states "Immigration  
24 Can Kill You: The Health Effects of Canada's Mass  
25 Immigration Policy".

1                   There's a number of subheadings  
2                   there.

3                   The two pages after that, up at the  
4                   top, the first line is, "Answers: Five Years Later."

5                   So it's all in the same page.

6                   THE CHAIRPERSON: Yes.

7                   MR. WARMAN: Half way down, there's  
8                   "CFIRC in the News", "CFIRC in August 30th, 1999 Globe  
9                   & Mail".

10                   The line states, "Far Right Using Web  
11                   to Whip Up Hostility to Chinese Migrants." Beneath  
12                   that, there's a section entitled "News Updates":  
13                   "Chinese Illegal. CFIRC Full Coverage", and a link to  
14                   a website called "Canadaunderinvasion.com".

15                   "July 23rd 1999, Day 3: 'It's  
16                   Not the Canadian Way', (The  
17                   FUKienese are coming...the  
18                   FUKienese are Coming!"

19                   Two or three below that, it's headed,  
20                   "The Chinese Illegals Action Alert".

21                   Immediately underneath that, it  
22                   states, "CFIRC In Action! Holds protest in Victoria  
23                   against illegal immigration and investigates the  
24                   illegals".

25                   Two below that, it states, "Second

1 boat load of illegals wash up on Canadian soil! Get  
2 involved now! We Need to Stop This invasion".

3 At the very bottom, it states, "Asian  
4 Illegals flooding Canada's West Coast: 3rd Boat Load?"

5 The next page goes through a variety  
6 of materials consistent with that same theme.

7 If you go half way down, there's a  
8 bullet point, "September 17-99 Press Release". States,  
9 "Recall Army From Peacekeeping to Stop Chinese  
10 Illegals, Immigration Reformers Urge".

11 September 23rd, 1999, just below  
12 that, "Four Hundred More on the Way!? TB Health Threat.  
13 Large Update - a Must-Read".

14 The second from the bottom, states,  
15 "UN New World Order Scheme: Immigration Flood to  
16 Replace Us".

17 Next page at the top, "More Chinese  
18 Invasion Ships Expected in 2000."

19 Below that, "Immigration in  
20 Pictures".

21 Point number six states, "Karachi?"  
22 K-A-R-A-C-H-I? "Kabul?" K-A-B-U-L "No, George  
23 Hees'" -- HEES being H-E-E-S -- "old riding, East End  
24 Toronto."

25 Number 8 states, "Vancouver? Looks

1 More Like Shanghai."

2 Underneath that there's a section  
3 entitled "The Myths of Immigration".

4 Myth #2 is that "Diversity makes us  
5 stronger".

6 Myth #3 is that "There are no  
7 differences between the races".

8 Myth #4, "But we need immigrants".

9 Myth #5, "But we owe it to the Third  
10 World."

11 Next page goes through materials for  
12 the Canadian Immigration Hotline, Citizens For Foreign  
13 Aid Review.

14 The heading entitled, "The Heritage  
15 Front", which is two pages later, half-way down. And  
16 it's a variety of articles from the Heritage Front,  
17 including the ones that were previously entered, such  
18 as "Heritage Front Warns Hamilton Residents of Health  
19 Threat Posed By Immigration".

20 I believe the rest of the material  
21 simply gives material that's already been covered in  
22 terms of the columnists' individual columns.

23 THE CHAIRPERSON: Am I to surmise,  
24 Mr. Warman, that by clicking on the underlined passages  
25 on these websites, these paper articles come up to your

1 screen?

2 MR. WARMAN: Yes, you would be taken  
3 to there.

4 MS KULASZKA: I wonder if Mr. Warman  
5 could just say whether he did test that to see if  
6 that's true.

7 MR. WARMAN: Obviously, not on all of  
8 them, but on some of them.

9 THE CHAIRPERSON: On some of them?

10 MR. WARMAN: As I recall, yes. I'm  
11 wondering, I'm noting the time, that it's after noon.

12 THE CHAIRPERSON: Let me just verify  
13 something. Are we going to tab E?

14 MR. VIGNA: Tab D, I believe.

15 THE CHAIRPERSON: D, E and F. So you  
16 think -- will you be long with those?

17 MR. VIGNA: Not necessarily but --  
18 it's up -- it's up to you, Mr. Chair.

19 THE CHAIRPERSON: We've lost a bit of  
20 time but that's --

21 MR. VIGNA: We can go up to tab D.

22 THE CHAIRPERSON: No, but if  
23 Mr. Warman's tired, I --

24 MR. WARMAN: No, no, that's fine. I  
25 can -- you know, I'm quite happy to finish the book.

1 THE CHAIRPERSON: You are? Well, we  
2 always have one person who works the most -- than  
3 anyone else here, more than anyone else, and that's the  
4 court reporter. So we will take a break at this point  
5 then.

6 MR. VIGNA: Until what time?

7 THE CHAIRPERSON: Yes, we'll go to  
8 1:45 again. I can give you some leeway to organize the  
9 digital recording, whatever you have to do there.

10 MR. VIGNA: Okay.

11 --- Recessed at 12:12 p.m.

12 --- Resumed at 1:50 p.m.

13 MR. VIGNA: Mr. Warman, under the  
14 same oath, before we go to tab D, I'd just like you to  
15 skim through tab C for yourself only and see if there  
16 is anything you would like to add, or any other  
17 comments you would like to make, and then we'll go to  
18 tab D.

19 MR. WARMAN: The only real thing I  
20 would like to do is in relation to the last answer that  
21 I gave in terms of the TOC, the table of contents.

22 I was getting pretty tired towards  
23 the end so I think it would be best for me just to say  
24 that, to the best of my memory, you could link it, but  
25 that it's possible that those weren't in fact active

1           hyperlinks from the table of contents to the actual  
2           articles.

3                           THE CHAIRPERSON:  To the best of your  
4           knowledge?

5                           MR. WARMAN:  To the best of my  
6           recollection.  If you just look at the full table of  
7           contents --

8                           THE CHAIRPERSON:  Yes.

9                           MR. WARMAN:  -- which is the last,  
10          sort of 20 -- 22-page section.

11                          THE CHAIRPERSON:  Yes.

12                          MR. VIGNA:  Where it starts,  "Site  
13          map.  Full table of contents"?

14                          THE CHAIRPERSON:  The table of  
15          contents, yes.

16                          MR. WARMAN:  Yes, you had asked me if  
17          these were hyperlinks --

18                          THE CHAIRPERSON:  Hyperlinks.

19                          MR. WARMAN:  -- to the actual  
20          articles.

21                          THE CHAIRPERSON:  Yes.

22                          MR. WARMAN:  And I had said, yes,  
23          that I thought that they were.  But I should say  
24          really, to the best of my recollection, they were.  But  
25          it's possible that it's not in fact the case, so --

1 THE CHAIRPERSON: Okay.

2 MR. WARMAN: There is another  
3 housekeeping matter in relation to the JRBooksOnline  
4 website that we pulled up?

5 THE CHAIRPERSON: Yes.

6 MR. WARMAN: I'm quite happy just to  
7 ignore that, and simply give the testimony that "This  
8 morning, I viewed jrbooksonline.com, and it was  
9 active."

10 MR. VIGNA: We provided a CD-ROM to  
11 Ms Kulaszka on our table, and perhaps we can just  
12 provide you a copy --

13 THE CHAIRPERSON: Now, the CD-ROM, is  
14 it relating to the material that had been -- what was  
15 the term we used, "snapshot"? No, that's --

16 MR. WARMAN: Yes.

17 THE CHAIRPERSON: From 2004, those  
18 ones that we saw this morning?

19 MR. WARMAN: Exactly. So these are  
20 the CDs for the Tribunal.

21 THE CHAIRPERSON: The CDs, okay. So  
22 one has been provided to Ms Kulaszka?

23 MR. VIGNA: You have it on your  
24 table, right, Ms Kulaszka?

25 MS KULASZKA: Yes, we've got it.

1 THE CHAIRPERSON: Okay. So then  
2 we'll enter -- you would like to enter it into  
3 evidence? Is that what you're -- like to do?

4 MR. VIGNA: Yeah.

5 THE CHAIRPERSON: And did you limit  
6 yourself to those that are already exhibits?

7 MR. WARMAN: Yes.

8 THE CHAIRPERSON: Okay. I'm assuming  
9 I'll be able to identify what's what because all these  
10 exhibits have been identified by titles and so on, as  
11 we saw this morning.

12 MR. WARMAN: Sorry, can I just -- the  
13 chair just cut me. I'm just wondering if there's a  
14 band-aid around, if there's a first aid kit.

15 THE CHAIRPERSON: Oh, there's a --

16 MR. VIGNA: You need a band-aid?

17 THE CHAIRPERSON: Would you like to  
18 step out a second?

19 MR. VIGNA: Maybe you can excuse him  
20 to go to the washroom, Mr. Chair.

21 THE CHAIRPERSON: Okay, but I don't  
22 want to have to leave, so go ahead.

23 MR. WARMAN: Yes, thank you.

24 THE CHAIRPERSON: And we'll enter it  
25 into evidence in your absence, if that's okay with you,

1 Mr. Warman, okay?

2 MR. WARMAN: I have no objection to  
3 that, Mr. Chair.

4 THE CHAIRPERSON: So while he's  
5 absent, we'll just give it a number.

6 THE REGISTRAR: There's a CD here,  
7 it says jronline -- "JRBooksOnline", and it will be  
8 filed as Commission Exhibit HR-4.

9 THE CHAIRPERSON: HR-4? Okay, just a  
10 second.

11 EXHIBIT NO. HR-4: CD entitled  
12 "JRBooksOnline"

13 THE CHAIRPERSON: So, Ms Kulaszka,  
14 if you would look at this overnight perhaps, this CD  
15 and -- of your client, and just advise me if there is  
16 any discrepancy in the manner in which it's been  
17 presented.

18 MS KULASZKA: Hmm --

19 THE CHAIRPERSON: It's my  
20 understanding, based on what Mr. Warman said, that all  
21 the files that are -- the files in here represent  
22 documents already that have been filed as exhibits. So  
23 if there is any issue, bring it up with me tomorrow.

24 MS KULASZKA: Okay.

25 THE CHAIRPERSON: Yes.

1 MR. VIGNA: Ms Kulaszka, do you just  
2 want to --

3 MS KULASZKA: I spoke to Mr. Vigna a  
4 few minutes ago and asked him if he would consent to an  
5 adjournment once Mr. Warman's testimony is done.  
6 Apparently, it's going to be about another hour,  
7 hour-and-a-half, and I need time -- with Rogers  
8 subpoena, and just time to organize our two binders.  
9 And it would probably go a lot quicker tomorrow if I  
10 was just able to get that extra time.

11 THE CHAIRPERSON: Okay, so as soon as  
12 Mr Vigna is done, we'll take an adjournment for the  
13 day.

14 MS KULASZKA: Yes.

15 THE CHAIRPERSON: How are we doing on  
16 the rest of the witnesses? Will you be having any more  
17 factual witnesses?

18 MR. WARMAN: I don't have more  
19 witnesses in front of me --

20 MR. VIGNA: The only thing left will  
21 not be a factual --

22 THE CHAIRPERSON: I'm sorry?

23 MR. VIGNA: The only thing that will  
24 be left will be to file, and we're hoping to do it  
25 tomorrow morning, the documents from Customs --

1 THE CHAIRPERSON: Okay.

2 MR. VIGNA: -- regarding the books.

3 But that will be --

4 THE CHAIRPERSON: And that will be it

5 for the fact --

6 MR. VIGNA: Yes.

7 THE CHAIRPERSON: -- evidence on your

8 side, on the merits, I should say --

9 MR. VIGNA: Yes.

10 THE CHAIRPERSON: -- of the complaint

11 itself?

12 MR. VIGNA: And I consent to the

13 request so --

14 THE CHAIRPERSON: Yes, yes. And on

15 your side then, it would be --

16 MS KULASZKA: We've got --

17 THE CHAIRPERSON: -- be

18 cross-examination?

19 MS KULASZKA: Cross-examination of

20 Mr. Warman --

21 THE CHAIRPERSON: Yes.

22 MS KULASZKA: -- Mr. Livingston --

23 THE CHAIRPERSON: Right.

24 MS KULASZKA: -- Yirga Newman (ph) and

25 Paul Fromm. And Bernard Klatt is coming in for Monday,

1 but he will wait if there -- if you need to --

2 THE CHAIRPERSON: Okay.

3 MS KULASZKA: -- start his evidence.

4 THE CHAIRPERSON: I just hope we're  
5 able to -- I hope we don't run out of time. That's my  
6 only concern. I've got the impression we've slowed  
7 down a bit lately, in the last day or so with  
8 Mr. Warman.

9 MS KULASZKA: No, I think we'll be  
10 okay.

11 THE CHAIRPERSON: We'll be okay?

12 MS KULASZKA: Mm-hmm.

13 THE CHAIRPERSON: Okay. Well,  
14 because I had even hoped that perhaps, if possible, if  
15 there was any component of the Charter based --  
16 evidence that we could get into, without any issue  
17 of -- of those matters that we've raised for Monday,  
18 that we could possibly do on Thursday or Friday of next  
19 week. I think it would be beneficial. You know,  
20 something that --

21 MS KULASZKA: This is something I --  
22 I wanted to ask is --

23 THE CHAIRPERSON: Yes?

24 MS KULASKZA: -- is the B'Nai Brith,  
25 CJC and Simon Wiesenthal, are they still calling

1 witnesses?

2 THE CHAIRPERSON: Is anybody here  
3 from there? No.

4 MR. VIGNA: My understanding is that  
5 they weren't calling witnesses, they were more cross --  
6 cross-examining. The only other witness was from the  
7 Attorney General. I think he's got two witnesses, or  
8 one.

9 THE CHAIRPERSON: One witness.

10 MR. VIGNA: One -- one witness and  
11 one is from Ministry of Health, Karen Mock. Professor  
12 Tseis is for the Attorney General, and I -- and my  
13 understanding is the other intervenors didn't have any  
14 witnesses.

15 Mr. Simon Fothergill might be  
16 perhaps -- correct me if I'm leading --

17 THE CHAIRPERSON: He indicated while  
18 you were -- you had your back turned, just one, you  
19 see.

20 MR. VIGNA: No, but as far as the  
21 other --

22 MR. FOTHERGILL: Index finger was  
23 raised, just for the record.

24 MR. VIGNA: The other intervenors, I  
25 don't think they have any other witnesses.

1 THE CHAIRPERSON: Okay, two. Okay,  
2 so we'll see how it goes, but if -- if it's possible,  
3 any of that evidence that you -- that any -- the  
4 intervenors -- now I'm also directing myself to  
5 Mr. Fromm -- if we could deal with any of that next  
6 week, if we have the time, it might be helpful. The  
7 ones that don't relate to the Charter issue. I'm  
8 sorry, the ones that do relate to the Charter issue.

9 Okay. I just put it out there  
10 because I -- it would be an efficient way to deal with  
11 it and not try to put off everything to the other  
12 week -- other two weeks.

13 All right then, so let's go. So  
14 Mr. Warman, are you okay?

15 MR. VIGNA: So --

16 MR. WARMAN: Doing my best.

17 THE CHAIRPERSON: Okay, just --

18 MR. VIGNA: Will you survive?

19 MR. WARMAN: With any luck.

20 MR. VIGNA: Mr. Warman, so is there  
21 anything else in tab C that you wanted to bring to our  
22 attention, or do we move onto tab D?

23 MR. WARMAN: No, thank you.

24 MR. VIGNA: Tab D?

25 MR. WARMAN: Yes, please.

1                   MR. VIGNA:  So look -- look at it,  
2                   we'll produce it, and then we'll go through it.

3                   THE CHAIRPERSON:  Yes?

4                   MR. WARMAN:  Yes, there is an 11-page  
5                   document that was provided to me by Mr. Vigna and that  
6                   I've since reviewed.

7                   It indicates that it was printed off  
8                   on the 28th of January, 2007 from the FreedomSite  
9                   website, and it is entitled "Marc Lemire's  
10                  Constitutional Challenge of Internet Censorship, to be  
11                  heard in February 2007, Toronto".

12                  MR. VIGNA:  I would like to produce  
13                  this as an exhibit.

14                  THE CHAIRPERSON:  Mm-hmm.

15                  MR. VIGNA:  Mr. Warman, can you tell  
16                  us, by going through the various pages, the points of  
17                  interest in the document, and I won't -- I'll ask  
18                  questions in regards to certain documents.

19                  Now, first of all, the document as a  
20                  whole relates to what exactly?

21                  MR. WARMAN:  This case.  So  
22                  essentially, if you turn to page 3, individuals  
23                  identified as "freedomfighters" are listed as Ms  
24                  Kulaszka, Mr. Christie, Mr. Fromm, Mr. Klatt and the  
25                  two expert witnesses.

1                   MR. VIGNA: Now, Mr. Warman, in terms  
2 of of these individuals, are you familiar with these  
3 individuals?

4                   MR. WARMAN: Yes, I am.

5                   MR. VIGNA: And can you tell us what  
6 you know about these individuals and their  
7 interrelation, one to the other, and in terms of the  
8 respondent, Marc Lemire?

9                   MR. WARMAN: Yes. Ms Kulaszka and  
10 Mr. Christie have an extremely long history in terms of  
11 acting as legal counsel for Ernst Zundel. It's my  
12 understanding that -- well, I don't know who is the  
13 junior and who is the senior on the case, but they both  
14 work as counsel for Mr. Zundel.

15                   Mr. Fromm, as I've noted, heads up  
16 those three groups. He and Mr. Klatt were present  
17 protesting outside of a presentation on Internet hate  
18 that I gave in Victoria at a synagogue.

19                   Mr. Klatt has, as I believe the  
20 evidence that has already been submitted, a long  
21 history of involvement in this milieu, if you will.

22                   Mr. Klatt, as noted by the evidence  
23 from the FreedomSite, has a long history of involvement  
24 with Mr. Lemire.

25                   Mr. Fromm, I'm aware that Mr. Lemire

1 has travelled with him to events in the United States,  
2 within this same milieu.

3 I'm aware that they have all -- well,  
4 Ms Kulaszka at least, Mr. Lemire and Mr. Fromm, have  
5 all been recipients of an award from Mr. Christie's  
6 organization, The Canadian Free Speech League, entitled  
7 the "George Orwell Award".

8 MR. VIGNA: And from judicial  
9 determination, you were referring yesterday to a case,  
10 the John Booth case. Are you aware of any  
11 interconnection between Mr. Lemire, Mr. --

12 MR. WARMAN: Well, in the decision by  
13 Justice Blais on the reasonableness of the security  
14 certificate against Mr. Zundel, Mr. Lemire's extensive  
15 history in connection with Mr. Zundel was reviewed.

16 Mr. Blais also -- Justice Blais --  
17 sorry, Justice Blais basically outlined the  
18 interconnectedness between Mr. Zundel, Mr. Klatt and  
19 Mr. Lemire. If you turn to page 6 of --

20 THE CHAIRPERSON: Of? Of this tab?

21 MR. WARMAN: Yes. Sorry, tab D.

22 MR. VIGNA: Tab E?

23 THE CHAIRPERSON: D.

24 MR. WARMAN: D.

25 MR. VIGNA: D.

1 THE CHAIRPERSON: Is that the one  
2 that -- that has a photo and a -- the name, "Dr.  
3 Michael Persinger"?

4 MR. WARMAN: No, I'm sorry, it's the  
5 next one up. It's the one just -- should be the one  
6 just before that, with the picture of Mr. Klatt.

7 THE CHAIRPERSON: Okay. Let me just  
8 see. Yes, it's a six-page, right? Okay.

9 MR. WARMAN: Mr. Klatt is identified  
10 as the owner of Fairview Technology Centre, an Internet  
11 service provider in British Columbia.

12 As we've seen from previous documents  
13 on the FreedomSite related to Mr. Fromm's organization,  
14 CASE, there is evidence that Mr. Fromm has been  
15 involved with the efforts to support Mr. Klatt at the  
16 time when there were issues surrounding the nature of  
17 material that he was hosting, allegations that the  
18 material hosted by his company were from hate groups.

19 MR. VIGNA: Mr. Warman, if you look  
20 at that same page, you see at the bottom, there's a  
21 mention of "Glenn Bahr Hearing"?

22 MR. WARMAN: Yes, Mr. Fromm called  
23 Mr. Klatt as what they indicated was an "expert  
24 witness" at the CHRC hearing in Edmonton in the case  
25 against Glenn Bahr and Western Canada For Us.

1                   It's my understanding that Mr. Klass  
2 was also attempted, or was called, as an expert witness  
3 in the Zundel hearing.

4                   Mr. Fromm, who is listed on the next  
5 page as a fact witness, has an extensive history within  
6 this milieu. More recently, he has been acting as  
7 agent on behalf of a number of individuals.

8                   MR. VIGNA: Can you name the -- the  
9 cases in which he acted as agents, to your knowledge?

10                  MR. WARMAN: Glenn Bahr and Western  
11 Canada For Us, Jessica Beaumont, Terry Tremaine. Those  
12 are the three that I'm aware of off the top of my head,  
13 that I can just remember off -- off the top, of  
14 individuals who are accused of having violated section  
15 13 of the Act.

16                  Mr. Fromm also represented briefly as  
17 agent for Mr. Zundel when he was first returned to  
18 Canada for the Immigration and Refugee Board.

19                  MR. VIGNA: What about the  
20 organization, CAFE and Canada First Immigration Reform?  
21 Do you know who is in charge of those organizations?

22                  MR. WARMAN: Well, certainly in terms  
23 of CAFE, Mr. Fromm is listed on their documents filed  
24 with the Ministry of Consumer and Corporate Affairs.

25                  THE CHAIRPERSON: As? Listed as?

1                   MR. WARMAN: I can't remember off the  
2 top of my head. I believe it was a member of the board  
3 of directors or as the head of the organization.

4                   MR. VIGNA: Do you know if he has any  
5 websites?

6                   MR. WARMAN: Yes, those organizations  
7 that he is nominally the head of have those -- have  
8 websites.

9                   Mr. Fromm was also called as a fact  
10 witness by the representatives of Mr. Tomasz Winnicki  
11 in the hearing for the Canadian Human Rights Tribunal.  
12 It ultimately found that Mr. Winnicki had in fact  
13 violated section 13 of the Act.

14                   MR. VIGNA: Now, in terms of the  
15 beliefs that these individuals have regarding society,  
16 what can you tell us in terms of their commonality in  
17 terms of their beliefs -- beliefs?

18                   MR. WARMAN: Well, to the best of my  
19 knowledge, they have extensive histories of interacting  
20 with one another within this milieu, over a period of  
21 many years.

22                   MR. VIGNA: Finally, in terms of  
23 hierarchy, Mr. Lemire, where would he be in the  
24 hierarchy, in terms of Mr. Lemire, to the best of your  
25 knowledge?

1                   MR. WARMAN: Well, as Justice Blais  
2 notes, he is listed as the leader of the Heritage  
3 Front, or the successor-leader to Mr. Droege. As such,  
4 and as the operator of the FreedomSite, and just given  
5 his longevity within the movement and his associations  
6 with Ernst Zundel, as Justice Blais noted, having been  
7 employed by Mr. Zundel, Mr. Lemire would of --  
8 essentially hold a fairly elevated role within this  
9 milieu.

10                   If I turn to the third last page, the  
11 only last thing I would like to mention about this tab  
12 is that there is a -- essentially, a denigrating  
13 caricature of a Commission witness, using a cartoon  
14 like 'Help Booth', and the head of Karen Mock, Dr.  
15 Karen Mock.

16                   It also includes, or it indicates  
17 that it has a link to her curriculum vitae, and that it  
18 indicates that there is a link there for her expert  
19 report, but that it hasn't been provided yet.

20                   MR. VIGNA: And how is she described  
21 in this -- under a headlight?

22                   MR. WARMAN: Dr. Mock is described  
23 giving her --

24                   MS KULASZKA: Excuse me, if I could  
25 just object. Mr. Lemire has pointed out that there is

1 no indication of a link to the CV.

2 MR. VIGNA: At the bottom of the  
3 page --

4 MS KULASZKA: I suppose Mr. Warman's  
5 checked that out. I don't know why he said that.

6 THE CHAIRPERSON: Well, we'll see.  
7 There is an objection made, and perhaps I would be able  
8 to elicit a clarification on this from you.  
9 "Curriculum vitae" is your -- the reference you just  
10 made before, that was the last line at the bottom of  
11 that page?

12 MR. WARMAN: Yes.

13 THE CHAIRPERSON: Okay. So is that  
14 the link, to your knowledge?

15 MR. WARMAN: To the best of my  
16 knowledge. And in fact, if you look at the other  
17 expert witnesses, such as if you go back to pages --  
18 to Michael Persinger, you'll note that there's the same  
19 material underneath his photo and name, and on the page  
20 before that, the same information for Bernard Klatt.

21 THE CHAIRPERSON: All right. Have  
22 you clicked these -- these links?

23 MR. WARMAN: I personally have not,  
24 but it's my understanding that they are in fact links  
25 to those documents.

1 MR. VIGNA: Mr. Chair, could I --

2 MS KULASZKA: I've just noticed  
3 that -- my point is that under "Karen Mock", the  
4 curriculum vitae is not underlined. Usually, a link is  
5 underlined.

6 MR. VIGNA: Mr. Chair, Miss Mock will  
7 testify, and maybe I'll ask her. Because she had  
8 brought to me the attention of that link, and I think  
9 at some point in time, there was no -- it was extracted  
10 as a result of raising the issue. Do you recall it  
11 was raised at conference call?

12 THE CHAIRPERSON: Yes, I do recall  
13 and it was raised at once.

14 MR. VIGNA: My -- at this -- at this  
15 point in time, I think that it has been extracted. It  
16 might have been there. I think was there at one point,  
17 but I can't testify. But Miss Mock will testify.

18 THE CHAIRPERSON: I have -- okay. I  
19 have the clarification here, and you can explore it  
20 further, if you like, Ms Kulaszka.

21 MR. WARMAN: So, Dr. Mock is  
22 described as a "hysterical zealot who has attacked  
23 Ernst Zundel for years".

24 She is described as "a supporter of  
25 the Terrorist Anti-Racist Action Group."

1                   It describes a couple of other  
2                   allegations in relation to this group, Anti-Racist  
3                   Action. It describes her has a "professional  
4                   government grant catcher" who has raked in -- and has  
5                   "raked in over \$1 million" in bold "since the 1990's."

6                   He indicates that this was disclosed  
7                   by the Attorney General of Canada in a witness  
8                   statement filed May 5th, 2006.

9                   And on the next page, there's a  
10                  picture in the name of Dr. Tsesis, who is the expert  
11                  witness being called by the Attorney General of Canada.

12                 MR. VIGNA: We did file D, right?

13                 THE CHAIRPERSON: Yes.

14                 MR. VIGNA: Anything else on D,  
15                 Mr. Warman?

16                 MR. WARMAN: No, thank you.

17                 MR. VIGNA: We'll go to tab E. Can  
18                 you just look at it, tell us if you recognize it, and  
19                 afterwards, we'll describe the contents.

20                 MR. WARMAN: It's an eight-page  
21                 document from the FreedomSite, entitled "Marc Lemire  
22                 challenges the CHRC." And it was printed off, as I  
23                 understand it, by Mr. Vigna and provided to me, and I  
24                 have since reviewed it.

25                 MR. VIGNA: Can you just tell us

1 generally what it relates to?

2 MR. WARMAN: Yes. It's the material  
3 relating to a motion brought by the respondent,  
4 attempting to adjourn the hearings.

5 MR. VIGNA: On the first page of that  
6 tab, the comment made on the right hand, at the bottom.

7 THE CHAIRPERSON: Sorry?

8 MR. VIGNA: On the -- on the first  
9 page of the --

10 THE CHAIRPERSON: Yes.

11 MR. VIGNA: -- document, "Marc Lemire  
12 Challenges to the CHRC Non-compliance; Demands an  
13 adjournment of hearing."

14 THE CHAIRPERSON: Yes.

15 MR. VIGNA: At the right bottom  
16 there's a quote.

17 THE CHAIRPERSON: Okay.

18 MR. VIGNA: Can you read us the  
19 quote, what it says, Mr. Warman?

20 MR. WARMAN: Well, there's two there.

21 MR. VIGNA: The first one in  
22 particular.

23 MR. WARMAN: First one states:

24 "Books won't stay banned. They  
25 won't burn. Ideas won't go to

1 jail. And in the long run of  
2 history, the censor and the  
3 inquisitor have always lost.  
4 The only sure weapon against bad  
5 ideas is better ideas." "Alfred  
6 Whitney Griswold".

7 MR. VIGNA: Is that an author that  
8 you are familiar with?

9 MR. WARMAN: No, it's not.

10 MR. VIGNA: Thank you. And in terms  
11 of the contents, if you look at the -- where it says,  
12 "CHRC admits attacking 200 to 300 websites". And  
13 there's quotes from myself, Mr. Steacy. Do you know  
14 what that represents?

15 MR. WARMAN: Yes, it indicates that  
16 it's the -- or a -- an excerpt from the transcript of a  
17 teleconference call that took place September 8th,  
18 2006.

19 THE CHAIRPERSON: I'm not sure if  
20 this has been tendered.

21 MR. VIGNA: Has it been produced?

22 THE CHAIRPERSON: The entire tab, no,  
23 not yet. You reviewed it all. You -- you recognized  
24 it?

25 MR. WARMAN: Yes.

1 MR. VIGNA: I would like to produce  
2 it. Thank you. Thanks for reminding me.

3 THE CHAIRPERSON: Yes.

4 MR. VIGNA: So, go through the pages  
5 and tell us what you did.

6 MR. WARMAN: The rest of it is  
7 largely the text of the materials that were submitted  
8 on behalf of the respondent, which already form part of  
9 the record.

10 MR. VIGNA: The statement of facts,  
11 that is.

12 MR. WARMAN: Yes.

13 MR. VIGNA: Tab F, Mr. Chair, it's a  
14 statement of particulars that's on the website.

15 THE CHAIRPERSON: Whose statement in  
16 particular?

17 MR. VIGNA: The respondents. I don't  
18 know if it's all that necessary to produce it, but it  
19 was on the website. It's just to show what's on the  
20 website, unless my colleague has an objection or an  
21 admission to the statement of particulars being on the  
22 website.

23 MS KULASZKA: If Mr. Warman could  
24 just give us an indication where it came from. It's  
25 just that it doesn't have any indication of where it's

1 from.

2 MR. VIGNA: It's just something that  
3 I personally printed from the website and gave it to  
4 Mr. Warman so --

5 THE CHAIRPERSON: Have you seen it on  
6 the website, Mr. Warman?

7 MR. WARMAN: No, I have not  
8 personally. But I am informed by Mr. Vigna that he  
9 printed it off the website, and then provided it to me.

10 MR. VIGNA: It's not crucial to my  
11 case, Mr. Chair, so I'll just forget about it.

12 MS KULASZKA: Should we just take it  
13 out of the binder then?

14 THE CHAIRPERSON: Or we -- it won't  
15 be produced. You can take it out now. Why not?

16 MR. VIGNA: I don't have any  
17 questions for the Commission.

18 Perhaps I can just ask Mr. Warman to  
19 briefly look through the binder before we leave this,  
20 And if there's anything he wishes to add, then I will  
21 not close my case yet. Because like I said earlier, I  
22 will not close my case at this point because I still  
23 have to produce the documents from Customs, and after  
24 that, it will be pretty much --

25 THE CHAIRPERSON: But you will be

1 ending with this witness's --

2 MR. VIGNA: Yes.

3 THE CHAIRPERSON: -- examination  
4 in-chief?

5 MR. VIGNA: Exactly.

6 So, Mr. Warman, do you have anything  
7 else to add in regards to the book of documents that we  
8 produced in the past few days or anything else that --  
9 would you like to think it over tonight and give me  
10 your material?

11 MR. WARMAN: I believe it's unlikely  
12 that I'll have anything to add, but perhaps it would be  
13 best to take the stand again for two minutes in direct  
14 tomorrow morning.

15 THE CHAIRPERSON: Okay, I'm -- I  
16 mean, I have no problem with that.

17 Anyone have any opposition after  
18 listening to that? No? Okay.

19 MS KULASZKA: I have no problem.

20 THE CHAIRPERSON: So that would be it  
21 for the day, on this witness and --

22 MR. VIGNA: Yes, sir, Mr. Chairman.

23 THE CHAIRPERSON: Excellent. Okay.  
24 Right. It's rather early but who -- do we start again  
25 at 10? Is there any chance of coming earlier

1 sometimes, Mr. Levine? No? 10:00 is -- is the  
2 earliest?

3 MR. VIGNA: We can finish later.

4 THE CHAIRPERSON: Oh, yes, I know, I  
5 know. I'm just -- I'm trying to use the time that --  
6 as efficiently as possible. Okay, then. Is there  
7 anything else?

8 MR. WARMAN: No.

9 THE CHAIRPERSON: No? Okay.

10 --- Adjourned at 1:30 p.m.

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I hereby certify the foregoing to be  
the Canadian Human Rights Tribunal  
hearing taken before me to the best  
of my skill and ability on the 31st  
day of January, 2007.

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Sandra Brereton

Certified Shorthand Reporter

Registered Professional Reporter