

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

Transcript of Proceedings
and
Testimony before the Commission
sitting at the
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Saskatoon, Saskatchewan

On Tuesday, September 27th, 2005

Volume 77

Inquiry Proceedings



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INDEX OF PROCEEDINGS

DESCRIPTION:

PAGE:

LINDA LILLIAN FISHER, CONTINUED

BY MR. HODSON	15235
CLIP 2 BEGINS	15444
CLIP 1 ENDS	15446
CLIP 2 BEGINS	15446
CLIP 2 ENDS	15447
BY MR. ELSON	15505
BY MR. FOX	15513



INDEX OF EXHIBITS

<u>NO:</u>	<u>DESCRIPTION:</u>	<u>PAGE:</u>
--> <u>EXHIBIT P-6:</u>		
	KNIFE.	15425



Transcript of Proceedings

(Reconvened at 9:00 a.m.)

COMMISSIONER MacCALLUM: Morning.

ALL COUNSEL: Morning.

LINDA LILLIAN FISHER, continued:

BY MR. HODSON:

Q Morning, Mrs. Fisher.

Just to go back to an area I touched on yesterday, if we could call up 159706, please. I had asked you about when you went into the Saskatoon City Police station on August 28th, 1980, and you had indicated that, I think you testified that one of the reasons was that you saw a pamphlet or a flyer with some information from the Milgaard family; do you remember telling us that yesterday?

A Yes.

Q And I believe you mentioned a reward as well; is that correct?

A Yes.

Q And it's my understanding, Mrs. Fisher, and I showed you this document and I believe you said that you recalled seeing something like that. My information is, and I think we will be hearing evidence about this later, is that this document



1 was not prepared and distributed until later in
2 1980, after August, so sometime in perhaps October
3 of 1970 -- or pardon me -- 1980. And I'm just
4 wondering, with that information, is it possible
09:01 5 that you would have seen this flyer after you went
6 into the city police station?

7 A I -- I'm not sure. I thought I seen it.

8 Q Okay. And in fairness, and I will show you some
9 statements later, in subsequent statements that
09:01 10 you provided in 1991, and as well evidence at the
11 Larry Fisher trial, your evidence was much -- was
12 as you told us yesterday, that you believed you
13 saw the flyer; and so your memory today is what?

14 A Well I still probably thought I saw the flyer.

09:01 15 Q Before you went into the city police?

16 A Yes.

17 Q And if the evidence is that it wasn't produced
18 until after, is it possible that it was after that
19 you saw it?

09:02 20 A It's possible.

21 Q And as far as the reward that was offered, I think
22 you made mention of that, did you ever follow up
23 on a reward after you went into the city police
24 station?

09:02 25 A No.



1 Q And if there had been no reward or if you had not
2 been aware of the reward back in August of 1980
3 would you still have gone into the police station?

4 A Probably, yes.

09:02 5 COMMISSIONER MacCALLUM: Pardon?

6 A Yes.

7 BY MR. HODSON:

8 Q I would now like to turn to 1990, and I think
9 where we left off yesterday we were talking about
09:02 10 discussions you had with family members over the
11 years, and so just so that we can get the time
12 frame here; 1980, we talked about your visit in
13 August to the Saskatoon City Police, I talked --
14 asked you some questions about 1983, the newspaper
09:02 15 advertisement, remember that, where someone was
16 looking for you?

17 A Yes.

18 Q Okay. Now go ahead to 1990. Do you remember
19 hearing from Joyce Milgaard and the police, the
09:03 20 RCMP, and Mr. Williams in 1990?

21 A Yes.

22 Q And I'll go through some documents here, but it
23 would appear that around March the 9th, 1990 you
24 would have been contacted by Joyce Milgaard and
09:03 25 Paul Henderson; does that --



1 A Around there.

2 Q -- sound right?

3 COMMISSIONER MacCALLUM: What was the date
4 again?

09:03 5 MR. HODSON: March 9th of 1990 I believe is
6 the date.

7 BY MR. HODSON:

8 Q So do you have a memory of that first meeting?

9 A Yes.

09:03 10 Q And prior to that would it have been, apart from
11 the newspaper ad in 1993, would it have been
12 about, then, ten years before you had heard from
13 anybody about the Larry Fisher/David Milgaard
14 matter?

09:03 15 A Yes.

16 Q And tell us, and again I'll go through, there is a
17 transcript of some interviews I'll go through with
18 you, but just tell us generally what you remember
19 about the initial part of that meeting and where
09:04 20 you were, how they found you, and what you talked
21 about?

22 A Well I just, I was surprised to see her, I just
23 thought I should have seen her about ten years
24 ago. I was just, that was my initial reaction,
09:04 25 and then we talked about what might have happened.



1 Q Okay. When you say you thought you should have
2 heard from her ten years ago, what did you mean by
3 that?

4 A Well, because of that, because I went to the
09:04 5 police with that information.

6 Q Yes. And had you, back when you went into the
7 police in 1980, had you expected to hear from the
8 Milgaard family as a result of a visit to the
9 police?

09:04 10 A Yes.

11 Q And why was that?

12 A Well I figured that they would have told her
13 somebody was -- somebody was looking, I mean,
14 somebody had information.

09:05 15 Q Okay. Were you surprised to see Mrs. Milgaard?

16 A Yes.

17 Q And do you remember who was with her?

18 A Paul Henderson.

19 Q And where did this take place?

09:05 20 A At my house.

21 Q In where?

22 A Cando.

23 Q In Cando. And is that -- how long have you been
24 living in Cando then?

09:05 25 A '88.



1 Q And I take it that you discussed the information
2 you had about Larry Fisher; is that correct?

3 A Yes.

4 Q And did you ask some questions about the David
09:05 5 Milgaard conviction, things of that nature?

6 A Yes.

7 Q And then again I'll just go through this
8 generally, then I'll go through the documents, but
9 I understand that shortly following that you were
09:05 10 contacted by Rick Pearson of the RCMP?

11 A Yes.

12 Q And you had a number of discussions with
13 Mr. Pearson?

14 A Yes.

09:06 15 Q And then I understand you talked with a fella by
16 the name of Eugene Williams?

17 A Yes.

18 Q And he was with Federal Justice?

19 A Yes.

09:06 20 Q And David Asper, do you remember talking to David
21 Asper, the lawyer for David Milgaard?

22 A Yes.

23 Q And so I think over, at least according to the
24 documents, from about March 9th of 1990 through
09:06 25 until the following two or three months I think



1 you talked to these people on a number of
2 occasions; is that correct?

3 A Yes.

4 Q And you gave a number of statements?

09:06 5 A Yes.

6 Q You were interviewed under oath on one occasion;
7 do you remember that?

8 A Yes.

9 Q Mr. Commissioner, what I propose to do with Mrs.
09:06 10 Fisher is to go through, chronologically, this
11 time period.

12 And Mrs. Fisher, I will go
13 through, some of the documents I'll simply show
14 you so that we can put a date before the
09:06 15 Commission that something happened and so we put
16 in context your interview, okay, and then I'll ask
17 you some questions and go through some of what you
18 said.

19 First, if we could call up
09:07 20 016133, please. And this is February 28th, 1990,
21 Mrs. Fisher, and I think we've seen this document
22 before at this Commission, but I'll just go
23 through parts of this. And this is Eugene
24 Williams; you remember Mr. Williams?

09:07 25 A Yes.



1 Q And the evidence or the information is that he was
2 a lawyer working for Federal Justice who, at the
3 time, was assisting in a review of an application
4 that David Milgaard had made to have his
09:07 5 conviction reviewed; did you understand that,
6 generally, at the time, that -- what Mr. Williams
7 was doing?

8 A Yes.

9 Q And Sergeant Pearson of the RCMP was helping Mr.
09:07 10 Williams, is that --

11 A Yes.

12 Q And Joyce Milgaard and Paul Henderson and David
13 Asper were actively seeking to have Mr. Milgaard's
14 conviction set aside; did you understand that?

09:08 15 A Yes.

16 Q So here's the first, this precedes your initial
17 involvement by about nine days and talks about an
18 informant who spoke to Hersh Wolch, told Hersh
19 Wolch:

09:08 20 "... Mr. Wolch that "Larry Fisher" from
21 North Battleford, Saskatchewan was
22 responsible for the murder ...",
23 and:

24 "The informant advised that Fisher was
09:08 25 currently an inmate in a federal



1 institution.

2 The Informant advised Wolch
3 that Larry Fisher's then wife told him
4 that Fisher came home with blood on his
09:08 5 clothing. The Informant did not reveal
6 the name of the wife, nor did he reveal
7 his own name. Apparently contact was
8 made via a radio station. I asked
9 Mr. Asper to provide all the information
09:08 10 his office possessed in writing. He
11 agreed to do so."

12 And then Mr. Williams goes on to talk about
13 information he gained on Mr. Fisher.

14 If we could then go to 001140,
09:09 15 and this is a letter of the same date from
16 Mr. Asper to Mr. Williams, and again just talks
17 about -- oh, I'm sorry, that -- 001146, I'm
18 sorry, if you could go to that page.

19 COMMISSIONER MacCALLUM: That's the doc.
09:09 20 ID, the first one?

21 MR. HODSON: Yes, it is, and this is the
22 seventh page of that.

23 BY MR. HODSON:

24 Q And this is a letter from Mr. Williams to Mr. --
25 or from Mr. Asper to Mr. Williams, and again it



1 talks about:

2 "Mr. Wolch was contacted on Monday,
3 February 26th, 1990 by an individual who
4 identified himself as Sidney Wilson.

09:09 5 This individual refused to provide any
6 details of his personal identity and we
7 do not have a telephone number or
8 anything of that nature to identify him.

9 Mr. Wilson informed us that he knew the
09:10 10 true identity of the killer of Gail
11 Miller. He advised that the true
12 killer's name was Larry Fisher, an
13 individual who was apparently from North
14 Battleford, Saskatchewan. Furthermore,

09:10 15 Mr. Wilson advised that Fisher had
16 arrived at home on the morning of
17 January 31, 1969, covered with blood and
18 that Fisher's wife had seen this.

19 Fisher's wife then apparently heard of
09:10 20 the murder later that day and concluded
21 that Fisher may have had some
22 involvement. Fisher's wife then
23 apparently told Wilson, who claims that
24 he went to the police a number of years
09:10 25 ago with this information. We further



1 understand from Wilson that Larry Fisher
2 is currently imprisoned serving a
3 sentence arising from a rape or murder
4 or both."

09:10 5 And then just scroll down:

6 "Our information is that an individual
7 named Larry Fisher and his wife rented
8 the basement portion of the Cadrain
9 residence in Saskatoon for a period
09:10 10 covering the date of the death of Gail
11 Miller."

12 Now, Mrs. Fisher, did you know anybody named
13 Sidney Wilson?

14 A No.

09:10 15 Q And if we could just scroll back up for a moment,
16 and we touched on this yesterday, this caller to
17 Hersh Wolch's office says a couple of things about
18 you; one, that Fisher had arrived home the morning
19 of the murder covered with blood and that Fisher's
09:11 20 wife had seen this; did that happen?

21 A No.

22 Q Did you ever tell anybody that?

23 A No.

24 Q And:

09:11 25 "Fisher's wife then apparently heard of



1 the murder later that day and concluded
2 that Fisher may have had some
3 involvement."

4 Is that true?

09:11 5 A No.

6 Q And what I think you told us yesterday, it was
7 after Winnipeg --

8 A Yes.

9 Q -- that you concluded he may have had some
09:11 10 involvement?

11 A Yes.

12 Q It says:

13 "Fisher's wife then apparently told
14 Wilson, who claims that he went to the
09:11 15 police a number of years ago ..."

16 We've heard evidence that the fella who phoned
17 Mr. Wolch was a fella named Bruce LaFreniere; do
18 you know Mr. LaFreniere at all?

19 A Yes.

09:12 20 Q And did you ever talk to him about any of the
21 suspicions you had about Larry Fisher?

22 A I don't know if I talked to him.

23 Q And do you know him from North Battleford, --

24 A Yes.

09:12 25 Q -- that area? And did you have anything to do



1 with Mr. LaFreniere or anybody else calling
2 Mr. Wolch's office in February 1990 with this
3 information?

4 A No.

09:12 5 Q If we could then go to 009086. And this is a memo
6 of Mr. Williams the same date, February 28th,
7 1990, and he says:

8 "Mr. Asper, counsel to David Milgaard
9 called to provide the following
09:12 10 additional facts to compliment his
11 letter to me of this date:

12 1. Apparently Larry Fisher was married to
13 Linda Fisher when Gail Miller was
14 murdered. They had a daughter named
09:13 15 Tammy."

16 And that's correct, isn't it?

17 A Yes.

18 Q And:

19 "Apparently Larry Fisher took the bus at
09:13 20 approximately 6:30 a.m. on January 31,
21 1969."

22 Do you know if that's true?

23 A Yeah, it would have been around that time.

24 Q Okay. This says, on the date of the murder, that
09:13 25 he took the bus?



1 A Oh. Oh, I don't know.

2 Q Okay. Then it says:

3 "Linda Fisher was interviewed by T.D.R.

4 Caldwell about this matter at or shortly

09:13 5 after the event in 1969."

6 Did that happen? Do you know who Mr. Caldwell
7 is?

8 A Umm, umm, I don't know. Somebody came to the
9 house, but I don't know who it was, the officers.

09:13 10 Q Okay. T.D.R. Caldwell is the fella who was the
11 prosecutor in the David Milgaard trial; did you
12 know that?

13 A Oh, okay, yeah.

14 Q Did you know that before I just told you?

09:14 15 A No.

16 Q Okay. Did a fellow -- did the prosecutor, Mr.
17 Caldwell, talk to you about this matter back in
18 1969?

19 A No.

09:14 20 Q Have you ever talked to Mr. Caldwell?

21 A I don't think so.

22 Q Okay. And it says:

23 "These details apparently emanate from

24 Joyce Milgaard who mentioned the name

09:14 25 Larry Bryan Fisher as Gail Miller's



1 assailant."

2 I think your ex-husband is Larry Earl Fisher; is
3 that right?

4 A Yes.

09:14 5 MR. LOCKYER: Check it out?

6 MR. HODSON: It says "check this out".

7 BY MR. HODSON:

8 Q Okay. Sorry, if you want to go back to the full
9 screen there's just a question about, yeah:

09:14 10 "Check this out."

11 And then if we could go to 001810. And again I
12 just want to show you this document, Mrs. Fisher,
13 just for a bit of background. This is Mr.
14 Williams' letter to Sergeant Pearson March of
09:15 15 1990, and it just confirms a conversation they
16 had on February 28th about the conversation Mr.
17 Williams had with Mr. Asper, and if we could go
18 to the third page, 001812. And, again, I'm just
19 going to show you this, Mrs. Fisher. Mr.

09:15 20 Williams asks Sergeant Pearson:

21 "Please determine the whereabouts of
22 Linda Fisher, and ascertain whether she
23 did form the conclusions attributed to
24 her by Wilson. If she concluded that
09:15 25 her husband was "involved", what was the



1 nature of his involvement; and upon what
2 facts did she base her conclusion. Did
3 she tell Sidney Wilson of her
4 conclusions? Did she tell the police?
09:16 5 Did she tell anyone else? If so, whom
6 did she tell? Under what circumstances
7 did she relate her conclusions to the
8 people to whom she spoke?"

9 Then go on to paragraph 2:

09:16 10 "Kindly provide details pertaining to
11 Linda Fisher's personal history for the
12 period commencing December 1968 to the
13 present ...",

14 and third:

09:16 15 "If there is an association between
16 Linda Fisher and Sidney Wilson ...",
17 to get some further information about that. And
18 again, generally -- and I'll go into the
19 interviews with Sergeant Pearson -- but did he
09:16 20 ask you questions of that nature, was he
21 getting -- did he ask you about Sidney Wilson; do
22 you remember that?

23 A Yes.

24 Q And then if we can go to 063102, please, and we'll
09:17 25 be seeing notes like this as we go through these



1 documents this morning, Mrs. Fisher. These are
2 Sergeant Pearson's notes, diary notes that he took
3 down at the time, at the various dates that he
4 talked to you and others, and just so we see again
09:17 5 the February 28th date which is I think nine days
6 before Mrs. Milgaard and Mr. Henderson visited
7 you. It just talks about a phone call from
8 Mr. Williams and again talks about Larry Fisher
9 and Fisher's wife saw her husband with blood.

09:18 10 If we could then go to the next
11 page, please, and then March the 8th, 1990, Mr.
12 Pearson writes that he received a call from a
13 Sergeant Cousins who had indicated, it says Mary
14 Fisher, Larry's mother. It was Marcy Fisher; is
09:18 15 that right?

16 A Marceline.

17 Q Marcy. And indicated that she had visited Larry
18 in the Prince Albert penitentiary approximately
19 two weeks ago. It was also determined Larry has
09:18 20 since divorced from his wife Linda who currently
21 resides in Cando, Saskatchewan. Linda's maiden
22 name is McDonald, current phone number listed.
23 Larry has since remarried to one Lillian Fisher,
24 currently from Saskatoon. Is that information
09:19 25 correct?



1 A Yes.

2 Q And did you become aware around this time that,
3 from Mrs. Fisher, Larry Fisher's mother, that the
4 RCMP had been to see her?

09:19 5 A I could have. I don't remember.

6 Q If we could then go to, just for the record,
7 Mr. Commissioner, if we could call up 048718, and
8 this is, just for the record, the actual tape of
9 an interview I believe between Joyce Milgaard,
09:19 10 Paul Henderson and Linda Fisher.

11 If we can go to 076270, and this
12 is a transcript, which I believe was prepared by
13 the RCMP based on that tape, and I'll just go
14 through parts of this. Do you remember meetings
09:20 15 with Joyce Milgaard and Paul Henderson?

16 A Yes.

17 Q And do you remember them tape recording the
18 conversation or having a tape recorder on?

19 A Yes.

09:20 20 Q And we'll go through parts of this, and I think,
21 as we'll see the first paragraph, Mrs. Milgaard
22 says, 'I'm sorry Linda I didn't even introduce
23 myself. I am just so glad to see you come up that
24 drive after sitting waiting for a while. I was in
09:20 25 playing, we were playing Four Connections with



1 your kids for a long time and everything. Okay.

2 I'm sorry, this is Paul Henderson, Linda and I'm

3 Joyce Milgaard. I think you know my name.'

4 And again, can you tell us what

09:20 5 you remember about first meeting them, was it at

6 your home?

7 A Yes.

8 Q And were you at work or away?

9 A I was at school I think, yes.

09:20 10 Q And did you get a call or did you know they were
11 there?

12 A No, I don't think so.

13 Q And did you have kids home at the time?

14 A Yes.

09:20 15 Q Do you remember their ages?

16 A What year was this?

17 Q This is in 1990.

18 A They would be about 13, 14.

19 Q It goes on to say, it starts off, Mrs. Milgaard
09:21 20 says, 'I'm David's mother. (Inaudible) you know
21 we heard this story that you told and like we know
22 it's difficult for you and everything but when I
23 heard what you said,' and then you say, 'well when
24 did they tell you why didn't they,' and she says,
09:21 25 'why didn't they tell me a long time ago, I don't



1 know,' and you say, 'I was so mad at them you know
2 because, I'm not saying that I know for a fact.
3 Come in and sit down.'

4 And at this time what story,
09:21 5 what did you think she was referring to when she
6 said --

7 A Probably the statement.

8 Q To the city police?

9 A Yeah.

09:21 10 Q And did you subsequently learn that it was
11 information from an anonymous caller that had
12 brought Mrs. Milgaard to your house?

13 A I don't know.

14 Q When you say here I was so mad at them, can you
09:22 15 tell us who you would have been referring to?

16 A Probably the city police.

17 Q And why were you mad at them?

18 A Because they hadn't forwarded any information to
19 them.

09:22 20 Q And then if we can scroll down, Mrs. Milgaard
21 says, 'that Larry did it but you said that Larry
22 was covered with blood that morning?', and your
23 answer is, 'oh no, no, no.'

24 And again, that would be
09:22 25 accurate?



1 A Yes.

2 Q And then, 'what happened exactly? What made you
3 think he did it,' and then your answer is, 'he
4 didn't go to work that morning. Well see this was
09:22 5 after he was charged in Winnipeg that I even
6 realized that,' and then, 'because you know who'd
7 think anything then you know.'

8 And that's what you told us
9 yesterday; is that --

09:22 10 A Yes.

11 Q And then right down at the bottom, Mrs. Milgaard
12 says, 'we just found out about that ourselves the
13 other day. That's why I'm here, you see.' And
14 you say, 'ya, somebody came and talked to Larry's
09:23 15 mom.'

16 And then the next page, 'oh, did
17 they? So hopefully they're investigating this. A
18 police officer..."

19 Can we take it from that that
09:23 20 you would have known a police officer was to see
21 Mrs. Fisher, Larry's mother?

22 A Yes, yes.

23 Q And that would have been around the time or
24 shortly before your meeting with Mrs. Milgaard?

09:23 25 A Yes.



1 Q In fact, I think you say 'when, how long ago was
2 that?' That was just the other day.'

3 And then down, scroll down,
4 please. That's fine. Actually, just scroll up a
09:23 5 bit, and then you say, 'no they haven't seen me
6 yet. But she has told me that they talked to her,
7 so I'm expecting,' and then Mrs. Milgaard, 'I see
8 someone to come.'

9 So at this time when you talked
09:23 10 to Mrs. Milgaard or Mr. Henderson, were you
11 expecting to hear from the police shortly?

12 A Yes.

13 Q And then you say, 'I gave everything that I had to
14 in that statement.' And then Mrs. Milgaard asks,
09:24 15 'what statement, did you give a statement to the
16 Saskatoon police? When was that?' And your
17 answer, 'ten years ago,' and then Mrs. Milgaard
18 says, 'so it was probably when David, after David
19 escaped and I went to the newspaper.' You say,
09:24 20 'did he escape?' Oh I didn't know that.' 'Yes,
21 this was in 1980.' You say, 'it was about that
22 time. It was about time because I got the flier
23 in the mail.' 'Right, and so you went to the
24 police at that time?'

09:24 25 A Yes.



1 Q So again, it appears at this point, Mrs. Fisher,
2 that you were telling Mrs. Milgaard that it was
3 the flier in the mail that you received?

4 A Yes.

09:24 5 Q Yes?

6 A Yes.

7 Q The next page. We'll skip around a bit here,
8 Mrs. Fisher, and I'll just try and get the key
9 points. At the top you say, 'well what I thought,
09:24 10 what I thought happened is because Larry didn't go
11 to work that day and when I woke up he was in his
12 dress clothes. Like he'd go, he's kind of a work
13 alcohol.'

14 And is that accurate, was he a
09:25 15 work alcohol, is that what you viewed at the time?

16 A Yeah.

17 Q And then Mrs. Milgaard asks, 'do you mind if we
18 tape this conversation.' And then you mention, 'I
19 have a daughter who visits her dad.' And then Mr.
09:25 20 Henderson says, 'this would be strictly
21 confidential between you and us, and whatever we
22 come up we'll turn over to the Minister of
23 Justice.'

24 And so do you recall that being
09:25 25 discussed?



1 A Yes.

2 Q And were you fine with having the conversation
3 taped and the information provided to the Minister
4 of Justice?

09:25 5 A Yes.

6 Q You mention your daughter. Did you have some
7 concern about the confidentiality of your
8 information?

9 A Yeah.

09:25 10 Q And what was that?

11 A Well, I just -- well, because Tammy went to visit
12 Larry, I didn't want her coming into any harm or
13 whatever, or people bothering her because she was
14 related or whatever.

09:26 15 Q And apart from your concerns for Tammy, were you
16 fine with your own information being made
17 available to authorities?

18 A Yes.

19 Q And then the next page, and then it says here,
09:26 20 Henderson says, 'but you know it would be,' and
21 then inaudible, 'we're not too sure if the new
22 evidence is, that they're talking about now is
23 going to be enough to get us over the hurdles.'

24 And I think this is talking
09:26 25 about information, forensic evidence that had been



1 provided to the Minister of Justice. Do you
2 remember, prior to Mrs. Milgaard and Mr. Henderson
3 coming to see you, reading anything in the paper
4 about David Milgaard and his attempts to have his
09:26 5 conviction set aside?

6 A I don't know when I started -- if I seen anything
7 in the paper.

8 Q Okay.

9 A But I remember seeing things in the paper, yeah.

09:27 10 Q Right. And so your answer here is, 'can't they
11 use what, was it in the sperm they found the new
12 evidence?' And Mrs. Milgaard, 'yes they found out
13 that it's not David. Do you know what blood type
14 Larry is?'

09:27 15 Do you know what that exchange
16 was referring to?

17 A It must have been DNA.

18 Q And then do you recall a discussion about Larry's
19 blood type being important?

09:27 20 A Yeah.

21 Q Scroll down to the bottom, please, and then you
22 are asked by Mrs. Milgaard, 'and he went out that
23 night? The night before, like?', and your answer,
24 'I don't know if he went out or what exactly
09:27 25 happened. Whether he went out, ya he must have



1 gone out that night.' Henderson, 'that was a
2 Friday night?' Answer, 'yes.' 'Was it a Friday
3 night?' Next page. 'I can't remember. January
4 31st.' That's Mrs. Milgaard, and then you say,
09:28 5 'Friday night, no it wasn't a Friday night because
6 it was a workday and that's why I was so
7 surprised because Larry never --' or
8 Mrs. Milgaard, 'and he was supposed to go to work
9 the next day, yes.' And you answer, 'because
09:28 10 Larry never to work. Because Larry always went to
11 work.'

12 And again, that's accurate is
13 it?

14 A Yes.

09:28 15 Q Scroll down a bit, and then you say, 'and this was
16 another thing because the night before he didn't
17 tell me he wasn't going to work.' And
18 Mrs. Milgaard says 'right,' and you say, 'and he
19 didn't tell me that, you know, nothing like this.'

09:28 20 And again, can you tell us what
21 that relates to?

22 A I don't know. Well, the day before -- it couldn't
23 have been that night because he never came home --
24 I don't think he came home for supper after work,
09:28 25 so --



1 Q Okay.

2 A But he didn't give me any information that he
3 wasn't going to work.

4 Q And then it says what -- Mr. Henderson asks, 'what
09:29 5 time would he have started work?' Mrs. Milgaard,
6 'he usually left about six something didn't he to
7 go to work.' And your answer, 'well as far as I
8 know. Like my uncle told me that him and that
9 woman took the same,' and then Mrs. Milgaard says
09:29 10 'bus'. Scroll down, please, 'bus time, so it must
11 have been about seven.'

12 What were you referring to when
13 you said your uncle told you that Larry took the
14 same bus with the woman?

09:29 15 A Well, probably in our talks we had figured out
16 that Ms. Miller and Larry took the same bus.

17 Q Okay. And what uncle are you referring to in
18 this?

19 A Probably Clifford.

09:29 20 Q And so in discussions with Clifford or family
21 members, back when, in the '70s or '80s?

22 A Yes.

23 Q And you had concluded that Larry and Gail Miller
24 had taken the same bus?

09:29 25 A Yes.



1 Q And do you remember how you reached that
2 conclusion?

3 A Because she worked at the university and Larry was
4 working at the university or something.

09:30 5 Q I think she actually worked at City Hospital.

6 A Oh.

7 Q And I'm just wondering where, how you found out
8 that she took that bus.

9 A Ah, well, Larry took the Avenue O bus and, ah, he
09:30 10 was working at the university then.

11 Q Yes.

12 A And so they would have to take the same bus to go
13 to work.

14 Q So when you are talking to Mrs. Milgaard and Mr.
09:30 15 Henderson, you had believed that Larry had taken
16 the same bus as Gail Miller?

17 A Yes.

18 Q Next page, and then at the bottom, and this is
19 sort of fairly soon into the interview you say,
09:30 20 'well what convicted David? This is what I'm
21 wondering, I never ever read the records and I
22 never ever ...'

23 And can you tell us why you
24 would have asked about that information, and I'll
09:31 25 go on to read the answers for you, but do you



1 remember inquiring about that?

2 A Yeah. It was probably because my family had
3 always said that they, you know, like, they had to
4 have some solid evidence to convict somebody and
09:31 5 so I wanted to know what the evidence was.

6 Q Okay. And Mrs. Milgaard says, 'what convicted
7 David was strictly, strictly circumstantial
8 evidence plus it was Larry, Ron Wilson was in
9 prison at the time and turned around and said he
09:31 10 saw things he didn't see because they told him
11 they were going to charge. O.K. The other was
12 Nichol John who was the girl in the car with them
13 because she was scared of (inaudible) the
14 Saskatoon police brought her up from Regina. Kept
09:31 15 her all night in prison, drove her around without
16 charging her, drove her around and around. Showed
17 her the knives and the coat and all the things
18 until finally she said 'I saw him reach into his
19 pocket, grab a knife and shake this girl and stab
09:31 20 her,' and then you say, 'oh. She said that.'

21 Let me pause there. Had you
22 been aware of that prior to Mrs. Milgaard telling
23 you that?

24 A Probably not, no.

09:32 25 Q Mrs. Milgaard carries on, 'she said that. But the



1 thing was that's the statement she gave to the
2 police. Then when she was on the stand she said I
3 don't remember saying that. I didn't see that.
4 She said I didn't see that. So the judge threw
09:32 5 her testimony out and because of that the attorney
6 we had didn't get to cross-examine her because
7 what she said she saw, Linda, she couldn't have
8 seen. This woman's dress was down around her
9 waist. Her arms were not in their dress, but her
09:32 10 coat was on. And there were stab wounds in the
11 coat, but they weren't in the dress.' And you
12 say, 'now how could she see,' Mrs. Milgaard says,
13 'she couldn't have seen that.' And you finish,
14 'him stab her when,' and then Mrs. Milgaard says,
09:32 15 'she couldn't have. That's the whole thing. None
16 of the physical evidence matched up, so but the,
17 that didn't come out at the trial. The motel
18 owner saw him at seven o'clock in the morning,
19 about the time that she probably was being
09:32 20 killed.' Mr. Henderson says, 'that was some
21 distance from there.' And Mrs. Milgaard says,
22 'and that was at the Travaleer Motel. And they
23 didn't pay any attention. That's a mile and a
24 half away from where that was. Quite a good
09:33 25 distance. Now, she was seen at 6:35 getting ready



1 to leave. She had everything on but her boots and
2 her coat. And David was seen at 7:00 at the motel
3 and his time after that was all accounted for
4 because he was with other people, that saw him.
09:33 5 They saw no blood on him. He wasn't on drugs. He
6 wasn't drinking. He was perfectly normal. But
7 they didn't believe him. Two kids, two young
8 fellows that were up for armed robbery that heard
9 were friends with this Ron Wilson and they turned
09:33 10 around, they were on these charges, and they said
11 we know something about Dave Milgaard, give us a
12 deal and they made a deal and they made up a story
13 about being in a motel room with David and David
14 re-enacting the crime. Well there was a woman
09:33 15 there in the hotel room and the police took a
16 statement from her and she said they didn't say
17 that at all. Now we found another woman,' and you
18 say, 'well even if they say that, you know, like
19 if somebody comes and accuses me for something I
09:33 20 didn't do, I'd joke about it and say oh sure I did
21 it anyway.'

22 What did you mean by that
23 comment; Do you know?

24 A Well, you know, sometimes when people are joking,
09:34 25 you know, and maybe you are just joking, but they



1 are kind of accusing you, you would probably say,
2 you know, like, I did that or, you know, this
3 happened and you are joking.

Q

4 Okay. Then Mrs. Milgaard carries on, 'but it
09:34 5 would, I don't know how. They shouldn't have
6 convicted him on what they did because there was
7 nothing there. There really wasn't when you go
8 back to it. And then they sort of messed up all
9 this business with the blood and the antigens so
09:34 10 that nobody understood anything. And it wasn't
11 until this forensic expert looked at it and said
12 this is the case you know. However, the Justice
13 Minister has had this since last December and
14 they've done nothing. What I need is something
09:34 15 new. And that's why when we heard about you
16 telling about, you know, Larry and you thinking
17 that he might have been involved and then I
18 thought well we need to talk to you and find out
19 exactly what you know because it could be such a
09:34 20 help to us in this case,' and then you say, 'well
21 like see I don't have like evidence either.
22 That's what I was hoping, that they had evidence.'

23 What did you mean by that?

A

24 Well, I didn't have any evidence, like, seeing him
09:35 25 with blood, like, that kind of stuff. I mean, I



1 didn't -- I just knew only the stuff I gave in the
2 statement.

3 Q Okay. I think yesterday you told us, Mrs. Fisher,
4 when I asked you about the 1980 statement to the
09:35 5 police where you said, I think the words were to
6 the effect that you thought David Milgaard was
7 innocent of the murder, and I think you said at
8 that time that was based on the fact that you
9 thought Larry Fisher had done it and since Larry
09:35 10 Fisher had done it David Milgaard could not have
11 done it.

12 A Yes.

13 Q Do you remember telling us that?

14 A Yes.

09:35 15 Q At this time when you were meeting with Joyce
16 Milgaard and Paul Henderson, and not just at this
17 time of the interview, but in the months that
18 followed, did you learn more about the case
19 against David Milgaard?

09:35 20 A Yes.

21 Q And did you reach any conclusions in your mind,
22 separate and apart from what you thought about
23 Larry Fisher, about whether or not he was involved
24 in that crime?

09:36 25 A Well, with the one recanting and everything, well,



1 then I had more -- I mean, I felt more that Larry
2 did it.

3 Q Okay. So -- and again, the more you heard about
4 the David Milgaard case, if I can call it that,
09:36 5 did that confirm your belief that Larry Fisher was
6 responsible for the murder?

7 A Yes.

8 Q And then you say, 'well I didn't see nothing. But
9 this is odd for Larry. This is odd and then after
09:36 10 I heard about the rapes --' and then Henderson
11 says, 'when did you hear about the rapes? You say
12 that was 70,' and Ms. Milgaard says one, Linda
13 Fisher says one.

14 Next page, Henderson asks, 'so
09:36 15 was it hearing about those and then thinking back
16 in retrospect to the date of that murder?' And
17 you say, 'ya, ya.' Henderson, 'I'm sure you must
18 have remembered that murder. It wasn't that far.'
19 You say yes. Henderson says, 'so then you thought
09:37 20 to yourself, wait a minute,' and you say 'I did, I
21 said ya.' Henderson says, 'that was the day that
22 Larry didn't go to work, right?' And you say yes.
23 'Did you remember exactly that it happened that
24 date,' and you answer yes. 'You know why I
09:37 25 remember. Why I remember is because it came on



1 the news at, while me and Larry were fighting.'

2 And again, I think that's what
3 you told us yesterday; is that correct?

4 A Yes.

09:37 5 Q Next page, and then here you were asked, 'so you
6 first, did you go to the police at that time,
7 yourself?' And you answer yes. Question, 'oh you
8 went to them?' Answer, 'oh no, after, after I
9 realized that, that he could have been the
09:37 10 person.' And you say, 'yes. But I waited a long
11 time too. I seen your flier before I even went
12 in.' And then Mrs. Milgaard, 'and you went in and
13 you talked to them and you said that you thought
14 you knew something and what did they say.'

09:38 15 And again the reference to the
16 flier, Mrs. Fisher, at that time you believed you
17 had seen a flier before you went into the police?

18 A Yes.

19 Q Next page at the top, you answer, they said, 'well
09:38 20 we'll take a statement.'

21 And this is referring to your
22 attendance in 1980. And then you say, 'of course
23 this came out when I was drinking like I was
24 really upset about it, tired of hearing about
09:38 25 this, like this has been ten years.'



1 And again, you would have
2 brought up when you were drinking; is that right?

3 A Yeah.

4 Q And why did you do that?

09:38 5 A I don't know, just probably truth comes out when
6 you are --

7 Q And then down at the bottom, you are asked by Mr.
8 Henderson, 'do you remember what time of the day,
9 the morning you saw him when you woke up.' You
09:39 10 answer, 'nine, maybe ten.' Henderson, 'nine or
11 ten. And he was supposed to be at work that day,
12 Linda.' Answer, 'yes'. Mrs. Milgaard, 'what
13 reason did he give for not going to work,' and you
14 answer, 'well he didn't really give a reason, just
09:39 15 didn't go and, you know, we were fighting and I
16 was hollering and swearing at him and that, that
17 had come on the news just before about the murder
18 and I said you miserable son -- whatever, swear
19 swear swear, and I said you are probably the one
09:39 20 that did it and his face just turned pale and
21 white.' Mrs. Milgaard says, 'you're kidding,' and
22 you say 'and he just looked so guilty. Like I
23 never forgot that look, like, you know.'
24 Question, 'he looked so guilty when you said that
09:39 25 to him, so unknowingly probably because you had no



1 idea,' and you say 'no idea, nothing, nothing,
2 it's just that it came on the news.'

3 If I can pause there. I think
4 what you told us yesterday, that you remembered
09:39 5 his reaction that morning, but it wasn't until
6 Winnipeg that you put significance on that
7 reaction; is that right?

8 A Pardon? It was --

9 Q Sorry. I think yesterday when I asked you about
09:40 10 Larry Fisher's reaction when you accused him of
11 murdering the girl or the nurse, you described, as
12 you did here, that his face turned pale and white,
13 and I think you told us that you said that was
14 unusual and you had thought that it was because
09:40 15 you overdid it?

16 A Yes.

17 Q The accusation?

18 A Yeah.

19 Q And it was later when you heard about the Winnipeg
09:40 20 rapes that you then placed significance on his
21 reaction; is that right?

22 A Yes.

23 Q And just tell us again, after you learned about
24 the rapes in Winnipeg, what did you think about
09:40 25 Larry's reaction to the accusation?



1 A Well, then that's when I thought he probably could
2 have had something to do with this girl.

3 Q And at that time, then, did you construe his
4 reaction as possibly pointing to his guilt?

09:40 5 A Yes.

6 Q On the morning of January 31, 1969 did you
7 interpret his reaction to your accusations as
8 being guilt or did you think at the time his
9 reaction is such that maybe he did it?

09:41 10 A No.

11 Q And down at the bottom, and you say, 'well I was
12 mad at him and we were ...' and Mrs. Milgaard
13 says, 'because you were mad and unwittingly you
14 think you maybe hit the truth.' You say, 'also my
09:41 15 paring knife is missing.' Question, 'your paring
16 knife is missing,' and Henderson says 'oh oh oh.'
17 Mrs. Milgaard says 'wow,' and you say 'this was
18 brown handled, short, remember those old fashioned
19 paring knives? With the wooden handles.'

09:41 20 Next page, "how long was the
21 blade of that knife.' You answered, 'oh it would
22 be about this long,' and Mrs. Milgaard, 'and
23 you're indicating about three and a half to four
24 inch.' Answer, 'you know, the ordinary.'

09:42 25 Mrs. Milgaard, 'ya the paring knife. Would you



1 recognize that if for instance the one that they
2 had that killed Gail Miller, would you recognize
3 it do you think? You had, they found the blade
4 from it I believe and I think they finally found
09:42 5 the handle, I'm not sure, that would be something
6 to check anyhow.'

7 Do you remember that discussion?

8 A Yes.

9 Q And next -- do you recall, were Mrs. Milgaard and
09:42 10 Mr. Henderson surprised about your information
11 about the paring knife? Do you remember that?

12 A I think so, yes.

13 Q Next page, and then at the top Mrs. Milgaard says,
14 the second line, 'so it's possible the reason he
09:42 15 had his dress clothes on was he got blood on the
16 other ones? Do you think that could have been the
17 reason he was dressed up, he had to come home and
18 change his clothes,' and you say, 'it's possible.
19 Why would, why would he not go to the work.' And
09:42 20 the question, 'were there, did you notice any
21 scratches or marks on him?' 'No.'

22 And again, that's an accurate
23 recording of what you would have discussed?

24 A Yes.

09:43 25 Q And down at the bottom, you are asked by Mrs.



1 Milgaard, 'so when you made that remark to him,
2 what happened after that.' You say, 'well I had
3 my stuff packed in the middle of the hallway. And
4 he was standing behind the box. This is the part
09:43 5 that's really clear. He was standing behind the
6 box and I was standing in front of the box.'

7 Is that the box of clothing?

8 A Yes.

9 Q 'And he was, he just stood there like you know,
09:43 10 that's not normal for Larry. Usually he's arguing
11 back or he's mouthing off right.'

12 And the next page, 'so when you
13 made that remark to him it stopped him dead.'
14 Answer, he just stopped, he just went like this.'
09:43 15 Mrs. Milgaard says, 'my goodness.' You say, 'he
16 just looked at me. His face just drained.'
17 Henderson says, 'did he deny it?' And you say, 'I
18 don't know if he said anything. He just stopped.
19 You know like usually ...' and then Mrs. Milgaard,
09:43 20 'but he just stopped, you just stopped him dead in
21 his tracks?' 'Yes.'

22 And again, do you remember
23 whether Larry said anything, Larry Fisher said
24 anything to you when you made that accusation?

09:44 25 A I don't think so, no.



1 Q And just down at the bottom, you say, 'I don't
2 know. I don't know exactly what he said, but I
3 noticed it was missing just after. In fact maybe
4 that was why I could have been looking for the
09:44 5 knife when, you know, like it's so long ago.'

6 Next page, you say, 'I used the
7 paring knife lots and maybe I was looking for it
8 when we were arguing, or just before or something,
9 but anyway, I noticed it right away that the knife
09:44 10 was also missing and that might have been why I
11 accused him.' 'At about the same time about,' and
12 you answer 'my knife is missing, you probably
13 went, you were probably the one that stole it and
14 killed this girl,' and then you say -- or, I'm
09:44 15 sorry, Mrs. Milgaard says, 'and killed this girl.'
16 And you say, 'I think that's how it might have all
17 fit. I don't even know you know.'

18 And again, is that an accurate
19 recording of what you would have said and thought
09:44 20 at the time?

21 A Yes.

22 Q And then down at the bottom, you were asked about
23 a car, 'and could have been with your uncle
24 Clifford?' 'Could have been,' and then
09:45 25 Mrs. Milgaard says, 'what kind of car did your



1 uncle have, what colour, do you remember the
2 colour,' and you say 'black and red'.

3 Mrs. Milgaard says, 'black and red, sort of a
4 maroon colour,' and then you say, '(inaudible) you
09:45 5 see Larry wouldn't have had a car if he did this.
6 He would have just, he would have got on the bus
7 with her.' Mrs. Milgaard, 'O.K.' And you say,
8 'and got off with her or followed her when she got
9 off the bus because Larry took the bus to work.

09:45 10 And again, is this -- you had
11 told us earlier that you had had discussions with
12 family members about Larry being on the same bus
13 as her?

14 A Yes.

09:45 15 Q Next page, and then there's some questions here
16 about Clifford Pambrun, and do you remember, I'll
17 show you in a subsequent interview, providing them
18 information about your Uncle Cliff and where he
19 could be reached. Do you remember that, telling
09:46 20 them that?

21 A Yes.

22 Q And then down at the bottom, this is where you are
23 asked about Roy, and you say, 'Roy said that Larry
24 like went, this is a couple of months or a couple
09:45 25 of weeks, and burnt a pair of work boots in his



1 garbage', Mrs. Milgaard says, 'He burnt a pair of
2 work boots in his garbage', and you say, 'Yes,
3 that's another, that's another really suspicious,
4 like that's just', and then the question, 'Why did
09:46 5 he do that, did he give any reason for it', you
6 say, 'Why did he burn good work boots, but I
7 didn't notice him getting new ones, so I don't
8 know', 'Who was Roy', 'That's the uncle'.

9 And I think that's what you told
09:46 10 us yesterday, that Roy had told you that story?

11 A Yes.

12 Q And that had been in the '70s; is that right?

13 A Yes.

14 Q And then I think, down at the bottom just a couple
09:46 15 more lines, you say -- and Mrs. Milgaard asked,
16 'Did Roy give a statement to the police about the
17 work boots', and you say, 'No, Roy just told me
18 when I was telling him what I thought'.

19 Is that correct?

09:46 20 A Yes.

21 Q So you would have told your Uncle Roy about your
22 suspicions about Larry Fisher?

23 A Yes.

24 Q And that's when he would have told you about the
09:46 25 work boots and the burning barrel?



1 A Yes.

2 Q And then next page Mr. Henderson asks, 'Do you
3 recall when Roy mentioned this to you, did he say
4 how long after this happened that he recalled
09:47 5 Larry burning his boots', and Mrs. Milgaard,
6 'Larry burning his boots', you say, 'No, he just
7 said that he remembered one time Larry came to
8 use, in his garbage when he was burning garbage
9 Larry burnt his work boots'.

09:47 10 And is that correct?

11 A Yeah, that's what I said, but actually I didn't
12 know whether he was burning garbage or not, Roy
13 had just told me this story.

14 Q And when Roy told you that did he tell you when
09:47 15 that was in relation to the day that Gail Miller
16 was murdered?

17 A Not that I remember, no, he just said it was
18 winter I think.

19 Q Okay. Next page. And you are asked here by Mrs.
09:47 20 Milgaard about, 'Did he show interest in the
21 reports on the radio or the television, the
22 newspaper', and then it's says 'inaudible', and I
23 think they are asking about Larry, and it's
24 inaudible but it says, 'Found some clothes at the
09:48 25 Cadrain's there'.



1 Do you know what that was
2 referring to?

3 A I think coveralls, I remember something about
4 coveralls being at Cadrain's, some -- there was
09:48 5 something about coveralls the kids had been
6 talking about.

7 Q And was there blood on the coveralls?

8 A I didn't -- I didn't know, I didn't know what it
9 was about, these coveralls, but I remember Pat had
09:48 10 mentioned something about coveralls being found at
11 the Cadrain's.

12 Q And was that at the time back in '69 when Mr.
13 Milgaard was being investigated do you think?

14 A Well that was when we had al -- I think we had
09:48 15 already moved to Avenue D and --

16 Q So that would be in about 19 -- late '69/early
17 '70?

18 A Yeah. That could have been when the Milgaard case
19 was going on, I don't --

09:48 20 Q And when you have a recollection of the overalls
21 was it in connection with Albert Cadrain and David
22 Milgaard's visit to the Cadrain house, or was it
23 in connection with your information you had about
24 Larry Fisher, or --

09:49 25 A Well the coveralls, I didn't know what they meant



1 by 'coveralls', what the kids were -- the kids
2 were talking about coveralls, but I never got
3 whether there was blood on them or not.

4 Q Okay.

5 A Okay.

6 Q So if we can go to the next page, please, and then
7 the next page. You say, 'You know, I don't know,
8 I don't know, maybe he didn't come home till 7:00,
9 I don't, oh, I don't know, no, I think he was
09:49 10 home, I was just surprised that he didn't go to
11 work, may -- I wonder if he didn't come home until
12 7:00'. And Mrs. Milgaard, 'That's what I am
13 wondering too, so you have no way of knowing
14 whether he was there all, at home all night or
09:49 15 not, he could not have been there and just when
16 you woke up he was dressed in these clothes', and
17 you say, 'I know he didn't, either didn't get home
18 until really, really late but I expected him to go
19 to work so he must have, he must have been home',
09:50 20 and then you say, 'But he couldn't have come until
21 2:00 or 3:00 but I still expected, no, he must
22 have came home early, he must have been home
23 because I expected him to go to work you know'.
24 And then the question, 'Would Larry normally go to
09:50 25 work even if he was off lat at night drinking',



1 you say, 'Yeah, he always', and Henderson, 'That
2 wouldn't slow him down from working', answer,
3 'No'.

4 I'm just wondering if you could

09:50 5 explain that, Mrs. Fisher? It appears that --

6 A I was trying to figure out if Larry could have
7 come home and I not noticed it or I could have
8 been asleep. Like that's what happened, I think,
9 anyway, but he -- if he could have came home, you
09:50 10 know, like 3:00, 4:00 or something, you know,
11 like.

12 Q Okay.

13 A But I never, I never knew, he never got -- as far
14 as I knew he never got into bed with -- into our
09:50 15 bed.

16 Q Okay. And when you, I'm sorry, you just said
17 "that's what happened anyway", what did you --

18 A Well he did get home, wash up, and I didn't know
19 he was there, so --

09:51 20 Q Okay. And I think we touched on this yesterday,
21 you said that when you woke up between 9:00 and
22 11:00 a.m. he was there with his dress clothes on,
23 and appeared to have just washed up?

24 A Yes.

09:51 25 Q And I think you told us you don't know -- you



1 don't know or have a recollection as to when he
2 came home?

3 A That's right.

4 Q And I think you have, from time to time, said,
09:51 5 well, he could have come home in the middle of the
6 night but you didn't think so; is that right?

7 A Yes. Yes.

8 Q And so what are you telling us today, Mrs. Fisher,
9 to as far as when you think he did get home; are
09:51 10 you able to tell us?

11 A No.

12 Q And I'm -- not from speculation, just from what
13 you know?

14 A No. I'm -- when I woke up, he was there.

09:51 15 Q Okay. Then the next page you are asked by Mr.
16 Henderson, 'Did you ever see Larry carry a knife
17 with him', answer, 'No, Larry never carried a
18 knife, but then look at this, all he did with the
19 knife'.

09:52 20 And is that accurate; do you
21 remember Larry carrying a knife?

22 A I don't remember him carrying a knife.

23 Q Next page. Mr. Henderson asks, 'You never went to
24 the police in 1969 though, did you', you answer,
09:52 25 'No, well I didn't even know Larry was violent



1 then', and then Henderson, 'Right, and then after
2 he was convicted did you, were you, after his
3 conviction in 1971 were you flashing back on that
4 morning of', and you answer, 'Yeah', and then
09:52 5 Henderson says, 'But you didn't at that time go to
6 talk to anybody', answer, 'No', question, 'What
7 was', and then your answer, 'This was all after
8 charge that this all came to mind like so that's
9 why I didn't know whether he was home or what we
09:52 10 were fighting about or', and he says, 'Sure'.
11 Mrs. Milgaard, 'Yeah, to remember that long back
12 it's almost impossible. I mean I can't remember
13 back to what I was doing ten years ago let alone
14 21 years ago', Henderson says, 'Nor can I, but so
09:53 15 basically what we're saying is that even though
16 Larry was charged in 19 -- was convicted or pled
17 guilty in '71 and you had your suspicions then,
18 then you waited nine years before you', and
19 answer, 'Yeah', and then, 'Just in terms of
09:53 20 credibility, explaining why the reason for that
21 was', and you say, 'Well I had a daughter with him
22 and I just didn't', there's some inaudible, 'If I
23 could have brought something new, like if I could
24 have known, seen that knife and known it was mine,
09:53 25 you know, but there was nothing like besides the



1 statement'.

2 I appreciate that this part is
3 inaudible but do you know what you would have been
4 referring to there?

09:53 5 A I don't -- I'm not sure.

6 Q Okay. Then, if we could just scroll down, there
7 is a note here that side 1 of the tape is blank
8 for 17 minutes and then side 2 is blank for 14
9 minutes and then they start talking about Shorty.
09:54 10 'That was the young kid upstairs', answer, 'No,
11 actually he didn't hang around much, he did the
12 odd thing with us'.

13 And is that correct about Shorty
14 Cadrain?

09:54 15 A Probably, yes.

16 Q And then you say, 'Well they knew each other but
17 not, you know, like they weren't close'.

18 And I think that's referring to
19 Larry Fisher and Albert Cadrain?

09:54 20 A Yes.

21 Q And then the next page. And you are asked the
22 question again about Albert Cadrain, 'Well I
23 wondered if there had been any way that maybe he
24 had even seen Larry covered with blood', and she
09:54 25 is talking about Albert Cadrain, 'And then



1 transferred it to David for a reason. Like would
2 Larry have been able to influence Shorty to say
3 something like that', and you answered, 'I don't
4 think so'.

09:54 5 And, again, is that accurate, do
6 you remember being asked about that?

7 A Yeah.

8 Q And is that what you think today?

9 A Yes.

09:55 10 Q And then down at the bottom Mr. Henderson says,
11 'The reason that we are here now is because there
12 was a tip to David's lawyer, law firm in Winnipeg,
13 an anonymous caller', Mrs. Milgaard says, 'Larry
14 had come home that morning covered with blood and
09:55 15 that we should talk, you know, and you had told
16 people that you believed he was guilty of the
17 murder', and you say, 'Yeah, but he wasn't, I mean
18 I never seen him covered with blood'.

19 And I think that's what you have
09:55 20 told us on a couple of occasions; is that right?

21 A Yes.

22 Q And if we can go to page 076298. And, again, Mr.
23 Henderson asks whether you talked to Larry Fisher
24 again about the incident on the morning of the
09:55 25 murder and you say, 'I can't remember, I don't



1 know if I asked him, because I went to visit him
2 in jail and I don't know after that when I came if
3 I asked him, like I just wanted to know one thing.
4 I think I told him. Did you have anything to do
09:55 5 with that nurse, and I'm pretty sure I asked him,
6 of course he said no.'

7 And so you would have told Mr.
8 Henderson and Mrs. Milgaard about your trip to
9 Prince Albert?

09:56 10 A Yes.

11 Q Okay. And then to page 076270. And then you say,
12 sorry, to 076270 -- or I'm sorry, 076300. And
13 then you make a comment about, 'Well if I could
14 prove it, I would testify, even if Tammy couldn't
09:56 15 go see Larry again. Like she's 21 years old'.

16 What did you mean by that?

17 A Well Tammy was -- Tammy was still visiting him
18 and, well, if it was unsafe for her to go I
19 wouldn't have -- advise her to go.

09:57 20 Q Were you still prepared to testify against Larry
21 Fisher, even if that meant Tammy --

22 A Yes.

23 Q -- couldn't go see him any more? And then Mrs.
24 Milgaard asks, or says, 'Yeah, she's not a child.
09:57 25 Well for instance if we could arrange somehow for



1 you to go up and see Larry and give you some
2 questions to ask him to say that we've been here
3 or something and have you wear a wire, would you
4 consider doing something like that if we took you
09:57 5 up there'. And you say, 'Well now he knows I
6 don't visit because he paid fines, my speeding
7 tickets so I'd go visit him in Saskatoon and I
8 never went, so now he's kind of mad at me'. And
9 then scroll down to the bottom. And then you say,
09:57 10 'Well he won't talk in jail anyway because he
11 knows that they', and Mrs. Milgaard says, 'Yeah,
12 record the conversations there', 'Yeah'.

13 Do you remember being asked to
14 wear a wire into the prison to interview or to
09:58 15 talk to Larry?

16 A Yes.

17 Q And did you agree to that or do you remember what
18 your answer was?

19 A No.

09:58 20 Q I'm sorry, you --

21 A No, I never agreed to do it.

22 Q And why not?

23 A I don't know. I thought it was scary.

24 Q Okay. And then down at the bottom, 'And I don't
09:58 25 think that he would tell me anything anyway, you



1 know, because all these years the only, he
2 explained to me like when he first went in the
3 only, he explained is why, like why did you do
4 that, why, how could anybody do that, he explained
09:58 5 it by he's on the bus, this girl is in front of
6 him', inaudible, 'and he says he got a pain in his
7 head, she left the bus, he left the bus and he
8 did, he doesn't remember anything until after, and
9 then after it was all over and he knew what he
09:58 10 did'.

11 And then the next page it talks
12 about the incident in Winnipeg, and then to page
13 076302. And then Mr. Henderson says, '1980,
14 excuse me, right, right, after you read the flyer,
09:59 15 yeah, right, and how long a statement did you give
16 them', and you say, 'About this much on a page I
17 guess', Henderson, 'And did they say what they
18 were going to do with it?' Mrs. Milgaard, 'They
19 never even told us about that coming in, you
09:59 20 know', and you say, 'Well you know I was drinking
21 when I went in, that would have been one of the
22 reasons, because they wouldn't have too much
23 faith', inaudible, 'when I had the courage to go
24 in then'. Mrs. Milgaard, 'You had the courage to
09:59 25 go in because you had been drinking and it wasn't



1 something that you just made up at that time, it
2 was something that you have been living with for a
3 long time. I'm sure every time you've heard about
4 me out trying to get my son out must bring back
09:59 5 memories to you', and you say, 'Oh yeah, when
6 those flyers came out I said oh, that's enough, if
7 he claims he's innocent for ten years there's got
8 to be some truth to it, but I always wanted to
9 read the Court transcripts and I never ever seen
10:00 10 the knife they found'. And then you say, 'Well I
11 think that', and then you say, 'Well I don't know
12 if I would recognize it that way, and I know
13 exactly how that knife looked, but it didn't have
14 no special markings'. And then Mrs. Milgaard,
10:00 15 'But it would be something if it was identical to
16 the knife you had', and then you are asked to draw
17 the knife.

18 Do you remember doing that?

19 A No I don't.

10:00 20 Q And then just down at the bottom -- again just
21 back, again you made a comment about going into
22 the police and your drinking, what did you mean by
23 that?

24 A Because I had been drinking, I thought maybe
10:00 25 that's why they didn't look into the statement or



1 something, I don't know.

2 Q Okay. And down at the bottom you were describing
3 the knife, 'It wouldn't, didn't have the fancy
4 wooden handle, like it was a plain wooden handle',
10:00 5 and then next page Mrs. Milgaard asks, 'Would it
6 be sort of a brown sort of like a maroon colour',
7 you answer, 'It's about this', Mr. Henderson,
8 'Yeah, kind of like a steak knife, I mean the way
9 steak knives look now when you buy them, I mean
10:01 10 are you -- I'm thinking of one steak house that
11 had brown handles, you know', and then you say,
12 'The old butcher knives, the old wooden butcher
13 knives, that's the handle, kind of handle', 'Did
14 it have those things', and you say, 'The rivets,
10:01 15 oh yeah, I forgot to put the rivets on', and, 'Do
16 you remember this distinctly because you didn't
17 have a large collection of kitchen knives', and
18 you answer, 'No, I just had the paring knife, the
19 one knife'.

10:01 20 And that's what you would have
21 told them at the time?

22 A Yes.

23 Q Now later on, and I'll get to this in later
24 documents, there were a couple of more knives that
10:01 25 you told either investigators or the Milgaards or



1 the police that were missing; is that right?

2 A Yeah. I was focusing on the wooden-handled one
3 here I think.

4 Q Okay. And so this is the one, the morning of the
10:01 5 murder, that you noticed missing?

6 A Yes.

7 Q Okay. And then just down at the bottom you say,
8 'That paring knife that you would use for peeling
9 potatoes or something like that', answer, 'Yeah,
10:02 10 you know, it was my favourite one, it was the only
11 one I used and I didn't have no other small paring
12 knife, I think I had a butcher knife but I didn't
13 like using that. I didn't have no other knife to
14 peel potatoes'.

10:02 15 And so I think, when we get to
16 some statements later, you later told people that
17 you did have another knife --

18 A Yeah.

19 Q -- that was missing; --

10:02 20 A Yes.

21 Q -- is that right?

22 A Yes.

23 Q So, at the time, do you know why you wouldn't have
24 brought that up?

10:02 25 A I probably didn't remember.



1 Q Okay. And then it goes on, Mr. Henderson says he
2 wants to talk to your two uncles, that would be
3 Clifford and Roy; is that correct?

4 A Yes.

10:03 5 Q If we can go to the next page, or to 0 -- 306.
6 And there is a discussion here about -- and I
7 think this refers to Gail Miller, 'At 7:00, I
8 think she left by 7:00, they said she was gone at
9 7:00', and then you say, 'Oh well he couldn't, he
10:03 10 couldn't come home, what time did this happen',
11 Mrs. Milgaard says, 'Well you see he left her --
12 or she left her home about 6:35 to catch the bus',
13 and you say, 'Mrs. Cadrain', and Mrs. Milgaard,
14 'No, no Gail Miller', 'Oh, Gail Miller', Henderson
10:03 15 says, 'Wait a minute, eh, hold it, hold it.
16 Where, Larry, what bus did he take', Mrs. Milgaard
17 says, 'The same bus that Gail Miller took', you
18 say, 'Yeah', Henderson, 'And that's when he would
19 have been on the bus, and if he had gone to work
10:03 20 he would have been on the bus with her', Linda
21 Fisher, 'Well he -- she -- she took the bus to St.
22 Paul's, we lived on Avenue O, so he'd get on with
23 her for a ways I guess until she got off at the
24 hospital', and then Henderson, 'How far from --
10:04 25 who would have gotten on first', you say, 'Larry,



1 oh, she would have gotten on first and then, and
2 then Larry would have got on'. And you say, 'and
3 Larry would have got on and then she would have
4 got off but Larry had to go back downtown because
10:04 5 if he was working by the bridge but he never went
6 that way anyway', and then Mrs. Milgaard, 'But
7 this happened before she got to the bus', Linda
8 Fisher, 'Where did she live', and Mrs. Milgaard,
9 'She lived on Avenue O', and you say, 'Oh, she
10:04 10 lived on Avenue O South'.

11 Had you not known where Gail
12 Miller --

13 A No, I guess not, or I didn't remember.

14 Q Okay. And then Mrs. Milgaard says, 'She lived on
10:04 15 the other side of the avenue, she -- see here's
16 your avenue, here's where Cadrain's lived down
17 here, okay, and here's the church, St. Mary's
18 Church, you know that', answer, 'Yeah', and then
19 Henderson says, 'I'm going to turn this off for a
10:05 20 second', Mrs. Milgaard, 'Okay, fine'. And then
21 Henderson, 'We're back on record here. Linda is
22 now telling us something about Larry Fisher's
23 wallet. Go ahead', and you say, 'Yeah well he, he
24 came home that morning and he didn't notice but
10:05 25 some, somebody in the neighbourhood found his



1 wallet along Avenue O by a big tree, and he had,
2 so he had lost it either the night before or that
3 morning'. Mrs. Milgaard, 'That's interesting',
4 then you say, 'Yeah, so maybe he was carrying some
10:05 5 of his clothes, how could he lose his wallet',
6 Henderson, 'How far was the wallet found from the
7 murder scene', you say, 'The wallet was just down
8 from our place by a big tree I think'.

9 Can you tell us, Mrs. Fisher,
10:05 10 back in 1971 when you started to have suspicions
11 about Larry being involved in the Gail Miller
12 murder, where did the wallet fit in in your
13 suspicions, if anywhere?

14 A Well he did -- I figured he would have lost it
10:05 15 that morning, because I think it was found a
16 couple days later, after that.

17 Q And so back in 1971 did you think that he may have
18 lost a wallet as part of being involved in the
19 Gail Miller murder?

10:06 20 A Yes.

21 Q And that's what you thought then?

22 A Yes.

23 Q Next page.

24 A Not in 1969 I didn't think that.

10:06 25 Q No.



1 A That --

2 Q No.

3 A Okay.

4 Q But 1971, '70-'71, after you started to suspect
10:06 5 him?

6 A Yes.

7 Q And then Henderson asks, 'Would that be between,
8 the wallet found between your house and the murder
9 scene in the same direction', Mrs. Milgaard, 'it
10:06 10 would be, it would be', and you say, 'Yeah', and
11 Mrs. Milgaard, 'There's nothing on the other side
12 of their house', you say, 'Oh, it would be just
13 right in front of our house', Mrs. Milgaard, 'You
14 see here's the house, here was the murder scene,
10:06 15 and here's the house where they lived at, and if
16 it was the big tree here in front of the house it
17 would be between the murder scene and the house',
18 Henderson says, 'Did you -- do you recall, Linda,
19 telling the police about that also in your
10:06 20 statement', and you say, 'I don't know if I told
21 him that'.

22 And I don't think that was in
23 your statement to the police, was it, in August of
24 1980?

10:07 25 A Well, I don't remember.



1 Q Okay. Then to page 076310. And then it talks
2 here, Mrs. Milgaard says, 'But when we go over the
3 scene of the crime tomorrow and see, you know, and
4 everything like that, maybe something else might
10:07 5 twig because it's long ago', and you say, 'The
6 wallet, the wallet is, you know, that would be
7 where they found that wallet, what, that might be
8 a real big, or what might be a real big help', she
9 says, 'Just remember that', and Henderson says,
10:07 10 'Well he must have lost it just that night
11 otherwise he', and you say, 'Either night or that
12 morning he had to lose it, see he could have been
13 running home and lost that wallet', and Henderson
14 says, 'Yeah', you say, 'That's what I thought, you
10:07 15 know', and Henderson, 'And if he had been out the
16 night before he would have had to have had his
17 wallet if he was out drinking and he was out you
18 think with Uncle Roy, was it Roy or who', and you
19 say, 'Or Clifford'.

10:08 20 Do you remember, the next day,
21 going out for a drive around that area with Joyce
22 Milgaard and Paul Henderson?

23 A Yes.

24 Q And you went back to the Cadrain house and drove
10:08 25 around the area?



1 A Yes.

2 Q And then the next page, please. And it says, 'We
3 have been really keeping your mum talking here but
4 we'll see you tomorrow at 1:00'.

10:08 5 So I take it that, after the
6 first interview with Mrs. Milgaard and
7 Mr. Henderson, you arranged to meet the next day;
8 is that right?

9 A I think so.

10:08 10 Q Now it doesn't appear from that tape that there is
11 two statements that you gave, March 10th and March
12 11th, and it appears that it would be after the
13 second, the next day when you drive around and
14 have another interview. Do you remember when you
10:09 15 gave them a statement, whether it was after this
16 first meeting?

17 A That would have been in Saskatoon, I don't know
18 whether it was a week or a couple days later, --

19 Q Okay.

10:09 20 A -- you know.

21 Q And I think, sorry, the first meeting on the --
22 was in Cando; is that right?

23 A Yeah. That was this taped one.

24 Q Yes.

25 A Yeah.



1 Q Okay. And the statement, if we can call up 050603
2 and go to page 608, and this is March 10th, 1990
3 in Saskatoon; is that right?

4 A Yes.

10:09 5 Q And so maybe we'll go through the second
6 interview; does it -- I believe what the records
7 indicate, Mrs. Fisher, is that you would have
8 given a statement after the March 10th interview
9 and driving around?

10:10 10 A Yes, yeah.

11 Q Does that sound right?

12 A Yes.

13 Q And then I think the next day you gave a short
14 one-page statement, as well, on one further point?
10:10 15 I'll show you that, but do you remember that?

16 A Umm, I remember I did give one in Saskatoon
17 here --

18 Q Okay.

19 A -- that Paul Henderson had written.

10:10 20 Q And the one in Saskatoon, was that after you had
21 met with Paul Henderson and Joyce Milgaard again?

22 A Yes.

23 Q Okay. If we could call up 048717. And this is a
24 tape called Linda Fisher & looking for Roy &
10:10 25 Cliff, and if we can go to 043662, please. This



1 is a transcript of that tape prepared by the RCMP,
2 and it appears -- do you remember this, the tape
3 recorder being on in the car while you were
4 driving around?

10:11 5 A No, I don't know if it was or not, I --

6 Q If we can go to the next page, please. Actually,
7 just go to the first page, and down at the bottom
8 here you will see about Clifford, 'Where does he
9 live', 'He lives on Avenue M'. Then the next
10:11 10 page. And then it talks about, 'We'll go down to
11 this drug store and you can just phone if you
12 want'.

13 So it appears that you are
14 driving around, going to see Clifford and Roy,
10:11 15 does that -- do you remember going to find
16 Clifford and Roy with --

17 A Yes.

18 Q Yes?

19 A Yes.

10:11 20 Q And then down at the bottom of that page Henderson
21 says, 'I've got to ask you something. Did', and I
22 think this is to Mrs. Milgaard, 'When you were
23 talking to your lawyer last night or this morning
24 did he go into detail with you about his plan
10:12 25 about maybe getting Larry a deal', and then it



1 goes on the next page, 'Yeah, I mentioned that to
2 her, to her, I mentioned to her today', or this is
3 Mrs. Milgaard, 'I mentioned to her today, I said
4 to her when we were talking, I said you know it
10:12 5 may be that they want to, will want to put someone
6 in undercover to talk to Larry', Henderson says,
7 'No, what he is talking about is you and he going
8 into prison and telling Larry if he would give us
9 the truth he might -- letting Larry think', Mrs.
10:12 10 Milgaard, 'That he might get a deal', Henderson
11 says, 'Well letting him think number 1 that we're
12 going to catch him on it', Mrs. Milgaard, 'Yeah,
13 that we already know', and then Henderson says,
14 'We know and we've got the proof but telling him
10:12 15 basically look, we can prove it at least in the
16 minds of the public, but, and you're going to be
17 in hot water if we go public with this, on the
18 other hand the lawyer saying to him', and then
19 Mrs. Milgaard, 'Are you recording', Henderson,
10:12 20 'Yeah, I'm just going over this old tape here, I'm
21 trying to get rid of that silly music, but saying
22 to him if you want to cooperate with us and admit
23 to this we will be your liaison between you and
24 the Justice Department and see what kind of a deal
10:13 25 they might be willing to work out, and as you



1 know, his rationale for that was the Justice
2 Department would go for this because it gives them
3 a chance to look good, like they have discovered
4 it maybe on their own, they've got this, they've
10:13 5 talked to him, he confessed, it makes them look
6 better than', Mrs. Milgaard, 'That they are trying
7 to get David out', and Henderson says, 'Right',
8 Mrs. Milgaard, 'Well maybe we should discuss that
9 with Linda with the idea that we, because at one
10:13 10 time he talked about David Asper going up with
11 Tammy'.

12 Do you remember that being
13 discussed, about David Asper and your daughter
14 going up to see Larry Fisher in prison?

10:13 15 A No, no I don't.

16 Q And then Henderson says, 'Yeah, well he was
17 considering doing that, it's not a bad idea, it's
18 worth a try, in which case what you are holding
19 is, what you are doing is you are holding back on
10:13 20 the publicity, in other words you are not going to
21 besmirch Larry Fisher, label him a killer all over
22 mainland Canada on every TV screen in the entire
23 country, giving him a chance to admit it first
24 with the possibility of getting a deal, he says --
10:14 25 I said what do you mean, are you talking about



1 plea bargain where he would only get so many
2 years, he said I'm talking about the possibility
3 of him not even being prosecuted, I can't imagine
4 they would do something like that though', and
10:14 5 Mrs. Milgaard, 'I don't know that', and Linda
6 Fisher, 'How did you make out', 'Well he's not at
7 Bryan's mum'.

8 So it's not clear whether you
9 were part of this discussion or not, Mrs. Fisher,
10:14 10 do you remember any of that being discussed?

11 A No.

12 Q If we can go to the next page, and again you are
13 part of the discussion here, and then down at the
14 bottom Mrs. Milgaard says, 'But, so you've checked
10:14 15 the other uncle and he's not home either so there
16 is no sense in going by there. Now you're going
17 to be in school on Monday, right. See, we're just
18 talking now, Paul's been talking to my lawyer as
19 well, and one of the considerations and things
10:14 20 that they talked about was maybe going'.

21 And if I can pause there, it may
22 be that the part that I just read you was while
23 you were out of the vehicle, Mrs. Fisher. Do you
24 remember going in to phone Cliff and Roy?

10:15 25 A Yes, yeah.



1 Q And it says, 'He had talked about maybe going up
2 with there with Tammy to see her father and sort
3 of how do you think that Tammy would relate to us,
4 like if we tried, explained to her that we were
10:15 5 trying to get David out, but at the same time we
6 were trying to make a deal for her dad, like we
7 would be working a two-way street, we would be
8 trying to help make a deal, see he seems to feel,
9 explain it exactly how he felt it would work', and
10:15 10 then Mr. Henderson says, I think to you, 'Well
11 basically what he is saying is that here's Larry
12 in there, this Justice Department investigation is
13 going on, the Justice Department is under no small
14 amount of public pressure to get to the bottom of
10:15 15 this, plus we're sitting here holding some cards
16 of our own, developments that they don't even know
17 about. If I were their lawyer, now he didn't
18 quite get into this kind of detail, but what I
19 would do if I went up there is say look, Larry, in
10:15 20 addition to the fact that the Justice Department
21 is hot on you we've got information, and the
22 national press is salivating over this case, you
23 are going to be smeared all over Canada television
24 and in the -- in the press, and that's going to
10:16 25 put the Justice Department under even greater



1 pressure to let David out and to prosecute you. I
2 wonder if he is smartly say well he agreed with me
3 he said there is enough evidence here
4 circumstantially to convict you, now that may or
10:16 5 may not be true, but in other words, and then he
6 says, alright, look, if you will confess to this
7 admit the crime, what we might be able to do is
8 work out a deal where you are not even
9 prosecuted'. And you say, 'Larry is so scared
10:16 10 that he', and then an inaudible, 'Right now he's
11 so scared that there is no way he is going to
12 confess'.

13 And, again, why would you --
14 what would have caused you to say that, Mrs.
10:16 15 Fisher?

16 A I think they were probably already saying that he
17 probably heard it, that they were going to open
18 the Milgaard case up or something.

19 Q Do you remember these discussions about where you
10:17 20 might play a part in trying to talk to Larry
21 Fisher about getting information or a deal with
22 him?

23 A Yes, I remember something about it.

24 Q And do you remember what part you were to play in
10:17 25 that?



1 A Well, I was supposed to go get some DNA I think
2 from Larry at one time. That's all I remember. I
3 don't remember the other part here.

4 Q And then it goes on to say, and Henderson says,
10:17 5 'ya well.' Mrs. Milgaard, 'do you think he might
6 though, if he thought he might get a deal,' and
7 then Mr. Henderson says, 'he should be led to
8 believe that, that, if he's puking now, he's going
9 to be passed out in a month from now when all this
10:17 10 publicity hits the country. I mean he's going to
11 be public enemy number 1.' And you say, 'but you
12 know, I don't even think Larry cares. What does
13 he care?'

14 Do you remember saying that, and
10:18 15 what did you mean by that?

16 A Well, I mean what was going on outside in the
17 public, I didn't -- I don't think he -- I didn't
18 think he would be too -- I mean, he wouldn't care
19 about it.

10:18 20 Q And so it appears there's a discussion here about
21 someone going in to Larry Fisher and saying
22 lookit, this information will be made public, and
23 therefore, before it is, cooperate in some way; is
24 that --

10:18 25 A Yeah, but I figured he already denied it, so I



1 really didn't think that he would agree to
2 anything.

3 Q Okay. And when you say -- you didn't think he
4 would care about that; is that correct?

10:18 5 A Yes, that's what I thought.

6 Q And then Henderson says, 'it can be handled
7 quietly or he can be labelled a killer or TV and
8 so everybody knows and the Justice Department is
9 under extreme pressure to come after him,' and
10:18 10 Mrs. Milgaard, 'to give him more time,' and then
11 you say, 'I don't think that that, I don't think
12 to Larry, knowing him, I don't think that would
13 make any difference to him. Hiding the truth is
14 ...' and then Henderson, 'if the name of the game
10:19 15 was psychopaths, they never confess to anything,'
16 and then you carry on here, 'what's best for him,
17 if he thinks it's best for him.' And then you say
18 here, 'ya, obviously you would have to point it
19 out that he's going to be convicted and then he's
10:19 20 going to try and protect himself, but right now,
21 there's no way.'

22 So that would have been your
23 comment at the time about what you thought and how
24 Larry Fisher would react to that type of approach;
10:19 25 is that correct?



1 A That's right.

2 Q And then the next page, a discussion here,
3 Mrs. Milgaard says, 'well the other thing is, like
4 Paul and I have discussed, I really feel that
10:19 5 you've got to tell Tammy right away. I think it's
6 just too chancy not to. Linda, if it was my own
7 daughter, I would tell her immediately. I just
8 feel that it's taking too much of a chance not to
9 tell her.' Henderson, 'well I think it's also
10:20 10 unfair to her to have her continuing with this
11 illusion of having a father who's A-okay,' and you
12 say, 'oh no, she thinks that I believe that he did
13 it.'

14 And again, can you help us out,
10:20 15 what was this discussion about telling Tammy
16 and --

17 A Well, I guess they were going to go to the news
18 about this and they wanted me to tell Tammy before
19 she went to visit or before it came on the news,
10:20 20 and I -- well, I kind of -- I was worried about
21 her, about Tammy going or something and Larry
22 getting mad because I -- I was involved, right.

23 Q And it says here that you say I believe, if I'm
24 reading this right, that Tammy at that time
10:21 25 thought that you believed Larry Fisher had --



1 A Yeah, I think Tammy knew what I thought then. She
2 was already over 21.

3 Q And had you told her about that?

4 A Yes, I think so.

10:21 5 Q And so would the -- the talk here about talking to
6 Tammy, would that be about the fact that there
7 would be public information about her father?

8 A Yes, I think so.

9 Q And did you have that discussion with her?

10:21 10 A I think so, yes.

11 Q And then 043670, there's a discussion here, I
12 think this is Mr. Henderson, it says, 'if you want
13 to make it easy on yourself,' and this is I think
14 talking about Tammy, 'you can tell that we, that
10:21 15 Joyce didn't just come here taking a chance.
16 Somebody that I have talked to called her lawyers
17 and said go talk to this woman. She is telling,
18 you know she, and tell her, you can tell her look,
19 hey somebody falsely claimed that I'd seen Larry.'
10:22 20 Joyce Milgaard, 'not falsely claimed. They didn't
21 say that they saw, that she saw Larry covered with
22 blood. Now let's get this straight. This is why
23 there's someone else there that may still have.
24 This anonymous caller said that Larry Fisher had
10:22 25 been seen that morning covered with blood.'



1 Henderson, 'didn't say that Linda ...'
2 Mrs. Milgaard, 'No. Said that he had been seen
3 that morning covered with blood and he had said,
4 and Linda Fisher believes that he is guilty of
10:22 5 killing Gail Miller and even went to the police
6 about it.' And then Henderson, 'so you got,
7 you've got two different things covered with
8 blood.' And then Mrs. Milgaard, 'so it may be
9 that there's someone else that saw him that is
10:22 10 trying to tell but trying to remain anonymous, do
11 you see what I mean, so maybe he was seen that
12 morning,' and you say, 'oh so he didn't say that I
13 seen Larry covered with blood,' and Mrs. Milgaard,
14 'no'. You say 'oh. There aren't that many people
10:23 15 who would have seen Larry ...' and then
16 Mrs. Milgaard, 'you said Larry Fisher was seen
17 that morning covered with blood. And that you
18 believed that he had killed Gail Miller and, in
19 fact, you had even gone to the police. Well, he's
10:23 20 right about two out of three. We know that.'

21 Do you have any recollection
22 from anybody having seen Larry Fisher covered with
23 blood the morning of the murder?

24 A No.

10:23 25 Q Go to page 043679, and then again this is all part



1 of the tape, and Mrs. Milgaard says, 'Pambrun, and
2 I tried --' okay, she says, 'I just talked to Roy
3 on the phone.' 'Roy Pambrun?' 'Right.' 'I tried
4 to encourage him to allow us to come over so that
10:23 5 we could take a written statement from him. He
6 said that he did not want to put anything in
7 writing. That he really couldn't be specific
8 about dates. He couldn't tell exactly what day
9 this was or anything that had happened. All he
10:24 10 remembers about it was that Larry showing up at
11 house and he didn't have any shoes or boots on his
12 feet. And he wanted to and he had a fire, he had
13 a fire burning in the barrel. And outside in the
14 yard. He didn't light the barrel himself, and yet
10:24 15 he didn't see Larry light it.'

16 And I think there's a discussion
17 looking for a restaurant to eat, which I won't go
18 into. So again, do you recall Mrs. Milgaard
19 talking to Roy Pambrun?

10:24 20 A I don't know if I was -- is this the same day?

21 Q Yes, it's the same call.

22 A Yeah. I know we looked for them that day. I
23 don't know who we got ahold of.

24 Q And then maybe just the next page, and Mr.

10:24 25 Henderson says, 'right. And commentary, from



1 Linda, after your conversation with Roy was that
2 she remembers him saying this exactly the way that
3 she worded it in the statement, and she stands by
4 what she wrote in her statement but she admitted
10:25 5 that Roy would sometimes have a tendency to
6 embellish stories. And she thought that maybe in
7 this case he was embellishing this particular
8 story to be in accord with her suspicions about
9 Larry.'

10:25 10 And again, it looks as though
11 you would have given your statement by the time
12 Mr. Henderson states this. Is that fair?

13 A Yes.

14 Q And do you remember telling Mr. Henderson this
10:25 15 about Roy Pambrun?

16 A Yeah.

17 Q And is that true, is that what you thought at the
18 time?

19 A Yes.

10:25 20 Q And to page 043682, we now have the tape and Cliff
21 Pambrun and Linda Fisher are there. Do you
22 remember meeting with Cliff Pambrun, with Joyce
23 Milgaard and Paul Henderson?

24 A Yeah, I think so.

10:26 25 Q And to page 043685, questions about the car. A



1 couple of lines higher Henderson asks you, 'you
2 loaned him your car all the time.' Cliff says,
3 'no, not all, well whenever he wanted it, quite
4 often. You couldn't say all the time because I
10:26 5 drove it most of the time.' Mrs. Milgaard, 'yeah,
6 because sometimes he'd go out at night with it.'
7 And Cliff says, 'well not really at night, mostly
8 during the day.' You say, 'if he borrowed it it
9 would be just, it wouldn't be very long.'

10:26 10 And then the next -- if you can
11 go to page 043691, the top, Mr. Henderson asks,
12 and again this is with you and Cliff present,
13 'what I'm thinking is, he might have taken the car
14 out that night. Borrowed the car from you that
10:27 15 night,' and he's talking about the night of
16 January 30th before the murder, and then he says,
17 'the car was seen,' and then Linda Fisher says,
18 'no. Never overnight. I don't think he ever
19 borrowed the car ...' and then Cliff says, 'I
10:27 20 don't think he ever borrowed my car, my vehicle
21 overnight. I don't think he ever did.
22 (Inaudible). Always brought it home. He never
23 kept it overnight, never ever kept my vehicle
24 overnight.' And you say 'cause he used it for
10:27 25 work.'



1 Do you remember that discussion?

2 A Yeah.

3 Q And then down at the bottom, again you say, 'I
4 don't think, I don't think Larry ever borrowed
10:27 5 your car overnight,' and Cliff says, 'I don't
6 think he ever ever borrowed my vehicle overnight
7 really.'

8 Do you recall those questions?

9 A Yes. Clifford didn't like to lend out his
10:27 10 vehicle, so nobody would ask for it very often, so
11 --

12 Q And I think, can you tell us today, do you think
13 back in, on January 30th, 1969, or in that time
14 frame, that Larry Fisher would have borrowed
10:28 15 Clifford's car overnight?

16 A I don't think so.

17 MR. HODSON: This is probably a good spot
18 to break, Mr. Commissioner.

19 COMMISSIONER MacCALLUM: Thank you.

10:28 20 *(Adjourned at 10:28 a.m.)*

21 *(Reconvened at 10:46 a.m.)*

22 MR. HODSON: Just before the adjournment,
23 Mrs. Fisher, we had just finished up with the
24 tape recorded conversation between you and
10:46 25 Mrs. Milgaard and Paul Henderson and as well



1 Clifford Pambrun, and you recall that I showed
2 you in there mention that Mr. Henderson made of a
3 statement you gave. I'll call up 050603, and if
4 we can go to page 08, and that's your signature;
10:47 5 is that correct.

6 A Yes.

7 Q And this is March 10th, 1990, and based on my
8 review of the documents, it looks as though March
9 10th is a Saturday, March 9th was a Friday and
10:47 10 that would have been the first interview in Cando.
11 This is March 10th, the day you gave the statement
12 in Saskatoon. Does that sound right?

13 A Yes.

14 Q And I'm not sure if it matters exactly when during
10:47 15 that day you gave the statement, but it appears,
16 based on the tape that I went through, that at
17 some point during your meetings with Mrs. Milgaard
18 and Mr. Henderson that day you would have given
19 this statement; is that fair?

10:47 20 A Yes.

21 Q And then I think it's witnessed by Joyce Milgaard
22 and Richard Groat. Do you remember a fellow by
23 the name of Richard Groat? Does that sound
24 familiar?

10:48 25 A I don't know. I was thinking he was Paul



1 Henderson. I was -- I was mixed up, so I don't
2 know.

3 Q Yeah. No, Paul Henderson was there, and I think
4 Mr. Groat may have been an acquaintance of
10:48 5 Mrs. Milgaard or may have been around -- I'm not
6 sure, but -- and I think that's just -- do you
7 recall anybody by that name?

8 A I don't remember him, no.

9 Q And we'll go to the typed version, 101298, please,
10:48 10 and this is -- someone has taken the handwritten
11 statement and typed it up. Who wrote the
12 statement out?

13 A I think Paul Henderson wrote this.

14 Q Maybe we'll just -- sorry, let's just go back to
10:48 15 050603. And so that's, you are thinking that's
16 Paul Henderson who wrote it out?

17 A Yes.

18 Q And do you remember how the statement was taken,
19 where you were when it was taken?

10:49 20 A I think we were in the pizza place, a pizza house
21 on 22nd Street.

22 Q And how did -- did you -- did he write it out and
23 read it to you or did you -- did he ask you
24 questions and answers? Can you remember --

10:49 25 A Probably asked me questions and answers.



1 Q And then he wrote it out and had you -- did he
2 read it to you or did you read it; do you
3 remember?

4 A I --

10:49 5 Q I'll go through it with you.

6 A I probably read it, yeah.

7 Q And were they -- were they your words, were they
8 his words or a combination of both?

9 A A combination.

10:49 10 Q At the end though when you signed it, were you
11 satisfied that everything in this statement was
12 your truthful recollection?

13 A Pretty well, yes.

14 Q If we can just go to the typed version, 101298.
10:50 15 Go to the second paragraph, it says:

16 "I have a distinct memory of the morning
17 in 1969 when a young nurse Gail Miller,
18 was raped and murdered in the same
19 neighbourhood. Larry had been staying
10:50 20 out late at night and I suspected he was
21 running around with other women. On the
22 night (before?) --"

23 And I've checked on the handwritten version and
24 there's no -- there's no brackets or question
10:50 25 mark, so it looks like whoever typed this wasn't



1 sure, but the handwritten statement says:

2 "On the night before the morning of the
3 Miller murder, Larry again had failed to
4 come home. I stayed up, waiting for
10:51 5 him, until after the bars had closed.
6 He still had not come home. I was very
7 angry and packed before going to bed,
8 planning on leaving Larry in the morning
9 or at least scaring him into believing
10:51 10 that I planned to walk out on him."

11 And just go back, it says:

12 "Larry had been staying out late at
13 night and I suspected he was running
14 around with other women."

10:51 15 And we touched a bit on this yesterday. Had this
16 been a frequent occurrence, that he'd been out
17 late?

18 A Umm, yes. Well, not -- well, occasionally, yes.

19 Q Because it says here on the night before the
10:51 20 morning of the murder Larry again had failed to
21 come home, and --

22 A Well, he had done that before or Avenue C, he
23 wouldn't come home right after work, he would go
24 to the park and he was kind of running around.

10:51 25 Q Okay. So again when it says Larry again had



1 failed to come home, this had happened before I
2 take it?

3 A Yes.

4 Q And it says here that you had:

10:52 5 "... packed before going to bed,
6 planning on leaving Larry in the morning
7 or at least scaring him into believing
8 that I planned to walk out on him."

9 Had you thought about leaving him that next
10:52 10 morning?

11 A I don't know if I was serious, no, but I did pack
12 my bags.

13 Q Scroll down to the next paragraph:

14 "I awakened in our bed sometime between
10:52 15 9 and 10 a.m. At the time, Larry was
16 working as a labourer for Jones
17 Construction Co. He would normally get
18 out of bed and dress in time to catch
19 the 7 a.m. bus a block from our home to
10:52 20 ride to work. However, I was surprised
21 on this morning to wake up much later
22 and discover that Larry was at home,
23 wearing dress clothes instead of work
24 clothes."

10:52 25 Now, Jones Construction Company, I think we've



1 seen that that's somehow associated with Masonry
2 Construction; is that right?

3 A That's right.

4 Q And seven a.m., that was your recollection of when
10:53 5 he would normally catch the bus, around that time?

6 A Yes.

7 Q And again the dress clothes and work clothes,
8 you've told us about that. Next paragraph, you
9 say:

10:53 10 "This was surprising to me because Larry
11 hardly ever missed work, no matter how
12 late he stayed out at night. My bags
13 were packed and setting in the middle of
14 the hallway. I started screaming at
10:53 15 him, giving him shit for staying out
16 late again and staying home from work.
17 We argued at length. The radio in our
18 living room was on, and at some point
19 that morning I overheard a news report
10:53 20 about the stabbing murder of the nurse."

21 And I had asked you this yesterday, and I think
22 two questions about what you heard on the news
23 report, about whether or not it was a stabbing.
24 Do you remember -- do you remember that?

10:53 25 A Well, I'm pretty sure I heard about the stabbing.



1 I'm not positive if I had heard it was a nurse
2 yet.

3 Q Okay.

4 A It was just a girl maybe I might have said. I
10:54 5 don't know.

6 Q Sure. And then down at the next paragraph:

7 "Sometime before the news report either
8 that same morning or the night before -
9 I had discovered that my kitchen knife
10:54 10 was missing. So when I heard the murder
11 report I yelled at Larry, "My paring
12 knife is missing. You're probably the
13 one who was out stabbing that girl". I
14 can't recall exactly what I said to him,
10:54 15 whether those were actually the words I
16 used, but I did accuse him of committing
17 the murder."

18 And is that correct?

19 A Yes.

10:54 20 Q That's accurate?

21 A Yes.

22 Q Next page, it says:

23 "In retrospect, I know that the
24 accusation was prompted by my intense
10:54 25 anger and not really a belief that he



1 had murdered someone."

2 And that's accurate is it?

3 A Yes, and even the knife, I would have noticed it
4 when I went to make dinner, I probably didn't
10:54 5 notice it the night before. I don't know how --

6 Q Okay. So I think your statement says either the
7 night before or that morning.

8 A Yeah. So it probably wouldn't have been the
9 night -- it would have been when I went to make
10:55 10 dinner that I noticed it.

11 Q Sure. And then it says:

12 "But his reaction was strange."

13 Is that what you told us about yesterday, about
14 his reaction?

10:55 15 A Yes.

16 Q Then you say:

17 "Knowing him as I did, I would have
18 expected him to keep up with the yelling
19 and arguing, as he always did. But my
10:55 20 angry accusation stopped him cold. He
21 looked at me like a guilty person who'd
22 just been caught. The color drained
23 from his face and he looked shocked and
24 scared. I will never forget his
10:55 25 expression. I recall thinking at the



1 time that this strange behaviour was
2 caused by his disbelief that I would say
3 or even think something so horrible as
4 that. I am now convinced that Larry
10:55 5 reacted the way he did because he really
6 did kill Gail Miller. There are several
7 reasons why I believe this."

8 And is that accurate?

9 A Yes.

10:55 10 Q Just on the first one, knowing Larry as you did,
11 when you were arguing was it unusual for him not
12 to argue back then?

13 A Yes.

14 Q And you say:

10:56 15 "My angry accusation stopped him cold."

16 And then you say:

17 "He looked at me like a guilty person
18 who had just been caught."

19 And is that something you thought when you made
10:56 20 the statement?

21 A At the time, no, he just -- ah, I don't know what
22 I thought, but yeah, he did look guilty, he looked
23 like -- or he -- at the time I thought that he
24 thought that I really thought this and -- and so I
10:56 25 thought I went overboard at the time.



1 Q So at the time in 1969, you may have touched on
2 this yesterday, his shocked reaction at the time
3 you thought was because he really believed what
4 you had said?

10:56 5 A Yeah.

6 Q That he really believed that?

7 A Yeah, I believed that he thought that I thought
8 that and I thought I overdid it.

9 Q Okay. And so at that time his shocked reaction,
10:57 10 again on the day, was, I think you told us, please
11 correct me if I'm wrong, you attributed that to
12 sort of his shock that you would make such an
13 accusation?

14 A Yeah.

10:57 15 Q And then later after you learned about the rapes
16 in Winnipeg and had suspicions about him, did your
17 view of his reaction change, did you think
18 differently about his reaction?

19 A Yes.

10:57 20 Q And then what did you think at that time?

21 A Then I thought maybe he was guilty.

22 Q Okay. And so then once you found out about the
23 rapes, then thinking back to his reaction that
24 morning, did you think of him as a guilty person
10:57 25 who had just been caught?



1 A Yes.

2 Q And then you go on to say several reasons why you
3 believe that he really did kill Gail Miller:

4 "On either the same day of the murder or
10:57 5 the following day someone in the
6 neighbourhood knocked on our door and
7 returned Larry's wallet. I distinctly
8 recall being told either by the finder
9 or possibly by Larry that the wallet had
10:58 10 been discovered by a tree along the
11 sidewalk of our block. I'm not sure,
12 but I believe that the person who
13 returned the wallet was a child and not
14 an adult."

10:58 15 And as far as the wallet, I think you told us
16 that the tree was right on the Cadrains'
17 property, right in front?

18 A Yeah, I think it was right in front of the yard,
19 the closest big tree. He said he found it by our
10:58 20 place.

21 Q And your recollection, would that have been right
22 in front of the Cadrain house or was it down the
23 block?

24 A I think it was pretty well in front.

10:58 25 Q And then scroll down:



1 "Despite this, I really didn't suspect
2 Larry of being capable of committing
3 something like this until after he'd
4 been arrested for rape and sentenced to
10:58 5 prison in 1971. Sometime after entering
6 prison he wrote me a letter describing
7 what prompted him to rape women - how in
8 one case he'd been sitting on a bus
9 behind a woman and started getting a
10:58 10 headache. He said he remembered
11 following the woman off the bus and that
12 his mind was blank from that point on.
13 Then when it was over he knew what he'd
14 done.

10:59 15 I believe that I still have
16 this letter. - will attempt to locate
17 it and promise to turn it over to
18 authorities upon request."

19 I think that's the letter I referred you to
10:59 20 yesterday?

21 A Yes.

22 Q "After Larry went to prison, I was
23 talking to my uncle, Roy Pambrun and he
24 told me that something strange had
10:59 25 happened at his house involving Larry.



1 Roy said he was burning garbage in a
2 barrel in his yard and that Larry threw
3 a pair of work boots into the barrel.
4 Roy said this seemed like a strange
10:59 5 thing for Larry to do because the boots
6 appeared to be in good shape."

7 Can you tell us -- I take it, at least at the
8 time you gave this statement, that the burning
9 barrel incident with Roy had some significance to
10:59 10 you as far as your suspicions about Larry Fisher?

11 A Yes.

12 Q And can you explain that?

13 A Well, because of the work boots being burned in
14 there.

10:59 15 Q And how did you think those work boots may have
16 been connected to the Gail Miller murder?

17 A Well, I figured he might have been wearing them
18 that morning.

19 Q And then what, burned them because they had blood
11:00 20 on them?

21 A Yes.

22 Q And then the bottom:

23 "I can't honestly say why I didn't
24 inform police of my suspicions earlier
11:00 25 than I did. There probably were several



1 reasons:"

2 And again, this would be talking about telling
3 the police in 1980; is that right?

4 A Yes.

11:00 5 Q And you say:

6 "One is that Larry is the father of my
7 daughter, Tammy, who has always loved
8 and believed him."

9 And, again, would that have been a reason that
11:00 10 you didn't go into the police until 1980?

11 A One of them, yeah.

12 Q "Another reason was that the friends and
13 family members I talked to about this
14 were telling me that I ...",
11:00 15 didn't really or didn't really, or:

16 "... that I really didn't have any real
17 evidence."

18 And is that true, is that what you told us about
19 yesterday?

11:00 20 A Yes.

21 Q "I even talked to my doctor, Dr. James
22 McGettigan, and he said I'd be better
23 off forgetting about the whole thing.
24 He said if there had been a dishonest
11:01 25 investigation and a cover-up of the



1 truth, police would be protecting
2 someone in a high position and not
3 someone like Larry. What he said
4 basically was that nothing I could say
11:01 5 was going to change anything."

6 And, again, do you recall having that discussion,
7 a discussion of that nature, with Dr. McGettigan?

8 A Yes.

9 Q And when he said if there -- you told us yesterday
11:01 10 that you thought that he was thinking about a
11 different murder?

12 A He might have been thinking, there was another
13 nurse, years ago, that happened, so maybe he was
14 thinking of that.

11:01 15 Q Okay. And why --

16 A And --

17 Q And why do you think he may have been confused?

18 A Because I think people were accusing one of the
19 upstanding citizens, or had been saying something
11:01 20 about an upstanding citizen, and there was talk of
21 something going on. I don't know exactly.

22 Q Was that the Wiwcharuk murder; does that sound
23 familiar?

24 A I --

11:01 25 Q There was a nurse in 1962?



1 A Yeah, there was -- it was a nurse, so I think -- I
2 thought that's who he thought that I was talking
3 about.

4 Q Okay. And then it says:

11:02 5 "I finally went to the Saskatoon Police
6 in 1980 after seeing a flyer in which
7 David Milgaard's family was claiming him
8 to be wrongly imprisoned and asking for
9 help in proving his innocence. On the
11:02 10 night that I walked into the police
11 station I had been drinking at home in
12 Saskatoon with my boyfriend Bryan
13 Wright, and we were talking about the
14 case and how Larry might be getting out
11:02 15 of prison soon. Bryan encouraged me to
16 contact police. I told him that I
17 wanted to but felt that I'd rather wait
18 until the next day. He said "No. If we
19 don't do it now, you'll never go". We
11:02 20 went to the police station together that
21 night."

22 And is that accurate?

23 A Yeah, pretty close.

24 Q Okay. Is there something in there that's not?

11:02 25 A "Larry might be getting out of prison



1 soon",

2 I think he had just went back to prison.

3 Q I think that's right, this is after (V10) (V10)-.

4 Okay. And then it says:

11:02 5 "I gave the police a one-page statement,
6 listing the reasons I could think of why
7 I felt that David Milgaard was innocent
8 and that Larry Fisher had committed the
9 crime. Since that time, I have not
11:03 10 heard from the police concerning the
11 statement I gave them."

12 Now, apart from the fact that I think it was
13 three pages, is that paragraph accurate?

14 A Yes.

11:03 15 Q And then it says:

16 "On Friday, March 9, Joyce Milgaard,
17 David Milgaard's mother, came to my
18 house in Cando, Sask., and asked me if I
19 was willing to talk with her about Larry
11:03 20 and provide a statement concerning what
21 I know. We talked for several hours and
22 I agreed to meet Mrs. Milgaard in
23 Saskatoon and let her take a written
24 statement from me the following day."

11:03 25 And that's, I think, accurate, we've touched on



1 that; is that right?

2 A Yes.

3 Q "Mrs. Milgaard explained to me from the
4 beginning that the reward money offered
11:03 5 by her family in 1980 no longer exists.
6 I have given this statement bonafide,
7 without being promised or expecting
8 anything in return, in the belief that
9 Larry Fisher murdered Gail Miller and
11:04 10 that David Milgaard is wrongly
11 imprisoned for this crime."

12 And, again, is that accurate?

13 A Yes.

14 Q And if we can just scroll down to the bottom, it
11:04 15 says:

16 "I Joyce Milgaard have promised Linda
17 Fisher that I will notify her before any
18 of this information is made public so
19 she can tell her daughter. She doesn't
11:04 20 want her daughter to be visiting her
21 father in prison when this news breaks
22 in case he hurts her."

23 And, again, do you recall having that discussion
24 with Mrs. Milgaard?

11:04 25 A Well yeah, something to that effect, like I didn't



1 want Tammy hearing it on the news when she was
2 going there or something.

3 Q So your concern was, if she was visiting Larry
4 Fisher when this news broke, you were concerned
11:04 5 about her safety?

6 A Yes.

7 Q And at the time of this statement, then, what, was
8 it your understanding or impression that Joyce
9 Milgaard would be making this information about
11:04 10 Larry Fisher public?

11 A I think so, yes.

12 Q Okay. And was that, did she tell you that, or --

13 A I think so. I think I -- it must be, because --

14 Q And then if we can go to 050609, please. And this
11:05 15 is a statement, if we can go to the next page,
16 please, and this is -- the statement I just read
17 you was dated March 10th in Saskatoon, this one is
18 March 11th in Cando witnessed by, I think,
19 Felicity Moosomin; --

11:05 20 A Yes.

21 Q -- is that correct? And is this -- this is your
22 signature?

23 A Yes.

24 Q And is this Mr. Henderson's handwriting; do you
11:05 25 know?



1 A I'm not sure.

2 Q It appears to be similar to the previous
3 statement, but do you know, do you know how this
4 statement came about?

11:05 5 A I think they had come to Ernie's house that time
6 and --

7 Q And that 'Ernie' is Ernie Moosomin?

8 A Yes. Yes.

9 Q And was he a friend of yours at the time?

11:06 10 A Yes. And that's his sister that witnessed it.

11 Q Okay. And so what, this was after, this appears
12 to be the day after?

13 A Yeah, it would have been the day after.

14 Q Why don't we just go through the statement, that
11:06 15 may assist. If we could call up 062143, it's a
16 typewritten version and it says, the top
17 paragraph:

18 "I was contacted again on this date by
19 Joyce Milgaard, mother of David
11:06 20 Milgaard. According to Mrs. Milgaard,
21 she was reviewing information in her
22 files this morning and found a report
23 documenting an interview that police had
24 with Larry Fisher on February 5, 1969.

11:06 25 According to this report,



1 police checked in the 300 block of
2 Avenue O South at 6:49 a.m. and
3 encountered Larry. He told them he
4 worked at Masonary contractors at the
11:06 5 Education building, University of
6 Saskatchewan.

7 According to the report, which
8 was read to me by Mrs. Milgaard, Larry
9 further claimed that on the morning of
11:07 10 January 31, he had caught the bus at
11 6:30 a.m. at Avenue O and 20th Street.

12 I find this strange because on
13 this particular morning Larry was in our
14 basement suite when I awakened sometime
11:07 15 between 9 and 10 a.m. As far as I'm
16 concerned, he did not go to work that
17 morning.

18 Until talking with Mrs.
19 Milgaard on this date, I was not aware
11:07 20 that Larry had been questioned by
21 police, nor was I aware that he had
22 claimed to anyone that he went to work
23 on the morning of January 31.

24 If I had been aware that Larry
11:07 25 was claiming to police or anyone to have



1 gone to work on the morning of January
2 31, I would have been quite suspicious
3 of his motive for lying. In view of the
4 murder that occurred on that date, it is
11:07 5 likely that I would have felt compelled
6 to contact police.

7 I have given this statement
8 bona fide."

9 And so, again, does that statement refresh your
11:07 10 memory about what happened, about how it came
11 about?

12 A Yes.

13 Q And is this statement accurate?

14 A Umm, yes, but Larry could have went to work later
11:08 15 on in the afternoon, so maybe that's not on -- in
16 the morning.

17 Q Okay.

18 A Because we discussed the morning though.

19 Q Right. So is it fair to say from this, and
11:08 20 actually the, although the statement says February
21 5 I think it's February 3rd, which was the police
22 report, but I don't know that anything turns on
23 that; would this have been the first time you
24 would have become aware that the police had talked
11:08 25 to Larry Fisher shortly after the murder?



1 A Umm, I don't -- I don't even know. I'm -- Larry
2 could have told me that he had talked to them,
3 because they talked to me, but --

4 Q Okay.

11:08 5 A -- but I don't know.

6 Q If we could just go back to the document, please.
7 If you can just scroll up a bit, it says:

8 "I find this strange because on this
9 particular morning Larry was in our
11:08 10 basement suite when I awakened sometime
11 between 9 and 10 ... As far as I'm
12 concerned, he did not go to work that
13 morning."

14 What do you mean by that, as far as you are
11:09 15 concerned he didn't --

16 A Well, when I woke up he was at the house that
17 morning, --

18 Q Yes?

19 A -- so I -- I didn't think he went to work that
11:09 20 morning.

21 Q And was that because he was at home?

22 A Yes.

23 Q And then it says:

24 "Until talking with Mrs. Milgaard on
11:09 25 this date, I was not aware that Larry



1 had been questioned by police, nor was I
2 aware that he had claimed to anyone that
3 he went to work on the morning of
4 January 31."

11:09 5 And then this paragraph, I'd like you to just
6 elaborate on a bit, you say if you:

7 "... had been aware that Larry was
8 claiming to police or anyone to have
9 gone to work on the morning of January
11:09 10 31, I would have been quite suspicious
11 of his motive for lying. In view of the
12 murder that occurred on that date, it is
13 likely that I would have felt compelled
14 to contact police."

11:09 15 What did you mean by that?

16 A Well if I knew Larry was at home and he had said
17 that he had went to work, I mean I would have, I
18 would have had a different view of that.

19 Q Okay. Let's go back to, again, I think you said a
11:10 20 couple days after the murder the police were at
21 your door, asked if you saw anything unusual?

22 A Yes.

23 Q And if the police would have said, "Oh, by the
24 way, your husband, we talked to him already and he
11:10 25 told us that he caught the bus that morning at



1 6:30" would you have said to the police, "Oh, no
2 he didn't, he was here that morning" or --

3 A Umm, I don't know.

4 Q Okay. Would -- and I guess what I am trying to
11:10 5 understand, what you have told us yesterday is
6 that it wasn't until Mr. Fisher was arrested in
7 Winnipeg that you had any suspicion about him
8 being involved in the Gail Miller murder; correct?

9 A Well I'd have asked for some explanation of why he
11:10 10 said he went to work, like even Larry, or why.

11 Q Okay. And I'm just trying to understand whether,
12 whether the fact that Larry had told the police
13 that he went to work when you believed that he
14 hadn't, would that have caused you to have
11:11 15 suspicions about whether he might be involved in
16 the Gail Miller murder?

17 A At that time?

18 Q Yes?

19 A Umm, probably not.

11:11 20 Q Okay. If we could now go to 016114. So March
21 9th, 10th, and 11th, it appears that March 9th
22 Joyce Milgaard and Paul Henderson were in Cando
23 interviewing you; on Saturday, March 10th you were
24 in Saskatoon with them travelling around the area
11:11 25 of Avenue O talking to Cliff Pambrun, to Roy



1 Pambrun by phone; and then on Sunday, March 11th
2 it appears they would have been out in Cando to
3 have you sign the second statement; is that right?

4 A Yes.

11:12 5 Q So here's March 12th, and this is Mr. Williams'
6 memorandum about a discussion he had with
7 Mr. Asper, and he says:

8 "Mr. Asper ...",

9 received:

11:12 10 "... more particulars concerning Larry
11 Fisher. For example, he filled in his
12 middle name, and recited portions of
13 Fisher's criminal record.

14 Asper provided additional
11:12 15 details, related to him by Joyce
16 Milgaard as follows:",
17 and then talks about you going into the police in
18 1980, and Eugene Williams writes:

19 "Because Mrs. Milgaard is Asper's source
11:12 20 of information, and because this
21 information, if it were recited
22 truthfully could only come from Linda, I
23 assume that Linda has spoken with Mrs.
24 Milgaard. Linda reportedly told Mrs.
11:12 25 Milgaard that Larry was out the night of



1 January 30, 1969 ...",
2 etcetera, and then goes on to talk about Roy and
3 Clifford. Did you know, after you were done with
4 Mrs. Milgaard and Paul Henderson on the Saturday
11:13 5 or the Sunday -- I mean on the Saturday when you
6 were done with them you didn't know they'd be
7 back on the Sunday; is that fair?

8 A I, no, I probably didn't know.

9 Q And do you remember how it was left with them as
11:13 10 far as would you be hearing from them again or
11 what were they going to do with your information?

12 A I think they were going to give it to the police.

13 Q Okay. And so you were -- were you expecting to
14 hear from somebody then?

11:13 15 A Umm, well yeah, I -- yeah, I probably was, but not
16 the next day, like.

17 Q If we can then go to 063105. And, again, these
18 are Sergeant Pearson's notes, we've talked about
19 them a bit earlier, so now he's on Monday, March
11:13 20 the 12th, 1990, and he's talked to Eugene
21 Williams, who's talked to Mr. Asper, and he writes
22 there:

23 "Sometime during the past weekend, Joyce
24 Milgaard went to Cando ... and
11:14 25 interviewed Linda, and also went to



1 North Battleford and talked to Larry
2 Fisher's mother, Maria."

3 Do you know, at the time, whether Mrs. Milgaard
4 had interviewed Larry Fisher's mother that
11:14 5 weekend that she interviewed you?

6 A I don't think I knew, no. I remember somebody
7 went to interview Marcy, and she wasn't feeling
8 good at the time, so the -- Sylvia was kind of
9 worried about that at one time, I don't know if
11:14 10 that was then.

11 Q Okay. And then if we can go down to paragraph 21,
12 and I think this is Sergeant Pearson writing down
13 information, again from Eugene Williams, from
14 David Asper, and again about:

11:15 15 "Larry and Linda had an argument
16 concerning Larry's extra-curricular
17 activities, and at some point during
18 their discussion, Linda heard a report
19 on the radio of the discovery of the
11:15 20 body of Gail Miller. Linda immediately
21 accused Larry of the crime, and went
22 into a rage of accusations. Larry is
23 said to have dropped his arms to his
24 side and took on a look of shock."

11:15 25 And, again, that would be the incident that you



1 described?

2 A Yes.

3 Q And then, as well, he writes about information
4 about Roy and Cliff. If we can go to the next
11:15 5 page, paragraph 23 Sergeant Pearson writes:

6 "Eugene Williams expressing concern at
7 this time to me that Mrs. Milgaard is
8 conducting her own investigation, which
9 may hamper the investigation the
11:15 10 authorities are trying to pursue.
11 Williams and myself discussed the
12 possibility of taking a legal deposition
13 and arrangements will be made to have
14 this done."

11:16 15 Do you recall, in any of your discussions with
16 Sergeant Pearson or Eugene Williams, did they
17 ever tell you not to talk to Joyce Milgaard?

18 A No.

19 Q Or not to talk to their investigators?

11:16 20 A No.

21 Q And if we can go down, and again this is Monday
22 the 12th, Pearson writes:

23 "I phoned Linda at her Cando phone
24 number, a male answered and Linda is in
11:16 25 her class ... until 5 pm ...".



1 And then the next day -- or the next page, pardon
2 me, and I think this is March 13th, he -- that he
3 says he was getting information from the Prince
4 Albert Pen about Larry Fisher, and that 'in
11:16 5 contact with Linda at her school and meet me at
6 11:00 on Wednesday', which is the 14th; do you
7 remember getting contacted by Sergeant Pearson?

8 A Yes.

9 Q Of the RCMP?

11:16 10 A Yes.

11 Q And do you remember what he told you as far as why
12 he wanted to talk to you?

13 A He was investigating the Milgaard case.

14 Q And were you expecting to hear from him then?

11:17 15 A Umm, well I think I did hear from -- he did make
16 an appointment or something --

17 Q Okay.

18 A -- and we went over --

19 Q Sure. If we can then just go, paragraph 31 he
11:17 20 writes:

21 "After overnighting in North Battleford,
22 I located and interviewed Linda Fisher.
23 She is a very open, sincere individual
24 and did not appear to be motivated
11:17 25 through revenge, and seemed sincerely



1 concerned about the facts surrounding
2 the death ...",

3 it says:

4 "... of Milgaard, ...",

11:17 5 that should be "Miller":

6 "... and the information that she
7 possesses. She indicated to me the
8 Miller murder had been on her mind since
9 Larry Fisher, her ex-husband, was
10 convicted of the rapes in Winnipeg in
11 1970. Linda admitted having an alcohol
12 problem in the past for which she
13 received counselling, and that her
14 personal life had not been easy, however
15 she does come across as being an honest
16 and sincere person. She did indicate
17 that she had told many people of her
18 belief that Larry Fisher could have been
19 involved in the murder of Gail Miller.

11:18 20 Linda states she gave a statement to
21 Saskatoon City Police uniform member in
22 1980. It was late at night, she had
23 been drinking at the time, and because
24 the Miller death bothered her she
11:18 25 attended at the Saskatoon City Police



1 station and gave a statement. At this
2 time she was in the company of her
3 then-common law husband Brian Wright,
4 who actually drove her to the police
11:18 5 station. Everything Brian or anyone
6 else may have said about Larry's
7 activities at his home during the period
8 of Jan 30 to 31 1969, would have come
9 from Linda, as she was alone with Larry
11:18 10 at that time, and everything else would
11 actually be heresay."

12 Again, do you remember having a discussion of
13 that nature with Mr. Pearson?

14 A Yes.

11:18 15 Q It says:

16 "Linda does not know anyone by the name
17 of Larry Brian Fisher or Sidney Wilson.
18 The only Wilson Linda is associated to
19 is a David Wilson ...",

11:18 20 and it goes on to talk about him. If we can --
21 did you become aware of who this Sidney Wilson
22 was?

23 A Not, not till I talked to Vanessa, and --

24 Q Of our office? Yes.

11:19 25 A Yes.



1 Q And so -- but you knew that someone named Sidney
2 Wilson had given information about Larry
3 Fisher, --

4 A Yes.

11:19 5 Q -- and had given that to David Milgaard's lawyer?
6 And then if we can just scroll down, and these are
7 the points that Sergeant Pearson writes that he
8 got from you:

9 "- A paring knife was lost from the
11:19 10 Fisher residence just prior to the
11 Miller murder.

12 - Larry was in dress clothes at the time
13 Linda got out of bed the next morning.

14 - Larry's shocked reaction when she
11:19 15 angrily accused Larry of Miller's
16 murder, stuck with her.

17 - That Larry's wallet was returned to
18 their residence a day or so after the
19 murder, which she thought was unusual.

11:19 20 - That Miller was residing approximately
21 two blocks from Fisher's residence, the
22 murder scene being very close to the
23 Fisher residence."

24 And, again, is that something that in your mind,
11:19 25 Mrs. Fisher, was part of your suspicions that



1 Larry may have been involved?

2 A Earlier on?

3 Q At any time?

4 A I don't -- I -- well, better than on the east side
11:20 5 or something, it was closer. You know, --

6 Q And --

7 A -- like, I didn't know exactly where it was at the
8 time.

9 Q At some point did you become more aware of where
11:20 10 it was?

11 A Yes.

12 Q And do you remember when that was?

13 A Umm, I think when I talked to Mrs. Milgaard.

14 Q So in 1990?

11:20 15 A Yeah.

16 Q Would that be the first time you realized where
17 Gail Miller's body was found?

18 A Yes.

19 Q And did the proximity, or how close it was to your
11:20 20 home at the time, did that -- was that a
21 significant fact for you?

22 A Umm, part of it, yes.

23 Q Was it closer than you thought, or is that --

24 A Yes, it was.

11:20 25 Q And then Sergeant Pearson writes:



1 "Linda gave a statement saying basically
2 the same thing that she told me, to the
3 Saskatoon City Police in 1980."

4 So you would have told Sergeant Pearson about
11:20 5 your statement with the police?

6 A Yes.

7 Q If we can go to the next page, please, and another
8 comment here:

9 "While interviewing Linda Fisher, she
11:21 10 indicated that during the time she and
11 Larry were living on Avenue "O" South,
12 two young girls by the name of Theresa
13 and Pat Vanasseldonk, their father being
14 Harry, on Avenue "O" South, babysat for
11:21 15 Linda, and these girls may have some
16 knowledge of receiving the wallet which
17 was returned, if in fact, this ever
18 becomes a significant piece of
19 information."

11:21 20 So I take it you would have given that to
21 Sergeant Pearson, that information?

22 A Yes.

23 Q And then if we can call up 063204, and if we can
24 go to page 063209, is that your signature?

11:21 25 A Yes.



1 Q And it looks like Sergeant Pearson is the witness.
2 Go back to the first page. So on March the 14th,
3 1990, which would be I guess four days, or three
4 or four days after you gave the first two
11:22 5 statements to Joyce Milgaard, you gave a statement
6 to Sergeant Pearson; is that correct?

7 A Yes.

8 Q And, again, was this at your home in Cando, was
9 it?

11:22 10 A Yes.

11 Q And was it again question and answer, or did you
12 tell your story, or how did it come about?

13 A Hmm. I think I just told him.

14 Q And any different than the statement that you gave
11:22 15 to Paul Henderson as far as how it was done?

16 A Not that I thought, no.

17 Q If we can just go to the next page, please. And
18 you told Sergeant Pearson that you:

19 "... waited up until the bar closed, 1
11:22 20 or 2:00 ... Larry never came home so I
21 went to bed. I expected Larry to go to
22 work the next morning. I do not recall
23 him coming home, but when I got up
24 sometime in the morning, I saw Larry in
11:23 25 his dress clothes."



1 Again, this statement you are saying 'I don't
2 recall him coming home', and is that still
3 your -- I think you've told us you don't recall
4 him coming home, but are you now -- is your
11:23 5 thinking today that he didn't come home?

6 A Yes.

7 Q And you say:

8 "I was angry at him and accused him of
9 everything under the sun. I can't
11:23 10 remember what Larry gave as an
11 explanation of his whereabouts and I
12 don't even know who he was with the
13 night before."

14 Is that accurate?

11:23 15 A Yes.

16 Q And then it says:

17 "When I heard the news broadcast, I
18 immediately recalled that a paring knife
19 was missing from our kitchen. The knife
11:23 20 blade was silver with a wooden handle
21 held together with rivets. It was an
22 ordinary paring knife, it did not have
23 the jagged edge. This was a knife I
24 used often, it was my potato knife."

11:24 25 And, again, that was the same information you had



1 given a few days earlier; is that correct?

2 A Yes.

3 Q And then scroll down. You say:

4 "I never saw the paring knife again. It

11:24 5 was the only knife I had like this."

6 Is that right?

7 A Yes.

8 Q Now I think later, Mrs. Fisher, in subsequent
9 statements and evidence you talk about a couple of
11:24 10 other knives that you --

11 A Yes.

12 Q -- were missing. So, at the time, can you tell us
13 why you would have told Sergeant Pearson that it
14 was the only knife you had like this?

11:24 15 A I think that was the only one I remembered, I -- I
16 mean I had a case of kitchen knives we got for our
17 wedding --

18 Q Yes.

19 A -- and later on I remembered the kitchen knives
11:24 20 and the steak knives and the two paring knives,
21 but, --

22 Q Yeah.

23 A -- I don't know, at this time I probably hadn't
24 remembered it yet.

11:24 25 Q Okay. And I'll go through that a bit later where



1 you talk about the other knives, but at the time
2 you talked to Sergeant Pearson you said "it was
3 the only knife I had like this"?

4 A Yeah.

11:25 5 Q And I think later on, a few years later, you said
6 that you did have another paring knife; is that
7 right?

8 A Yes.

9 Q And then, again, it's -- you are describing
11:25 10 Larry's reaction:

11 "... just stopped, his face went pale
12 and drained. Larry seemed shocked. At
13 first I thought his shocked look was a
14 reaction like "do you really think I
11:25 15 could to this". In past arguments,
16 Larry never seemed shocked about
17 anything, but never saw the same
18 reaction as I saw when I accused him of
19 killing the girl that night."

11:25 20 Is that accurate?

21 A Yes.

22 Q And then you tell Sergeant Pearson:

23 "I don't remember Larry's explanation
24 for not going to work that morning. I
11:25 25 don't recall if he went to work in the



1 afternoon or not. I don't recall seeing
2 any scratches or cuts on Larry and I did
3 not see any blood on his clothes. Larry
4 was washed and cleaned up when I got up.
11:25 5 If Larry would have come home on the
6 night of Jan 30th, he would probably
7 have slept in the bed with me, but I
8 don't recall him being in bed with me.
9 I cannot recall if the clothes I saw on
11:26 10 Larry the night before, after supper,
11 were the same clothes I saw on him the
12 morning of Jan 31."

13 If I can pause there --

14 A This, I don't recall seeing him at supper at all
11:26 15 on the night before, I don't recall him coming
16 home from work at all.

17 Q Yeah, okay. Do you have any explanation why this
18 would have been in -- in your statement then?

19 A I, I don't know, maybe it was just -- just the way
11:26 20 I related it somehow, I don't know.

21 Q Okay.

22 A I don't know.

23 Q So just so that we're clear, on the Thursday,
24 January 30th -- and I think you've told us this --
11:26 25 but you don't think Larry came home from work that



1 --

2 A That's right.

3 Q And then again:

4 "The afternoon of Jan 31 or Feb 1st,
11:26 5 Larry's wallet was returned to the
6 house. It had been found down the block
7 by a big tree."

8 Again:

9 "... down the block by a big tree ...',
11:27 10 is that --

11 A That was just right in front of Cadrain's, just
12 down the block a little ways.

13 Q Okay. I'm sorry, down the block, or in front?

14 A Well, it might have been off a little bit from the
11:27 15 exact front of the house, more towards the --

16 Q One house over?

17 A -- 20th Street.

18 Q Pardon me?

19 A No, I don't think it was off -- it was probably in
11:27 20 their lot. I'm not sure now, but I know it was in
21 --

22 Q On the Cadrain property?

23 A I think so, yes.

24 Q And then you say:

11:27 25 "I don't recall who actually recovered



1 the wallet or who returned it. Larry
2 did not tell me he had lost his wallet
3 and I didn't know anything about it
4 until it was returned."

11:27 5 And, again, is that accurate?

6 A Yes.

7 Q And then it says:

8 "After our argument on Jan 31, I never
9 accused Larry of the murder again and he
11:27 10 never confessed anything to me about the
11 crime."

12 If I can just pause there, I think you said you
13 went to the P.A. Pen, Penitentiary, in '71 to ask
14 him about it?

11:28 15 A Yes.

16 Q Okay, and did you accuse him at that time, or did
17 you ask him?

18 A I asked him.

19 Q It says:

11:28 20 "Larry and I argued a lot but the only
21 time he was violent toward me was when
22 he kicked me once on the eyebrow with
23 his work boot, that was the only time.
24 Larry did not have any sexual hangups
11:28 25 and if he knew I was mad, or we had been



1 arguing, he wanted to make up by having
2 sex before we went to sleep.

3 During the summer of 1970,
4 Larry, Clifford Pambrun, Ken Shoemaker,
11:28 5 Frank Schultz, and possibly my other
6 uncle, Roy Pambrun, had all gone to
7 Winnipeg for a job with Masonry
8 Contractors."

9 This questioning here, did Sergeant Pearson ask
11:28 10 you to describe Larry Fisher's behaviour when he
11 was with you and whether he was violent towards
12 you, do you remember how that came about?

13 A Probably if he was violent, if I knew him to be
14 violent or something, yeah.

11:28 15 Q Next page. And then this is talking about the
16 Winnipeg charges and it says:

17 "I got a call from Clifford's wife,
18 Anita, who said Clifford phoned her and
19 mentioned Larry had been in a fight with
11:29 20 a cop. Clifford eventually told me the
21 whole story, I went to Winnipeg and saw
22 Larry. He never made any confessions to
23 me of any crime. Larry was convicted of
24 the Winnipeg rapes (two) on 28 May 71
11:29 25 and got 13 years."



1 If I can pause there, is that accurate?

2 A Well, not really, because he did write a letter
3 sayin' -- but I think he already confessed to
4 those crimes.

11:29 5 Q Okay. And then:

6 "From 1971 to 1976 I visited Larry often
7 in P.A. Pen. He wrote me letters
8 explaining the Winnipeg crimes. He also
9 told me of the rapes in 1968 in Regina,
11:29 10 I wasn't aware of these crimes until he
11 told them to me in the letters."

12 Can you tell us why you would have said 'Regina'
13 in this statement?

14 A I don't know, that's -- you know, in my mind I
11:29 15 always -- I don't know, he wrote me a letter
16 saying they were in Saskatoon, he got on the bus
17 at the Baldwin, yet I had it in my mind somehow
18 that those crimes happened in Regina.

19 Q And was that as a result of hearing information in
11:30 20 1990 about it or was it from back in 1970 or '71?

21 A It must have been from earlier, because I mean I
22 thought the rapes -- he wrote me a letter, and in
23 the letter it says Saskatoon and it mentions
24 places, but I probably didn't read the letter
11:30 25 properly. I always thought the rapes happened in



1 Regina.

2 Q And why did you think the rapes happened in
3 Regina?

4 A I don't know, just maybe because he went to Court
11:30 5 there, I don't know.

6 Q And did you become aware, back in 1971 or
7 thereabouts, that he had gone to Court in Regina?

8 A Yes, I must have, yes.

9 Q Do you remember if Sergeant Pearson told you about
11:30 10 the crimes, the rapes being in Regina, or asked
11 you about some rapes in Regina?

12 A He must have. That's what it seems like in this.

13 Q Well, no, let me just ask again. Is it possible
14 that, at the time you were being interviewed here,
11:31 15 that Sergeant Pearson might have told you that the
16 rapes had been in Regina?

17 A I don't know. Maybe I could have told him that.
18 I don't know. It seems to be that I thought the
19 rapes were in Regina.

11:31 20 Q Okay.

21 A Yet I did see the letter and I still thought they
22 were in Regina.

23 Q Let me just try this again. And is it possible,
24 Mrs. Fisher, that in the course of taking this
11:31 25 statement, Sergeant Pearson would have asked you,



1 "Do you know anything about Larry's rapes in
2 Regina?"

3 A He could -- he could have.

4 Q And that's how the Regina came about?

11:31 5 A Yeah, could have been.

6 Q Do you have any recollection of that?

7 A I don't, no.

8 Q And then again they talk about:

9 "Larry and I did not have a car, but we
11:31 10 did have access to Uncle Clifford's
11 car ..."

12 Red and black, etcetera.

13 "I don't know if Larry had Clifford's
14 car on Jan 30/31. I've talked to
11:32 15 Clifford several times, but he cannot
16 recall loaning his car to Larry during
17 the time of Gail Miller's murder."

18 And I take it from that that you would have asked
19 Clifford that?

11:32 20 A Yes.

21 Q When did you ask Clifford about that?

22 A I probably asked him when I was talking about --
23 well, when we were talking with him, the
24 Milgaards.

11:32 25 Q Okay. So a couple of days earlier I think you and



1 Mrs. Milgaard and Mr. Henderson went and talked to
2 Clifford about the car?

3 A Yes.

4 Q Is that what you are referring to in the
5 statement? It says, "I talked to Clifford several
6 times."

7 A I might have talked to him before, but no, I don't
8 think we talked about him lending the car before I
9 talked about it with the Milgaards.

10 Q Okay. So back in the early '70s when you had
11 suspicions about Larry and talked to your family
12 members about it, did you ever talk about whether
13 or not Larry had a vehicle that morning that the
14 murder was committed, and in particular Clifford's
15 vehicle?

16 A Yeah. We tried to figure out when Larry's car was
17 running and if it had been running at that time.
18 I think we were -- we were trying to figure out
19 when his car broke down, was it before or after
20 this time.

21 Q And this was back in the '70s --

22 A Yes.

23 Q -- when you were talking with family members? And
24 so you were trying to figure out if he had
25 committed the crime, how he would have done it and



1 where he would have been; is that right?

2 A Yes.

3 Q And did you conclude that he had a vehicle or not?

4 A No, we concluded that his car was already broke
11:33 5 down.

6 Q Okay. And did you conclude whether or not he had
7 borrowed your Uncle Clifford's car that morning?

8 A No, because Clifford hardly ever lent it to us.

9 Q Okay. If you can scroll down, it says:

11:33 10 "About two years after the murder --"

11 Which would be January of '71 or thereabouts,

12 "-- my Uncle Roy told me he had seen

13 Larry burn a good pair of work boots in

14 Roy's burning barrel, I'm not sure where

11:33 15 they lived at the time. The other day,

16 Mrs. Milgaard and I talked to Roy on the

17 phone, all Roy recalls is that Larry

18 came to the door without boots and

19 borrowed a pair of Roy's. It was

11:34 20 wintertime, year unknown."

21 And this story, or this event, version of events

22 that Roy gave to Mrs. Milgaard on the phone, when

23 was the first time you heard that version from

24 Roy?

11:34 25 A Well, I think it was -- I heard part of that



1 version, but the only part that I really
2 remembered was the burning -- when he told us the
3 burning of the boots.

4 Q Okay. And then the next page, it says:

11:34 5 "In 1980 I gave a statement to Saskatoon
6 City Police late at night, to a
7 uniformed officer, explaining the
8 incident of Larry and I arguing and the
9 suspicious circumstances. At the time
11:34 10 Brian Wright encouraged me to report
11 what I knew because he knew it was
12 bothering me. Brian was with me when I
13 gave the statement. I went to the City
14 Police shortly after receiving a flyer
11:34 15 in the mail, soliciting information on
16 the murder. Larry was right handed. I
17 don't know his blood type."

18 So is that accurate?

19 A Yes.

11:35 20 Q And I take it blood type and what hand he was, was
21 that something that was asked by Sergeant Pearson?

22 A Yes.

23 Q If we can then go to 004906, and this is a report
24 of Sergeant Pearson, April 17th, 1990, and I read
11:35 25 to you from his notes a bit earlier, this is a



1 report that he made at the time. If we can go to
2 page -- just go to the next page -- and I believe
3 what this is, he's reporting to other officers
4 about all the work that he's done and again it
11:36 5 talks about his contact with Eugene Williams on
6 February 28th, 1990.

7 If you could then go to page
8 004908, and down at the bottom Sergeant Pearson
9 writes about his meeting with you on March 14th
11:36 10 and that he got a statement, and if we can go to
11 the next page, and it says here:

12 "- during the early evening of 69 Jan
13 30, Larry was wearing his dress clothes
14 and departed from the Fisher basement
11:36 15 suite alone and did not return that
16 night. Linda waited up until 1 a.m. -
17 2 a.m. and finally went to bed, Larry
18 had not yet returned home."

19 Scroll down:

11:36 20 "- upon awakening approximately mid
21 morning, Linda came out of the bedroom
22 and noticed that Larry was present. He
23 appeared clean and wearing dress
24 clothes. Linda cannot recall if these
11:37 25 were the same clothes that Larry was



1 wearing the previous evening when he
2 departed. Linda had expected Larry to
3 have left for work as he had a job with
4 Masonry Contractors of Saskatoon."

11:37 5 Now, these are Sergeant Pearson's notes of his
6 discussion with you and again it appears that
7 according to these notes, Mrs. Fisher, that he
8 records that you told him that the night before
9 Larry had come home from work, changed into dress
11:37 10 clothes and went out that evening and didn't come
11 home. Do you remember any discussion with him
12 about that?

13 A Well, I was -- I figured Larry never came home
14 from work after, from work the night before at
11:37 15 all, not for supper or anything.

16 Q Do you have a recollection of that?

17 A That's -- that's what my recollection is, that he
18 never came home at all, and I didn't see him until
19 the next morning.

11:37 20 Q Is it possible that he may have come home for
21 supper, changed into his dress clothes and gone
22 out?

23 A I'm thinking that no. I wouldn't have been mad if
24 he had came home at all.

11:38 25 Q Okay. Would you have been mad if he came home



1 from work, got into his dress clothes, went out
2 for the evening and didn't come home until the
3 next morning at nine o'clock?

4 A Yes, yes. It seems to me Larry never came home at
11:38 5 all from work.

6 Q Okay. No, and I appreciate that you said that,
7 Mrs. Fisher. I'm just trying to -- it appears
8 from this, and we'll hear from Sergeant Pearson at
9 a later date -- it appears that he, when he took
11:38 10 your statement on March 14th, that's how he
11 recorded the information from you, and I think you
12 are telling us you don't think that's how it
13 happened; is that fair?

14 A Yes, yes.

11:38 15 Q And then down at the bottom, to the very bottom,
16 it talks about his reaction, and this is after you
17 accused him of the murder, it says:

18 "This reaction meant very little to
19 Linda at the time, however, when Larry
11:39 20 was arrested in Winnipeg in 1970 on two
21 sexual assault offences, she began to
22 suspect that her husband was capable of
23 and had the opportunity to be involved
24 in the Miller death."

11:39 25 And is that accurate?



1 A Yes.

2 Q Sergeant Pearson writes, "... capable of and had
3 the opportunity to be involved in the Miller
4 death." Were your suspicions a little stronger
11:39 5 than that in '71?

6 A '71?

7 Q Back when you first started to suspect him?

8 A Oh, yeah, yeah. That's after Larry went to jail.
9 Yes.

11:39 10 Q Yeah. And what Sergeant Pearson writes here is
11 that, A, he was -- that you began to suspect that
12 Larry Fisher was capable of and had the
13 opportunity to be involved in the Miller death,
14 and I'm wondering whether that accurately
11:39 15 describes your suspicions back in 1971 or were
16 they stronger?

17 A No, that was accurate.

18 Q Okay. I had thought yesterday that in 1971 you
19 had thought that he had killed her.

11:40 20 A Well, isn't that what it's sayin'?

21 Q No, fair enough, if you read it --

22 A I expect -- yeah, I was suspicious that he had
23 killed her in '71.

24 Q Okay. Next page, it says:

11:40 25 "Linda was bothered for many years by



1 her suspicions --"

2 And then on August 28th, '80 on the encouragement
3 of her then common-law husband Bryan Wright went
4 into the police station and a statement, and I
11:40 5 think those are attached, and at this time he
6 says that:

7 "It is unknown at this time what
8 investigative inquiries were made, if
9 any, by the Saskatoon City Police."

11:40 10 And it goes on to talk about Sidney Wilson, and
11 then paragraph (i):

12 "From my conversation with Linda Fisher,
13 it had been determined that she had
14 recently been contacted, interviewed and
11:40 15 provided a statement to Joyce Milgaard,
16 this having taken place on 90 Mar 10 and
17 11. See Appendix D and E. I arranged
18 with Linda Fisher to meet with me,
19 Mr. Williams, and a court reporter at
11:41 20 the North Battleford Detachment at 2
21 p.m. 90 Mar 24, for the purpose of
22 obtaining a legal deposition, based on
23 the contents of her past statements."

24 Do you remember Sergeant Pearson asking you to
11:41 25 meet with a lawyer from Federal Justice?



1 A Yes.

2 Q And that you were going to take a statement, a
3 recorded statement?

4 A Yes.

11:41 5 Q If we could call up 178850 -- sorry, 178850 -- and
6 this is a memorandum, March 15th, 1990, it's from
7 David Asper to Hersh Wolch, it just has some
8 information here and then I'll have some questions
9 for you, and it says her:

11:42 10 "Hersh, attached herewith is a statement
11 of Linda Fisher, as well as a newspaper
12 clipping which you might find
13 interesting. I have retained copies for
14 the file, and Joyce insisted on
11:42 15 retaining the originals. She insists
16 that the statement not be forwarded to
17 Fisher until she gets answers to the
18 following questions:

19 1) whether Fisher is right-handed.
11:42 20 Evidence at the trial indicated that the
21 assailant was probably right-handed.
22 2) whether Fisher owned any knives.
23 Police found a bone-handled hunting-type
24 knife that was double-edged at the scene
11:43 25 on the morning that the body was



1 discovered. Mysteriously, this knife
2 went missing from a policeman's locker,
3 and never played any role in the
4 proceedings. Some of the evidence
11:43 5 suggested that the wounds may have been
6 inflicted by a different weapon; one of
7 which was double-edged."

8 Did you remember being asked about whether you
9 had any bone-handled hunting-type knives at the
11:43 10 time and whether one went missing?

11 A I probably was, yes.

12 Q Did you remember that, being asked about that?

13 A I don't remember being asked about it, but it
14 could have happened.

11:43 15 Q There's some statements later on where you
16 actually produced a steak knife to --

17 A Oh, yes, yes. That wasn't a hunting knife, that
18 was a steak knife though.

19 Q And how did that come about?

11:43 20 A Well, they said bone handled and those were bone
21 handled I think.

22 Q Who said bone handled?

23 A Somebody had said a bone-handled knife they were
24 looking for.

11:43 25 Q Yes.



1 A And those were bone handled and those were the
2 only bone handled that I noticed.

3 Q Okay. And I'll refer to this a bit later, and
4 I've actually got the knife that you gave to
11:43 5 Sergeant Pearson, but can you remember how that
6 came about, about being asked about that?

7 A Not really, no.

8 Q If we can go to 050467, this is a letter from
9 David Asper to Mr. Williams on March 15th, 1990,
11:44 10 and I had earlier had his March 12th, 1990
11 memorandum about his discussion with Mr. Asper
12 about Larry Fisher's record, and in this letter
13 Mr. Asper is sending the statement taken from
14 Linda, and I think that's the March 10th and 11th
11:45 15 statement, and this is the fellow that you met
16 with later on that month; is that right?

17 A Mr. Williams?

18 Q Yes.

19 A Yes.

11:45 20 Q And then there's mention here of Mr. Fisher's
21 record and there's reference here to the 1971
22 offences as being Regina. Do you recall whether,
23 when you met with Mr. Williams again, whether
24 there was discussion about the rapes being in
11:45 25 Regina?



1 A I don't remember, no. Maybe I even assumed they
2 were in Regina. I don't know.

3 Q Okay. And why do you think you assumed that?

4 A Maybe because he went to Court in Regina.

11:45 5 Q Okay. If we can go to 063 -- actually, sorry, if
6 we can then go to the next page, and again Mr.
7 Asper raises with Mr. Williams about the:

8 "... double-edged bone-handled
9 hunting-type knife had been found at the
11:46 10 scene of the crime shortly after the
11 police attended the scene. The police
12 clearly believed that this knife might
13 have had something to do with the crime,
14 and the pathologist agreed that some of
11:46 15 the wounds could have been inflicted
16 with a double-edged blade. Oddly
17 enough, this weapon was lost after being
18 taken into police custody, and never
19 played any part in the trial
11:46 20 proceedings."

21 And I think you told us that at some point you
22 remember someone asking you about a bone-handled
23 hunting-type knife?

24 A Yes.

11:46 25 Q And do you remember who that was?



1 A No.

2 Q Go to 063110, and these are back to Mr. Pearson's
3 notes. So this is March 16th of '90, so this
4 would be two days after he met with you in Cando
11:47 5 and took the statement, and at the bottom he just
6 talks about advising Mr. Williams about an
7 interview with Linda Fisher, and the next page,
8 and he says:

9 "Received a collect call from Linda
11:47 10 Fisher. We discussed several points and
11 the following were clarified."

12 Do you remember how this call came about or do
13 you remember this call?

14 A I probably realized something new or something.

11:47 15 Q Okay. And would you have gone over your statement
16 perhaps; is that -- did he leave you with a copy
17 of the statement he gave you?

18 A I don't think so, no.

19 Q And we'll just go through it, it says we discussed
11:47 20 several points and the following were clarified.
21 It talks about the address, lived at 334 for two
22 months prior and a number of months after the
23 murder:

24 "- Larry and Linda Fisher argued for
11:48 25 approximately one hour, maybe more,



1 maybe less, during the time that she
2 accused him of being involved in the
3 murder of Gail Miller."

4 Is that right?

11:48 5 A Around there, yes.

6 Q And would you have called Mr. Pearson to tell him
7 this?

8 A Probably, yes.

9 Q And do you know why or what prompted you to do
11:48 10 that?

11 A Ah, he might have wanted something -- wanted me to
12 think about something and then let him know.

13 Q Okay. And then you go on and say:

14 "- there was no blood seen on the
11:48 15 clothing of Larry Fisher, and, as far as
16 she knows, there was no clothes missing.
17 She does recall Larry having a pair of
18 undershorts with blood on them, they
19 were white shorts, however she does not
11:48 20 know whether this is during the Miller
21 death time frame. She is very hazy on
22 this aspect and was not even positive if
23 this even related to Larry, but she just
24 has some recollection of blood on
11:48 25 undershorts."



1 Do you remember that?

2 A Yes. That was when we were on Avenue C.

3 Q And so that was prior to the Gail Miller murder?

4 A Yes.

11:49 5 Q And it says:

6 "- she did not hear anyone enter or
7 leave the suite on the morning of Jan
8 31, 1969."

9 Is that correct?

11:49 10 A Yes.

11 Q So if Larry Fisher did come home -- he obviously
12 did come home at some point?

13 A Yes.

14 Q And you don't remember hearing him come in?

11:49 15 A That's right.

16 Q "- the lost wallet which was returned
17 stood out as an incident Linda thought
18 a lot of, thinking that Larry must have
19 been drunk and falling down or was
11:49 20 fooling around. She indicates that
21 fooling around meant that he might have
22 been with another person."

23 Is that something you would have told him?

24 A Something like that, yes.

11:49 25 Q And fooling around would be with a female person;



1 is that --

2 A Well, no, they could have been wrestling around
3 out in front.

4 Q Okay. And:

11:49 5 "- there was no smell of alcohol or
6 liquor, she indicated Larry did not seem
7 drunk at the time she was arguing with
8 him."

9 It talks about contact for Bryan Wright, and then
11:49 10 it says:

11 "- Linda indicates that Mrs. Milgaard
12 had Larry's statement which was given to
13 the police, indicating he left for work
14 at 6:30 a.m. and checked at the bus
11:50 15 stop, but had seen nothing. Linda
16 states Larry did not work that morning,
17 but may have taken the 6:30 a.m. bus and
18 returned by the time Linda got up in the
19 morning."

11:50 20 Did you tell Sergeant Pearson that?

21 A Yeah. I was thinking if he was saying he did go
22 to work that morning, he could easily have took
23 the bus and maybe borrowed a car to come home.
24 I -- I -- I don't know.

11:50 25 Q Okay. So you are telling Sergeant Pearson at the



1 time that maybe Larry did take the bus that
2 morning?

3 A Yeah. Well, I wouldn't have known.

4 Q Next page, then you just clarify that Masonry
5 Contractors and Jones Construction are the same.

6 "- Linda does not recall ever giving a
7 statement to police, other than the one
8 mentioned which took place approximately
9 10 years after the murder of Miller."

10 And then it talks about arranging to pick you up
11 at one o'clock Saturday for an interview with
12 Williams. Again talks about the babysitters, Pat
13 and Theresa Van Aseldonk. And then:

14 "- Larry seemed shocked one other time,
15 that is when Linda and Larry were
16 fighting and Linda had grabbed a butcher
17 knife and said something like, come
18 close and I'll use it. Larry looked
19 scared and shocked. This is the only
20 time, other than the time she accused
21 him of the Miller murder, that she got
22 this type of reaction from him."

23 And then information about your uncles. Is it
24 possible that after Sergeant Pearson met with you
25 on the 14th, that he gave you a list of things to



1 think about?

2 A He might have -- he might have told me check this
3 out, check --

4 Q I see.

11:51 5 A -- what you think about this and think about that.

6 Q Okay. And then 063113. So that's just -- that's
7 March 16th. We now go to March 20th, which is a
8 Tuesday I think, or Wednesday -- I think a
9 Tuesday. Anyway, a telephone call, Mr. Pearson,
11:52 10 or Sergeant Pearson talks to Mr. Asper to ensure
11 Mrs. Milgaard was made aware of developments to
12 date, and it says:

13 "Whilst talking to Asper, he stated he
14 had received a call from Linda Fisher,
11:52 15 he thought this past Saturday --"

16 Which would be March 17th,

17 "-- indicating that she was going to the
18 Prince Albert Penitentiary with Larry
19 Fisher's mother, and she was going to
11:52 20 talk to Larry and ask him about this
21 incident. Asper indicated that he
22 discouraged Linda from doing this, but
23 suggested that if she could get any
24 cigarette butts, or anything at all
11:52 25 which would assist in having the blood



1 typed for possible analysis, she should
2 consider doing that. At this time I am
3 not sure if Linda did in fact go on
4 Saturday to P.A. as indicated. I will
11:52 5 check with the P.A. Pen authorities."

6 Do you remember, did you have telephone
7 discussions with Mr. Asper during this time?

8 A I -- I don't -- I could have, yes.

9 Q Do you have any recollection of them?

11:53 10 A No.

11 Q And did you go and -- do you remember if you went
12 to the P.A. pen?

13 A Ah -- no, I didn't, no.

14 Q This would have been the -- the 17th would have
11:53 15 been within days, a couple of days after you gave
16 Sergeant Pearson the statement and it would be the
17 day after you called him collect and gave him that
18 information.

19 A I did go to Prince Albert one time with Larry's
11:53 20 mom, but I went to visit Ernie Moosomin and she
21 went to visit Larry.

22 Q Okay. And I think you told us that you were asked
23 at some point to go in and see him wearing a wire
24 to try and get some DNA?

11:53 25 A Yes.



1 Q And who asked you to do that?

2 A I think Mrs. Milgaard that time.

3 Q And it appears here that, according to Pearson's
4 notes, that Mr. Asper had asked you to get some
11:54 5 cigarette butts or anything that would be used for
6 blood typing. Did Mr. Asper ask you that?

7 A I don't remember Mr. Asper asking. I remember
8 Mrs. Milgaard and I talked about it.

9 Q If we can go to the next page, and we have here,
11:54 10 and again this is March 19th, Pearson writes about
11 meeting Bryan Wright, and there's a statement that
12 I'll refer to, and I take it you would have told
13 Sergeant Pearson where to find Bryan Wright?

14 A Yes.

11:54 15 Q And if we can go to 004923 -- actually, sorry,
16 let's leave that there. It just goes through:

17 "He provided me a self-explanatory
18 statement of his association with Linda
19 in particular what he had been told
11:55 20 regarding Larry's activities such as the
21 missing knife and the circumstances
22 surrounding it. Brian was very
23 straightforward with me and seemed to
24 have a lot of respect for Linda and the
11:55 25 line of communication seems to be very



1 open and positive. Brian claims that
2 Linda is an honest, sincere and trusting
3 individual, and he believes totally in
4 what he was told by her. Brian
11:55 5 basically confirms what Linda has
6 stated.

7 Brian also, in a very uncertain
8 way, suggested that he may have been
9 told by Linda that Larry was wearing
11:55 10 different clothes than he had on the
11 previous night he left the house, this
12 being the night Gail Miller was
13 murdered. Brian seemed very uncertain
14 on this point and it really has no
11:55 15 definitive value."

16 And then if we can go to 004923, and this is Mr.
17 Wright's statement to Mr. Pearson, and he talks:

18 "Sometime during the year 1978/1979,
19 during a discussion, Linda said she had
11:56 20 something to tell me that she had never
21 told another man. Linda and I trusted
22 each other. Linda is honest,
23 trustworthy and sincere. She said
24 something had been bothering her for a
11:56 25 long time. Linda told me she had been



1 married before and that she had been
2 raped once by a fellow from Cando, not
3 by Larry.

4 She went on to say she had
5 something else to tell me. She said her
6 ex-husband was in the P.A. Pen, for
7 mutilating two women in Winnipeg. She
8 indicated Larry had bitten one woman's
9 breast badly and the other woman was
10 badly sliced up."

11 If I can pause there. Do you remember telling
12 Bryan Wright that?

13 A I think I told him about the breast, but I don't
14 know about the sliced up. Maybe the detectives
15 did tell me that. That was, would have been
16 earlier.

17 Q Okay. When you say the detectives, which
18 detectives are you referring to?

19 A The ones that had come and talked about the
20 Winnipeg cases. I know this is where I got this
21 story from.

22 Q And that was when you were at your grandmother's
23 house; is that right?

24 A Yes, uh-huh.

25 Q And I think you said two, I think you said you



1 believed them to be Saskatoon police officers came
2 and talked to you about the Winnipeg --

3 A Yes.

4 Q -- rapes?

11:57 5 A Yes.

6 MR. FOX: I think she said she didn't know.

7 BY MR. HODSON:

8 Q I'm sorry. In fairness, as far as the officers
9 that came to see you, did you know who they were,
11:57 10 what police force they were with?

11 A Not really, no.

12 Q Okay. And so this information, though, that
13 appears that Bryan Wright is stating, you were
14 telling us that the biting of the woman's breast
11:57 15 is something you got from two detectives?

16 A Yes.

17 Q And the other information, do you know where
18 that -- do you know if you would have told them
19 that?

11:57 20 A That was probably the lady from Battleford he was
21 thinking of it seems to me.

22 Q Okay. And that would be the (V10) (V10)-?

23 A Yes.

24 Q And if we can go to -- actually, this is probably
11:58 25 a good spot to break, Mr. Commissioner.



(Adjourned at 11:58 a.m.)

(Reconvened at 1:34 p.m.)

BY MR. HODSON:

Q Good afternoon, Mrs. Fisher. If we could call up
063102, which are the Pearson notes, and go to
063114. And this is again where we left off, I
think we were in March of '90, and here's Sergeant
Pearson's notes. It says:

"I phoned Linda Fisher from my home, she
confirmed that she went to the Prince
Albert Pen on Sunday with Mrs. Fisher.
Linda did not visit with Larry, she
indicated she visited Ernie Moosomin who
is a friend of hers. She did indicate
that Mrs. Fisher and Larry had a visit
and that Mrs. Fisher feels much better
now that she had talked directly to her
son about the recent revelations of his
involvement in the Miller case."

Do you remember going up to the P.A. Penitentiary
to see Ernie Moosomin and going with Larry
Fisher's mother?

A No, I don't think I went to the penitentiary, it
was the jail, the other one.

Q Was it the Regional Psychiatric Centre?



1 A Yeah.

2 Q And that was --

3 A No, the regional jail -- penitentiary -- well it
4 wasn't a penitentiary, the regional -- provincial
01:35 5 jail.

6 Q Okay. So you went up to the provincial jail to
7 see Ernie Moosomin?

8 A Yes.

9 Q And was Larry Fisher incarcerated at the same
01:35 10 jail?

11 A No.

12 Q Was he -- do you remember going to see Ernie
13 Moosomin when Mrs. Fisher went to see Larry
14 Fisher?

01:35 15 A Yes.

16 Q And do you know if Mrs. Fisher, Larry's mother,
17 talked to him about the Gail Miller murder?

18 A She might have, yes.

19 Q And it sounds like, from this note, that:

01:35 20 "... Mrs. Fisher ...",

21 being Larry's mother:

22 "... feels much better now that she had
23 talked directly to her son about the
24 recent revelations ..."

01:36 25 Do you know whether she had asked him about his



1 involvement in the Gail Miller murder?

2 A I'm not sure, it sounds that way, but I don't
3 really remember.

4 Q Okay. If we can go to the next page, and it says:

01:36 5 "Linda also confirmed that she had
6 talked with Mr. Asper prior to going to
7 P.A. and that Asper had requested her
8 not to say anything to Larry, Linda also
9 indicated it wouldn't matter as Sylvia
01:36 10 Poitras, Larry's sister, had written a
11 letter to Larry, apparently telling him
12 about the investigation. It is obvious
13 at this point that Larry is aware that
14 the police are looking into it. Linda
15 also confirmed that Mr. Asper was
16 interested in getting cigarette butts,
17 and anything that would have body fluid
18 for analysis. Linda went on to say that
19 Larry no longer smokes so this was out
01:36 20 of the question."

21 And that's accurate, is it?

22 A Yes.

23 Q And that:

24 "Linda is still not sure who reported
01:36 25 the Larry Fisher information to Mrs.



1 Milgaard's lawyer."

2 And goes on to talk about a couple of other
3 names. And then:

4 "Linda also indicates that Dr. James
01:37 5 McGettigan of 29th Street was the family
6 doctor in the early 60's and may have
7 the blood type for Larry, and also
8 advises that Larry had an appendix
9 operation while serving time in a
01:37 10 Manitoba institution ..."

11 Do you recall Mr. Pearson or Sergeant Pearson
12 trying to find out Larry's blood type?

13 A Yes.

14 Q And did you understand what that was for?

01:37 15 A Yes.

16 Q And what was that?

17 A For blood typing, to get it -- they wanted to know
18 what type of blood he was.

19 Q And was that related to something about Gail
01:37 20 Miller?

21 A Yes.

22 Q For comparison?

23 A Yes.

24 Q And was Joyce Milgaard and her people also looking
01:37 25 for that information; do you remember?



1 A Yes.

2 Q And then next page, please. And, again, this is
3 March 21st of '90, and Sergeant Pearson writes
4 that he attended the residence of Cliff Pambrun
01:38 5 and obtained a statement.

6 And if we can go to 012076 and
7 go to the -- and this is a statement of that date,
8 March 21, that Clifford Pambrun gave to Rick
9 Pearson. If we go to the third page, and Mr.
01:38 10 Pambrun is reported in this statement to say:

11 "I recall Linda mentioning her
12 suspicions that Larry may have been
13 involved in the death of the nurse in
14 Saskatoon, but she said very little and
01:38 15 did not give any details of why she was
16 suspicious."

17 And I think you told us before that you would
18 have talked about your suspicions with Clifford
19 Pambrun?

01:38 20 A Yes.

21 Q And so would you disagree with what he says here?

22 A Yes.

23 Q And would you have told him, again in the '70s,
24 about why you were suspicious about Larry Fisher's
01:39 25 involvement?



1 A Yes.

2 Q Go to 063117. And, again, this is March, I think,
3 20, I can't see it at the top, I think it's March
4 23rd, and a:

01:39 5 "Telephone call was placed to Linda
6 Fisher and confirmed that a North
7 Battleford uniform member would be out
8 to pick her up at her residence at 1 pm
9 tomorrow."

01:39 10 Which would be Saturday.

11 "A second phone call was also placed to
12 Linda, reminding her to bring letters
13 that she had received from Larry while
14 doing time in the Penitentiary. There
01:39 15 were some specifics of this which she
16 wanted to bring to our attention."

17 And then I take it, if we could call up 063210,
18 and this is a sworn statement of Linda Fisher.
19 If we can go to the next page, please, it says:

01:40 20 "The sworn statement of Linda Lillian
21 Fisher taken Saturday the 24th day of
22 March, 1990 at the RCMP detachment in
23 North Battleford",

24 and in attendance was Mr. Williams and the court
01:40 25 reporter, and is this the -- I think you told us



1 earlier you were questioned by Mr. Williams
2 before a court reporter; is that right?

3 A Yes.

4 Q And was that at the RCMP detachment?

01:40 5 A Yes.

6 Q And I think, at some later point in the
7 transcript, there is reference to Sergeant Pearson
8 being in attendance; do you remember him being
9 there?

01:40 10 A Umm, somebody else was in there, I don't know who
11 it was.

12 Q Okay. I'll show you a reference a bit later on to
13 Sergeant Pearson's involvement, and if we could
14 just go -- scroll down please, and Mr. Williams
01:41 15 starts off saying:

16 "Q Miss Fisher, I'd like to thank you for
17 coming here today to answer some
18 questions in relation to an inquiry that
19 I am part of, and it concerns an
01:41 20 application under Section 690 of the
21 Criminal Code. It's an application to
22 the Minister of Justice brought on
23 behalf of Mr. David Milgaard. I
24 understand that you may have some
01:41 25 information, some evidence to give in



1 relation to that, is that correct?"

2 And you say:

3 "A Yes."

4 What was your understanding, at the time, of what
01:41 5 Mr. Williams was doing; where did you think he
6 fit into this matter?

7 A Well I knew that he came from Ottawa and that they
8 were goin' over the information.

9 Q And did you understand that he was with the
01:41 10 Federal Department of Justice?

11 A I think so, yes.

12 Q And what did you understand about his relationship
13 with Sergeant Rick Pearson?

14 A Well I think Rick worked from Saskatchewan and he
01:41 15 worked from Ottawa.

16 Q Okay. Did you understand that they were working
17 together on the matter?

18 A Yes, I think the information that I gave Pearson
19 he would have known, yes.

01:42 20 Q And, for this interview, would you have told --
21 you were under oath; is that correct?

22 A Yes.

23 Q And would you have told the truth to the best of
24 your recollection at the time?

01:42 25 A Yes.



1 Q If we can go to page 063217, and Mr. Williams asks
2 you at line 11 about your statement of August 1980
3 to the city police, and you answer:

4 "A There was a flier in the mail from
5 Milgaards saying that their son was
6 innocent, and, well, we had talked about
7 that maybe Larry could have, could have
8 been responsible for the nurse before,
9 and so I thought, well, ten years after,
10 after this guy's still saying he's
11 innocent, you know, I wonder if I should
12 go talk to them, so me and Bryan were --
13 I was drinking at the time when I gave
14 the statement, and then we got right
15 into it and I was getting upset, so
16 Bryan said, "You should go tonight", and
17 I said, "No". I said, "I will go
18 tomorrow". He says, "Well, you better
19 go tonight or you will never go", so --
20 so he took me down there and we gave a
21 statement."

22 Is that accurate and truthful information?

23 A Yes.

24 Q And then the next page, please. Mr. Williams asks
25 you some questions about:



1 "Q How long before you arrived at the
2 station had you been drinking?

3 A We probably started about usually
4 eight or nine o'clock when we went
01:43 5 out, but could have been ten. I don't
6 know.

7 Q And how much did you have to drink?

8 A Oh, I can't remember, but I know it
9 was -- I mean the alcohol was probably
01:43 10 affecting me, because I never talked
11 about this unless I was drinking.

12 Q Were you drinking steadily from eight or
13 nine until the time of your statement?

14 A I'd say probably."

01:44 15 And is that accurate and truthful?

16 A Yes.

17 Q And then the next page, and Mr. Williams asks you:

18 "Q Well, perhaps you can put it in terms of
19 how many drinks -- what were you
01:44 20 drinking?

21 A I'd say I had about six beer.

22 Q You had six beer?

23 A Yeah."

24 And is that accurate and truthful?

01:44 25 A Yes.



1 Q And then to page 063223, Mr. Williams asks:

2 "Q Is it fair to say that although you had
3 had what you have told us to be six beer
4 at the time, did it affect your
01:44 5 recollection of the events?"

6 And you answered:

7 "A I don't think so."

8 Is that accurate and truthful?

9 A Yes.

01:44 10 Q Page 063225, and again Mr. Williams questioned, do
11 you remember him asking about the knife?

12 A Yes.

13 Q And he asks you:

14 "Q The blade four inches long. The handle
01:45 15 was wooden and brown-coloured?

16 A Yes.

17 Q You're certain of that?

18 A Positive.

19 Q By what means was the handle attached to
01:45 20 the blade?

21 A Rivets I think."

22 Then you say:

23 "A I think. I'm not positive it was
24 rivets.

01:45 25 Q But when you say a brown wooden handle,



1 there is no doubt about that in your
2 mind?

3 A Yes."

4 And, again, is that accurate and truthful?

01:45 5 A Yes.

6 Q And it sounds like at this time, Mrs. Fisher, you
7 had, I think your words were, a positive
8 recollection of exactly what the knife looked
9 like --

01:45 10 A Yes.

11 Q -- that was missing? And then to page 063227.
12 Again, just touch on where Mr. Williams asked you
13 about the morning of the murder, he says:

14 "Q All right. How long before dinner did
01:45 15 you say to him, "You probably killed
16 that nurse"?

17 A I don't know. It could have been
18 maybe between ten, eleven. Could have
19 been as soon as -- I'm not sure when I
01:46 20 said it. Soon as I started arguing
21 or -- it came on the newscast.
22 Whenever it came on the newscast is
23 when I thought of my knife, and I
24 thought of something else to accuse
01:46 25 him of. That's -- I was just accusing



1 him of everything."

2 And then scroll down, please. And then you say:

3 "A Yes, but I didn't accuse seriously. I
4 was just picking anything that came to
01:46 5 mind.

6 Q Okay. You had to reason to suspect him
7 at the time?

8 A No. No."

9 Is that accurate and truthful?

01:46 10 A Yes.

11 Q And then to page 063229, and Exhibit 1 was the
12 August 28th, 1990 statement that you gave the
13 police, okay, and you are asked a question:

14 "Q Before I get to that I want to ask in
01:46 15 relation to Exhibit 1, did you obtain or
16 keep a copy of this document Exhibit 1?

17 A No.

18 Q And between the date that you signed it
19 and today, had you seen or referred to
01:46 20 it?

21 A No.

22 Q For any reason?

23 A No."

24 So I take it that the statement that you gave to
01:47 25 the Saskatoon City Police in August of 1980, you



1 didn't get a copy of it after you went to the
2 police station?

3 A No, but I think I referred to it and I said I
4 didn't -- had you seen or referred to it he says.

01:47 5 Q Yes.

6 A And I said no, but I probably did refer to it.

7 Q I'm sorry, referred to it when?

8 A When I talked to Mrs. Milgaard.

9 Q You talked about it; is that what you mean by
01:47 10 referred to it?

11 A Yeah.

12 Q But as far as actually having the physical
13 document, you didn't have the physical document?

14 A No.

01:47 15 Q So when you say had you seen or referred to it,
16 what you are saying is, well, you did refer to
17 it --

18 A Yeah.

19 Q -- in the previous month when you talked to
01:47 20 Mrs. Milgaard, and in fact when you talked to
21 Sergeant Pearson you referred to the statement?

22 A Yes.

23 Q But without having a copy of it; is that correct?

24 A That's right.

01:47 25 Q And then to page 063231 -- if we can go to 063235,



1 please, and Mr. Williams is asking you about your
2 statement of August 28th, 1980 to the Saskatoon
3 police, the part that said on the day of the
4 murder or the day after. Do you remember when I
01:48 5 asked you about that yesterday?

6 A Yes.

7 Q And he asks:

8 "Q And you have said to me that the
9 argument happened on the day of the
01:48 10 murder?

11 A Yeah.

12 Q And the reason you say that is because
13 that is when you heard the radio
14 announcement?

01:48 15 A Yes.

16 Q Do you know whether the radio
17 announcement was reporting an event of
18 that day or of a preceding day?

19 A Well, it was for that day.

01:48 20 Q No, was the announcement reporting a
21 death which occurred that morning or the
22 day before?

23 A It was for that morning."

24 And is that accurate and truthful?

01:49 25 A Yes.



1 Q And then to page 063204 -- pardon me, 063236, and
2 again this is Mr. Williams asking about that
3 morning and the argument, he says:

4 "Q You were angry?

01:49 5 A I was only mad. I never -- I never
6 expected him to have killed the nurse
7 at all. I just was mad.

8 Q You were furious?

9 A Yeah.

01:49 10 Q You didn't know anything about the
11 details of the killing?

12 A No.

13 Q So you didn't know that a knife was
14 involved even?

01:49 15 A I think I did know that there was --
16 she was stabbed.

17 Q Okay. Did you know what kind of weapon?

18 A No."

19 And would that be accurate and truthful?

01:49 20 A Yes.

21 Q And then at the bottom of the page, he asks:

22 "Q And from that day onward, even when the
23 trial was going on, you had no reason to
24 believe that Larry had anything to do
01:50 25 with it



1 A No.

2 Q You saw Larry at home that morning?

3 A Yes.

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

01:50 5 A No.

6 Q You didn't hear him come in?

7 A Well, I might have, but now I don't --
8 I don't remember."

9 And again it appears here, Mrs. Fisher, that when
01:50 10 you were questioned by Mr. Williams, that you
11 said you don't remember, or you might have heard
12 him come in, but you don't remember; is that --

13 A Yeah. I don't remember him coming in until I woke
14 up and seen him there.

01:50 15 Q Okay. Here when he asks, though, you didn't hear
16 him come in, you said you might have but that you
17 don't remember?

18 A Yeah, well -- no, I didn't hear him come in at
19 all.

01:50 20 Q Okay. And then down at the bottom, scroll down,
21 and the question is:

22 "Q The next time you saw Larry was you say
23 between nine and ten in the morning?

24 A Yeah, the next time I realized that I
01:51 25 seen him. Like he could have came in,



1 crawled into bed, I wouldn't have
2 known or.

3 Q Okay. So he could have come in, crawled
4 into bed; he could have gone out?

01:51 5 A Yeah.

6 Q And come back?

7 A Yes.

8 Q And you wouldn't have been the wiser?

9 A No."

01:51 10 And again, is that accurate and truthful?

11 A Yes.

12 Q And then the next page, you are asked:

13 "Q Is it possible that he came in, went to
14 work early that morning, came back early
01:51 15 from work because of the weather, and
16 that's when you encountered him? Is
17 that possible?"

18 And you answer:

19 "A It's possible."

01:51 20 Is that accurate and truthful?

21 A Yes.

22 Q And I think yesterday and again today you've told
23 us, Mrs. Fisher, that you don't think he did go to
24 work though. I'm just wondering --

01:51 25 A Not in the morning. After dinner he might have



1 went to work.

2 **Q** Okay. When you were asked by Mr. Williams in 1990
3 if it's possible that Mr. Fisher came home that
4 night, crawled into bed, then got up in the
01:51 5 morning, went to work and then came back between
6 nine and ten that morning because of bad weather,
7 and you said that's possible. Do you see that at
8 the time?

9 **A** Yeah, because I never seen him until between nine
01:52 10 and 11, unless he went to work at six and --

11 **Q** Today, Mrs. Fisher -- I'm sorry, I didn't mean
12 to -- today, Mrs. Fisher, do you still say it's
13 possible that Larry Fisher came home in the early
14 morning of January 31, '69, crawled into bed, then
01:52 15 left in the morning, went to work and then came
16 back and that's when you saw him?

17 **A** It's unlikely, but it's possible.

18 **Q** Okay. Next page -- if we could actually go to
19 063240, you'll see here that the examination
01:52 20 adjourned for 10 minutes and then it says Sergeant
21 R. Pearson present. Do you remember Mr. Pearson
22 being present for part of the examination?

23 **A** Well, there was somebody there.

24 **Q** Okay.

01:53 25 **A** I don't know.



1 Q I think he may have asked you some questions at
2 the end and when I get to that we can maybe see if
3 that assists your memory. Page 063242,
4 Mr. Williams asks you, and again he's talking
01:53 5 about the morning of January 31:

6 "Q In fact, he didn't tell you that he
7 hadn't gone to work?

8 A No.

9 Q You just assumed that?

01:53 10 A Yeah.

11 Q Did he tell you at any time that he did
12 not go to work?

13 A I'm not sure.

14 Q You are not sure. Okay. So is it fair
01:53 15 to say that when you saw him there when
16 you didn't expect to see him, you
17 assumed it?

18 A Yes.

19 Q You had no way of knowing whether he had
01:53 20 gone and come back?

21 A No."

22 And is that accurate and truthful information?

23 A Yes.

24 Q And then at the bottom:

01:54 25 "Q All right. So that it's not quite



1 correct to say as far as I'm concerned
2 he did not go to work that morning,
3 because you didn't know?

4 A Yeah, I don't know."

01:54 5 And is that accurate and truthful?

6 A Yes.

7 Q Now just down at the bottom, please, if we could.
8 Line 16, Mr. Williams says:

9 "Q Okay. I'm producing and showing to you
01:54 10 this document which is entitled, "Murder
11 still under investigation", and ask you
12 to look at that. My question is have
13 you seen this document before?

14 A No.

01:54 15 Q It reads, "The police department are
16 interested in learning from any
17 householder that may be missing a paring
18 knife of this description: Kitchen
19 paring knife, six inches in length,
01:54 20 maroon handle, made in Japan. Anyone
21 having any information, kindly phone
22 653-1330. Below that text is a
23 depiction of a paring knife. At the
24 time that you went to the police, did
01:54 25 you know that a blade from a paring



1 knife had been found beneath the
2 victim's body?

3 A No.

4 Q Did you know that there was blood on
01:55 5 that blade?

6 A No.

7 Q Did you know that the blade matched
8 exactly a maroon-handled -- a maroon
9 handle?

01:55 10 A No.

11 Q Of a paring knife?

12 A No.

13 Q And did you know that or did you note in
14 this particular photo that the edge of
01:55 15 the knife was jagged at the beginning?

16 A Yes."

17 Let me just pause there and call up document
18 001926, and that's from 001919 is the doc ID.
19 And I believe, Mrs. Fisher, this is the text that
01:55 20 I read. Is this a copy of what Mr. Williams
21 showed you at that examination?

22 A Yes, I think so.

23 Q And if we can just go back to the full page. Do
24 you remember if it was a photocopy or whether it
01:55 25 was a colour photograph?



1 A I think it was colour.

2 Q And at the time there was mention of a maroon
3 handle. At that time did you know what colour
4 maroon was?

01:55 5 A I think I had the wrong idea. I was thinking pale
6 purple, not wine colour.

7 Q Okay. And again at the time that Mr. Williams was
8 questioning you, did you -- what colour did you
9 think maroon was?

01:56 10 A I thought it was more of a lighter purple.

11 Q Okay. So again if we can go back to the
12 transcript, to page 063244, and you think it was a
13 colour photograph?

14 A Yes, it was I think.

01:56 15 Q And then you are asked about:

16 "Q How does that jagged edge compare to the
17 edge of the paring knife that you
18 reported missing?

19 A Mine was -- mine was smooth.

01:56 20 Q All right. Did you know that a
21 brown-handled paring knife held together
22 by rivets was found in Winnipeg on
23 September 19th, 1970, at the scene of a
24 sexual assault for which Larry was
01:56 25 convicted?



1 A No."

2 And again, would that have been the first time
3 you became aware of that, Mrs. Fisher?

4 A Yes.

01:57 5 Q And did that have any -- what did you think about
6 that?

7 A I thought that was, that would probably be my
8 wooden-handled knife.

9 Q The knife that you thought went missing on the
01:57 10 morning of Gail Miller's murder?

11 A Yeah.

12 Q Now, at the bottom he says:

13 "Q Okay. All right. Did you that a paring
14 knife with a maroon handle was entered
01:57 15 as an exhibit in the trial of David
16 Milgaard and was identified as likely
17 being the murder weapon because of its
18 location to the body?

19 A No."

01:57 20 And is that accurate and truthful?

21 A Now I lost that question.

22 Q Sure. Let's just go back to the previous page.
23 And what Mr. Williams is asking you at this time,
24 he's asking you whether you knew that a paring
01:57 25 knife with a maroon handle was an exhibit at the



1 David Milgaard trial and as likely being the
2 murder weapon.

3 A Oh, yes.

4 Q So you would have known that at the time?

01:57 5 A I think so.

6 Q And where would you have learned of that?

7 A Probably from the newspaper.

8 Q And can you explain that? The newspaper --

9 A From the *StarPhoenix*.

01:58 10 Q And was that -- when did you go look at that?

11 A That was in the late '70s.

12 Q Okay. And tell us about that again, please?

13 A I -- me and my girlfriend went and looked at the
14 *StarPhoenix* to see if we could recognize the
01:58 15 knife, and the knife I thought I seen there, I
16 thought it was -- I thought it was a steak knife
17 or something.

18 Q Okay. Now, who was the girlfriend who went with
19 you; do you remember?

01:58 20 A Carol Klassen.

21 Q And so this was in the '70s at some point was it?

22 A Yes.

23 Q And why did you go to the *StarPhoenix* then?

24 A Just to see if it was my knife.

01:58 25 Q Okay. So you went to check the newspaper to find



1 out more information about the murder weapon?

2 A Yes.

3 Q Is that correct?

4 A Yes.

01:59 5 Q And to try and satisfy yourself whether it matched
6 the knife that you had that had gone missing on
7 the morning of the murder?

8 A Yes.

9 Q And what do you remember seeing in the newspaper
01:59 10 or reading?

11 A Ah, I just -- I just remember the knife. I didn't
12 recognize that knife.

13 Q Okay. So after you went and checked the
14 *StarPhoenix*, did you -- tell us what you thought
01:59 15 about your suspicions about Larry Fisher then?

16 A Well, I was kind of -- I was relieved because I
17 didn't remember that knife.

18 Q Okay. And this was before you went into the city
19 police in 1980?

01:59 20 A Yes.

21 Q And so after you saw the knife, or a description
22 of the knife in the paper, I think you said you
23 were relieved, but were you still suspicious?

24 A Not as much.

01:59 25 Q But then you still went into the city police in



1 1980; is that correct?

2 A Yes.

3 Q If we can go to the next page, please. So I think
4 you said when you were being questioned by
02:00 5 Mr. Williams, I think the answer said that you had
6 not been aware that a maroon-handled paring knife
7 had been entered as an exhibit in the trial of
8 David Milgaard. You said no, but is it fair to
9 say that you knew a knife had been identified?

02:00 10 A Yes.

11 Q And you had checked that out in the newspaper
12 before?

13 A Yes.

14 Q So at the time you were being interviewed by
02:00 15 Mr. Williams, you knew that a knife existed that
16 was the murder weapon and based on your review in
17 the newspaper you thought it was different than
18 the knife of yours that was missing; is that a
19 fair summary?

02:00 20 A Yes.

21 Q And can you tell us whether or not you remembered
22 it being maroon or not or whether that factored in
23 at all?

24 A I don't know if I -- I don't know if I knew about
02:00 25 the maroon back then.



1 Q If we can go to the page, line 12, Mr. Williams
2 says:

3 "Q The fact that a paring knife was found
4 in the vicinity of the victim, and the
02:00 5 fact that such say knife likely caused
6 the wounds, does that alter your views
7 as to the importance of your missing
8 knife?

9 A This alters my views.

02:01 10 Q In what way?

11 A In that it's not my knife. If that's
12 the murder weapon, that's not my
13 knife. Mine was a wooden handle."

14 A Yes.

02:01 15 Q And do you recall that exchange with Mr. Williams?

16 A Yes.

17 Q And I think he had described the murder weapon; is
18 that correct?

19 A Yes.

02:01 20 Q And you -- is it fair to say from your answer here
21 that you concluded that that was not your knife?

22 A Yes.

23 Q And when it says does that alter your views, what
24 did you mean by that, when you said yes?

02:01 25 A Well, that wasn't my knife.



1 Q And then the question is:

2 "Q Okay. And in terms of attaching
3 responsibility to Larry, how does that
4 affect? How is that affected or is it
02:01 5 affected?

6 A Well, now I have more doubts, but --
7 but I still have my suspicions."

8 And is that -- let's go to the next page.

9 "Q All right. And you have your suspicions
02:01 10 I gather because of his shocked reaction
11 to your accusation?

12 A Yes."

13 So can you tell us, what were you thinking at the
14 time when you were being questioned by

02:02 15 Mr. Williams, what effect did this have, about
16 the questioning about the knife?

17 A Well, that wasn't the knife that I had thought of
18 all these years, not the wooden-handled knife, so
19 it wasn't that knife that it was -- that he was
02:02 20 talking about.

21 Q Did that cause you to think that he hadn't been
22 involved in the Gail Miller murder or less likely
23 or tell us what --

24 A Well, a little less likely.

02:02 25 Q I think it says here you still had suspicions; is



1 that right?

2 A Yes.

3 Q And then Mr. Williams asks:

4 "Q Larry had not been in trouble with the
02:02 5 law as far as you knew up until that
6 time, correct?

7 A Yes.

8 Q All right. You didn't know that in 1968
9 he had committed a rape in Regina, did
02:02 10 you?

11 A No.

12 Q You later found out that that was the
13 case?

14 A Yes.

02:03 15 Q And, in fact, there were two counts of
16 rape in Regina, isn't that a fact?

17 A Yes.

18 Q Thinking back, is it possible that his
19 shocked reaction to the accusation
02:03 20 reflected his realization that you may
21 have suspected him of rape in Regina?

22 A It's possible.

23 Q And that might have been an explanation?

24 A Yes."

02:03 25 If we can just pause there. Do you know where --



1 at that time were you thinking that the rape
2 convictions in Saskatchewan were for rapes that
3 were actually committed in Regina?

4 A I think so, yes.

02:03 5 Q And do you know why you thought that?

6 A Probably because he went to Court there.

7 Q And then I think -- I think we now know that the
8 rapes were in Saskatoon; correct?

9 A Yes.

02:03 10 Q And in any event, Mr. Williams asked the question
11 whether is it possible that your accusation on the
12 morning of the murder may have caused Mr. Fisher
13 to be shocked because he knew about the rapes in
14 Regina, or wherever they were, and you didn't, do
02:04 15 you understand what he's saying, and I think you
16 said that might be an explanation?

17 A Yes.

18 Q And had you considered that before?

19 A I don't -- I don't remember.

02:04 20 Q Okay. Let me just back up. I think what
21 Mr. Williams is asking you is saying is it
22 possible that at the time of Gail Miller's murder
23 Mr. Fisher had already committed -- well, two
24 rapes and an attempted rape, and at that time you
02:04 25 didn't know about them; is that correct?



1 A Yes.

2 Q And I think what Mr. Williams is saying is okay,
3 is it possible that when you accused him of
4 murdering the nurse, that Mr. Fisher was shocked
02:04 5 because he thought you may have suspected him of
6 the rapes that he knew he had committed, and I
7 think that's what Mr. Williams is asking you, and
8 I think you say it's possible and that might be
9 the explanation. Correct, is that what you said
02:04 10 at the time?

11 A Yes, uh-huh.

12 Q And I'm just wondering, had you thought about that
13 before?

14 A I don't know.

02:05 15 Q And let me --

16 A I might have.

17 Q And in trying to figure out his reaction, did you
18 ever think it might have had something to do with
19 the rapes before Mr. Williams asked you this
02:05 20 question?

21 A I'm not sure if I thought about it.

22 Q Okay. And then the next page, Mr. Williams
23 states:

24 "Q Viewed in that context, have you -- do
02:05 25 you still maintain that the shocked



1 expression on his face could only have
2 come as a result of his implication in
3 Gail Miller's death?

02:05 4 A Not only, no. Could have been from
5 the rapes or --

6 Q So that the shock could have reflected a
7 number of other events and not
8 necessarily any involvement in Gail
9 Miller's death; is that a fair
02:05 10 statement?"

11 You answer yes. And is that accurate and
12 truthful?

13 A Yes.

14 Q Next page, you were asked by Mr. Williams:

02:05 15 "Q Is it possible that construction could
16 have been halted that day because of the
17 adverse weather conditions?

18 A No, because my uncle went to work that
19 day."

02:06 20 I'm wondering, Mrs. Fisher -- I presume that's
21 Cliff you are referring to?

22 A Yes.

23 Q And how did you know that Cliff had gone to work
24 that day?

02:06 25 A He must have said he went to work that day.



1 Q Okay. And then I think you are asked:

2 "Q Do you know whether he stayed there all
3 day?"

4 You say:

02:06 5 "A I think so. I don't know for a fact,
6 but I know they worked that day."

7 So would you have talked to your Uncle Cliff
8 about that?

9 A Probably, yes.

02:06 10 Q Back in '70, '71?

11 A Yeah.

12 Q And would that have been part of your discussions
13 when you had your suspicions about Larry Fisher?

14 A Yes.

02:06 15 Q And the next page, Mr. Williams says:

16 "All right. These are the questions I
17 have. Is there anything you wish to
18 add?"

19 And you say:

02:06 20 "A No, I just wish it could be proved one
21 way or the other.

22 Q I'm not certain I follow you.

23 A I wish Larry could either be proved
24 innocent or guilty or -- or I would
02:06 25 know for sure.



1 Q Okay. You say that you wish he could be
2 proved, because of the missing knife?

3 A Because of -- because I think maybe
4 it's not so much the evidence I'm
02:07 5 thinking as the -- the -- all his
6 other charges and circumstances and
7 everything."

8 And is that accurate and truthful?

9 A Yes.

02:07 10 Q So at the time you were looking for answers to
11 your questions; is that fair, one way or the
12 other?

13 A Yes.

14 Q And if we can go to the next page, please, and at
02:07 15 the bottom you are asked:

16 "Q All right. Did you know any of the
17 details surrounding the murder of Gail
18 Miller?"

19 And then the next page -- or you say, "Well, I
02:07 20 read -- sorry, previous page, and you answer:

21 "A Well, I read. I read the papers and I
22 seen a knife in the paper, but it didn't
23 look like the one in the letter you had.
24 It looked like a steak knife, the one in
02:07 25 the newspaper in Saskatoon."



1 And again, is that what you told us about
2 earlier, what you and your friend Carol went to
3 see in the *StarPhoenix*?

4 A Yes.

02:08 5 Q I'm done with that. After you were done the
6 interview with Mr. Williams, did your views about
7 Mr. Fisher as a suspect change at all from before
8 the interview?

9 A Well, when I got up to leave I was kind of
02:08 10 relieved, thought -- I thought, oh, maybe he's
11 not -- maybe he's not guilty, but then as soon as
12 I -- as soon as I left, I thought there's still
13 suspicions.

14 Q And what was it in the course of the interview
02:08 15 that caused you to -- I think your words were to
16 be more relieved or --

17 A Well, it was all, everything, is it possible this,
18 is this possible or that possible. Well, there's
19 a lot of possibilities.

02:09 20 Q So at the end of the interview then, I think you
21 said you initially thought --

22 A I felt relieved. I thought maybe he didn't.

23 Q When you say relieved, does that mean to say that
24 you were less suspicious of Larry Fisher?

02:09 25 A Yes, yes.



1 Q And then tell us, did that change right away or --

2 A Yes, yes, as soon as I got up I was still -- I
3 still had doubts.

4 Q Okay. Then to page 063119, and then it talks, and
02:09 5 this is March 24th of '90, and these are Pearson's
6 notes:

7 "The significant note of our
8 conversation today is that the
9 description of the lost knife is
02:09 10 different than the one entered as an
11 exhibit at the Milgaard trial. Linda
12 states she feels better now, knowing
13 that the knives are different in
14 description, but she still has questions
02:10 15 about the activities of Larry on the
16 morning that Gail Miller's body was
17 discovered."

18 And this is Sergeant Pearson's note, but would
19 that accurately describe what you felt at the
02:10 20 time?

21 A Yes.

22 Q If we can go to 063132, and this is May 24th,
23 1990, so this is two months after your interview
24 with Mr. Williams. Do you recall whether you
02:10 25 would have had further contact with Mr. Pearson,



1 Mr. Williams, Mr. Asper, Mrs. Milgaard during that
2 time frame?

3 A Probably, yes.

4 Q And it says:

02:10 5 "Telephone call was placed to Linda
6 Fisher at her residence in Cando, she
7 had called me earlier on in the day.
8 She was concerned because Joyce Milgaard
9 and a reporter with the Winnipeg Free
02:11 10 Press made a surprise visit to her at
11 her school class in North Battleford.
12 Linda indicated that Mrs. Milgaard
13 wanted to obtain a photograph of Larry
14 Fisher, however this was not given.
02:11 15 Linda Fisher is concerned about this
16 type of contact by Mrs. Milgaard.
17 Mrs. Milgaard will be staying in
18 Saskatoon for the next couple of days,
19 however it is uncertain if she will be
02:11 20 contacting myself.

21 During our telephone --"

22 Let me just pause there. Do you remember this
23 incident referred to here?

24 A I remember the -- the -- the press coming to the
02:11 25 school, but I don't think Mrs. Milgaard was with



1 them.

2 **Q** Okay. And this was a report -- there might be
3 another incident here that I'll -- that I'll refer
4 to. Did you have concerns about the media being
02:11 5 at your school?

6 **A** Well, yeah, I didn't like them coming to the
7 school.

8 **Q** And did you tell them that?

9 **A** I think so.

02:11 10 **Q** It goes on to say:

11 "During our telephone discussion, Linda
12 also related to me that she now recalls
13 losing a second knife from her
14 residence. She is not sure exactly when
02:12 15 this went missing, but it would have
16 been around the time of the Miller
17 murder, but she is not nearly as
18 specific about the time as she was on
19 the description of the previous knife
02:12 20 she mentions. She did indicate this was
21 a bone handled hunting type knife and it
22 is one which she has the mate of yet.
23 She will turn it over to me if I wish to
24 have it. It should be noted that during
02:12 25 the investigation of the Miller murder,



1 a second knife was located by the
2 investigators, hidden under a fence in a
3 residential area close to the murder
4 scene. This was eventually turned over
02:12 5 to the prosecutor and it is unknown just
6 where it actually went. I wish to
7 recover the knife from Linda and
8 determine if it in fact has a similarity
9 to the knife that was found by the
02:12 10 investigators, just as a long shot to
11 determine if there is a possibility the
12 bone handled knife may have been removed
13 from the Fisher residence in 1969 by
14 Larry. This is somewhat of a long shot
02:12 15 and I am not sure if the two actually
16 can be compared."

17 So can you tell us, it looks like here in this
18 call of May 24th, 1990 you told Sergeant Pearson
19 about a second knife, and it says here a
02:13 20 bone-handled hunting knife. Do you remember how
21 it came to be that you remembered losing that
22 knife?

23 A Ah, we were talking about all the knives I had
24 then and he wanted to know if I had a bone-handled
02:13 25 knife.



1 Q I'm sorry, who did?

2 A Mr. Pearson I think was.

3 Q Okay.

4 A So I did have bone-handled knives, but I had
02:13 5 thought that my kitchen butcher knife, it was a
6 butcher knife, not a hunting knife, it went
7 missing at one time, but I don't know when, and it
8 was after, I figured it was after the Miller case,
9 I think I told him that, but I did have the steak
02:13 10 knives at home that matched that set and I had
11 given him one.

12 Q Okay. If we can go to 063133, and this is the
13 next day I believe. Pardon me, a week later. And
14 Sergeant Pearson says:

02:14 15 "Patrolled to North Battleford, met with
16 Linda Fisher, who turned over a bone
17 handled steak knife, stating it is from
18 the same set as the one that she lost,
19 probably while she lived with Larry.

02:14 20 The knife she lost was actually larger
21 than the one Linda showed me. Linda had
22 no specific information on when, where
23 or the circumstances the knife went
24 missing. I took possession of the
02:14 25 knife, not knowing at this time if it



1 relates to anything of value."

2 And I take it you turned over the knife?

3 A Yes.

4 Q And I believe we have that knife here, if I could
02:14 5 ask the clerk just to have you identify that.

6 Mrs. Fisher, this knife was provided to the
7 Commission by the RCMP. Are you able to tell us
8 whether that's the steak knife that you gave to
9 Sergeant Pearson back in 1990?

02:15 10 A Yes, it looks like it.

11 Q And so, just help us out here, looking at this
12 paragraph you are saying that you lost one that
13 was from the same set but bigger than that knife?

14 A Yeah, it was the butcher knife to the set, it was
02:16 15 a set of about eight steak knives, a butcher knife
16 and a fork, and the butcher knife had went missing
17 at one point.

18 Q And so it would be a bit larger, not a paring
19 knife, a larger knife?

02:16 20 A It, yeah, it was a big knife.

21 Q Okay.

22 A That --

23 Q And it says here you had no information on when,
24 where, or the circumstances the knife went
02:16 25 missing?



1 A That's right.

2 Q Okay. I wonder if we could just mark that knife
3 as an exhibit, please.

4 CLERK: That will be P-6.

02:16 5 MR. HODSON: P-6?

6 -->EXHIBIT P-6:

7 KNIFE.

8 BY MR. HODSON:

9 Q And, again, are you able to tell us whether that
02:17 10 knife, P-6, whether you are able to tell us
11 whether that went missing at or around the time of
12 Gail Miller's murder?

13 A I don't know.

14 Q If we could call up 010035, please. This is a
02:17 15 letter June 12th, 1990 from David Asper and Hersh
16 Wolch to Eugene Williams who's the fellow that
17 interviewed you, and just down at the bottom it
18 says:

19 "Finally, further to our conversation
02:18 20 with respect to the witnesses whom your
21 investigator has interviewed, we ...",
22 next page:

23 "... can advise that these witnesses
24 were left with a very negative
02:18 25 impression about your investigator.



1 Specifically, Debra Hall tells us that
2 she was made to feel as though she was
3 wasting the investigator's time. She
4 felt that the investigator was twisting
02:18 5 everything that she said, and made her
6 feel "like an ass". Moreover, she
7 indicates that this investigator made
8 her feel like she was not being
9 believed, and in fact was somehow lying
02:18 10 about the contents of her Affidavit.
11 Essentially, her impression was that
12 even though she had nothing to gain by
13 coming forward, she was simply trying to
14 say that Messrs. Melnick and Labchuk
02:18 15 were lying when they gave their evidence
16 at the trial, and that for coming
17 forward, she was made to feel useless in
18 this whole thing."

19 And then it says:

02:18 20 "We understand that Linda Fisher had
21 much the same feeling after your
22 investigators visited with her."

23 And it's plural there, I'm not sure if that's
24 referring to Mr. Pearson or Mr. Williams or both,
02:19 25 but can you tell us; did you have any feelings



1 towards Sergeant Pearson or Mr. Williams as
2 described in this letter?

3 A No.

4 Q Did you have any concerns with the manner in which
02:19 5 they treated you during the interviews?

6 A No.

7 Q Go to 185851 -- or 185351 -- nope, sorry, I had it
8 right the first time, 185851. And unfortunately
9 this doesn't have a date but it appears to be
02:19 10 notes, I think, of Mr. Henderson, and the first
11 paragraph says:

12 "We drove to Candu to talk with Linda
13 primarily to fill in some holes in our
14 background on Larry Fisher and their
02:19 15 marriage. Considering the way Ottawa
16 has treated her, and the fact that her
17 accusations against Fisher have gone
18 nowhere, I was surprised that she's
19 still willing to stick her neck out to
02:20 20 build a case against her ex husband."

21 And so I take it, from that paragraph, that this
22 would be after, after you met with Mr. Williams;
23 do you remember talking to Mr. Henderson again
24 after the first meeting in March?

02:20 25 A Mr. Henderson?



1 Q And I'm not sure it's even Mr. Henderson's notes.

2 A I -- I'm not sure, no.

3 Q Do you recall talking to anybody else who was
4 there on behalf of Joyce Milgaard or David
02:20 5 Milgaard, an investigator or a lawyer --

6 A Well I --

7 Q -- coming out to Cando to see you?

8 A I don't remember, but I think I did talk to Mrs.
9 Milgaard, but not -- I don't know if it was in
02:20 10 this. I don't know who was with her.

11 Q Okay. And you will see, if we can scroll down to
12 the bottom, there is a reference here about:

13 "Details again are sketchy, but Linda
14 recalled that Larry also assaulted their
02:21 15 landlady when they were living on Avenue
16 B. The victim (who Linda recalled being
17 a "Mrs. Katchur") claimed that Fisher
18 beat her up for 15 minutes. Linda said
19 the woman reported the assault but that
02:21 20 Larry denied the accusations and somehow
21 got away with it."

22 Do you remember having that discussion --

23 A Yes.

24 Q -- with -- and do you remember who you -- I'm
02:21 25 sorry, this is similar to what you have told us



1 earlier, is that all right, about the incident?

2 A Yeah, but it -- wrong name.

3 Q Yeah. Do you remember telling anybody about this
4 out in Cando?

02:21 5 A I -- I don't -- I don't remember. I probably did,
6 but -- yeah.

7 Q And then the next page. It says:

8 "Regarding her interview the Justice
9 Department, Linda said Williams seemed
02:21 10 more interested in discrediting her
11 statement than gathering evidence
12 against Fisher. This was apparent from
13 the line of questioning, she said. For
14 example, Williams wanted her to admit
02:22 15 that she could have been wrong about
16 Larry staying home on the morning of the
17 Miller murder. Specifically, Williams
18 asked her, "Isn't it possible that he
19 went to work that morning?" Linda said
02:22 20 she told Williams that she was positive
21 he did not."

22 And just a couple of questions there. The author
23 of this memo attributes to you the words that
24 'Mr. Williams seemed more interested in
02:22 25 discrediting you or your statement than gathering



1 evidence against Fisher.'; was that your sense of
2 the interview with Mr. Williams?

3 A Well I felt that he was a -- he -- everything was
4 possible that Larry might not have done it.

02:22 5 Q Okay. Did you think he was more interested in
6 discrediting your statement than in gathering
7 evidence against Larry Fisher?

8 A Well, I don't know, I don't know about that, but I
9 know he just wanted, he wanted all the
02:23 10 possibilities.

11 Q Okay. And did you -- did you take that to mean,
12 by the nature of those questions, that he was --
13 or what did you construe from that, what meaning,
14 if any?

02:23 15 A Well I figure that he thought -- he wanted -- I
16 don't know. He wanted to know every possibility.

17 Q Okay.

18 A Yeah. So --

19 Q And did you interpret that to be that he was
02:23 20 either believing you or not believing you?

21 A Well I almost felt relieved, after talking to him,
22 that Larry might not be guilty. I don't know,
23 don't know.

24 Q Okay. Did you get any sense, based on your
02:23 25 interview with him, that he was in -- that he was



1 trying to discredit your statement?

2 A No, not discredit.

3 Q And then, down at the bottom, this comment here
4 about:

02:24 5 "Linda said she told Williams that she
6 was positive he did not."

7 Let me just back up:

8 "Williams wanted her to admit that she
9 could have been wrong about Larry
10 staying home on the morning of the
11 Miller murder. Specifically, Williams
12 asked her, "Isn't it possible that he
13 went to work that morning?" Linda said
14 she told Williams that she was positive
15 he did not."

16 And do you recall, a few minutes ago when I went
17 through the transcript, I think what you told Mr.
18 Williams was, yes, it's possible?

19 A Yeah.

02:24 20 Q And so this, would you take issue with this
21 comment here, that you told Williams that you were
22 positive he did not go to work that morning?

23 A Well when I woke up he was home, so if he could
24 have got to work from 6:00 till 9:00 or 10:00 and
02:24 25 come home, it could have been possible.



1 Q Yeah, and I think that's what Mr. Williams asked
2 you, and I think you told him it was possible?

3 A Yeah.

4 Q And so, here, this comment about you saying that
02:25 5 you told Williams that you were positive that he
6 did not come -- or positive that he did not go to
7 work that morning; is that what you thought you
8 told him?

9 A That was just, that was just through the argument,
02:25 10 I -- because I had accused him of drinking and not
11 going to work, and I don't remember him denying
12 that and saying "well I was at work", and I don't
13 remember anything like that.

14 Q I think you told us that you believed that he had
02:25 15 not gone to work that morning?

16 A That's right.

17 Q And I just, getting back to the questioning, when
18 Mr. Williams questioned you I think he said "is it
19 possible that maybe he did go to work", and I
02:25 20 think you answered, at least according to the
21 transcript, "yes, it's possible"?

22 A Yes.

23 Q Correct? And then, here, this document seems to
24 say that in the interview with Mr. Williams you
02:25 25 told him that you were positive he didn't go to



1 work and I'm just wondering whether; is that what
2 you thought you had said to Mr. Williams?

3 A I -- I probably said it.

4 Q And I don't know, and I stand to be corrected, I
02:26 5 think the transcript suggests that you said it was
6 possible as opposed to you saying it's positive he
7 didn't, and I'm just wondering, is it -- I'm
8 trying to us understand, Mrs. Fisher, where
9 whoever wrote this memo got this from?

02:26 10 A Well in my mind I was almost positive that he
11 didn't go to work that morning, but if you look at
12 it the other way, like I didn't see him until 9:00
13 or 10:00.

14 Q Yes.

02:26 15 A I mean, it's possible in a way.

16 Q And is that what your thinking was back in 1990
17 when you were interviewed by Mr. Williams?

18 A Well if I said it's not possible I probably -- I
19 probably wasn't thinking that he could have.

02:26 20 Q Has your thinking changed over time about that, or
21 do you think --

22 A I don't know. I still say he never went to work
23 so --

24 Q Okay. If we could go to 063136, please. And this
02:27 25 is now June 19th, 1990, and this is Mr. -- or



1 Sergeant Pearson says:

2 "Returned a telephone call to Linda
3 Fisher, who was expressing concern that
4 the Winnipeg CBC crew are asking her to
02:27 5 tell her story about this case. She is
6 seeking advice. My advice to her is not
7 to talk to anyone at this time. She can
8 have her press stories at later date,
9 however, now is not the time as any
02:27 10 publicity in this case may attract
11 unfounded suspicion on Larry which will
12 indirectly affect Linda. The timing
13 right now would be counter-productive to
14 the overall interest of everyone
02:27 15 involved."

16 Do you recall that discussion with Mr. Pearson,
17 do you remember that?

18 A I think, I think he mentioned not to talk about
19 it.

02:28 20 Q This looks, according to this note, that you
21 called him because the CBC had contacted you, or
22 --

23 A Oh maybe, maybe, yeah, it could have been.

24 Q And that you then phoned Mr. Pearson to say "what
02:28 25 should I do"; is that --



1 A That could be, yes.

2 Q And then again if we can scroll down, at the
3 bottom, 177 it says:

4 "Returned a call to Linda Fisher ...",
02:28 5 this is now June 21st:

6 "Returned a call to Linda Fisher who
7 again is expressing concern about the
8 fact the CBC has come to her house
9 wanting to interview her. Linda
02:28 10 apparently refused and placed a note on
11 the door indicating such, then left for
12 the night. Her 15 year old son Kim
13 apparently allowed CBC reporters into
14 the house after they spent several hours
02:28 15 outside the building. Kim eventually
16 allowed the reporters to take
17 photographs of a photo album of Larry
18 Fisher's picture. Indications from
19 Linda that the CBC crew was on site for
02:29 20 approximately eight hours and did not
21 leave the Fisher residence until after
22 midnight. Linda complained that the CBC
23 came into her house, taking advantage of
24 their 15 year old son, particularly when
02:29 25 she had told them she did not want to be



1 interviewed. Linda also expressed
2 concern for her own safety and does not
3 want it to be exposed by the press that
4 she has gone to the police on this
02:29 5 matter. I advised Linda if she has a
6 complaint to contact North Battleford
7 Detachment and lodge it for further
8 investigation into the actions of the
9 CBC crew."

02:29 10 Do you recall this incident described in that
11 report, Mrs. Fisher?

12 A Yes, something, something about it. I remember
13 they did come into the house, and Kim did show
14 them photo albums, and --

02:29 15 Q Okay. As Sergeant Pearson has described it, is
16 that accurate as he has described it, which I just
17 read to you?

18 A Yes.

19 Q And I take it, at that time, were you not prepared
02:29 20 to talk to the CBC about --

21 A I think he had told me not to talk to them.

22 Q And I think, this is June 21st, 1990, I think that
23 is the date, if not the next date, that the CBC
24 ran a story, and I believe that's the first time
02:30 25 that Larry Fisher's name was publicly identified



1 as a suspect in the Gail Miller murder; do you
2 remember hearing about that in the media?

3 A Yes.

4 Q If we can go to 325006. So that date, that was
02:30 5 June 21st, 1990, and here's an article in *The*
6 *StarPhoenix* June 22nd, 1990 and it says:

7 "Joyce Milgaard has known about a
8 possible second suspect in Gail Miller's
9 murder for months, but never publicized
02:30 10 it because she wanted to protect the
11 man's wife, she said Thursday.

12 "We thought she was doing a
13 very courageous thing," Milgaard said of
14 Linda Fisher."

02:31 15 And is that what you understood, Mrs. Fisher,
16 that the -- Larry's name was not being released
17 to protect you?

18 A I didn't know.

19 Q And then, down at the bottom, you will see here:

02:31 20 "By coincidence, a man who would later
21 be convicted of three rapes was living
22 in the basement suite of Milgaard's
23 friend's house, CBC TV reported
24 Thursday."

02:31 25 Which was June 21st, and this is Friday, June



1 22nd. And, again, does that -- do you remember
2 this coming out the day after or the day of the
3 visit by CBC to your house?

4 A Umm, I don't know if I was getting the paper then,
02:31 5 so I --

6 Q And if we can call up 216822. And this is a
7 report by Dan Lett, I'm not sure if I have a date,
8 I think it was around June. Were you aware, Mrs.
9 Fisher, as to whether or not the statements that
02:32 10 you had provided to Paul Henderson and Joyce
11 Milgaard were provided to the media?

12 A The statements I made?

13 Q Yes?

14 A I didn't know. I -- I knew Mrs. Milgaard was
02:32 15 going to put this public at a certain time, at one
16 time, but --

17 Q And did you have any concerns with your statements
18 being in the media?

19 A Well I didn't know about my statements, but I -- I
02:32 20 was concerned about that Tammy's name not be in
21 there and the kids.

22 Q Okay. If we can go back to the -- again, Mr. Lett
23 writes:

24 "An army of police braved the frigid -40
02:33 25 degree C weather to scan the area and



1 found a trail of Miller's belongings
2 scattered along a path that led
3 virtually to the doorstep of a house at
4 334 Avenue O South.

02:33 5 In the basement apartment of
6 that tiny house, about one block from
7 the alley where Miller's body was found,
8 Linda Fisher awoke sometime between 9
9 and 10 a.m. and found her husband Larry
10 standing silently in the bedroom,
11 dressed in a bright green shirt and
12 green floral-print pants."

13 Is that what happened, was he standing silently
14 in the bedroom when you awoke?

02:33 15 A I -- I don't remember now.

16 Q "Strange, Linda thought as she climbed
17 out of bed, but Larry should have been
18 at work hours ago. She also wondered
19 why Larry, who left the house for work
02:33 20 before 7 a.m., was wearing one of his
21 two "fancy" outfits normally saved for
22 weekend use.

23 "I'm sure I screamed (why
24 didn't you go to work) at him," Linda
02:34 25 said of her now ex-husband in a recent



1 interview."

2 It appears, from this, that you would have talked
3 to Mr. Lett; is that right?

4 A I probably did.

02:34 5 Q Did you get -- were you contacted, after the story
6 broke on June 21st, 1990, did you get contacted by
7 a number of media people?

8 A I think, I don't even know if that was before Mrs.
9 Milgaard came to my place there was, it seems to
02:34 10 me there was somebody at the school that I had
11 talked to, and maybe that was this Mr. -- this
12 Lett.

13 Q Okay. This appears to be after, after June of
14 1990, because it -- I believe that the media
02:34 15 reports did not name Larry Fisher until about June
16 21st, 1990, so that would have been after. Do you
17 have a recollection of media coming to the school
18 with --

19 A Yes, yes.

02:34 20 Q And --

21 A I'm sure I talked to them a few times.

22 Q Before you met with Mrs. Milgaard?

23 A Before I met -- before I talked to Mr. Pearson
24 about it.

02:35 25 Q Oh, I see, before. And that was in May?



1 A I'm not even sure.

2 Q Okay. The note that I read to you a few minutes
3 ago, where you phoned Sergeant Pearson and said,
4 "The media are here, what should I do", and are
02:35 5 you telling us that even before that you phoned
6 Sergeant Pearson the media had been out there
7 earlier?

8 A I think so, yes.

9 Q And so let's go back to March 9th of 1990, that's
02:35 10 when Mrs. Milgaard and Mr. Henderson arrived in
11 Cando, correct?

12 A Yes.

13 Q Prior to them arriving to see you in March of 1990
14 had the media been out to see you about Larry
02:35 15 Fisher?

16 A I don't know whether it was just after, or it
17 wasn't long, about the same time area there that
18 Mrs. Milgaard and the media showed -- I don't know
19 who was -- Mrs. Milgaard must have been first but
02:35 20 I'm not positive about that.

21 Q Okay. If we can go to, again, 216823. And this
22 is the second page of the Dan Lett article, and
23 that's where he referred to an interview, it says:

24 "Suddenly Linda shot out. "I said

02:36 25 'You're probably the f-ing one who did



1 it, who killed that nurse.'"

2 And, again, is that -- I think that's different
3 language than we've seen in the other statements.
4 Do you know if you would have told the reporter
02:36 5 that or do you recall that language being used?

6 A Somebody, I probably told somebody that.

7 Q Okay.

8 A I don't know if it was a reporter or Mrs. Milgaard
9 or who I told it, but that sounds like --

02:36 10 Q Sounds like something you would have said?

11 A Yes.

12 Q And then it says:

13 "I didn't really think (he did) it. But
14 he just stopped. All the blood drained
02:37 15 out of his face and he stopped
16 hollering. He just looked at me like he
17 really believed that."

18 And, again, is that something that you would have
19 said to a reporter or to someone do you think?

02:37 20 A Probably.

21 Q Go back to the main page, please. Now I also
22 understand that you went on television, is that
23 right, in the following months?

24 A Yes.

02:37 25 Q And tell us how that came about?



1 A That was after the Williams report, I think, --

2 Q Yes?

3 A -- that they were still trying to get -- still
4 trying to see what went wrong --

02:37 5 Q Yes.

6 A -- and -- and I think, I think they wanted to have
7 the -- more people know about it or something.

8 Q And so who asked you to go on television?

9 A Umm, was it -- was it -- I don't know if it was
02:38 10 Mrs. Milgaard or David Asper or one of them.
11 Somebody asked me anyway, or the media, I don't
12 know.

13 Q If we could just call up 320110, please. And did
14 you have any concerns about going on television
02:38 15 and telling your version of events?

16 A Umm, no, I thought -- I thought I should. I mean
17 I thought that, I thought David was innocent, and
18 they were kind of dropping it.

19 Q When you said "they were dropping it", what -- who
02:38 20 do you mean by that?

21 A The courts.

22 Q Okay. If we could go, on this tape go to, I think
23 it's -- there's just a short clip about what you
24 had to say. And there was more than one
02:38 25 television appearance; is that right?



1 A Umm, somebody came to my house one time, but there
2 was one when I went to Winnipeg.

3 Q And I think, if we can go to minute 39:50, and
4 there's just a short clip, we'll review it and
02:39 5 I'll ask you some questions.

6 (CLIP 2 BEGINS)

7 "SHIRLEY: It was felt by the producers of
8 this show, by everyone on this program
9 and by everyone who is a part of the
02:39 10 David Milgaard story, that we cannot do
11 a program without talking about Larry
12 Fisher. Linda Fisher joins us from
13 Winnipeg.

14 Linda, you and Larry Fisher
02:39 15 were married for how long?

16 LINDA FISHER: Three -- well, we were
17 married since 1978, from '67 to '78.

18 SHIRLEY: Tell me about Larry Fisher. What
19 kind of a man was he to you?

02:39 20 LINDA FISHER: I don't know. He was happy
21 go lucky, he was -- umm, I wouldn't have
22 known he was a rapist.

23 SHIRLEY: You would never have known he was
24 a rapist?

02:40 25 LINDA FISHER: No.



1 SHIRLEY: He was a hard-working guy?

2 LINDA FISHER: I'd call him a workaholic.

3 SHIRLEY: Okay. The night that Gail Miller
4 was murdered, your husband never came

02:40 5 home that night, yet I understand that

6 when he did come home he was not wearing

7 his work clothes, he was dressed in

8 something other than his work clothes,

9 he didn't go to work, and there were --

02:40 10 and you suspected him, somehow, of

11 murdering Gail Miller. And I wonder

12 what the connection is, why you thought

13 that, since you just said that you never

14 suspected that he was a rapist, let

02:40 15 alone a serial rapist; is that correct

16 Linda?

17 LINDA FISHER: Well I didn't suspect at all

18 then. It was just we were fighting, so

19 I was trying to think up everything that

02:41 20 I could accuse him of, you know, like

21 running around, because I thought that

22 he was running around that night. So I

23 just, umm, accused him of it, you know,

24 like it wasn't --

02:41 25 SHIRLEY: Did he have a history of violence



1 with you?

2 LINDA FISHER: Umm, no, not then, no.

3 SHIRLEY: Not then? Okay.

4 LINDA FISHER: This, this came on the radio

02:41 5 just -- I was going to go peel potatoes

6 and the Gail Miller killing came on the

7 radio, then --

8 SHIRLEY: And you noticed the paring knife

9 was gone?

02:41 10 LINDA FISHER: Yeah, I was going to peel

11 potatoes, so the paring knife was gone.

12 SHIRLEY: Let me interrupt you here for

13 just a moment. I'm sorry, Linda. I

14 want to take a break, give you a moment

02:41 15 to collect your thoughts, and when we

16 return we'll continue speaking with

17 Linda Fisher. Back in just a moment."

18 **(CLIP 1 ENDS)**

19 MR. HODSON: I don't think anybody wants to

02:41 20 see the commercials. If you go ahead to 45:10

21 there's just the last little minute here.

22 **(CLIP 2 BEGINS)**

23 "SHIRLEY: Linda Fisher, why did you

24 suspect that somehow your husband might

02:42 25 be involved in the murder of Gail



1 Miller?

2 LINDA FISHER: Umm, after Larry was
3 convicted, I --

4 SHIRLEY: Of another rape, not -- when
5 Larry, you say 'when Larry was
6 convicted'?

7 LINDA FISHER: Oh, when Larry was convicted
8 of the rapes that he did do, then, then
9 I became suspicious. Because we had had
10 an argument, you know, in 1969 about
11 the -- about the Milgaard -- like it
12 came up in one of our arguments and I
13 never forgot it because Larry had a
14 shocked look on his face.

15 SHIRLEY: Now a number of the women who
16 were raped by Larry Fisher were raped in
17 the same area, and that's ..."

18 (CLIP 2 ENDS)

19 MR. HODSON: That's fine, I think we're
20 done with that clip.

21 BY MR. HODSON:

22 Q Now, again, what you had to say there, what we
23 saw, is that all accurate and truthful?

24 A Yes.

25 Q And at that time -- and I think the date, if I'm



1 not mistaken, was September 17th, 1991, and do you
2 recall, you had said that you went -- or you were
3 prepared to do this for the media because they, or
4 the courts had not done anything with David
02:43 5 Milgaard's conviction; is that -- or words to that
6 effect?

7 A Yeah, something like that.

8 Q And did you become aware, at some point after you
9 gave your first interview to Mrs. Milgaard, that
02:43 10 the Federal Justice Minister denied Mr. Milgaard's
11 application to have his conviction reviewed?

12 A I probably did, yes.

13 Q And then I take it at some point you became aware
14 that the matter was going to go to the Supreme
02:43 15 Court of Canada for a hearing?

16 A Yes.

17 Q And you participated in that hearing?

18 A Yes.

19 Q This is probably a good spot to break, Mr.
02:44 20 Commissioner.

21 (Adjourned at 2:44 p.m.)

22 (Reconvened at 3:01 p.m.)

23 BY MR. HODSON:

24 Q When we adjourned, Mrs. Fisher, we were talking
03:02 25 about Ottawa and the Supreme Court and I believe



1 you testified before the Supreme Court, I think
2 the hearing started January of 1992; is that
3 right?

4 A Yes.

03:02 5 Q And do you remember who asked you to be a witness?

6 A No.

7 Q I'll call up 063167 which is part of Sergeant
8 Pearson's notes, and I won't go through this, this
9 is December 17th, 1991, the previous page talks
03:02 10 about that, and this is Mr. Pearson had some
11 questions about Larry's losing the jacket or
12 shoes, about his vehicle and about the, lending a
13 car. Do you remember, prior to going to Ottawa,
14 Sergeant Pearson asking you to get some
03:03 15 information for him, or asking some questions?

16 A Yes.

17 Q Related to Larry's car and things of that nature?

18 A (Nods head).

19 Q Yes?

03:03 20 A Yes.

21 Q And then again to page 063177, and then again I
22 think this is right before January 15th, I think
23 January 14th, and Sergeant Pearson, so this is
24 shortly before, I think the week before, or days
03:03 25 before the Supreme Court hearings started,



1 contacted Linda Fisher about photos of Larry and
2 clothing. Do you remember that being asked for?

3 A Yes.

4 Q And do you remember what they were getting the
03:03 5 photos for?

6 A Probably to look at his jackets and shoes and --

7 Q Do you remember hearing about a lady who claimed
8 that on the morning of the murder, that she was
9 assaulted over on Avenue H? Do you remember
03:04 10 hearing about that?

11 A Yes.

12 Q And were you present when she testified?

13 A No.

14 Q But you heard about her rec -- you heard about her
03:04 15 version of events; is that right? She was the
16 lady who said that she identified Larry Fisher
17 from a newspaper photograph in the late '80s. Do
18 you remember hearing about that?

19 A Yes.

03:04 20 Q And if we can go to 063184, and again this just
21 talks about -- and again I think this is a little
22 bit after January 15th, '92, it says Linda:

23 "She also now relates to me that she
24 recalled someone telling her that a pair
03:05 25 of blood covered coveralls were found in



1 the attic at Cadrain's home at 334
2 Avenue O South. Linda thought Pat
3 Vanasseldonk may know more about this,
4 but she is not sure."

03:05 5 Do you recall telling Sergeant Pearson about
6 that?

7 A Yes, I probably did.

8 Q And I think when you told us earlier, and correct
9 me if I'm wrong, you remembered the overalls or
03:05 10 coveralls in the attic, but you couldn't remember
11 whether there was blood on them. Is that what you
12 told us?

13 A That's right.

14 Q Does this assist your memory at all about whether
03:05 15 or not there was blood?

16 A Well, somebody said there was blood on them. I
17 never seen the coveralls.

18 Q But back in 1969, 1970 did you hear from somebody
19 that there was blood on the coveralls found in the
03:05 20 Cadrain attic?

21 A Yeah, it sounds like it.

22 Q Call up 159188, and this is a letter, February 27,
23 '92 from Mr. Asper to you and it talks about a
24 telephone conversation, encloses copies of your
03:06 25 various statements, and he says:



1 "I would ask that you review them very
2 carefully since I expect that you will
3 be questioned on their contents when you
4 testify at the Supreme Court."

03:06 5 And do you remember getting your earlier
6 statements then before you went to Ottawa?

7 A Yes.

8 Q And did you read through them then before you
9 testified?

03:06 10 A Yes.

11 Q Now, at the Supreme Court reference there was a
12 couple of affidavits filed by counsel for Larry
13 Fisher that I wish to refer you to. The first is
14 020262, and this is an affidavit of Tim Naumetz, a
03:06 15 reporter for the Ottawa Sun, who wrote an article
16 after he contacted you on March 18th, 1992, and
17 scroll down to paragraph 3, and he says that you
18 told him that -- it says that she spoke to the
19 police one or two days after she learned of the
03:07 20 death of Gail Miller as they had come to her door.

21 "She informed me that she did not tell
22 the police about the missing paring
23 knife nor her discussions with Larry
24 Fisher."

03:07 25 And again I think that's what you told this



1 Inquiry; is that correct?

2 A Yes.

3 Q And would you have told the reporter that
4 information? Do you have any recollection of
03:07 5 that?

6 A I probably -- I probably did after I read the
7 statement or --

8 Q Okay. No, I think what this reporter, he wrote a
9 newspaper article after interviewing you and I
03:07 10 believe after the news article ran in the paper,
11 that Mr. Beresh, Larry Fisher's lawyer, went and
12 got the reporter to swear an affidavit saying this
13 is what Linda Fisher told me.

14 A Oh, yes, uh-huh.

03:07 15 Q And then filed it in Court. And so what's
16 attributed to you in paragraph 3 is what you've
17 already told this Commission; is that correct?

18 A Yes.

19 Q And then the next paragraph, it just talks about:

03:08 20 "... that some time subsequent she went
21 to the Prince Albert Penitentiary and
22 spoke to Larry Fisher and asked him
23 whether he had committed the murder of
24 Gail Miller and he indicated to her that
03:08 25 he had not."



1 And again, you've told us that as well; correct?

2 A Yes.

3 Q And:

4 "That I further questioned her with
03:08 5 regard to Larry Fisher's use of the
6 Pambrun vehicle. She informed me that
7 it was not often that Larry would borrow
8 the car from Clifford Pambrun and told
9 me that it had occurred "once or twice
03:08 10 only". "

11 Again, is that truthful, what's attributed to
12 you?

13 A That's probably all I remember, yes.

14 Q And at paragraph 6:

03:08 15 "That she further informed me that Larry
16 would only borrow the car in an
17 emergency for example when for purposes
18 of seeing a doctor or something really
19 important or to take Tammy to a doctor.
03:08 20 She further informed me that Larry would
21 not ask to use the vehicle unless it was
22 really important."

23 And is that truthful?

24 A Yes.

03:09 25 Q And then if we can call up 009691. This is an



1 affidavit, go to the next page, of Sylvia Poitras,
2 who was Larry Fisher's sister. You knew Sylvia;
3 is that correct?

4 A Yes.

03:09 5 Q And this affidavit indicates that she lived with
6 you -- go to the next page -- paragraph 7, resided
7 at the same house, she lived with you on Avenue E
8 North with Bryan Wright. Is that correct?

9 A Yes.

03:09 10 Q And go down to paragraph 11, and she states in the
11 affidavit:

12 "That throughout this period of time
13 Linda Fisher never once suggested that
14 she believed that Larry Fisher was in
03:09 15 any way responsible or connected to the
16 death of Gail Miller. We had discussed
17 numerous topics and it is my belief that
18 had she believed that Larry was in any
19 way connected to the death of Gail
03:09 20 Miller she would have mentioned this to
21 me."

22 Do you have a recollection of telling Sylvia
23 Poitras when she lived with you in the '70s about
24 your suspicions about Larry?

03:10 25 A I think I would have talked to her, yes.



1 Q And when you say you think you would have, is that
2 because you recall that or because that's --
3 because --

4 A I talked to everybody about it. I'm sure I talked
03:10 5 to Sylvia about it.

6 Q Okay. And then the next page, she says:

7 "That I am now aware of Linda Fisher's
8 allegations against Larry Fisher and
9 state that she has never, until the
03:10 10 telephone call approximately two years
11 ago, suggested that Larry Fisher was in
12 any way responsible for the death of
13 Gail Miller. During none of our
14 discussions did the name of Gail Miller
03:10 15 ever arise."

16 So again, I think you told us you think you would
17 have talked to her about your suspicions?

18 A Yes.

19 Q And then if we can call up 020199, this is the
03:11 20 affidavit of Patricia Luft, and I think her maiden
21 name is Van Aseldonk; is that correct?

22 A Yes.

23 Q So this is the Patricia Van Aseldonk that you told
24 us about earlier?

03:11 25 A Yes.



1 Q And she says that she met you when she was 11
2 years of age, she resided at Avenue O and at that
3 time you were 17 or 18.

4 Next page, paragraph 7:

03:11 5 "That since I have learned of the death
6 of Gail Miller, Linda Fisher has never
7 spoken to me about Gail Miller's death.
8 She never mentioned to me that any
9 paring knife was missing from her home,
03:11 10 even though I would babysit at their
11 home and did so after Gail Miller's
12 death.

13 That Linda Fisher has never
14 suggested to me in any way directly or
03:11 15 indirectly that she feels that Larry
16 Fisher is responsible for the death of
17 Gail Miller."

18 And then the next page, it talks about a
19 telephone call a couple of years earlier:

03:11 20 "I informed her that I had no
21 knowledge --"

22 Let me back up. About a telephone call from
23 Linda Fisher's aunt. That would have been Anita
24 Pambrun; is that right?

03:12 25 A Yes.



1 Q "I was surprised about this call as she
2 was inquiring about a paring knife and a
3 wallet. I informed her that I had no
4 knowledge of what she was asking me
03:12 5 about. That Linda Fisher has never
6 called nor asked about these items at
7 all."

8 And it then goes on in paragraph 10 about not
9 missing any cutlery. As far as Patricia Van
03:12 10 Aseldonk, or Patricia Luft, as she was -- her
11 married name, do you recall talking to her about
12 your missing paring knife or your suspicions
13 about Larry?

14 A Yes.

03:12 15 Q And when would that have been?

16 A I'm not sure if it was early in the '70s, but I
17 know later -- especially one time when we went to
18 Vancouver together and we had visited at her
19 brother's house, I think we all talked about it
03:12 20 then.

21 Q This was Patricia's brothers?

22 A Yes.

23 Q Was that Adrian Van Aseldonk?

24 A Yes, and Dennis Cadrain might even have been there
03:13 25 at that time.



1 Q Okay. And I think we've heard some evidence that
2 Adrian Van Aseldonk was an acquaintance of Dennis
3 and Albert Cadrain?

4 A Yes.

03:13 5 Q And you think Dennis was there. Do you remember
6 Albert being there?

7 A No.

8 Q And you think that was in the '70s?

9 A Yes.

03:13 10 Q So I take it you dispute what Patricia Luft has in
11 this affidavit about her not talking to you about
12 the matter?

13 A Yes.

14 Q And about the wallet, I think you said that she
03:13 15 was present when Larry's wallet was returned; is
16 that right?

17 A Yes.

18 Q And lastly, 032373, and this is from Carol Lamb.
19 Is that the friend that you talked about before?

03:13 20 A Yes.

21 Q Is this the person you went to the *StarPhoenix*
22 with?

23 A Yes.

24 Q And she swore an affidavit that said:

03:14 25 "That in the late 1970's I recall an



1 incident when Linda Fisher suggested to
2 me that we go to the Saskatoon Public
3 Library. I went with her and observed
4 her reviewing copies of the *StarPhoenix*
03:14 5 Newspaper reports relating to the death
6 of Gail Miller and the trial of David
7 Milgaard. She appeared to me to read
8 some of the articles and skim over
9 several other articles that were
03:14 10 available."

11 And then at the bottom, and then she says:

12 "That I do not recall if she indicated
13 to me why she wanted to do this.

14 That in the last six months I
03:14 15 have talked to Linda Fisher about this
16 case and she has stated to me that she
17 does not believe that the knife found at
18 the scene of the Gail Miller death is a
19 knife which came from her home."

03:14 20 And do you recall telling Carol Lamb that?

21 A Yes.

22 Q And would that be based upon what?

23 A I was looking for the wooden-handled knife and it
24 didn't look like the knife I was thinking of.

03:15 25 Q Okay. If we could then call up 043509, please,



1 and this is your evidence, the transcript of your
2 evidence at the Supreme Court of Canada. You
3 recall giving that evidence?

4 A Yes.

03:15 5 Q And would you have told the truth at that time to
6 the best of your recollection?

7 A Yes.

8 Q If we could go to page 043513, and this is Mr.
9 Wolch who examined you first, and he asks you
03:15 10 about your recollection of that evening and you
11 testified:

12 "A Larry never came home for supper.

13 Q And later?

14 A Well, he still hadn't come home when I
03:15 15 went to bed."

16 And then the next page, down at the bottom:

17 "Q When did you first see Larry?

18 A When I woke up the next morning.

19 Q Can you approximate the time?

03:15 20 A Between nine and ten."

21 Was that truthful and accurate?

22 A Yes.

23 Q And then the next page, you were asked to describe
24 for the Supreme Court your recollection of the
03:16 25 arguments and you say:



1 "A I gave him -- I was giving him heck for
2 not going to work. I was giving him
3 heck for not coming home, for running
4 around, just anything I could think of.
03:16 5 I was just mad and so I was accusing him
6 of running around, giving him heck for
7 not going to work, not coming home.
8 That was our basic argument.

9 Q Did anything else happen in this
03:16 10 conversation?

11 A I heard the report about the Miller
12 girl and I was in the kitchen, I
13 think. I was going to make dinner and
14 I was looking for my paring knife and
03:16 15 I couldn't find my pairing knife. So
16 that came on the news just as I was
17 ready to peel potatoes, I guess, and
18 when I couldn't find it, that came on
19 and I hollered at Larry, "Well, you
03:16 20 were probably the one that was out
21 killing that nurse because my paring
22 knife was missing." But I didn't
23 believe it. I just accused him and
24 then he got really scared and pale.
03:16 25 He just -- and I thought that I went



1 overboard; like, he really believed
2 that I believed this and then I felt
3 kind of bad for saying it because I
4 figured he believed that I believed
03:17 5 that of him, and I didn't at the time.
6 But he got pale and he never argued
7 back.

8 Q You say he never argued back?

9 A Yes. He would bicker back and he just
03:17 10 quit arguing."

11 Is that truthful and accurate?

12 A Yes.

13 Q And then page 043528, and here's Mr. Beresh
14 questioning you on behalf of Mr. Fisher, and your
03:17 15 answer -- his question:

16 "Q In the 1960s, the late sixties -- you
17 got married in 1967 -- after that time,
18 there was alcohol consumed by yourself?

19 A I would say up to the time of Gail
03:17 20 Miller, I had drank maybe eight to
21 twelve times all together in my life."

22 And then:

23 "When I was 19, I started drinking
24 more."

03:17 25 Is that correct?



1 A Yes.

2 Q Page 043535, Mr. Beresh asks you a question here
3 referring to your statement I think to the
4 Saskatoon police about this argument happening on
03:18 5 the day of the murder or the day after, and he
6 says:

7 "Q I am suggesting that you may be
8 mistaken; I am not suggesting you are
9 not be telling the truth. You may be
03:18 10 mistaken that, in fact, you heard about
11 it on a Saturday?

12 A I don't think so. It said on the
13 news -- it said, "This morning a woman
14 was found stabbed to death," and that
03:18 15 was basically the news report."

16 And is that truthful and accurate?

17 A Yes.

18 Q Next page, and then you say in answer to a
19 question:

03:18 20 "A But my uncle had went to work that day
21 and I was arguing with Larry about why
22 he didn't go to work. Like, "If my
23 uncle went to work and everybody else
24 went to work and you can party all
03:19 25 night, why can't you go to work?" That



1 was part of the argument."

2 And then the question:

3 "Q How did you know your uncle went to
4 work?

03:19 5 A We had talked about it."

6 And I take it that would be your Uncle Cliff?

7 A Yes.

8 Q And can you tell us when you would have talked
9 about it and what you would have talked about?

03:19 10 A It wouldn't have been at that time, I just assumed
11 everybody else went to work and --

12 Q Do you recall after, at some point after the
13 argument with Larry Fisher on January 31, 1969
14 asking your Uncle Cliff whether he, whether Cliff
03:19 15 was at work on the day of the murder?

16 A Yes, I think Clifford told me he did work that
17 day.

18 Q That Clifford worked that day?

19 A Yeah.

03:19 20 Q And do you remember when, when you had that
21 discussion with him?

22 A That would have been after 1971.

23 Q Your suspicions?

24 A Yeah.

03:19 25 Q Did you ask Clifford whether Larry Fisher was at



1 work that day?

2 A I probably did. I don't remember though what
3 exactly was said.

4 Q And then to page 043541, Mr. Beresh is asking you
03:20 5 about whether Larry Fisher gave you a reason on
6 January 31, 1969 about why he wasn't at work, and
7 he refers to an answer you gave to Mr. Williams
8 from your earlier interview that says:

9 "I'm quite sure he gave me some excuse
03:20 10 (sore hand, cement infection possibly)."

11 And then I think that may have been some notes
12 you wrote on the transcript. And then Mr. Beresh
13 asks:

14 "Q Can I see the document, please. Can I
03:20 15 just read to the Court what you have
16 written?

17 "I am quite sure he gave me some excuse
18 (sore hand, cement infection possibly)."
19 Is that correct?

03:21 20 A Yes.

21 Q So that wasn't then said to Mr. Williams
22 when he examined you under oath at all?

23 A No.

24 Q When did you make that correction?

03:21 25 A About a week ago.



1 Q A week ago?

2 A Yes. I just got the statement about a
3 week ago."

4 So it looks like from this, Mrs. Fisher, that you
03:21 5 got the statement that you gave to Mr. Williams
6 prior to going to the Supreme Court and that you
7 had made a note on it. Do you recall that?

8 A Yeah. I think before I went to Court I put that
9 on the statement as it could have been one of the
03:21 10 reasons Larry gave for not going to work.

11 Q Okay. So are you able to tell us today whether or
12 not on January 31, 1969, whether Larry Fisher told
13 you that the reason he wasn't at work was because
14 he had a medical condition related to his hand?

03:21 15 A Now, I couldn't -- I'm not absolutely positive it
16 was that day, but that was the only excuse he ever
17 gave me for not going to work, was some infection
18 on the hand.

19 Q So let's back up. There were occasions, you
03:22 20 recall, where he didn't go to work because of a
21 cement allergy or an infection in his hand?

22 A Yes.

23 Q And then on January 31, 1969 do you have a
24 recollection of whether or not that came up during
03:22 25 your argument with him or whether he told you



1 that?

2 A Now I'm not positive, no.

3 Q Page 043553, and at the bottom Mr. Beresh is
4 questioning you about back in 1990 and

03:23 5 Mrs. Milgaard's request for you to go and question
6 Larry, and he says:

7 "Q So you talked to Mrs. Milgaard and she
8 said, "Maybe you should talk to him
9 again or ask him again," and then you
03:23 10 talked to Sylvia.

11 A Mrs. Milgaard didn't ask me to talk to
12 Larry again. I wanted to ask Larry on
13 my own.

14 Q But after you met with Mrs. Milgaard?

03:23 15 A Mrs. Milgaard wanted me to go to the
16 jail and get a kleenex and take a sample
17 of Larry's saliva, but this wasn't --
18 when I talked with Sylvia, I wanted to
19 go and ask Larry myself. Mrs. Milgaard
03:23 20 asked me once later to go and get a
21 sample of kleenex from Larry or saliva,
22 and I said "no".

23 Is that accurate and truthful?

24 A At the time I didn't say no, but I decided against
03:23 25 it.



1 Q Okay. So when she asked you, do you recall what
2 you said, when Mrs. Milgaard asked you to do this?

3 A I said I could try.

4 Q But then again you had decided in your mind that
03:23 5 you wouldn't do that?

6 A That's right.

7 Q And why not?

8 A Well, I didn't think it was my job. I thought the
9 police should do that or --

03:24 10 Q Okay. And it appears that in addition to
11 Mrs. Milgaard wanting you to go and ask Larry
12 about it, that you had your own reasons to go and
13 ask him about it in 1990; is that correct?

14 A Yeah, I guess I thought about it, but I already
03:24 15 asked him once and he said no, so I never asked
16 him.

17 Q And I think you told us yesterday that the last
18 time you talked to Larry Fisher was in the late
19 '70s, or around 1980, is that right, when he was
03:24 20 still in jail?

21 A Yes.

22 Q And so in 1990 you would not have talked to him
23 for 10 years; is that correct?

24 A That's right.

03:24 25 Q And then page 043567, Mr. Beresh is again asking



1 you questions about whether or not Larry Fisher
2 came home the evening of January 30 or the morning
3 of January 31 before you got up, and you answer:

4 "A He could have come home.

03:25 5 Q That's what I am getting at.

6 A Yes.

7 Q He could have crawled into bed. He
8 could have gotten out and you could have
9 slept right through it.

03:25 10 A In fact, I thought I heard the door
11 slam. It is so hard to remember. I
12 thought I heard the door slam and
13 that's why I assume Larry went to
14 work. That's why I was so surprised
03:25 15 when I woke up and he was in the
16 house."

17 Do you have a recollection of that?

18 A Not any more, but --

19 Q Do you have any reason to dispute what you would
03:25 20 have said to the Court at that time?

21 A No.

22 Q And again the next page, Mr. Beresh asks you:

23 "Q I just want to confirm: You were such a
24 heavy sleeper that he could have crawled
03:26 25 into bed, could have crawled out and you



1 wouldn't have known?

2 A Yes."

3 And is that accurate and truthful?

4 A Yes.

03:26 5 Q And then 043571 this, this is again Mr. Wolch now
6 on re-examination, he says:

7 "Q I have one last question for you, madam.

8 Mr. Beresh was questioning you
9 about whether Larry could have crawled
03:26 10 in or out of bed, or whatever. Was
11 there anything said by him or anything
12 in the conversation you had with him to
13 indicate that might have happened?

14 A No."

03:26 15 Is that accurate and truthful?

16 A Yes.

17 Q And then the bottom of that page, Justice Cory
18 asked you a question about what was he wearing the
19 night before when you last saw him, and your
03:26 20 answer:

21 "I don't even know if he came home for
22 supper after work; like, he might have
23 been wearing his work clothes that
24 night. It wasn't the clothes he went to
03:27 25 work in the day before, but I don't know



1 for sure if he came home for supper at
2 all or if he came home and changed
3 somehow. If I was gone and he came home
4 and changed, I really don't know."

03:27 5 And again, is that accurate and truthful?

6 A Yes.

7 Q Now, after the Supreme Court hearings, at some
8 point in April of 1992 did you become aware that
9 Mr. Milgaard's conviction was set aside and that
03:27 10 he was released from prison?

11 A Yes.

12 Q If we could call up 048855, and this is an article
13 in the *StarPhoenix*. If we can just, the heading
14 is "Linda Fisher not sure if identity of killer
03:27 15 will ever be known," and I'm assuming this is
16 around April of 1992 because it talks about the
17 Supreme Court decision, it says:

18 "The woman who accused her husband of
19 killing Gail Miller isn't sure if anyone
03:28 20 ever will know who murdered the
21 20-year-old nursing assistant.

22 "I would like to know the
23 truth," Linda Fisher said in an
24 interview Tuesday. "I don't know if
03:28 25 we'll ever know it. Everything has been



1 gone over with a fine-toothed comb."

2 And then it goes on to talk about Larry and then
3 again about the interview and your evidence
4 before the Supreme Court, and then if we can go
03:28 5 onto, it says:

6 "Meanwhile, Linda moved four years ago
7 to a hamlet near North Battleford.
8 People there know who she is and ask her
9 about the Milgaard case and her former
03:28 10 husband's connection. "I guess they're
11 interested in it. I'm really tired of
12 it."

13 "I consider somebody who did
14 that, (killed Miller) sick. I consider
03:29 15 Larry's rapes sick."

16 Tuesday's decision --"
17 Which I think is the Supreme Court decision,
18 "-- doesn't make any conclusions about
19 who Miller's murderer is. Linda Fisher
03:29 20 can't either.

21 "I'm like (the Supreme Court
22 judges). They (Milgaard and Fisher)
23 could both be guilty. I still don't
24 know.

03:29 25 "I feel sorry for them both in



1 a way."

2 Do you recall making those comments to the
3 reporter?

4 A Probably, yes.

03:29 5 Q And what did you mean -- or can you tell us what
6 you meant when you said that?

7 A What part?

8 Q The part here, it says here that you aren't sure
9 either and you say:

03:29 10 "They could both be guilty. I still
11 don't know."

12 A Well, then with -- this is possible, that's
13 possible they were saying and I didn't know. To
14 me anything was possible, and they told me, the
03:29 15 police had told me that they might never know who
16 had murdered Gail Miller.

17 Q Okay. When you say 'the police' who are you --

18 A Well that was, I think, after the Supreme Court I
19 had talked to somebody, I don't know who it was,
03:30 20 and they said, you know, like sometimes they never
21 find out the -- what --

22 Q With when you talked to somebody, was it somebody
23 that you had already talked to about this case
24 before?

03:31 25 A I think so, yes.



1 Q And was it a police officer?

2 A I'm not even sure. It was somebody in authority.

3 Q Was it Mr. Williams or Sergeant Pearson?

4 A It was probably one of them, I don't know which
03:31 5 one though.

6 Q Okay. And what do you recall of that discussion
7 other than what you've told us?

8 A Oh, just that they, they say sometimes they never
9 find who is guilty and -- or they never find --

03:31 10 Q After Mr. Milgaard was released, did you have any
11 understanding as to whether any steps would be
12 taken against Larry Fisher, any investigation or
13 any charges against him for the death of Gail
14 Miller?

03:31 15 A Well I thought they were at, kind of at a dead
16 end, I think, back when -- after David got out.

17 Q Okay. So at that time did you under -- tell us
18 what your understanding was as to whether or not
19 Larry Fisher was a suspect or whether he would be
03:31 20 pursued?

21 A Well I wasn't sure what they were going to do
22 because they didn't know, you know, like.

23 Q If we could go to 255449, please. In 1993, do you
24 remember being interviewed by RCMP officers,
03:32 25 Homeniuk and Gagne were two officers from the



1 RCMP?

2 A 1995?

3 Q '93?

4 A '93.

03:32 5 Q And let me just give you a bit of background. In
6 1993 the RCMP commenced an investigation into
7 allegations of wrongdoing associated with the,
8 David Milgaard's conviction and investigation, and
9 they interviewed a number of people and there is a
03:32 10 note here that suggests they interviewed you. Do
11 you remember talking to these officers about that?

12 A Yes.

13 Q And this would be after the Supreme Court and
14 after Mr. Milgaard was released from jail; does
03:33 15 that help you?

16 A Yes.

17 Q And it says here March 16th, '93, interviewed by
18 Homeniuk and Gagne, any reason to dispute that?

19 A No.

03:33 20 Q And if you can go to the next page you say here to
21 them:

22 "- Feels that Larry Fisher is
23 responsible for Miller murder."

24 And these are their notes of their conversation
03:33 25 with you, but would that be an accurate recording



1 of what you said and thought at the time?

2 A Yes.

3 Q And then talks about going:

4 "... to see Dr. McGettigan, her family
03:33 5 doctor in Saskatoon and discussed her
6 knowledge of the day of the murder with
7 him.

8 - She advised that this was before she
9 went to Saskatoon P.D. in 1980."

03:33 10 And scroll down. Is that accurate?

11 A Yes.

12 Q Then to page 452. You would have told the RCMP:

13 "- Saskatoon P.D. had stopped and spoken
14 to Linda shortly after the murder while
03:34 15 doing door to door inquiries",
16 and is that the incident you told us about
17 yesterday?

18 A At -- when we still lived at Milgaard's, is this?

19 Q At Cadrain's?

03:34 20 A At Cadrain, oh yes.

21 Q I'm sorry, yeah. This, yeah, let me just back up
22 here. The RCMP write down that you told them that
23 the:

24 "Saskatoon P.D. had stopped and spoken
25 to Linda shortly after the murder while



1 doing door to door inquiries".

2 So that would have been a couple days after
3 January 31, '69 while you lived at the Cadrain
4 house?

03:34 5 A Yes.

6 Q And so my question was would you have told the
7 RCMP the same thing you told us about the police
8 coming to your door shortly after the murder?

9 A Yes.

03:34 10 Q And then scroll down to the bottom, it says here,
11 recorded:

12 "- on morning of murder Larry did not
13 have Clifford's vehicle."

14 And, again, is that something you would have told
03:35 15 the RCMP?

16 A Yes.

17 Q Then at page 255454, and it says here:

18 "- At this time Linda also stated that
19 she was missing another knife with a
03:35 20 mauve handle. This is the first time
21 she has thought of this and does not
22 know why she just thought of it.

23 - She advised that she was never shown
24 knife from murder."

03:35 25 Do you recall making this statement to the RCMP?



1 A Umm, yes, but I was shown it at one time. I guess
2 Mr. Williams had shown me one.

3 Q And was that the photograph of the knife?

4 A Yeah.

03:35 5 Q You were never shown -- let me pause here -- you
6 were never shown the actual knife; is that right?

7 A No.

8 Q Prior to this time?

9 A No.

03:35 10 Q Okay. And it looks as, according to this note,
11 that you told the RCMP that you were missing
12 another knife with a mauve handle?

13 A Yes.

14 Q And can you tell us how that came about or how you
03:36 15 remembered that?

16 A I don't know. Maybe it was from the photograph
17 eventually, I don't know, but I said -- then I
18 realized that I did have two knives, one was --
19 that I didn't use hardly at all because it never,
03:36 20 it wasn't sharp and it never, it never peeled
21 right. I don't know. My hand was -- seemed like
22 almost a right-handed knife or something, I never
23 used it hardly.

24 Q And so what was it in the interview with the RCMP
03:36 25 that caused you to remember that?



1 A I -- I don't know.

2 Q Do you know if you, --

3 A I --

4 Q -- prior to talking to the RCMP, is it something
03:36 5 that you had remembered and then at this occasion
6 you had told them, or was it during the course of
7 the interview that you remembered it?

8 A I -- I'm not sure now, no.

9 Q And when you say "mauve", what, can you give us a
03:36 10 description of what you meant by 'mauve'?

11 A I don't know why I said mauve. Mauve, to me,
12 was -- the murder weapon was wine, mauve was what
13 I thought maroon was, was the maroon-coloured
14 knife they were talking about, and I don't know, I
03:37 15 had my colours --

16 Q Okay. At this time, when you talked to the RCMP,
17 what was your understanding of the colour of the
18 knife that was believed to be the murder weapon?

19 A I think I -- well they -- well, maroon.

03:37 20 Q Maroon was what was described?

21 A Yeah. I had my colours mixed up then. I don't
22 know whether I thought the knife was mauve or --
23 or -- but I remember my knife being as wine, a
24 wine colour, I don't know why I put mauve there.

03:37 25 Q Okay. So at the time when you first disclosed



1 this to the RCMP the colour you had in mind was a
2 wine-coloured knife; is that right?

3 A Yes.

4 Q And was it a paring knife?

03:37 5 A Yes.

6 Q And you had a recollection of it being missing, is
7 that -- or having one; is that right?

8 A Yeah.

9 Q And it says here that you were missing it; did you
03:38 10 go and actually look for it or --

11 A No, no, I realized that I never had it at that
12 time, you know, like --

13 Q And you --

14 A -- hadn't had it for years.

03:38 15 Q And did you remember where you got it?

16 A Yes.

17 Q Where did you get it?

18 A At the O.K. Economy.

19 Q And do you remember when you got it?

03:38 20 A That was when we first got married.

21 Q So December of 1967?

22 A Umm, yeah, or January. It was --

23 Q Or January '67?

24 A -- just after we moved to town because I had no
03:38 25 paring knife at that time.



1 Q And do you have a recollection of actually going
2 and buying the knife?

3 A Yes.

4 Q Was Larry Fisher with you at the time?

03:38 5 A Yes.

6 Q And do you remember where you bought the knife?

7 A The O.K. Economy.

8 Q And where is that located?

9 A On 20th Street.

03:38 10 Q And then, again, did you use that knife very much?

11 A No.

12 Q And why not?

13 A Because it, it didn't peel right, didn't peel --
14 it didn't -- didn't peel the potatoes right. My
03:39 15 mother gave me a better one.

16 Q And was that the wooden-handled paring knife?

17 A Yes.

18 Q And, again, any reason why you wouldn't have
19 recalled this earlier that you can think of?

03:39 20 A No.

21 Q Then, next page, you tell the RCMP:

22 "- She did advise that she never told
23 anyone about blood on Larry's pants
24 because she did not see any."

03:39 25 And is that truthful?



1 A Yes.

2 Q And at the bottom it goes on, as shown, just
3 back -- shown your -- scroll down please -- the
4 March 11th, 1990 statement that she supplied and
03:39 5 was the truth, and then scroll down. It says:

6 "- Linda did state ...",
7 and this is the statement that Paul Henderson
8 took:

9 "- Linda did state that although the
03:39 10 statement was the truth, it was in Paul
11 Henderson's "words".

12 Did you tell the RCMP that?

13 A Yes.

14 Q And is that truthful?

03:40 15 A Yes.

16 Q And what do you mean by that; that it was in his
17 words?

18 A Well he wrote the, he wrote the, the -- he put it
19 in his writing.

03:40 20 Q Okay. If we can go to the next page, please, or
21 to, pardon me, 457. At the bottom it says:

22 "- Linda said some detectives had
23 approached her after Larry was picked up
24 for the rapes and told her that Larry
03:40 25 had bitten the breasts of his victims."



1 Next page:

2 "- The policemen that came to see Linda
3 were dressed in plainclothes."

4 And, again, did you tell the RCMP that?

03:40 5 A Yes.

6 Q And is that truthful?

7 A Yes.

8 Q And would that be the same two detectives that you
9 talked about yesterday coming to your
03:40 10 grandmother's house?

11 A Yes.

12 Q And, down at the bottom, and then it appears:

13 "- She was shown the murder weapon
14 (Photo) and said that she was also
03:41 15 missing one that was similar but could
16 not recall when it went missing, it also
17 had a mauve handle."

18 And do you remember being shown a photograph?

19 A I think so, yes.

03:41 20 Q And was that the same photograph that Mr. Williams
21 had shown you?

22 A I -- I don't know. That's the only one I ever
23 seen I think.

24 Q Okay, so --

03:41 25 A Besides *The StarPhoenix* one was --



1 Q Okay. And the one that Mr. Williams showed you?

2 A Yeah.

3 Q Now I've asked you before, and now I have searched
4 in our records for a coloured photograph of the
03:41 5 knife and can't locate one, that's not to say that
6 one wasn't in existence. Is it your recollection
7 that the photograph, or the sheet of paper that
8 Eugene Williams showed you, was that in colour?

9 A I thought so, but I can't remember.

03:41 10 Q And what about the one that the RCMP showed you;
11 do you remember if that was in colour?

12 A RCMP showed me?

13 Q I'm sorry, the one that's referred to here?

14 A Well, I think I was only shown it once, so maybe
03:42 15 it was these guys that showed it to me. I'm not
16 sure.

17 Q Okay. When we went through the transcript with
18 Mr. Williams I think --

19 A He -- yeah.

03:42 20 Q -- it's clear there that he showed you a 1969
21 document that talked about the knife and had a
22 photo?

23 A Well that's the only one I remember seeing.

24 Q Okay. So then in 1993, when these officers are
03:42 25 meeting with you, do you remember them showing you



1 a photo of the knife?

2 A No.

3 Q Okay. Next page. And then it says:

4 "- Linda was also asked the following
03:42 5 questions:

6 Q How did SCP ...",
7 which is Saskatoon City Police:

8 "... treat you at time of 1st statement?

9 A They seemed sincere, no brow beating."

03:42 10 Is that accurate and truthful?

11 A Yes.

12 Q "Q Did SCP ever come door to door to make
13 inquiries?

14 A Yes, they asked if there was anything
03:42 15 strange noted by myself."

16 Is that accurate and truthful?

17 A Yes.

18 Q "Q What day did you notice paring knife
19 missing?

03:43 20 A I was going to peel potatoes, that
21 morning when I discovered it missing."

22 And that's accurate and truthful?

23 A Yes.

24 Q Next page:

03:43 25 "Q Did Mrs. Milgaard ever offer you a



1 reward?

2 A No."

3 Is that accurate and truthful?

4 A Yes.

03:43 5 Q "Q Have you ever met David Milgaard?

6 A No."

7 Is that truthful?

8 A Yes.

9 Q "Q Did you ever meet Wolch/Asper?

03:43 10 A Met Asper on the "Shirley Show".

11 Is that accurate?

12 A Yes.

13 Q And then:

14 "Q Did Larry ever become violent when
03:43 15 having sex with you?

16 A No, however he did kick me in the head
17 once."

18 Is that accurate and truthful?

19 A Yes.

03:43 20 Q Next page, and here's what the RCMP write after,
21 they said:

22 "The one thing that bothered me was that
23 Linda brought up about her missing knife
24 (the one that resembled the murder
03:44 25 weapon) with the mauve handle. Why did



1 she just mention this now 24 years and
2 several interviews later!"

3 Do you remember talking to the police about
4 that -- or the RCMP, pardon me, about the fact
03:44 5 that you hadn't remembered that earlier?

6 A Umm, I probably did, I don't really remember
7 though.

8 Q Okay. If we can now go ahead to 1999, and I take
9 it in 1997 you became aware that some DNA testing
03:44 10 came back that suggested that Mr. Fisher might
11 be -- or that resulted in Mr. Fisher being charged
12 with the murder of Gail Miller?

13 A Yes.

14 Q And you were contacted by the police, were you, at
03:44 15 that time, by the RCMP; do you remember that?

16 A I don't --

17 Q In connection with the trial of Larry Fisher?

18 A Oh yes, uh-huh.

19 Q And then if we could go to 314695, please, and go
03:45 20 to the next page. You remember testifying at
21 Larry Fisher's preliminary hearing and at his
22 trial?

23 A Yes.

24 Q And would you have told the truth in both of those
03:45 25 occasions to the best of your recollection?



1 A Yes.

2 Q Now prior to testifying in Court in the charge
3 against Larry Fisher, had anyone ever showed you
4 the actual knife, the murder weapon?

03:45 5 A No.

6 Q So in 1993 the RCMP asked you about it, you told
7 them about the mauve-handled knife, is that right?

8 A Yes.

9 Q And from then until you appeared in Court do you
03:45 10 remember anyone else either showing you a
11 photograph, or showing you the knife, or talking
12 about the knife?

13 A I don't -- I don't -- somebody could have talked
14 about, about it, but I don't remember seeing a
03:46 15 photograph or anything after.

16 Q Okay. And if we can go -- page 314701, and this
17 is your examination by Mr. Johnson, who's the
18 Crown prosecutor, and asks for your recollection
19 of the day of the murder, and if you can go down
03:46 20 to the bottom, and about why you didn't go to
21 work, that kind of thing:

22 "... I was blaming it on his partying,
23 his not going to work. Anyway, he gave
24 me an excuse why he wasn't at work. It
03:46 25 was his sore hands or something to do



1 with his hands, anyway."

2 And I'm wondering, Mrs. Fisher, is that accurate?

3 A Yes, I think so.

4 Q And so again, and I had asked you bit earlier --

03:47 5 A Yeah.

6 Q -- and I think you said you couldn't remember
7 whether or not that happened on that day, it
8 appears --

9 A Yeah, yeah, I don't know for sure if it was that
03:47 10 day, but I remember him not goin' to work because
11 of the cement at one time. I can't be positive of
12 the day, no.

13 Q Okay. Next page. Again, and just touch on your
14 evidence here, this is the prosecutor asking you,
03:47 15 you said:

16 "... I went to sleep at 2:00. I don't
17 know. I assumed he was out all night."

18 And then scroll down to the bottom:

19 "Well, do you remember whether he had
03:47 20 come home the night before at all?",
21 and you answered:

22 "No."

23 Is that accurate and truthful?

24 A Yes.

03:47 25 Q Then the next page, please. And then the Crown



1 asks you to describe the knife that you say was
2 missing, you say:

3 "... a wooden handled, four-inch wooden
4 handle with rivets, and about a three or
03:47 5 four-inch blade with just a smooth
6 blade. It had no ribbing on it."

7 And is that the paring knife that went missing on
8 January 31, '69?

9 A Yes.

03:48 10 Q Then if you can go to page 314711. And
11 Mr. Johnson is done examining, and do you remember
12 Mr. Beresh asking you questions, Mr. Fisher's
13 lawyer?

14 A Yes.

03:48 15 Q And if you can go to 314718, at 159 he asks you:

16 "Well, actually if, from what you tell
17 us, it's correct that they came on the
18 31st ...",

19 he's talking about the police coming to your door
03:49 20 after the murder, he says:

21 "... according to your story he would
22 have been home; right?

23 A Not in the -- not in the afternoon.

24 He went to see the doctor.

03:49 25 Q Oh? Did he?



1 A That's what he told --

2 Q Or did he go to work?

3 A Well, that's what he told me. He went
4 to see the doctor."

03:49 5 And I'm wondering, Mrs. Fisher, does that assist
6 your memory at all? It appears, at this time,
7 that you said that, on the afternoon of January
8 31, that -- two things, that Mr. Fisher may have
9 been home because of, or he may have told you
03:49 10 that he had a problem with his hands and that he
11 may have gone to see the doctor that afternoon;
12 do you remember, do you remember that at all?

13 A Actually, I -- I don't know, it seemed -- it seems
14 like he did, but I don't know, I'm not positive.

03:49 15 Q Okay. Page 314742, down at the bottom, at 370
16 Mr. Beresh is asking you about the statement that
17 you gave to the Saskatoon City Police in 1980 and
18 he asks you:

19 "Q How did you describe the knife in the
03:50 20 statement ...",
21 and you say.

22 "A .. "It was a short-handled, ordinary
23 paring knife with a short blade, about
24 four inches long. The wooden -- the
03:50 25 handle was wooden and brown coloured." "



1 And then it goes on to describe it, about a
2 darker wood:

3 "... Looks like ... mahogany; is that
4 --"

03:50 5 A Yeah."

6 And then down at the bottom:

7 "Q One clear -- a couple of clear things
8 appear to me in the statement, and that
9 is it's wood?

03:50 10 A Yes.

11 Q Yes?

12 A Yes."

13 Next page. And then at 379:

14 "Q And, number two, it has, I think you
15 said three to four rivets?

16 A Two rivets.

17 Q Two rivets. Steel rivets?

18 A Mmhmm.

19 Q So you could see the rivets through it?

03:51 20 A Mmhmm.

21 Q Yes?

22 A Yes."

23 And then at 383 he says:

24 "Q Okay. I produce for you Exhibit P-18,
03:51 25 ..."



1 And P-18, Mrs. Fisher, was the murder weapon from
2 the David Milgaard trial. He says.

3 "Q ... I produce for you Exhibit P-18, and
4 this is clearly not the item you
03:51 5 described in the statement; correct?

6 A That is my knife.

7 Q Oh, is it?

8 A That is the ribbed-edged knife.

9 Q Is it?

03:51 10 A It's the first time I seen this murder
11 weapon. Is this the murder weapon?"

12 Pause there. Do you recall this exchange with
13 Mr. Beresh?

14 A Yes.

03:51 15 Q And was this the first occasion that you were ever
16 shown the maroon-handled knife that was believed
17 to be the murder weapon?

18 A Yes.

19 Q And it appears that you recognized it when you saw
03:51 20 it?

21 A Yes.

22 Q And was that the mauve-handled knife that you had
23 referred to before, the wine-coloured?

24 A Yes.

03:52 25 Q I'm wondering if we could have -- just -- I've



1 shown you there Exhibit P-1, which is the knife
2 handle on the table, and the knife blade which is
3 P -- what's the exhibit for the knife blade?

4 CLERK: P-4.

03:52 5 BY MR. HODSON:

6 Q P-4. And again, Mrs. Fisher, is that knife
7 familiar, the one that I have put on the table
8 there?

9 A Yes.

03:52 10 Q And where is it familiar from?

11 A It's the one that we bought at the O.K.

12 Q Okay.

13 A Or one like it.

14 Q And, again, the first time that you saw that
03:53 15 actual knife, was it at the preliminary hearing
16 when Mr. Beresh showed you here at question 383?

17 A Yes.

18 Q And then down at the bottom he says:

19 "Q I don't know. Did Mrs. Milgaard tell
03:53 20 you it is?

21 A I never ever seen -- seen this before.
22 This is one of the -- my paring
23 knives.

24 Q Okay. Well, does it look wooden to you?

03:53 25 A No, it was the one I never used



1 because it had rib edged, and I'm
2 left-handed --

3 Q Okay.

03:53 4 A -- and I couldn't peel potatoes with
5 it.

6 Q Well, does it have rivets?

7 A It looks exactly like my other one.

8 Q Does it have rivets?

9 A No.

03:53 10 Q All right.

11 A It's not the one that was missing at
12 that time?

13 Q I see. So that's not the one you
14 described --

15 A Larry --

16 Q -- to the police, is it? Is that the
17 one you described to the police?

18 A No, it isn't."

03:53 19 So I take it this wasn't the knife that you
20 thought went missing on the morning of the
21 murder?

22 A No.

23 Q And then at page 314748, I think then you are
24 asked some questions:

03:54 25 "Q Well, then I guess you would have



1 explained to the police everything?"

2 And he's, I think Mr. Beresh is asking about why
3 this maroon-handled knife was not in the police
4 station:

03:54 5 "A Well, I didn't even know this knife was
6 missing.

7 Q Okay.

8 A I didn't use it.

9 Q I'm sorry, you didn't know it was
03:54 10 missing?

11 A No, not this knife

12 Q Well then, let's go -- let's go back to
13 it.

14 A The other paring knife, I didn't even
03:54 15 know when it went missing."

16 Is that accurate and truthful?

17 A Yes.

18 Q Page 314753, and you are asked by Mr. Beresh:

19 "Q Interesting when Mrs. Milgaard and
03:55 20 Mr. Henderson met with you, they
21 described in detail the knife introduced
22 in the exhibits, didn't they? They told
23 you, didn't they?

24 A Yeah. They said --

03:55 25 Q They told you it --



1 A They told me it was a maroon-handled
2 knife; steak knife, I thought, was a
3 longer knife.

4 Q They told you it was a maroon paring
03:55 5 knife; they gave you the description
6 fully?

7 A I looked at it in the picture. I
8 looked at it in a picture with -- with
9 Mr. Pearson, but it still didn't look
03:55 10 like a paring knife. This looks like
11 my paring -- my other paring knife."

12 And then:

13 "Q Madam --

14 A It looked like a steak knife to me,
03:55 15 the one they showed me."

16 And, again, is that your explanation about why
17 you didn't pick it out from the photograph that
18 Mr. Pearson showed you?

19 A Yes.

03:55 20 Q And was that the photograph that Mr. Williams had
21 shown you as well, then, is that the same one?

22 A Well I only remember seeing one photograph from
23 the police thing, one from *The StarPhoenix*.

24 Q If I could then call up 312090, please, and the
03:56 25 next page. This is the transcript from the trial



1 of Larry Fisher, and you testified at that trial,
2 is that correct?

3 A Yes.

4 Q And did you tell the truth to the best of your
03:57 5 abilities at the time?

6 A Yes.

7 Q Page 312098, and again just you are asked by the
8 Crown about the day, January 31, 1969:

9 "Q Did he tell you why he wasn't at work
03:57 10 that day?

11 A He mentioned he might, he might go see
12 the doctor, for his hands."

13 And, again, I asked you about that in connection
14 with the preliminary hearing, and it appears that
03:57 15 you gave a similar answer at the trial; is that
16 fair?

17 A Yes.

18 Q Page 312101 the Crown prosecutor asks:

19 "Q You have already described for us, Ms.
03:58 20 Fisher, the knife that you believed was
21 missing that day, as a wooden handled
22 knife with a couple of rivets in it, did
23 you say?

24 A Yes.

03:58 25 Q Prior to the preliminary hearing into



1 this matter, back in January of 1998,
2 were you ever shown an actual knife of
3 any kind that may relate to this
4 incident?

03:58 5 A No.

6 Q Were you ever shown photographs of any
7 knife?

8 A Yes, I seen a black and white
9 photograph of the knife.

03:58 10 Q Who showed that photograph to you?

11 A Mr. Williams, I think it was.

12 Q And how do you remember that knife
13 appearing in the photograph?

14 A To me it looked like a steak knife.

03:58 15 Q Okay. Was it a colour photograph, or
16 black and white?

17 A Black and white. Just kind of a
18 drawing.

19 Q How did the knife in the photograph
03:58 20 compare to the knife that you said was
21 missing, that is the wooden handled
22 knife with rivets?

23 A It wasn't the one.

24 Q It was not the one?

03:58 25 A No.



1 Q Were you ever shown an item that
2 resembled a knife at the preliminary
3 hearing in January of 1998?

4 A The wooden handled knife, or --

03:59 5 Q Or any other knife.

6 A Yes. I was shown a paring knife that
7 resembled the -- my other paring knife
8 that we had bought, but it was kind
9 of -- I was left-handed, it had ribs
03:59 10 on it and I couldn't use it. So I
11 never used that knife much so I don't
12 know the exact date it went missing.

13 Q Let me just -- I want to go back to the
14 preliminary hearing which occurred in
03:59 15 January of 1998, Ms. Fisher. Prior to
16 that date were you ever shown an actual
17 knife of any kind, by anybody, that
18 might be related to this incident?

19 A No.

03:59 20 Q Who showed it to you on that date?

21 A I don't know. Was it Brian?

22 Q But, in any case, some counsel at the
23 preliminary hearing showed you the
24 knife?

03:59 25 A Yes, it was at the preliminary



1 hearing.

2 Q Would you describe the knife, Ms.

3 Fisher, that was shown to you at the
4 preliminary hearing?

03:59 5 A It was a plastic handled, about a four
6 inch blade, but it had little ribs at
7 the end of it, little -- little
8 serrated, it was kind of serrated.

9 Q Had you ever seen that item, that was
03:59 10 shown to you back in February of 1998,
11 before?

12 A Yes. We had bought that knife at the
13 OK Economy.

14 Q Who had?

04:00 15 A Me and Larry.

16 Q What makes you say that? How do you
17 recall that, Ms. Fisher?

18 A Because we didn't have a paring knife,
19 and we bought that one. And -- when
04:00 20 we went for groceries.

21 Q Do you know when that knife was
22 purchased, Ms. Fisher?

23 A That would have been in '68."

24 And then down at the bottom -- let me pause
04:00 25 there. Is that accurate and truthful?



1 A Pretty well. It could have been, could have been
2 January -- '68, yeah, we got married in '67 so it
3 could have been the end of '67 and '68 or --

4 Q Prior to Gail Miller's murder?

04:00 5 A Yeah, yeah. It was just after we got married
6 anyway.

7 Q So early 1968 you would have bought the knife?

8 A Yes.

9 Q The rest of what I read to you, is that accurate
04:00 10 and truthful?

11 A Yes.

12 Q Now in that question you indicated that what Mr.
13 Williams showed you was a black and white
14 photograph of the knife; do you remember that?

04:00 15 A Yeah. I -- I don't know. Seems to me, it seems
16 to me it was, I don't know, I thought it might
17 have been a coloured one, but I don't know, maybe
18 it was just -- I can't be positive.

19 Q And then at the bottom on page, the next page, and
04:01 20 then the prosecutor shows you:

21 "... the document that is headed, for
22 the record, murder still under
23 investigation."

24 And I think that's the 1969 document I showed you
04:01 25 earlier.



1 "It appears to be a photograph, a
2 photocopy of a photograph. Have you
3 ever seen that before?

4 A Yes. This looks like the one I might
04:01 5 have seen.

6 Q So have you seen that photograph before?

7 A Yes, I think so."

8 So, again, I think you were shown the photograph
9 of the -- that police sheet; is that right?

04:01 10 A Yes.

11 Q And then it says:

12 "Q Does that knife look familiar to you at
13 all?

14 A Yes."

04:01 15 And this is in the photograph.

16 "Q In what way?

17 A It looks like the murder weapon. But
18 at the time, I don't know why, I never
19 thought of it as a murder weapon."

04:02 20 And, again, is that truthful and accurate?

21 A Yes.

22 MR. HODSON: Those are all of my questions,
23 Mrs. Fisher. Thank you very much. I believe
24 other counsel will have some questions. I think
04:01 25 Mr. Elson, Mr. Fox, have you sorted out who is



1 going first?

2 BY MR. ELSON:

3 Q Mrs. Fisher, my name is Richard Elson and I
4 represent the Saskatoon Police Service in these
04:02 5 proceedings.

6 I wanted to talk with you just a
7 little bit about the interviews that took place in
8 the early morning of August 28th, 1980, and the
9 evidence before this Commission of Inquiry is that
04:02 10 Inspector Ken Wagner was the person who took your
11 statement, and you have no reason to disagree with
12 that do you?

13 A No.

14 Q And I just wanted to review some of what you had
04:02 15 said. Did I understand your evidence to be that
16 you had no particular problems with the manner in
17 which Inspector Wagner treated you on that
18 occasion?

19 A Ah -- no, I had no problem.

04:03 20 Q Would it be fair to say that he treated you with
21 respect and that he treated what you had to say,
22 or appeared to treat what you had to say
23 seriously?

24 A Yes.

04:03 25 Q And indeed he had given a representation to you



1 that he believed officers who were more directly
2 involved in the investigation of Gail Miller's
3 murder would be in contact with you to ask you
4 further questions?

04:03 5 A Yes.

6 Q And that was certainly what you were expecting; is
7 that a fair assessment?

8 A Yes.

9 Q I also gathered from your evidence, and
04:03 10 specifically from your conversation with
11 Mrs. Milgaard as reflected in the various
12 documents we've seen, that you also expected the
13 Saskatoon City Police, as it was then known, to
14 contact David Milgaard, or someone on his behalf;
04:03 15 is that correct?

16 A Yes.

17 Q Now, at the time that you had that conversation
18 with Inspector Wagner in August of 1980, did you
19 have any knowledge of police practices with
04:04 20 respect to dealing with closed files or files
21 where there was already a conviction?

22 A No.

23 Q Were you aware of any, of the legal issues that
24 arise with respect to reviewing convictions?

04:04 25 A No.



1 Q Did Inspector Wagner say to you that he would
2 ensure, or that the police would ensure that
3 whatever information was provided to you or
4 whatever information you provided to them would in
04:04 5 turn be provided to Mr. Milgaard or someone on his
6 behalf?

7 A No. I probably assumed that.

8 Q All right. And it would be fair to say that you
9 didn't ask him whether or not this information
04:04 10 would be shared with David Milgaard or his legal
11 counsel or anyone else on his behalf?

12 A No, I never asked.

13 Q So it would be fair to say that Inspector Wagner
14 had no basis for knowing about your expectation
04:04 15 that Mr. Milgaard, or someone on his behalf, would
16 be notified?

17 A No.

18 Q Now, as I understand it, given the fact that you
19 went to look at the newspaper, and I just want to
04:05 20 get a little understanding about that as well, I
21 gather from the affidavit of Carol Lamb, that you
22 and Ms. Lamb did not go to the *StarPhoenix*
23 building, the building where the newspaper is
24 printed; is that correct?

04:05 25 A Yes, we did.



1 Q Oh, you did. I understood from her evidence that
2 you actually attended at the public library.

3 A Oh, yeah, it could have been. Yeah, it was the
4 public library, sorry.

04:05 5 Q All right. And would that have been for the
6 purpose of viewing microfilm of old editions of
7 the *Saskatoon StarPhoenix*?

8 A Yes, we were looking for the photograph of the
9 knife.

04:05 10 Q And did you in fact find a photograph of the knife
11 shown in an edition of the *Saskatoon StarPhoenix*?

12 A Yes.

13 Q And do you recall whether or not that edition was
14 around the time of the trial, in January of 1970,
04:06 15 whether or not it was one of those editions?

16 A I don't know.

17 Q And was the photograph that you saw from the
18 *StarPhoenix* similar to the photograph that had
19 been shown to you by Sergeant Pearson and Eugene
04:06 20 Williams sometime later?

21 A I don't even remember.

22 Q All right. In any event, it would be fair to say
23 that based on what you saw, you were, to use yours
24 words, relieved that you didn't recognize the
04:06 25 knife depicted in that photograph?



1 A Yes.

2 Q And the reason you were relieved is because you
3 felt reasonably certain at that time that the
4 knife you saw in the photograph was not the knife
04:06 5 you believe to have been missing from your home in
6 January of 1969?

7 A Yes.

8 Q And you would agree with me that the description
9 of the knife depicted in the photograph was quite
04:07 10 different, substantially different from the
11 description you gave to Inspector Wagner on August
12 28th, 1980?

13 A Yes.

14 Q And in fact if somebody were to use the phrase
04:07 15 "not even close" in terms of describing it, would
16 you think that the phrase "not even close" is a
17 reasonable phrase to use?

18 A Yes.

19 Q So if a detective to whom this matter was assigned
04:07 20 received the description of a wooden-handled
21 paring knife and came to the conclusion "that's
22 not even close to the knife I saw at the murder
23 scene," can you understand now, from the
24 perspective of hindsight, and I'm not suggesting
04:08 25 that it's right or wrong, but can you understand



1 that it might be reasonable for a detective, to
2 whom the matter is assigned, to think this lady is
3 mistaken?

4 A Yeah, I could understand it.

04:08 5 Q All right. And would you also agree with me that
6 then you can understand perhaps why you were not
7 subsequently contacted by the Saskatoon Police
8 Service for further information relative to the
9 information you gave to Inspector Wagner?

04:08 10 A Ah -- yes.

11 Q All right. Now, I wanted to ask you a question,
12 and it doesn't specifically relate, it's just my
13 own curiosity, and I will probably get in trouble
14 for this, but it doesn't specifically relate to
04:08 15 the interest of the client that I'm representing
16 here today, but you indicated that on January
17 31st, that was when you discovered the
18 wooden-handled paring knife to be missing, January
19 31st, 1969; is that correct?

04:09 20 A Yes.

21 Q And I also heard your testimony in answering Mr.
22 Hodson's questions to be that you used that paring
23 knife frequently. In fact, if I recall your
24 words, you described -- you said that you used it
04:09 25 every day; is that correct?



1 A Yes.

2 Q And particularly for the purposes of preparing
3 supper, the evening meal?

4 A Yes.

04:09 5 Q Do you have any recollection as to whether or not
6 you used that paring knife on the Thursday,
7 January 30th, 1969, the day before when Larry did
8 not come home for supper?

9 A I don't remember, no.

04:09 10 Q Is it possible that you may have used that paring
11 knife?

12 A I -- I don't know. It depends if I had supper at
13 home or not and I can't remember whether I did.

14 Q All right. In any event, that was the night that
04:09 15 Mr. Fisher, your husband, did not come home for
16 supper?

17 A Yeah.

18 Q And once you discovered that the wooden paring
19 knife was missing on January 31st, 1969, it would
04:10 20 seem, to me, logical that one would then look for
21 the next best thing; would you agree with that,
22 the next best knife that would be available to
23 serve the purpose.

24 A Yes.

04:10 25 Q And you did have another paring knife; namely, a



1 maroon-handled paring knife, according to your
2 evidence today?

3 A Well, I don't know whether I -- I had the, that
4 knife or a butcher knife that I used to peel
04:10 5 potatoes. I peeled potatoes with something,
6 but --

7 Q But in any event, my point is that once you
8 discovered the wooden-handled knife would be
9 missing, it would seem, to me, reasonable to then
04:10 10 look for --

11 A Another.

12 Q -- another one, notably the maroon-handled paring
13 knife; would that be a fair assessment?

14 A Yes.

04:10 15 Q Wouldn't it be fair to say then that around
16 January of 1969 you would then have also
17 discovered that knife to have been missing, if it
18 was indeed missing at that time?

19 A Well, because I never used -- never liked that
04:11 20 knife, never used it much, I'm not even sure.

21 Q You are not even sure whether you even looked for
22 it?

23 A That's right.

24 Q Or used it as an alternative?

04:11 25 A Yes.



1 MR. ELSON: Thank you, Mrs. Fisher. I have
2 no further questions.

3 A Thank you.

4 BY MR. FOX:

04:11 5 Q Mr. Commissioner, I just have a few questions, and
6 if you could indulge me and My Learned Friends
7 could indulge me, I won't be here today.

8 Mrs. Fisher, I just have a few
9 questions. Mr. Hodson has been very thorough in
04:11 10 the questions he has already asked you, so I'll
11 try not to cover too much. I'm Aaron Fox, I
12 represent Eddie Karst who was one of the
13 detectives involved in the investigation back in
14 1969 and afterwards. I just want to cover a
04:11 15 couple of things with you.

16 You've testified, and it has
17 been referred to in your evidence, that a couple
18 of days after January 31st, 1969 two Saskatoon
19 city police officers spoke to you sort of going
04:12 20 door to door, at least that's what you understood,
21 and just asked you some general questions, did you
22 see anything unusual, did you know anything about
23 the Gail Miller murder, that sort of general
24 questioning took place; would that be correct?

04:12 25 A Yes.



1 Q And I think you've made it clear that you didn't
2 mention anything to them about the conversation
3 that you had with Larry?

4 A No.

04:12 5 Q And you didn't mention anything to them about his
6 reaction?

7 A No.

8 Q And you didn't mention anything to him about your
9 paring knife being missing?

04:12 10 A No.

11 Q Okay. And then you -- Mr. Hodson mentioned to you
12 that we know from the records that the police
13 spoke to Larry at the bus stop on February 3rd,
14 1969 and I think you've indicated he might have
04:12 15 told you that back in '69, you just, going back
16 that far, can't say whether you recall that or not
17 now?

18 A Yes.

19 Q We know, at least we've heard evidence that on
04:13 20 January 31st, '69 somewhere, eight or nine in the
21 morning, a number of people arrived at the Cadrain
22 residence, that would be David Milgaard, Nichol
23 John, Ron Wilson, Albert Cadrain and it seems as
24 though there were some comings and goings. I
04:13 25 think the daughter Celine we heard was home sick,



1 mom came home at dinner time. Do you have any
2 recollection of the comings and goings going on
3 upstairs on January 31st, 1969?

4 A No.

04:13 5 Q Now, you indicated that at some point in time you
6 would have become aware that David Milgaard was
7 either a suspect in the murder of Gail Miller or
8 actually had been charged with the murder of Gail
9 Miller; correct?

04:13 10 A Yes.

11 Q And do you have a recollection now if you would
12 have heard that from the media or if that would
13 have been something that would have come down to
14 you from some of the Cadrain family?

04:13 15 A I don't know.

16 Q Okay. But you indicated that you sort of heard
17 things from time to time from the Cadrain family,
18 from the children or maybe from mom, that sort of
19 thing?

04:14 20 A From Pat mostly if it was -- if I heard anything
21 about the, that Milgaard or Gail Miller thing, it
22 was probably from Pat.

23 Q Okay. And Pat, which Pat are you referring to?

24 A Pat Van Aseldonk.

04:14 25 Q Okay.



1 A She hung around with the Cadraains.

2 Q So she wasn't a member of the Cadrain family --

3 A No.

4 Q -- but hung around upstairs a lot?

04:14 5 A Yes.

6 Q And might have you heard something from the other
7 Cadrain children as well?

8 A They never came down much, so I don't think so.

9 Q Okay. And as I understand it, the sort of general
04:14 10 thing you heard was that David Milgaard had been
11 at the house on January 31st, 1969 and that there
12 was blood, something to do with blood?

13 A Yes.

14 Q Okay. In terms of the particulars of who saw
04:14 15 what, you have no specific recollection of that,
16 but the basic story that you were hearing coming
17 from the Cadraains, David Milgaard had been at the
18 house January 31st, 1969 and it involved blood?

19 A Yes.

04:15 20 Q Now, you mentioned then that after Larry had been
21 arrested for the rapes in Winnipeg, that two
22 plain-clothes police officers spoke to you in
23 Saskatoon; correct?

24 A Yes.

04:15 25 Q And I think you've already identified that those



1 officers, you don't have a recollection whether
2 they were from Winnipeg or from Saskatoon or where
3 they were from?

4 A No.

04:15 5 Q Okay. And they describe to you in some detail the
6 fairly brutal actions of Larry that had taken
7 place in Winnipeg?

8 A Yes.

9 Q And I think you indicated at that point in time
04:15 10 that's when your suspicions really began to arise
11 that Larry -- or sorry, your suspicions occurred
12 that Larry might have been involved in the death
13 of Gail Miller?

14 A Yeah, around then.

04:16 15 Q Okay. Would I be correct though that again you
16 didn't say anything to them about again your
17 conversation with Larry on January 31st, 1969, you
18 didn't tell those officers anything about that?

19 A Oh, no. No.

04:16 20 Q No. And didn't tell them anything about a missing
21 paring knife?

22 A No.

23 Q Okay. And it would seem at that point in time
24 that basically what you were able to tell them
04:16 25 about Larry would indicate you had never suspected



1 he might be involved in something like a rape or
2 certainly a murder; would that be correct?

3 A Yes, before that time, yeah.

4 Q You two had argued, you had had your differences,
04:16 5 you were concerned he was running around, but no
6 suspicion that he might have been involved in sort
7 of activity like that?

8 A No.

9 Q And I take it you would have conveyed that to the
04:16 10 police when they spoke to you about the Winnipeg
11 matters as well?

12 A Yeah.

13 Q And do you know if the Saskatoon rapes might have
14 been mentioned at that time or not, do you have
04:17 15 any recollection one way or the other?

16 A I just remember them talking about the -- him
17 biting a girl, and that's the only thing I recall.

18 Q Okay. And do you recall whether that was
19 referring to a Winnipeg incident or a Saskatchewan
04:17 20 incident?

21 A I thought it was Winnipeg.

22 Q Okay. Now, you then at some point in time when
23 Larry you thought was in the P.A. pen -- or was at
24 the P.A. pen, went up and actually confronted him
04:17 25 as to whether or not he was involved in the murder



1 of Gail Miller?

2 A Yes.

3 Q And he denied that he was?

4 A Yes.

04:17 5 Q Did you take some comfort in that?

6 A Some.

7 Q I mean, it wasn't going to convince you
8 necessarily, but you took some comfort in it?

9 A Yeah.

04:17 10 Q Okay. Now, your suspicions arose again you said
11 in 1980 and that's when Larry had been released
12 and was involved in the assault on the lady in
13 North Battleford, (V10) (V10)-?

14 A Yes.

04:18 15 Q And at the same time David was proclaiming his
16 innocence and you were beginning to sort of think,
17 okay, Larry has done something very vicious, I was
18 suspicious before, David is proclaiming his
19 innocence, maybe Larry did it; fair to say?

04:18 20 A Yes.

21 Q And I take it, and I think you've answered this to
22 Mr. Hodson, you made no sort of assessment of what
23 the case was against David; in other words, you
24 made no assessment of what witnesses testified
04:18 25 against him, what they said, that sort of thing?



1 A No.

2 Q Your focus was on Larry Fisher only?

3 A Uh-huh, yes.

4 Q When you spoke to the police in 1980, did you tell
04:18 5 them that you had confronted Larry about the death
6 of Gail Miller? Did you tell them that he had
7 denied having anything to do with the death of
8 Gail Miller?

9 A At some point I told somebody anyway I thought
04:19 10 that --

11 Q I appreciate you had to talk to an awful lot of
12 people about this over the years. You don't know
13 whether or not you told them that in 1980 though?
14 This is when you went down to the Saskatoon police
04:19 15 station.

16 A Oh, no, not in my statement, no.

17 Q Okay. And even if it wasn't in your statement, do
18 you have any recollection of just telling him
19 that, you met a police officer at the Saskatoon
04:19 20 police station about 4:30 in the morning, told him
21 what you knew about January of '69. Do you know
22 if you said anything to them at that time, gee, I
23 accused Larry of this and he denied it?

24 A I don't remember.

04:19 25 Q And would I be correct that Larry has never made



1 any admission to you that he was involved in the
2 death of Gail Miller?

3 A That's right.

4 Q And certainly you've never ever told the police
04:19 5 that he has made any admission like that?

6 A That's right.

7 Q Now, just on the knives, have I got it right that
8 you've talked over the last two days about three
9 different knives? Let me start, the first knife
04:20 10 you've talked about was the brown wooden-handled
11 knife with two rivets in it and a straight blade?

12 A Yes.

13 Q And that's a knife that you remembered being
14 missing on or about January 31st, 1969?

04:20 15 A Yes.

16 Q And that's the knife that you have sort of
17 followed up and spoke to the police about and so
18 on and over the years have tried to find if that
19 knife was somehow involved in the death of Gail
04:20 20 Miller?

21 A Yes.

22 Q And would I be correct that you haven't seen
23 anything by way of photographs or actual knives or
24 exhibits to show that that knife that you were
04:20 25 referring to was involved in Gail Miller's death?



1 A None.

2 Q Would that be correct?

3 A That's right.

4 Q The mauve knife, that would be the second paring
04:20 5 knife, the knife that you didn't like using,
6 that's the one you said you purchased at the O.K.
7 Economy shortly after you got married?

8 A Yes.

9 Q And would I be correct, I mean, I think we see
04:21 10 that from the one police report, that knife was
11 never mentioned to any police service, whether the
12 Saskatoon police or the Winnipeg police or the
13 RCMP until about 24 years after Gail Miller's
14 death?

04:21 15 A Yes.

16 Q So they wouldn't have had any knowledge about this
17 mauve knife until 24 years after the fact?

18 A Yes.

19 Q Okay. And you don't have any recollection at this
04:21 20 time as to when that knife went missing?

21 A No.

22 Q Okay. It could have been in '68, it could have
23 been '69, it could have been sometime after that?

24 A Yes.

04:21 25 Q And then the third knife that you talked about was



1 the butcher knife that went along with the set of
2 steak knives you had; correct?

3 A Yes.

4 Q And again, that knife was only mentioned years
04:21 5 later to the authorities as well?

6 A Yes.

7 Q You didn't mention that in 1980 or '69 or '70 or
8 whatever?

9 A No.

04:22 10 Q Correct?

11 A That's right.

12 Q And again, in terms of when that knife went
13 missing, no idea when that would have been?

14 A No, I don't.

04:22 15 Q The last thing I wanted to just touch on, you made
16 reference in a couple of the statements to the
17 Regina rapes, and I think you've acknowledged
18 this, but you would have been aware from Larry's
19 letters that you got from him in 1970, '71 that
04:22 20 the offences that he was talking about occurred in
21 Saskatoon?

22 A Yeah. I don't know why I thought it was Regina.

23 Q And maybe just for the record, Mr. Commissioner,
24 and I think, Mrs. Fisher, you acknowledged it, the
04:22 25 one letter is 020175, that's the doc ID number,



1 and at page 177 he refers to leaving the Baldwin
2 Hotel which is a hotel here in Saskatoon. That
3 would be correct?

4 A Yes.

04:23 5 Q And that clearly would have conveyed to you that
6 he was telling you about a rape that he committed
7 in Saskatoon?

8 A Yes.

9 Q I think --

04:23 10 MR. HODSON: Fourth line from the bottom.

11 BY MR. FOX:

12 Q That would be the area there, "I went downtown, I
13 wasn't cheating on you either, I was in the
14 Baldwin," and you would have recognized that as
04:23 15 the Baldwin Hotel?

16 A Yes.

17 Q So certainly at the time you got this letter you
18 would have been aware that he was talking about a
19 sexual assault in Saskatoon?

04:23 20 A Actually, I don't think so, because even later on
21 I was still thinking Regina.

22 Q That's certainly what the letter says though;
23 correct?

24 A Yes.

04:23 25 Q And if we can look at, there's a second letter he



1 sent you, 020185, and if we look here --

2 (Discussion off the record)

3 BY MR. FOX:

4 Q In this paragraph here, this is the letter again
04:24 5 that you would have received from Larry Fisher in
6 May, it looks like May of 1971:

7 "Linda they just brought me out of the
8 whole and into segregation.

9 I don't know what is going to
04:24 10 happen about the two charges back home."

11 That would have been again a letter you received
12 from Larry?

13 A Yes.

14 Q You've never lived in Regina?

04:24 15 A No.

16 Q Likely that when he's referring to back home, home
17 for you and Larry would have been Saskatoon?

18 A Yes.

19 Q Is it possible that going back to 1969, '70 you
04:24 20 would have understood that the charges at that
21 time did relate to Saskatoon and that you
22 subsequently just referred to them and thought of
23 them as Regina charges because that's the way they
24 were dealt with?

04:24 25 A I'm not sure if I really knew that they were in



1 Saskatoon. I always -- I don't know why I always
2 said Regina.

3 Q But certainly you knew they were dealt with in
4 Regina?

04:25 5 A Yeah, but it seems to me I thought they were
6 Regina charges. Even with the letters, I don't
7 know if I didn't read them carefully or --

8 Q You would agree with me that there didn't appear
9 to be any attempt by Larry to hide the fact --

04:25 10 A No.

11 Q -- that those charges, those offences occurred in
12 Saskatoon?

13 A Ah -- yes.

14 Q Reading those letters that's pretty clear?

04:25 15 A Yes.

16 MR. FOX: Thank you. Those are all the
17 questions I have. Thank you very much,
18 Mrs. Fisher.

19 MR. HODSON: I know there are some other
04:25 20 counsel who might be longer than five minutes, so
21 maybe we can break until tomorrow.

22 COMMISSIONER MacCALLUM: Sure.

23 (*Adjourned at 4:25 p.m.*)

24

25



OFFICIAL QUEEN'S BENCH COURT REPORTERS' CERTIFICATE:

We, Karen Hinz, CSR, and Donald G. Meyer, RPR, CSR,
Official Queen's Bench Court Reporters for the Province of
Saskatchewan, hereby certify that the foregoing pages
contain a true and correct transcription of our shorthand
notes taken herein to the best of my knowledge, skill, and
ability.

_____, CSR

Karen Hinz, CSR

Official Queen's Bench Court Reporter

_____, RPR, CSR

Donald G. Meyer, RPR, CSR

Official Queen's Bench Court Reporter



'**inaudible** - 15276:4
'**1980** - 15288:13
'**67** - 15444:17, 15481:23, 15503:2, 15503:3
'**68** - 15502:23, 15503:2, 15503:3, 15522:22
'**69** - 15279:12, 15401:14, 15478:3, 15491:8, 15514:15, 15514:20, 15520:21, 15522:23, 15523:7
'**69/early** - 15279:16
'**70** - 15279:17, 15416:10, 15523:7, 15525:19
'**70-71** - 15295:4
'**70s** - 15261:21, 15277:12, 15360:10, 15360:21, 15387:23, 15407:11, 15407:21, 15455:23, 15458:16, 15459:8, 15469:19
'**71** - 15283:17, 15355:13, 15357:20, 15361:11, 15366:5, 15366:6, 15366:23, 15416:10, 15523:19
'**78** - 15444:17
'**80** - 15367:2
'**80s** - 15261:21, 15450:17
'**88** - 15239:25
'**90** - 15372:3, 15383:7, 15387:3, 15419:5
'**92** - 15450:22, 15451:23
'**93** - 15476:3, 15476:4, 15476:17
'**about** - 15288:16
'**also** - 15272:14
'**and** - 15259:22, 15260:8, 15260:15, 15260:18, 15264:22, 15269:12, 15270:22, 15272:22, 15274:9, 15275:15, 15275:23, 15276:8, 15284:25, 15287:24, 15288:6, 15288:17, 15292:18, 15293:2, 15296:15
'**are** - 15300:19
'**at** - 15275:11, 15292:7
'**because** - 15255:6, 15260:9, 15272:13
'**black** - 15276:2, 15276:3
'**bus** - 15261:10
'**bus** - 15261:10
'**but** - 15258:20, 15266:4, 15274:20, 15280:20, 15283:5, 15289:15, 15293:6, 15296:2, 15302:14, 15305:11
'**could** - 15275:24
'**coveralls** - 15280:1
'**did** - 15256:20, 15268:23, 15274:17, 15277:16, 15278:20, 15282:16, 15290:13, 15295:18
'**do** - 15257:17, 15270:8, 15278:2, 15290:15, 15305:5
'**either** - 15296:11
'**ernie** - 15333:7
'**found** - 15278:24
'**friday** - 15260:5
'**he** - 15255:3, 15261:6, 15270:24, 15274:15, 15277:1, 15299:9, 15303:1, 15305:7
'**him** - 15264:14
'**how** - 15292:24, 15294:6, 15302:6
'**ive** - 15299:21
'**if** - 15283:22, 15306:14, 15308:12, 15312:8
'**in** - 15343:4
'**inaudible** - 15278:22
'**it** - 15256:21, 15290:3, 15295:9, 15306:6
'**just** - 15283:19, 15296:9
'**larry** - 15278:6, 15285:13, 15292:25, 15304:9
'**mauve** - 15480:10
'**mr** - 15429:24
'**mrs** - 15292:13
'**my** - 15274:15, 15275:12
'**nine** - 15270:10
'**no** - 15256:5, 15271:1, 15273:21, 15277:17, 15278:6, 15282:17, 15282:25, 15284:10, 15290:18, 15292:14, 15300:7, 15309:2, 15312:3, 15312:18
'**no** - 15281:3, 15283:6, 15309:14
'**nor** - 15283:14
'**not** - 15308:20
'**now** - 15264:12
'**of** - 15269:22
'**oh** - 15254:23, 15255:16, 15263:20, 15269:7, 15269:8, 15272:16, 15272:21, 15289:5, 15292:9, 15292:14, 15293:9, 15295:12, 15307:12, 15309:12, 15309:14
'**okay** - 15293:20
'**or** - 15296:19
'**pambrun** - 15310:1
'**regina** - 15357:12
'**right** - 15256:23, 15260:18, 15283:1, 15304:10, 15310:3, 15310:25
'**right** - 15301:7
'**roy** - 15276:23, 15310:3
'**she** - 15263:25, 15264:13, 15264:15, 15293:9, 15293:14
'**so** - 15256:18, 15268:14, 15268:19, 15269:5, 15273:14, 15274:1, 15274:12, 15309:6, 15309:8
'**sure** - 15283:10
'**ten** - 15256:17
'**that** - 15254:21, 15260:1, 15264:20, 15268:21, 15281:1, 15284:10, 15291:8, 15300:10, 15301:6
'**the** - 15285:11, 15290:12, 15290:14, 15292:17, 15294:7, 15296:5, 15312:17, 15474:17
'**they** - 15288:18
'**this** - 15257:20, 15272:17, 15283:7
'**to** - 15306:10
'**wait** - 15292:15
'**was** - 15260:2
'**we** - 15255:12, 15297:2, 15300:14
'**we'll** - 15299:10
'**we're** - 15258:21, 15293:21
'**well** - 15253:23, 15257:9, 15261:7, 15262:20, 15265:18, 15266:20, 15268:8, 15269:19, 15270:14, 15272:11, 15274:2, 15283:21, 15284:16, 15284:22, 15286:13, 15287:5, 15287:10, 15288:20, 15289:10, 15289:11, 15292:11, 15292:21, 15296:10, 15300:11, 15301:8, 15302:6, 15303:10, 15307:3, 15307:9, 15312:7
'**were** - 15273:20
'**what** - 15255:2, 15256:15, 15261:4, 15263:6, 15270:12, 15275:25, 15283:6, 15312:13
'**when** - 15256:1, 15268:11, 15288:23, 15299:22, 15447:5
'**where** - 15293:8, 15299:8
'**who** - 15277:8
'**why** - 15253:25, 15277:4, 15277:6
'**would** - 15280:24, 15290:5, 15295:7
'**wow** - 15272:17
'**ya** - 15255:14, 15268:17, 15272:25, 15305:5, 15306:18
'**yeah** - 15281:1, 15283:11, 15285:17, 15286:24, 15287:11, 15290:8, 15291:9, 15293:23, 15294:4, 15300:1, 15300:12, 15300:20, 15301:16, 15312:5
'**yeah** - 15283:4, 15283:19, 15287:12, 15292:18, 15293:18, 15295:10, 15296:14
'**yes** - 15256:20, 15259:12, 15260:2, 15269:10, 15274:21, 15277:2
'**yes** - 15270:12
'**you** - 15268:24, 15272:24, 15280:7, 15282:23, 15288:24, 15295:13, 15308:14, 15309:16, 15312:1
'**you're** - 15270:21, 15441:25
'**your** - 15272:15

0
0 - 15292:5
001140 - 15243:14
001146 - 15243:17
001810 - 15249:18
001812 - 15249:18
001919 - 15404:18
001926 - 15404:18
004906 - 15362:23
004908 - 15363:8
004923 - 15379:15, 15380:16
009086 - 15247:5
009691 - 15454:25
010035 - 15425:14
012076 - 15387:6
016114 - 15338:20
016133 - 15241:20
020175 - 15523:25
020185 - 15525:1
020199 - 15456:19
020262 - 15452:14
032373 - 15459:18
043509 - 15460:25
043513 - 15461:8
043528 - 15463:13
043535 - 15464:2
043541 - 15466:4
043553 - 15468:3
043567 - 15469:25
043571 - 15471:5
043662 - 15298:25
043670 - 15308:11
043679 - 15309:25
043682 - 15311:20
043685 - 15311:25
043691 - 15312:11
048717 - 15298:23
048718 - 15252:7
048855 - 15472:12
050467 - 15370:8
050603 - 15298:1, 15314:3, 15315:15
050609 - 15332:14
062143 - 15333:15
063 - 15371:5
063102 - 15250:24, 15383:5
063105 - 15340:17
063110 - 15372:2
063113 - 15377:6
063114 - 15383:6
063117 - 15388:2
063119 - 15419:4
063132 - 15419:22
063133 - 15423:12
063136 - 15433:24
063167 - 15449:7
063177 - 15449:21
063184 - 15450:20
063204 - 15348:23, 15398:1
063209 - 15348:24
063210 - 15388:17
063217 - 15391:1
063223 - 15393:1
063225 - 15393:10
063227 - 15394:11
063229 - 15395:11
063231 - 15396:25
063235 - 15396:25
063236 - 15398:1
063240 - 15401:19
063242 - 15402:3
063244 - 15405:12
076270 - 15252:11, 15286:11, 15286:12
076298 - 15285:22
076300 - 15286:12
076302 - 15288:13
076310 - 15296:1
08 - 15314:4

1
1 - 15233:6, 15247:12, 15284:7, 15300:11, 15305:11, 15349:19, 15363:16, 15368:19, 15388:8, 15395:11, 15395:15, 15395:16, 15446:18
10 - 15318:15, 15334:15, 15336:11, 15367:16, 15376:9, 15401:20, 15439:9, 15458:8, 15469:23
101298 - 15315:9, 15316:14
10:00 - 15431:24, 15433:13
10:28 - 15313:20
10:46 - 15313:21
10th - 15297:11, 15298:2, 15298:8, 15314:7, 15314:9, 15314:11, 15332:17, 15338:21, 15338:23, 15370:14
11 - 15367:17, 15391:2, 15401:10, 15455:10, 15457:1
11:00 - 15281:22, 15343:6
11:58 - 15383:1
11th - 15297:12, 15332:18, 15338:21, 15339:1, 15370:14, 15483:4
12 - 15410:1
12th - 15339:5, 15340:20, 15342:22, 15370:10, 15425:15
13 - 15253:18, 15356:25
13th - 15343:2
14 - 15253:18, 15284:8
14th - 15343:6, 15349:2, 15363:9, 15365:10, 15376:25, 15449:23
15 - 15428:18, 15435:12, 15435:24
15235 - 15233:4
15425 - 15234:4
15444 - 15233:5
15446 - 15233:6, 15233:7
15447 - 15233:8
15505 - 15233:9
15513 - 15233:10
159 - 15491:15
159188 - 15451:22
159706 - 15235:9
15th - 15368:6, 15370:9, 15449:22, 15450:22
16 - 15403:8
16th - 15372:3, 15377:7, 15476:17
17 - 15284:8, 15457:3
177 - 15435:3, 15524:1
178850 - 15368:5
17th - 15362:24, 15377:16, 15378:14, 15448:1, 15449:9
18 - 15457:3
185351 - 15427:7
185851 - 15427:7, 15427:8
18th - 15452:16
19 - 15279:16, 15283:16, 15463:23
1960s - 15463:16
1962 - 15328:25



1967 - 15463:17,
15481:21
1968 - 15250:12,
15357:9, 15412:8,
15503:7
1969 - 15244:17,
15247:21, 15248:5,
15248:18, 15272:6,
15282:24, 15294:24,
15313:13, 15316:17,
15323:1, 15333:24,
15340:1, 15345:8,
15374:8, 15422:13,
15447:10, 15451:18,
15465:13, 15466:6,
15467:12, 15467:23,
15485:20, 15499:8,
15503:24, 15509:6,
15510:19, 15511:7,
15511:19, 15512:16,
15513:14, 15513:18,
15514:14, 15515:3,
15516:11, 15516:18,
15517:17, 15521:14,
15525:19
1970 - 15236:3,
15344:11, 15356:3,
15357:20, 15365:20,
15405:23, 15451:18,
15508:14, 15523:19
1970's - 15459:25
1971 - 15283:3,
15294:10, 15294:17,
15295:4, 15325:5,
15357:6, 15358:6,
15366:15, 15366:18,
15370:21, 15465:22,
15525:6
1976 - 15357:6
1978 - 15444:17
1978/1979 - 15380:18
1980 - 15235:12,
15236:2, 15236:3,
15237:2, 15237:12,
15239:7, 15256:21,
15267:4, 15269:22,
15295:24, 15327:3,
15327:10, 15329:6,
15331:5, 15339:18,
15344:22, 15348:3,
15362:5, 15391:2,
15395:25, 15397:2,
15408:19, 15409:1,
15469:19, 15477:9,
15492:17, 15505:8,
15506:18, 15509:12,
15519:11, 15520:4,
15520:13, 15523:7
1983 - 15237:14
1990 - 15237:8,
15237:18, 15237:20,
15237:23, 15238:5,
15240:24, 15241:20,
15244:3, 15247:2,
15247:7, 15249:15,
15251:11, 15253:17,
15298:2, 15314:7,
15340:20, 15347:14,
15349:3, 15357:20,
15362:24, 15363:6,
15368:6, 15370:9,
15370:10, 15388:22,
15395:12, 15401:2,
15419:23, 15422:18,
15424:9, 15425:15,
15433:16, 15433:25,
15436:22, 15437:5,
15437:6, 15440:6,
15440:14, 15440:16,
15441:9, 15441:13,

15468:4, 15469:13,
15469:22, 15483:4
1991 - 15236:10,
15448:1, 15449:9
1992 - 15449:2,
15452:16, 15472:8,
15472:16
1993 - 15238:11,
15475:23, 15476:6,
15485:24, 15489:6
1995 - 15476:2
1997 - 15488:9
1998 - 15500:1,
15501:3, 15501:15,
15502:10
1999 - 15488:8
19th - 15379:10,
15405:23, 15433:25
1:00 - 15297:4
1:34 - 15383:2
1st - 15354:4, 15486:8

2

2 - 15233:5, 15233:7,
15233:8, 15250:9,
15284:8, 15363:17,
15367:20, 15368:22,
15444:6, 15446:22,
15447:18
20 - 15388:3
20-year-old - 15472:21
2005 - 15230:21
20th - 15334:11,
15354:17, 15377:7,
15482:9
21 - 15283:14,
15286:15, 15308:2,
15341:11, 15387:8
216822 - 15438:6
216823 - 15441:21
21st - 15387:3,
15435:5, 15436:22,
15437:5, 15437:25,
15440:6, 15440:16
22nd - 15315:21,
15437:6, 15438:1
23 - 15342:5
23rd - 15388:4
24 - 15367:21,
15488:1, 15522:13,
15522:17
24th - 15388:21,
15419:5, 15419:22,
15422:18
255449 - 15475:23
255454 - 15478:17
26th - 15244:3
27 - 15451:22
27th - 15230:21
28 - 15356:24
28th - 15235:11,
15241:20, 15247:6,
15249:16, 15251:5,
15363:6, 15367:2,
15395:12, 15397:2,
15505:8, 15509:12
29th - 15386:5
2:00 - 15280:21,
15349:20, 15490:16
2:44 - 15448:21

3

3 - 15452:17, 15453:16
30 - 15340:1, 15345:8,
15363:13, 15470:2
30/31 - 15359:14
300 - 15334:1
306 - 15292:5

30th - 15312:16,
15313:13, 15353:6,
15353:24, 15511:7
31 - 15244:17,
15247:20, 15272:6,
15334:10, 15334:23,
15335:2, 15337:4,
15337:10, 15343:19,
15345:8, 15353:12,
15354:4, 15355:8,
15374:8, 15401:14,
15402:5, 15465:13,
15466:6, 15467:12,
15467:23, 15470:3,
15478:3, 15491:8,
15492:8, 15499:8
312090 - 15498:24
312098 - 15499:7
312101 - 15499:18
314695 - 15488:19
314701 - 15489:16
314711 - 15491:10
314718 - 15491:15
314742 - 15492:15
314748 - 15496:23
314753 - 15497:18
31st - 15260:4,
15491:18, 15510:17,
15510:19, 15511:19,
15513:18, 15514:20,
15515:3, 15516:11,
15516:18, 15517:17,
15521:14
320110 - 15443:13
325006 - 15437:4
334 - 15372:21,
15439:4, 15451:1
370 - 15492:15
379 - 15493:13
383 - 15493:23,
15495:16
39:50 - 15444:3
3:00 - 15280:21,
15281:10
3:01 - 15448:22
3rd - 15335:21,
15514:13

4

40 - 15438:24
452 - 15477:12
457 - 15483:21
45:10 - 15446:20
4:00 - 15281:10
4:25 - 15526:23
4:30 - 15520:20

5

5 - 15333:24,
15335:21, 15342:25

6

6 - 15454:14
60's - 15386:6
608 - 15298:2
653-1330 - 15403:22
69 - 15363:12
690 - 15389:20
6:00 - 15431:24
6:30 - 15247:20,
15334:11, 15338:1,
15375:14, 15375:17
6:35 - 15264:25,
15292:12
6:49 - 15334:2

7

7 - 15318:19,
15439:20, 15455:6,
15457:4
70 - 15268:12
71 - 15356:24
77 - 15230:22
7:00 - 15265:2,
15280:8, 15280:12,
15292:7, 15292:8,
15292:9

8

8th - 15251:11

9

9 - 15318:15,
15330:16, 15334:15,
15336:11, 15439:8
90 - 15367:16,
15367:21
9:00 - 15235:2,
15281:21, 15431:24,
15433:12
9th - 15237:23,
15238:5, 15240:24,
15314:9, 15338:21,
15441:9

A

A-okay - 15307:11
Aaron - 15232:8,
15513:11
abilities - 15499:5
ability - 15527:7
able - 15282:10,
15285:2, 15304:7,
15424:7, 15425:9,
15425:10, 15467:11,
15517:24
absolutely - 15467:15
access - 15359:10
accord - 15311:8
According - 15333:20,
15333:25, 15334:7
according - 15240:23,
15364:7, 15379:3,
15432:20, 15434:20,
15479:10, 15491:21,
15512:1
accounted - 15265:3
accurate - 15254:25,
15257:14, 15260:12,
15273:22, 15275:18,
15282:20, 15285:5,
15320:20, 15321:2,
15322:8, 15329:22,
15330:13, 15330:25,
15331:12, 15335:13,
15350:14, 15352:20,
15355:5, 15357:1,
15362:18, 15365:25,
15366:17, 15385:21,
15391:22, 15392:15,
15392:24, 15393:8,
15394:4, 15395:9,
15397:24, 15398:19,
15400:10, 15400:20,
15402:22, 15403:5,
15406:20, 15415:11,
15417:8, 15436:16,
15447:23, 15461:21,
15463:11, 15464:16,
15468:23, 15471:3,
15471:15, 15472:5,
15476:25, 15477:10,
15486:10, 15486:16,
15486:22, 15487:3,
15487:11, 15487:18,
15490:2, 15490:23,
15497:16, 15502:25,
15503:9, 15504:20
accurately - 15366:14,
15419:19
accusation -
15271:17, 15271:25,
15274:24, 15320:24,
15321:20, 15322:15,
15323:13, 15411:11,
15412:19, 15413:11
accusations -
15272:7, 15341:22,
15427:17, 15428:20
accuse - 15320:16,
15355:16, 15394:24,
15395:3, 15445:20
accused - 15271:10,
15275:11, 15341:21,
15346:15, 15350:8,
15352:18, 15355:9,
15365:17, 15373:2,
15376:20, 15414:3,
15432:10, 15445:23,
15462:23, 15472:18,
15520:23
accuses - 15265:19
accusing - 15266:1,
15328:18, 15394:25,
15462:5
acknowledged -
15523:17, 15523:24
acquaintance -
15315:4, 15459:2
actions - 15436:8,
15517:6
actively - 15242:13
activities - 15341:17,
15345:7, 15379:20,
15419:15
activity - 15518:7
actual - 15252:8,
15479:6, 15489:4,
15495:15, 15500:2,
15501:16, 15521:23
ad - 15238:11
add - 15416:18
addition - 15303:20,
15469:10
additional - 15247:10,
15339:14
address - 15372:21
adjourned - 15401:20,
15448:24
Adjourned - 15313:20,
15383:1, 15448:21,
15526:23
adjournment -
15313:22
admission - 15521:1,
15521:5
admit - 15300:22,
15301:23, 15304:7,
15429:14, 15431:8
admitted - 15311:4,
15344:11
Adrian - 15458:23,
15459:2
adult - 15324:14
advantage - 15435:23
adverse - 15415:17
advertisement -
15237:15
advice - 15434:6
advise - 15286:19,
15425:23, 15482:22
advised - 15242:24,
15243:2, 15244:11,



15244:15, 15436:5,
15477:8, 15478:23
advises - 15386:8
advising - 15372:6
affect - 15393:4,
15411:4, 15434:12
affected - 15411:4,
15411:5
affecting - 15392:10
Affidavit - 15426:10
affidavit - 15452:14,
15453:12, 15455:1,
15455:5, 15455:11,
15456:20, 15459:11,
15459:24, 15507:21
affidavits - 15452:12
afternoon - 15335:15,
15353:1, 15354:4,
15383:4, 15491:23,
15492:7, 15492:11
afterwards - 15513:14
age - 15457:2
ages - 15253:15
ago - 15238:24,
15239:2, 15244:25,
15246:15, 15251:19,
15253:25, 15256:1,
15256:17, 15275:5,
15283:13, 15328:13,
15431:16, 15439:18,
15441:3, 15456:11,
15466:25, 15467:1,
15467:3, 15473:6
ago - 15283:14,
15296:5
agree - 15287:17,
15306:1, 15509:8,
15510:5, 15511:21,
15526:8
agreed - 15243:11,
15287:21, 15304:2,
15330:22, 15371:14
ahead - 15237:18,
15446:20, 15488:8
ahead - 15293:23
ahold - 15310:23
al - 15279:14
Albert - 15251:18,
15279:21, 15284:19,
15284:22, 15284:25,
15286:9, 15343:4,
15377:18, 15378:19,
15383:11, 15453:21,
15459:3, 15459:6,
15514:23
album - 15435:17
albums - 15436:14
alcohol - 15257:13,
15257:15, 15344:11,
15375:5, 15392:9,
15463:18
Alexander - 15232:13
allegations - 15456:8,
15476:7
allergy - 15467:21
alley - 15439:7
allow - 15310:4
allowed - 15435:13,
15435:16
almost - 15283:12,
15430:21, 15433:10,
15479:22
alone - 15283:13,
15345:9, 15363:15,
15445:15
alright - 15304:6
alter - 15410:6,
15410:23
alternative - 15512:24
alters - 15410:9

always - 15281:1
amount - 15303:14
analysis - 15378:1,
15385:18
anger - 15320:25
angrily - 15346:15
angry - 15317:7,
15321:20, 15322:15,
15350:8, 15398:4
Anita - 15356:18,
15457:23
announcement -
15397:14, 15397:17,
15397:20
anonymous -
15254:11, 15285:13,
15308:24, 15309:10
Answer - 15260:2,
15269:8, 15270:12,
15272:24, 15274:14
answer - 15254:23,
15255:3, 15256:17,
15259:10, 15259:23,
15260:9, 15261:7,
15268:24, 15269:7,
15269:19, 15270:10,
15270:14, 15275:12,
15281:2, 15282:17,
15282:24, 15283:4,
15283:6, 15283:7,
15283:19, 15284:10,
15287:18, 15290:7,
15290:18, 15291:9,
15293:18, 15349:11,
15389:17, 15391:3,
15400:18, 15409:5,
15410:20, 15415:11,
15417:20, 15463:15,
15464:18, 15466:7,
15470:3, 15471:20,
15499:15
answered - 15272:21,
15285:3, 15342:24,
15393:6, 15432:20,
15490:21, 15519:21
answering - 15510:21
answers - 15262:25,
15315:24, 15315:25,
15368:17, 15417:10
antigens - 15266:9
anybody - 15283:6
anyhow - 15273:6
anyway - 15265:21,
15275:9, 15281:9,
15281:17, 15287:10,
15287:25, 15443:11,
15490:1, 15503:6,
15520:9
Anyway - 15377:9,
15489:23
anyway - 15293:6
apart - 15238:10,
15258:15, 15267:22,
15330:12
apartment - 15439:5
apparent - 15429:12
appear - 15237:23,
15297:10, 15343:24,
15493:8, 15526:8
appearance -
15443:25
Appearances -
15232:1
appeared - 15281:23,
15326:6, 15363:23,
15460:7, 15489:9,
15505:22
appearing - 15500:13
appendix - 15386:8
Appendix - 15367:17

application - 15242:3,
15389:20, 15389:21,
15448:11
appointment -
15343:16
appreciate - 15284:2,
15365:6, 15520:11
approach - 15306:24
approached -
15483:23
approximate -
15461:19
April - 15362:24,
15472:8, 15472:16
area - 15235:8,
15246:25, 15296:21,
15296:25, 15338:24,
15422:3, 15438:25,
15441:17, 15447:17,
15524:12
argue - 15322:12
argued - 15319:17,
15355:20, 15372:24,
15463:6, 15463:8,
15518:4
arguing - 15274:10,
15275:8, 15321:19,
15322:11, 15356:1,
15362:8, 15375:7,
15394:20, 15463:10,
15464:21
argument - 15341:15,
15355:8, 15397:9,
15398:3, 15432:9,
15447:10, 15462:8,
15464:4, 15465:1,
15465:13, 15467:25
arguments - 15352:15,
15447:12, 15461:25
arise - 15456:15,
15506:24, 15517:10
arising - 15245:3
armed - 15265:8
arms - 15264:9,
15341:23
army - 15438:24
arose - 15519:10
arrange - 15286:25
arranged - 15297:7,
15367:17
arrangements -
15342:13
arranging - 15376:10
arrested - 15325:4,
15338:6, 15365:20,
15516:21
arrived - 15244:16,
15245:18, 15392:1,
15441:10, 15514:21
arriving - 15441:13
article - 15437:5,
15441:22, 15452:15,
15453:9, 15453:10,
15472:12
articles - 15460:8,
15460:9
ascertain - 15249:22
Aseldonk - 15376:13,
15456:21, 15456:23,
15458:10, 15458:23,
15459:2, 15515:24
aside - 15242:14,
15259:5, 15472:9
asleep - 15281:8
aspect - 15373:22
Asper - 15240:20,
15240:21, 15242:13,
15243:9, 15243:16,
15243:25, 15247:8,
15249:17, 15301:10,

15301:13, 15339:7,
15339:8, 15339:14,
15340:21, 15341:14,
15368:7, 15370:9,
15370:11, 15370:13,
15371:7, 15377:10,
15377:13, 15377:21,
15378:7, 15379:4,
15379:6, 15379:7,
15385:6, 15385:7,
15385:15, 15420:1,
15425:15, 15443:10,
15451:23, 15487:10
Asper's - 15339:19
ass - 15426:6
assailant - 15249:1,
15368:21
assault - 15365:21,
15405:24, 15428:19,
15519:12, 15524:19
assaulted - 15428:14,
15450:9
assessment - 15506:7,
15512:13, 15519:22,
15519:24
assigned - 15509:19,
15510:2
assist - 15333:15,
15377:25, 15451:14,
15492:5
Assistant - 15231:5,
15231:6
assistant - 15472:21
assisting - 15242:3
assists - 15402:3
associated - 15319:1,
15345:18, 15476:7
association -
15250:15, 15379:18
assume - 15339:23,
15470:13
assumed - 15371:1,
15371:3, 15402:9,
15402:17, 15465:10,
15490:17, 15507:7
assuming - 15472:15
attached - 15367:5,
15368:10, 15393:19
attaching - 15411:2
attempt - 15325:16,
15526:9
attempted - 15413:24
attempts - 15259:4
attendance -
15269:22, 15388:24,
15389:8
attended - 15344:25,
15371:11, 15387:4,
15508:2
attention - 15264:23,
15388:16
attic - 15451:1,
15451:10, 15451:20
attorney - 15264:5
attract - 15434:10
attributed - 15249:23,
15323:11, 15453:16,
15454:11
attributes - 15429:23
Audio - 15231:13
August - 15235:11,
15236:2, 15237:2,
15237:13, 15295:23,
15367:2, 15391:2,
15395:12, 15395:25,
15397:2, 15505:8,
15506:18, 15509:11
aunt - 15457:23
author - 15429:22
authorities - 15258:17,

15325:18, 15342:10,
15378:5, 15523:5
authority - 15475:2
available - 15258:17,
15460:10, 15511:22
avenue - 15293:15,
15293:16
Avenue - 15262:9,
15279:15, 15292:22,
15293:9, 15293:10,
15294:1, 15299:9,
15317:22, 15334:2,
15334:11, 15338:25,
15348:11, 15348:14,
15374:2, 15428:15,
15439:4, 15450:9,
15451:2, 15455:7,
15457:2
awakened - 15318:14,
15334:14, 15336:10
awakening - 15363:20
aware - 15237:2,
15252:2, 15263:22,
15334:19, 15334:21,
15334:24, 15335:24,
15336:25, 15337:2,
15337:7, 15345:21,
15347:9, 15357:10,
15358:6, 15377:11,
15385:13, 15406:3,
15409:6, 15438:8,
15448:8, 15448:13,
15456:7, 15472:8,
15488:9, 15506:23,
15515:6, 15523:18,
15524:18
awful - 15520:11
awoke - 15439:8,
15439:14

B

babysat - 15348:14
babysit - 15457:10
babysitters - 15376:12
background -
15249:13, 15427:14,
15476:5
bad - 15301:17,
15401:6, 15463:3
badly - 15381:9,
15381:10
bags - 15318:12,
15319:12
Baldwin - 15357:17,
15524:1, 15524:14,
15524:15
bar - 15349:19
bargain - 15302:1
barrel - 15277:25,
15310:13, 15310:14,
15326:2, 15326:3,
15326:9, 15361:14
bars - 15317:5
base - 15250:2
based - 15252:13,
15267:8, 15314:7,
15314:16, 15367:22,
15409:16, 15430:24,
15460:22, 15508:23
basement - 15245:8,
15334:14, 15336:10,
15363:14, 15437:22,
15439:5
basic - 15462:8,
15516:16
basis - 15507:14
Battleford - 15242:21,
15244:14, 15246:23,
15341:1, 15343:21,



15367:20, 15382:20,
15388:7, 15388:23,
15420:11, 15423:15,
15436:6, 15473:7,
15519:13
be' - 15295:10
beat - 15428:18
beating - 15486:9
became - 15406:3,
15447:9, 15448:13,
15488:9
become - 15252:2,
15335:24, 15345:21,
15347:9, 15358:6,
15448:8, 15472:8,
15487:14, 15515:6
becomes - 15348:18
bed - 15281:14,
15281:15, 15317:7,
15318:5, 15318:14,
15318:18, 15346:13,
15349:21, 15353:7,
15353:8, 15363:17,
15400:1, 15400:4,
15401:4, 15401:14,
15439:17, 15461:15,
15470:7, 15470:25,
15471:10
bedroom - 15363:21,
15439:10, 15439:14
beer - 15392:21,
15392:22, 15393:3
began - 15365:21,
15366:11, 15517:10
beginning - 15331:4,
15404:15, 15519:16
Begins - 15233:5,
15233:7, 15444:6,
15446:22
behalf - 15389:23,
15428:4, 15463:14,
15506:14, 15507:6,
15507:11, 15507:15
behaviour - 15322:1,
15356:10
behind - 15274:4,
15274:5, 15325:9
Beitel - 15231:9
belief - 15268:5,
15320:25, 15331:8,
15344:18, 15455:17
believes - 15309:4,
15380:3
belongings - 15439:1
Below - 15403:22
Bench - 15527:1,
15527:3, 15527:14,
15527:18
beneath - 15404:1
Beresh - 15453:11,
15463:13, 15464:2,
15466:4, 15466:12,
15468:3, 15469:25,
15470:22, 15471:8,
15491:12, 15492:16,
15494:13, 15495:16,
15497:2, 15497:18
besmirch - 15301:21
best - 15306:16,
15306:17, 15390:23,
15461:6, 15488:25,
15499:4, 15511:21,
15511:22, 15527:6
better - 15301:6,
15327:22, 15347:4,
15383:16, 15384:22,
15391:18, 15419:12,
15482:15
Between - 15461:20
between - 15250:15,

15252:9, 15257:21,
15281:21, 15295:7,
15295:8, 15295:17,
15300:23, 15313:24,
15318:14, 15334:15,
15336:11, 15394:18,
15395:18, 15399:23,
15401:5, 15401:9,
15439:8
bicker - 15463:9
big - 15294:1, 15294:8,
15295:16, 15296:8,
15324:19, 15354:7,
15354:9, 15424:20
bigger - 15424:13
bit - 15249:13,
15256:5, 15257:7,
15260:15, 15317:15,
15336:7, 15337:6,
15340:19, 15351:25,
15354:14, 15362:25,
15370:3, 15389:12,
15424:18, 15450:22,
15476:5, 15490:4,
15505:7
biting - 15382:14,
15518:17
bitten - 15381:8,
15483:25
Black - 15500:17
black - 15359:12,
15500:8, 15500:16,
15503:13
blade - 15272:21,
15273:3, 15350:20,
15371:16, 15393:14,
15393:20, 15403:25,
15404:5, 15404:7,
15491:5, 15491:6,
15492:23, 15495:2,
15495:3, 15502:6,
15521:11
blaming - 15489:22
blank - 15284:7,
15284:8, 15325:12
block - 15318:19,
15324:11, 15324:23,
15334:1, 15354:6,
15354:9, 15354:12,
15354:13, 15439:6
blocks - 15346:21
blood - 15243:4,
15244:17, 15245:19,
15251:9, 15254:22,
15259:13, 15259:19,
15265:5, 15266:9,
15266:25, 15273:15,
15279:7, 15280:3,
15285:14, 15308:22,
15308:25, 15309:3,
15309:8, 15309:13,
15309:17, 15309:23,
15326:19, 15353:3,
15362:17, 15362:20,
15373:14, 15373:18,
15373:24, 15377:25,
15379:6, 15386:7,
15386:12, 15386:17,
15386:18, 15404:4,
15442:14, 15450:25,
15451:11, 15451:15,
15451:16, 15451:19,
15482:23, 15516:12,
15516:18
blood' - 15284:24,
15285:18
Bobs - 15232:5
body - 15341:20,
15347:17, 15368:25,
15385:17, 15404:2,

15406:18, 15419:16,
15439:7
bona - 15335:8
bonafide - 15331:6
bone - 15368:23,
15369:9, 15369:20,
15369:22, 15369:23,
15370:1, 15370:2,
15371:8, 15371:22,
15421:21, 15422:12,
15422:20, 15422:24,
15423:4, 15423:16
bone-handled -
15368:23, 15369:9,
15369:23, 15371:8,
15371:22, 15422:20,
15422:24, 15423:4
boot - 15355:23
boots - 15265:1,
15276:25, 15277:2,
15277:6, 15277:25,
15310:11, 15326:3,
15326:5, 15326:13,
15326:15, 15361:13,
15361:18, 15362:3
boots' - 15277:17,
15278:5, 15278:6,
15278:9
borrow - 15454:7,
15454:16
borrowed - 15312:8,
15312:19, 15312:20,
15313:4, 15313:6,
15313:14, 15361:7,
15361:19, 15375:23
Borrowed - 15312:4
Boswell - 15231:4
bothered - 15344:24,
15366:25, 15487:22
bothering - 15258:13,
15362:12, 15380:24
bottom - 15255:11,
15259:21, 15262:18,
15270:7, 15272:11,
15273:25, 15275:1,
15275:22, 15276:22,
15277:14, 15285:10,
15287:9, 15287:24,
15289:20, 15290:2,
15291:7, 15299:7,
15299:20, 15302:14,
15303:14, 15313:3,
15326:22, 15331:14,
15363:8, 15365:15,
15372:5, 15398:21,
15399:20, 15402:24,
15403:7, 15406:12,
15417:15, 15425:17,
15428:12, 15431:3,
15435:3, 15437:19,
15460:11, 15461:16,
15468:3, 15471:17,
15478:10, 15483:2,
15483:21, 15484:12,
15489:20, 15490:18,
15492:15, 15493:6,
15495:18, 15502:24,
15503:19, 15524:10
bought - 15482:6,
15495:11, 15501:8,
15502:12, 15502:19,
15503:7
box - 15274:4,
15274:6, 15274:7
boyfriend - 15329:12
brackets - 15316:24
braved - 15438:24
break - 15313:18,
15382:25, 15446:14,
15448:19, 15526:21

breaks - 15331:21
breast - 15381:9,
15381:13, 15382:14
breasts - 15483:25
Brian - 15345:3,
15345:5, 15345:17,
15362:10, 15362:12,
15379:22, 15380:1,
15380:4, 15380:7,
15380:13, 15501:21
bridge - 15293:5
bright - 15439:11
bring - 15289:4,
15388:12, 15388:16
broadcast - 15350:17
broke - 15332:4,
15360:19, 15361:4,
15440:6
brother's - 15458:19
brothers - 15458:21
brought - 15254:12,
15263:14, 15270:2,
15283:23, 15291:24,
15312:22, 15389:22,
15487:23, 15525:7
brow - 15486:9
brown - 15272:18,
15290:6, 15290:11,
15393:15, 15393:25,
15405:21, 15492:25,
15521:10
brown-coloured -
15393:15
brown-handled -
15405:21
Bruce - 15232:9,
15246:17
brutal - 15517:6
Bryan - 15248:25,
15329:12, 15329:15,
15367:3, 15375:9,
15379:11, 15379:13,
15381:12, 15382:13,
15391:12, 15391:16,
15455:8
Bryan's - 15302:7
build - 15427:20
building - 15334:5,
15435:15, 15507:23
burn - 15277:6,
15361:13
burned - 15326:13,
15326:19
burning - 15277:25,
15278:5, 15278:6,
15278:8, 15278:12,
15310:13, 15326:1,
15326:8, 15361:14,
15362:2, 15362:3
burnt - 15276:25,
15277:1, 15278:9
bus - 15247:19,
15247:25, 15261:14,
15261:16, 15261:24,
15262:8, 15262:9,
15262:12, 15262:16,
15276:6, 15276:9,
15276:12, 15288:5,
15288:7, 15292:16,
15292:17, 15292:19,
15292:20, 15292:21,
15318:19, 15319:5,
15325:8, 15325:11,
15334:10, 15337:25,
15357:16, 15375:14,
15375:17, 15375:23,
15376:1, 15514:13
bus' - 15292:12,
15293:7
business - 15266:9

butcher - 15290:12,
15291:12, 15376:16,
15423:5, 15423:6,
15424:14, 15424:15,
15424:16, 15512:4,
15523:1
butts - 15377:24,
15379:5, 15385:16
buy - 15290:9
buying - 15482:2

C

Cadrain - 15245:8,
15279:21, 15279:22,
15284:14, 15284:19,
15284:22, 15284:25,
15296:24, 15324:22,
15354:22, 15451:20,
15458:24, 15459:3,
15477:20, 15478:3,
15514:21, 15514:23,
15515:14, 15515:17,
15516:2, 15516:7
Cadrain' - 15292:13
Cadrain's - 15278:25,
15279:4, 15279:11,
15293:16, 15354:11,
15451:1, 15477:19
Cadrains - 15516:1,
15516:17
Cadrains' - 15324:16
Caldwell - 15232:5,
15248:4, 15248:6,
15248:10, 15248:17,
15248:20
caller - 15245:16,
15254:11, 15308:24
caller' - 15285:13
Calvin - 15232:13
Canada - 15232:12,
15301:22, 15303:23,
15448:15, 15461:2
Candace - 15231:3
Cando - 15239:22,
15239:23, 15239:24,
15251:21, 15297:22,
15314:10, 15330:18,
15332:18, 15338:22,
15339:2, 15340:24,
15342:23, 15349:8,
15372:4, 15381:2,
15420:6, 15428:7,
15429:4, 15441:11
Candu - 15427:12
cannot - 15353:9,
15359:15, 15363:24,
15444:10
capable - 15325:2,
15365:22, 15366:2,
15366:12
car - 15263:12,
15275:23, 15275:25,
15276:5, 15299:3,
15311:25, 15312:2,
15312:13, 15312:14,
15312:17, 15312:19,
15312:20, 15313:5,
15313:15, 15359:9,
15359:11, 15359:14,
15359:16, 15360:2,
15360:8, 15360:16,
15360:19, 15361:4,
15361:7, 15375:23,
15449:13, 15449:17,
15454:8, 15454:16
cards - 15303:15
care - 15305:13,
15305:18, 15306:4
carefully - 15452:2,



15526:7
cares - 15305:12
Carol - 15407:20,
 15418:2, 15459:18,
 15460:20, 15507:21
carried - 15282:17
carries - 15263:25,
 15266:4
carry - 15282:16,
 15306:16
carrying - 15282:21,
 15282:22, 15294:4
case - 15266:12,
 15266:20, 15267:18,
 15268:4, 15279:18,
 15301:18, 15303:22,
 15304:18, 15311:7,
 15325:8, 15329:14,
 15331:22, 15343:13,
 15351:16, 15383:19,
 15412:13, 15423:8,
 15427:20, 15434:5,
 15434:10, 15460:16,
 15473:9, 15474:23,
 15501:22, 15519:23
cases - 15381:20
catch - 15292:12,
 15300:12, 15318:18,
 15319:5
caught - 15321:22,
 15322:18, 15323:25,
 15334:10, 15337:25
caused - 15304:14,
 15322:2, 15338:14,
 15410:5, 15413:12,
 15418:15, 15479:25
Cavalier - 15230:16
Cbc - 15434:4,
 15434:21, 15435:8,
 15435:13, 15435:19,
 15435:22, 15436:9,
 15436:20, 15436:23,
 15437:23, 15438:3
Celine - 15514:25
cement - 15466:10,
 15466:18, 15467:21,
 15490:11
Centre - 15383:25
certain - 15393:17,
 15399:4, 15416:22,
 15438:15, 15509:3
certainly - 15506:6,
 15518:2, 15521:4,
 15524:17, 15524:22,
 15526:3
Certificate - 15527:1
certify - 15527:4
chance - 15301:3,
 15301:23, 15307:8,
 15308:15
chancy - 15307:6
change - 15273:18,
 15323:17, 15328:5,
 15418:7, 15419:1
changed - 15364:9,
 15364:21, 15433:20,
 15472:2, 15472:4
charge - 15263:11,
 15283:8, 15489:2
charged - 15255:5,
 15283:16, 15488:11,
 15515:8
charges - 15265:10,
 15356:16, 15417:6,
 15475:13, 15525:10,
 15525:20, 15525:23,
 15526:6, 15526:11
charging - 15263:16
cheating - 15524:13
Check - 15249:5,
 15249:10
check - 15249:6,
 15273:6, 15377:2,
 15377:3, 15378:5,
 15407:25
checked - 15302:14,
 15316:23, 15334:1,
 15375:14, 15408:13,
 15409:11
Cheryl - 15232:2
child - 15286:24,
 15324:13
children - 15515:18,
 15516:7
chronologically -
 15241:10
church - 15293:17
Church - 15293:18
cigarette - 15377:24,
 15379:5, 15385:16
circumstances -
 15250:6, 15362:9,
 15379:21, 15417:6,
 15423:23, 15424:24
circumstantial -
 15263:7
circumstantially -
 15304:4
citizen - 15328:20
citizens - 15328:19
City - 15235:11,
 15237:13, 15262:5,
 15344:21, 15344:25,
 15348:3, 15362:6,
 15362:13, 15367:9,
 15395:25, 15486:7,
 15492:17, 15506:13
city - 15236:6,
 15236:15, 15236:23,
 15254:8, 15254:16,
 15391:3, 15408:18,
 15408:25, 15513:19
claimed - 15308:19,
 15308:20, 15334:9,
 15334:22, 15337:2,
 15428:17, 15450:7
claiming - 15329:7,
 15334:25, 15337:8
claims - 15244:23,
 15246:14, 15289:7,
 15380:1
clarified - 15372:11,
 15372:20
clarify - 15376:4
class - 15342:25,
 15420:11
clean - 15363:23
cleaned - 15353:4
clear - 15274:5,
 15302:8, 15353:23,
 15485:20, 15493:7,
 15514:1, 15526:14
clearly - 15371:12,
 15494:4, 15524:5
clerk - 15424:5
Clerk - 15231:9,
 15425:4, 15495:4
client - 15510:15
Cliff - 15276:18,
 15298:25, 15302:24,
 15311:20, 15311:22,
 15312:2, 15312:7,
 15312:12, 15312:19,
 15313:5, 15338:25,
 15342:4, 15387:4,
 15415:21, 15415:23,
 15416:7, 15465:6,
 15465:14
Clifford - 15261:19,
 15261:20, 15275:24,
 15276:16, 15292:3,
 15299:8, 15299:14,
 15299:16, 15313:9,
 15314:1, 15340:3,
 15356:4, 15356:18,
 15356:20, 15359:15,
 15359:19, 15359:21,
 15360:2, 15360:5,
 15361:8, 15387:8,
 15387:18, 15454:8,
 15465:16, 15465:18,
 15465:25
Clifford - 15296:19
Clifford's - 15313:15,
 15356:17, 15359:10,
 15359:13, 15360:14,
 15361:7, 15478:13
climbed - 15439:16
Clip - 15233:5,
 15233:6, 15233:7,
 15233:8, 15444:6,
 15446:18, 15446:22,
 15447:18
clip - 15443:23,
 15444:4, 15447:20
clipping - 15368:12
close - 15329:23,
 15346:22, 15347:19,
 15376:18, 15422:3,
 15509:15, 15509:16,
 15509:22
close - 15284:17
closed - 15317:5,
 15349:19, 15506:20
closer - 15347:5,
 15347:23
closest - 15324:19
clothes - 15257:12,
 15273:15, 15273:18,
 15278:24, 15281:22,
 15294:5, 15318:23,
 15318:24, 15319:7,
 15346:12, 15349:25,
 15353:3, 15353:9,
 15353:11, 15363:13,
 15363:24, 15363:25,
 15364:10, 15364:21,
 15365:1, 15373:16,
 15380:10, 15445:7,
 15445:8, 15471:23,
 15471:24, 15516:22
clothes - 15280:16
clothing - 15243:5,
 15274:7, 15373:15,
 15450:2
Co - 15318:17
coat - 15263:17,
 15264:10, 15264:11,
 15265:2
Code - 15389:21
coincidence -
 15437:20
cold - 15321:20,
 15322:15
collect - 15372:9,
 15378:17, 15446:15
collection - 15290:17
color - 15321:22
colour - 15276:1,
 15276:2, 15276:4,
 15404:25, 15405:1,
 15405:3, 15405:6,
 15405:8, 15405:13,
 15480:17, 15480:24,
 15481:1, 15485:8,
 15485:11, 15500:15
colour - 15290:6
coloured - 15393:15,
 15480:13, 15481:2,
 15485:4, 15492:25,
 15494:23, 15503:17
colours - 15480:15,
 15480:21
comb - 15473:1
combination -
 15316:8, 15316:9
comfort - 15519:5,
 15519:8
coming - 15258:12,
 15259:3, 15288:19,
 15349:23, 15350:2,
 15350:4, 15353:15,
 15389:17, 15399:13,
 15420:24, 15421:6,
 15426:13, 15426:16,
 15428:7, 15438:2,
 15440:17, 15462:3,
 15462:7, 15478:8,
 15484:9, 15491:19,
 15516:16
comings - 15514:24,
 15515:2
commenced - 15476:6
commencing -
 15250:12
comment - 15265:23,
 15286:13, 15289:21,
 15306:23, 15348:8,
 15431:3, 15431:21,
 15432:4
commentary -
 15310:25
comments - 15474:2
commercials -
 15446:20
Commission -
 15230:2, 15230:14,
 15231:1, 15231:2,
 15231:9, 15241:15,
 15241:22, 15424:7,
 15453:17, 15505:9
Commissioner -
 15235:3, 15237:5,
 15238:3, 15241:9,
 15243:19, 15252:7,
 15313:18, 15313:19,
 15382:25, 15448:20,
 15513:5, 15523:23,
 15526:22
committed - 15330:8,
 15360:14, 15360:25,
 15412:9, 15413:3,
 15413:23, 15414:6,
 15453:23, 15524:6
committing -
 15320:16, 15325:2
common - 15345:3,
 15367:3
common-law -
 15367:3
communication -
 15379:25
Company - 15318:25
company - 15345:2
compare - 15405:16,
 15500:20
compared - 15422:16
comparison -
 15386:22
compelled - 15335:5,
 15337:13
complained -
 15435:22
complaint - 15436:6
compliment -
 15247:10
concern - 15258:7,
 15332:3, 15342:6,
 15434:3, 15435:7,
 15436:2
concerned - 15332:4,
 15334:16, 15336:12,
 15336:15, 15344:1,
 15403:1, 15420:8,
 15420:15, 15438:20,
 15518:5
concerning -
 15330:10, 15330:20,
 15339:10, 15341:16
concerns - 15258:15,
 15389:19, 15421:4,
 15427:4, 15438:17,
 15443:14
conclude - 15361:3,
 15361:6
concluded - 15244:20,
 15246:1, 15246:9,
 15249:24, 15261:23,
 15361:4, 15410:21
conclusion - 15250:2,
 15262:2, 15509:21
conclusions -
 15249:23, 15250:4,
 15250:7, 15267:21,
 15473:18
condition - 15467:14
conditions - 15415:17
conducting - 15342:8
confess - 15304:6,
 15306:15
confess' - 15304:12
confessed - 15301:5,
 15355:10, 15357:3
confessions -
 15356:22
confidential -
 15257:21
confidentiality -
 15258:7
confirm - 15268:5,
 15470:23
confirmed - 15383:10,
 15385:5, 15385:15,
 15388:6
confirms - 15249:15,
 15380:5
confronted -
 15518:24, 15520:5
confused - 15328:17
Congram - 15231:3
connected - 15326:16,
 15455:15, 15455:19
connection -
 15279:21, 15279:23,
 15445:12, 15473:10,
 15488:17, 15499:13
Connections -
 15252:25
consider - 15287:4,
 15378:2, 15473:13,
 15473:14
considerations -
 15302:19
considered - 15413:18
considering -
 15301:17
Considering -
 15427:15
construction -
 15415:15
Construction -
 15318:17, 15318:25,
 15319:2, 15376:5
construe - 15272:3,
 15430:13
consumed - 15463:18
contact - 15243:7,
 15329:16, 15335:6,
 15337:14, 15343:5,
 15363:5, 15375:9,



15419:25, 15420:16,
15436:6, 15506:3,
15506:14
contacted - 15237:24,
15240:10, 15244:2,
15333:18, 15343:7,
15367:14, 15434:21,
15440:5, 15440:6,
15450:1, 15452:16,
15488:14, 15510:7
contacting - 15420:20
contain - 15527:5
contents - 15367:23,
15426:10, 15452:3
context - 15241:16,
15414:24
continue - 15446:16
Continued - 15233:3
continued - 15235:5
continuing - 15307:10
contractors - 15334:4
Contractors - 15356:8,
15364:4, 15376:5
conversation -
15249:15, 15249:16,
15252:18, 15257:18,
15258:2, 15311:1,
15313:24, 15367:12,
15419:8, 15425:19,
15451:24, 15462:10,
15471:12, 15476:24,
15506:10, 15506:17,
15514:2, 15517:17
conversations -
15287:12
conveyed - 15518:9,
15524:5
convict - 15263:4,
15304:4
convicted - 15262:20,
15263:6, 15266:6,
15283:2, 15283:16,
15306:19, 15344:10,
15356:23, 15405:25,
15437:21, 15447:3,
15447:7
convicted' - 15447:6
Conviction - 15230:4
conviction - 15240:5,
15242:5, 15242:14,
15259:5, 15283:3,
15448:5, 15448:11,
15472:9, 15476:8,
15506:21
convictions - 15413:2,
15506:24
convince - 15519:7
convinced - 15322:4
cooperate - 15300:22,
15305:23
cop - 15356:20
copies - 15368:13,
15451:24, 15460:4
copy - 15372:16,
15395:16, 15396:1,
15396:23, 15404:20
Correct - 15414:9,
15432:23, 15523:10
correct - 15235:19,
15240:2, 15241:2,
15247:16, 15251:25,
15269:3, 15277:19,
15278:10, 15284:13,
15292:3, 15306:4,
15306:25, 15314:5,
15320:18, 15323:11,
15332:21, 15338:8,
15349:6, 15351:1,
15374:9, 15390:1,
15390:21, 15396:23,

15403:1, 15408:3,
15409:1, 15410:18,
15412:6, 15413:8,
15413:25, 15441:11,
15445:15, 15451:8,
15453:1, 15453:17,
15454:1, 15455:3,
15455:8, 15456:21,
15463:25, 15466:19,
15469:13, 15469:23,
15491:17, 15494:5,
15499:2, 15506:15,
15507:24, 15510:19,
15510:25, 15513:24,
15515:9, 15516:23,
15517:15, 15518:2,
15520:25, 15521:22,
15522:2, 15522:9,
15523:2, 15524:3,
15524:23, 15527:5
corrected - 15433:4
correction - 15466:24
Cory - 15471:17
Cotler - 15232:12
counsel - 15247:8,
15452:12, 15501:22,
15504:24, 15507:11,
15526:20
Counsel - 15231:2,
15235:4
counselling -
15344:13
counter - 15434:13
counter-productive -
15434:13
country - 15301:23,
15305:10
counts - 15412:15
couple - 15245:17,
15276:24, 15277:14,
15285:20, 15290:24,
15294:16, 15297:18,
15312:1, 15337:20,
15351:9, 15359:25,
15378:15, 15386:2,
15420:18, 15429:22,
15452:12, 15457:19,
15478:2, 15493:7,
15499:22, 15513:15,
15513:17, 15523:16
courage - 15288:23,
15288:24
courageous -
15437:13
course - 15269:22,
15286:6, 15358:24,
15418:14, 15480:6
court - 15367:19,
15388:24, 15389:2
Court - 15231:10,
15289:9, 15358:4,
15358:7, 15371:4,
15413:6, 15448:15,
15448:25, 15449:1,
15449:25, 15452:4,
15452:11, 15453:15,
15461:2, 15461:24,
15466:15, 15467:6,
15467:8, 15470:20,
15472:7, 15472:17,
15473:4, 15473:17,
15473:21, 15474:18,
15476:13, 15489:2,
15489:9, 15527:1,
15527:3, 15527:14,
15527:18
courts - 15443:21,
15448:4
Cousins - 15251:13
cover - 15327:25,

15513:11, 15513:14
cover-up - 15327:25
coveralls - 15279:3,
15279:4, 15279:5,
15279:7, 15279:9,
15279:10, 15279:25,
15280:2, 15450:25,
15451:10, 15451:17,
15451:19
covered - 15244:17,
15245:19, 15254:22,
15284:24, 15285:14,
15285:18, 15308:21,
15308:25, 15309:3,
15309:7, 15309:13,
15309:17, 15309:22,
15450:25
covering - 15245:10
crawled - 15400:1,
15400:3, 15401:4,
15401:14, 15470:7,
15470:24, 15470:25,
15471:9
credibility - 15283:20
crew - 15434:4,
15435:19, 15436:9
crime - 15265:14,
15267:24, 15296:3,
15304:7, 15330:9,
15331:11, 15341:21,
15355:11, 15356:23,
15360:25, 15371:10,
15371:13
crimes - 15357:4,
15357:8, 15357:10,
15357:18, 15358:10
Criminal - 15389:21
criminal - 15339:13
cross - 15264:6
cross-examine -
15264:6
Crown - 15489:18,
15490:25, 15499:8,
15499:18
Csr - 15231:10,
15231:11, 15527:2,
15527:12, 15527:13,
15527:16, 15527:17
curiosity - 15510:13
current - 15251:22
curricular - 15341:16
custody - 15371:18
cutlery - 15458:9
cuts - 15353:2

D

dad - 15257:19,
15303:6
Dan - 15438:7,
15441:22
darker - 15493:2
date - 15238:3,
15238:6, 15241:14,
15243:15, 15245:10,
15247:6, 15247:11,
15247:24, 15251:5,
15268:16, 15268:24,
15333:18, 15334:19,
15335:4, 15336:25,
15337:12, 15365:9,
15377:12, 15387:7,
15395:18, 15427:9,
15434:8, 15436:23,
15437:4, 15438:7,
15447:25, 15501:12,
15501:16, 15501:20
dated - 15332:17
dates - 15251:3,
15310:8

daughter - 15247:14,
15257:19, 15258:6,
15283:21, 15301:13,
15307:7, 15327:7,
15331:19, 15331:20,
15514:25
Dave - 15265:11
David - 15230:4,
15232:2, 15232:11,
15240:4, 15240:20,
15240:21, 15242:4,
15242:12, 15247:8,
15248:11, 15256:18,
15259:4, 15259:13,
15262:20, 15263:7,
15265:2, 15265:13,
15267:6, 15267:10,
15267:19, 15268:4,
15279:21, 15285:1,
15301:7, 15301:10,
15301:13, 15303:5,
15304:1, 15329:7,
15330:7, 15330:17,
15331:10, 15333:19,
15341:14, 15345:19,
15346:5, 15368:7,
15370:9, 15389:23,
15406:15, 15407:1,
15409:8, 15425:15,
15428:4, 15443:10,
15443:17, 15444:10,
15448:4, 15460:6,
15475:16, 15476:8,
15487:5, 15494:2,
15506:14, 15507:10,
15514:22, 15515:6,
15516:10, 15516:17,
15519:15, 15519:18,
15519:23
David's - 15253:20,
15285:12
days - 15242:17,
15251:5, 15294:16,
15297:18, 15337:20,
15349:3, 15349:4,
15351:1, 15359:25,
15372:4, 15378:15,
15420:18, 15449:24,
15452:19, 15478:2,
15513:18, 15521:8
dead - 15274:13,
15274:20, 15475:15
deal - 15265:12,
15300:24, 15301:24,
15303:6, 15303:8,
15304:8, 15304:21,
15305:6
deal' - 15299:25,
15300:10
dealing - 15506:20
dealt - 15525:24,
15526:3
death - 15245:10,
15344:2, 15344:24,
15365:24, 15366:4,
15366:13, 15373:21,
15387:13, 15397:21,
15415:3, 15415:9,
15452:20, 15455:16,
15455:19, 15456:12,
15457:5, 15457:7,
15457:12, 15457:16,
15460:5, 15460:18,
15464:14, 15475:13,
15517:12, 15520:5,
15520:7, 15521:2,
15521:19, 15521:25,
15522:14
Debra - 15426:1
December - 15250:12,

15266:13, 15449:9,
15481:21
decided - 15468:24,
15469:4
decision - 15472:17,
15473:16, 15473:17
definitive - 15380:15
degree - 15438:25
denied - 15305:25,
15428:20, 15448:10,
15519:3, 15520:7,
15520:23
Dennis - 15458:24,
15459:2, 15459:5
deny - 15274:17
denying - 15432:11
departed - 15363:14,
15364:2
department - 15403:15
Department -
15300:24, 15301:2,
15303:12, 15303:13,
15303:20, 15303:25,
15306:8, 15390:10,
15429:9
depicted - 15508:25,
15509:9
depiction - 15403:23
deposition - 15342:12,
15367:22
describe - 15356:10,
15419:19, 15461:23,
15491:1, 15492:19,
15493:1, 15502:2,
15517:5
described - 15271:11,
15342:1, 15410:17,
15427:2, 15436:10,
15436:15, 15436:16,
15480:20, 15494:5,
15496:14, 15496:17,
15497:21, 15499:19,
15510:24
describes - 15366:15
describing - 15290:2,
15325:6, 15352:9,
15509:15
Description - 15233:2,
15234:2
description -
15403:18, 15408:21,
15419:9, 15419:14,
15421:19, 15480:10,
15498:5, 15509:8,
15509:11, 15509:20
Despite - 15325:1
detachment -
15388:22, 15389:4
Detachment -
15367:20, 15436:7
detail - 15299:24,
15303:18, 15497:21,
15517:5
details - 15244:6,
15248:23, 15250:10,
15339:15, 15387:15,
15398:11, 15417:17
Details - 15428:13
detective - 15509:19,
15510:1
detectives - 15381:14,
15381:17, 15381:18,
15382:15, 15483:22,
15484:8, 15513:13
determine - 15249:21,
15422:8, 15422:11
determined -
15251:19, 15367:13
developments -
15303:16, 15377:11



diary - 15251:2
did' - 15288:10
Did' - 15299:21
didn't' - 15283:22
difference - 15306:13
differences - 15518:4
different - 15309:7,
 15328:11, 15337:18,
 15349:14, 15369:6,
 15380:10, 15409:17,
 15419:10, 15419:13,
 15442:2, 15509:10,
 15521:9
differently - 15323:18
difficult - 15253:22
dinner - 15321:4,
 15321:10, 15394:14,
 15400:25, 15462:13,
 15515:1
direction' - 15295:9
directly - 15383:17,
 15384:23, 15457:14,
 15506:1
Director - 15231:3
disagree - 15387:21,
 15505:11
disbelief - 15322:2
disclosed - 15480:25
discouraged -
 15377:22
discover - 15318:22
discovered - 15301:3,
 15320:9, 15324:10,
 15369:1, 15419:17,
 15486:21, 15510:17,
 15511:18, 15512:8,
 15512:17
discovery - 15341:19
discredit - 15431:1,
 15431:2
discrediting -
 15429:10, 15429:25,
 15430:6
discuss - 15301:8
discussed - 15240:1,
 15257:25, 15273:23,
 15301:13, 15302:10,
 15307:4, 15335:18,
 15342:11, 15372:10,
 15372:19, 15455:16,
 15477:5
Discussion - 15525:2
discussion -
 15259:18, 15273:7,
 15292:6, 15302:9,
 15302:13, 15305:20,
 15307:2, 15307:15,
 15308:9, 15308:11,
 15310:16, 15313:1,
 15328:6, 15328:7,
 15331:23, 15339:6,
 15341:18, 15345:12,
 15364:6, 15364:11,
 15370:11, 15370:24,
 15380:19, 15421:11,
 15428:22, 15434:16,
 15465:21, 15475:6
discussions -
 15237:10, 15240:12,
 15261:20, 15276:11,
 15304:19, 15342:15,
 15378:7, 15416:12,
 15452:23, 15456:14
dishonest - 15327:24
dispute - 15459:10,
 15470:19, 15476:18
distance - 15264:21,
 15264:25
distinct - 15316:16
distinctly - 15290:16,

15324:7
distributed - 15236:1
divorced - 15251:20
Dna - 15259:17,
 15305:1, 15378:24,
 15488:9
doc - 15243:19,
 15404:18, 15523:25
doctor - 15327:21,
 15386:6, 15454:18,
 15454:19, 15477:5,
 15491:24, 15492:4,
 15492:11, 15499:12
document - 15235:22,
 15235:25, 15241:21,
 15249:12, 15336:6,
 15395:16, 15396:13,
 15403:10, 15403:13,
 15404:17, 15432:23,
 15466:14, 15485:21,
 15503:21, 15503:24
Document - 15231:4,
 15231:5, 15231:6
documenting -
 15333:23
documents -
 15237:22, 15240:8,
 15240:24, 15241:13,
 15251:1, 15290:24,
 15314:8, 15506:12
Don - 15231:11
Donald - 15527:2,
 15527:17
done - 15266:14,
 15267:9, 15267:10,
 15267:11, 15317:22,
 15325:14, 15340:3,
 15340:6, 15342:14,
 15349:15, 15360:25,
 15363:4, 15418:5,
 15430:4, 15447:20,
 15448:4, 15491:11,
 15519:17
door - 15324:6,
 15337:21, 15361:18,
 15435:11, 15452:20,
 15470:10, 15470:12,
 15477:15, 15478:1,
 15478:8, 15486:12,
 15491:19, 15513:20
doorstep - 15439:3
double - 15368:24,
 15369:7, 15371:8,
 15371:16
double-edged -
 15368:24, 15369:7,
 15371:8, 15371:16
doubt - 15394:1
doubts - 15411:6,
 15419:3
Douglas - 15231:2
down - 15245:5,
 15251:3, 15254:3,
 15254:20, 15255:11,
 15256:3, 15259:21,
 15260:15, 15261:10,
 15264:8, 15270:7,
 15272:11, 15273:25,
 15275:1, 15275:22,
 15276:22, 15277:14,
 15281:2, 15284:6,
 15285:10, 15287:9,
 15287:24, 15289:20,
 15290:2, 15291:7,
 15293:16, 15294:7,
 15299:7, 15299:10,
 15299:20, 15302:13,
 15313:3, 15318:13,
 15320:6, 15324:22,
 15324:25, 15331:14,

15341:11, 15341:12,
 15342:21, 15346:6,
 15351:3, 15354:6,
 15354:9, 15354:12,
 15354:13, 15360:19,
 15361:5, 15361:9,
 15363:8, 15363:19,
 15365:15, 15374:19,
 15389:14, 15391:20,
 15395:2, 15399:20,
 15403:7, 15425:17,
 15428:11, 15431:3,
 15435:2, 15437:19,
 15452:17, 15455:10,
 15461:16, 15477:10,
 15477:22, 15478:10,
 15483:3, 15483:5,
 15484:12, 15489:19,
 15490:18, 15492:15,
 15493:6, 15495:18,
 15502:24, 15515:13,
 15516:8, 15520:14
downtown - 15293:4,
 15524:12
Dr - 15327:21, 15328:7,
 15386:4, 15477:4
drained - 15274:16,
 15321:22, 15352:12,
 15442:14
drank - 15463:20
draw - 15289:16
drawing - 15500:18
dress - 15257:12,
 15264:8, 15264:9,
 15264:11, 15273:15,
 15281:22, 15318:18,
 15318:23, 15319:7,
 15346:12, 15349:25,
 15363:13, 15363:23,
 15364:9, 15364:21,
 15365:1
dressed - 15273:17,
 15280:16, 15439:11,
 15445:7, 15484:3
drink - 15392:7
drinking - 15265:6,
 15269:23, 15270:2,
 15288:20, 15288:25,
 15289:22, 15289:24,
 15296:17, 15329:11,
 15344:23, 15391:13,
 15392:2, 15392:11,
 15392:12, 15392:20,
 15432:10, 15463:23
drinking - 15280:25
drinks - 15392:19
drive - 15252:24,
 15296:21, 15297:13
driving - 15298:9,
 15299:4, 15299:14
dropped - 15341:23
dropping - 15443:18,
 15443:19
drove - 15263:15,
 15263:16, 15296:24,
 15312:5, 15345:4,
 15427:12
drug - 15299:11
drugs - 15265:5
drunk - 15374:19,
 15375:7
during - 15312:8,
 15314:14, 15314:17,
 15340:23, 15341:17,
 15345:7, 15348:10,
 15359:16, 15363:12,
 15373:1, 15373:20,
 15378:7, 15380:18,
 15380:19, 15420:1,
 15421:24, 15427:5,

15467:24, 15480:6
During - 15356:3,
 15420:21, 15421:11,
 15456:13
E
Eamon - 15232:10
Earl - 15249:2
early - 15280:22,
 15360:10, 15363:12,
 15386:6, 15400:14,
 15401:13, 15458:16,
 15503:7, 15505:8
easily - 15375:22
east - 15347:4
easy - 15308:13,
 15344:14
eat - 15310:17
Economy - 15481:18,
 15482:7, 15502:13,
 15522:7
Eddie - 15232:8,
 15513:12
edge - 15350:23,
 15404:14, 15405:16,
 15405:17
edged - 15368:24,
 15369:7, 15371:8,
 15371:16, 15494:8,
 15496:1
edition - 15508:11,
 15508:13
editions - 15508:6,
 15508:15
Education - 15334:5
Edward - 15230:7
effect - 15267:6,
 15331:25, 15411:15,
 15448:6
eight - 15392:4,
 15392:12, 15424:15,
 15435:20, 15463:20,
 15514:20
either - 15266:21,
 15280:17, 15290:25,
 15294:2, 15302:15,
 15320:7, 15321:6,
 15324:4, 15324:8,
 15416:23, 15430:20,
 15473:20, 15474:9,
 15489:10, 15515:7,
 15524:13
elaborate - 15337:6
eleven - 15394:18
Elson - 15232:7,
 15233:9, 15504:25,
 15505:2, 15505:3,
 15513:1
emanate - 15248:23
embellish - 15311:6
embellishing -
 15311:7
emergency - 15454:17
enacting - 15265:14
encloses - 15451:24
encountered -
 15334:3, 15400:16
encourage - 15310:4
encouraged -
 15329:15, 15362:10
encouragement -
 15367:2
end - 15316:10,
 15402:2, 15418:20,
 15475:16, 15502:7,
 15503:3
Ends - 15233:6,
 15233:8, 15446:18,
 15447:18

enemy - 15305:11
ensure - 15377:10,
 15507:2
enter - 15374:6
entered - 15406:14,
 15409:7, 15419:10
entering - 15325:5
entire - 15301:22
entitled - 15403:10
Ernie - 15333:7,
 15378:20, 15383:13,
 15383:21, 15384:7,
 15384:12
Ernie's - 15333:5
escape - 15256:20
escaped - 15256:19
especially - 15458:17
Esq - 15232:3,
 15232:7, 15232:10
Essentially - 15426:11
etcetera - 15340:2,
 15359:12
Eugene - 15240:16,
 15241:23, 15339:18,
 15340:20, 15341:13,
 15342:6, 15342:16,
 15363:5, 15425:16,
 15485:8, 15508:19
evening - 15363:12,
 15364:1, 15364:10,
 15365:2, 15461:10,
 15470:2, 15511:3
event - 15248:5,
 15361:21, 15397:17,
 15413:10, 15508:22,
 15511:14, 15512:7
events - 15361:21,
 15393:5, 15415:7,
 15443:15, 15450:15
eventually - 15356:20,
 15422:4, 15435:15,
 15479:17
Evidence - 15368:20
evidence - 15235:25,
 15236:10, 15236:11,
 15236:17, 15242:1,
 15246:16, 15258:22,
 15258:25, 15259:12,
 15263:4, 15263:5,
 15263:8, 15264:16,
 15266:21, 15266:22,
 15266:24, 15304:3,
 15327:17, 15351:9,
 15369:4, 15389:25,
 15417:4, 15426:15,
 15429:11, 15430:1,
 15430:7, 15459:1,
 15461:1, 15461:2,
 15461:3, 15473:3,
 15490:14, 15505:9,
 15505:15, 15506:9,
 15508:1, 15512:2,
 15513:17, 15514:19
ex - 15249:2, 15344:9,
 15381:6, 15427:20,
 15439:25
ex-husband - 15249:2,
 15344:9, 15381:6,
 15439:25
exact - 15354:15,
 15501:12
exactly - 15255:2,
 15259:24, 15266:19,
 15268:23, 15275:2,
 15289:13, 15303:9,
 15310:8, 15311:2,
 15314:14, 15320:14,
 15328:21, 15347:7,
 15394:8, 15404:8,
 15421:14, 15466:3,



15496:7
examination - 15401:19, 15401:22, 15404:21, 15471:6, 15489:17
examine - 15264:6
examined - 15461:9, 15466:22
examining - 15491:11
example - 15339:11, 15429:14, 15454:17
exchange - 15259:15, 15410:15, 15494:12
excuse - 15288:14, 15466:9, 15466:17, 15467:16, 15489:24
Executive - 15231:3
exhibit - 15406:15, 15406:25, 15409:7, 15419:11, 15425:3, 15495:3
Exhibit - 15234:3, 15395:11, 15395:15, 15395:16, 15425:6, 15493:24, 15494:3, 15495:1
exhibits - 15497:22, 15521:24
Exhibits - 15234:1
existed - 15409:15
existence - 15485:6
exists - 15331:5
expect - 15366:22, 15402:16, 15452:2
expectation - 15507:14
expected - 15239:7, 15280:18, 15280:21, 15280:23, 15321:18, 15349:21, 15364:2, 15398:6, 15506:12
expecting - 15256:7, 15256:11, 15331:7, 15340:13, 15343:14, 15506:6
expert - 15266:11
explain - 15281:5, 15303:9, 15326:12, 15407:8
explained - 15288:2, 15288:3, 15288:4, 15303:4, 15331:3, 15497:1
explaining - 15283:20, 15357:8, 15362:7
explanation - 15338:9, 15350:11, 15352:23, 15353:17, 15412:23, 15413:16, 15414:9, 15498:16
explanatory - 15379:17
exposed - 15436:3
expressed - 15436:1
expressing - 15342:6, 15434:3, 15435:7
expression - 15321:25, 15415:1
extra - 15341:16
extra-curricular - 15341:16
extreme - 15306:9
eyebrow - 15355:22

F

f-ing - 15441:25
face - 15270:20, 15271:12, 15274:16, 15321:23, 15352:11,

15415:1, 15442:15, 15447:14
fact - 15254:2, 15256:1, 15267:8, 15275:3, 15303:20, 15308:6, 15309:19, 15330:12, 15338:12, 15347:21, 15348:17, 15378:3, 15396:20, 15402:6, 15410:3, 15410:5, 15412:15, 15412:16, 15416:5, 15422:8, 15426:9, 15427:16, 15435:8, 15464:10, 15470:10, 15488:4, 15507:18, 15508:10, 15509:14, 15510:23, 15522:17, 15526:9
factored - 15409:22
facts - 15247:10, 15250:2, 15344:1
failed - 15317:3, 15317:20, 15318:1
fair - 15311:12, 15314:19, 15335:19, 15340:7, 15365:13, 15366:21, 15393:2, 15402:14, 15409:8, 15409:19, 15410:20, 15415:9, 15417:11, 15499:16, 15505:20, 15506:7, 15507:8, 15507:13, 15508:22, 15512:13, 15512:15, 15519:19
fairly - 15262:19, 15517:6
fairness - 15236:8, 15382:8
faith - 15288:23
falling - 15374:19
falsely - 15308:19, 15308:20
familiar - 15314:24, 15328:23, 15495:7, 15495:10, 15504:12
family - 15235:15, 15237:10, 15239:8, 15261:20, 15263:2, 15276:12, 15327:13, 15329:7, 15331:5, 15360:11, 15360:23, 15386:5, 15477:4, 15515:14, 15515:17, 15516:2
fancy - 15290:3, 15439:21
far - 15236:21, 15261:7, 15268:18, 15281:13, 15282:9, 15292:24, 15294:6, 15324:15, 15326:10, 15334:15, 15336:11, 15336:14, 15340:10, 15343:11, 15349:15, 15373:15, 15382:8, 15396:12, 15403:1, 15412:5, 15458:9, 15514:16
fashioned - 15272:18
father - 15303:2, 15307:11, 15308:7, 15327:6, 15331:21, 15348:13
favourite - 15291:10
Feb - 15354:4
February - 15241:20, 15244:3, 15247:2, 15247:6, 15249:16,

15251:5, 15333:24, 15335:20, 15335:21, 15363:6, 15451:22, 15502:10, 15514:13
Federal - 15240:18, 15242:2, 15367:25, 15390:10, 15448:10
federal - 15242:25
feelings - 15426:25
feet - 15310:12
Felicity - 15332:19
fella - 15240:15, 15246:16, 15246:17, 15248:10
fellow - 15248:16, 15314:22, 15370:15, 15381:2, 15425:16
fellows - 15265:8
felt - 15268:1, 15303:9, 15329:17, 15330:7, 15335:5, 15337:13, 15418:22, 15419:19, 15426:4, 15430:3, 15430:21, 15444:7, 15463:2, 15509:3
female - 15374:25
fence - 15422:2
few - 15351:1, 15352:5, 15431:16, 15440:21, 15441:2, 15513:5, 15513:8
fide - 15335:8
fight - 15356:19
fighting - 15269:1, 15270:15, 15283:10, 15376:16, 15445:18
figure - 15281:6, 15360:16, 15360:18, 15360:24, 15414:17, 15430:15
figured - 15239:12, 15261:15, 15294:14, 15305:25, 15326:17, 15364:13, 15423:8, 15463:4
file - 15368:14
filed - 15452:12, 15453:15
files - 15333:22, 15506:20
fill - 15427:13
filled - 15339:11
finally - 15263:18, 15273:4, 15329:5, 15363:17
Finally - 15425:19
finder - 15324:8
fine - 15256:4, 15258:2, 15258:16, 15447:19, 15473:1
fine - 15293:20
fine-toothed - 15473:1
finer - 15287:6
finish - 15264:13
finished - 15313:23
fire - 15310:12, 15310:13
firm - 15285:12
First - 15241:19
first - 15238:8, 15242:16, 15243:20, 15252:21, 15253:5, 15269:6, 15288:2, 15293:1, 15297:6, 15297:16, 15297:21, 15299:7, 15301:23, 15314:10, 15322:10, 15335:23, 15347:16, 15349:2, 15349:4, 15352:13, 15361:23,

15366:7, 15406:2, 15427:8, 15427:10, 15427:24, 15436:24, 15441:19, 15448:9, 15452:13, 15461:9, 15461:17, 15478:20, 15480:25, 15481:20, 15494:10, 15494:15, 15495:14, 15505:1, 15521:9
first - 15292:25
Fisher - 15232:10, 15233:3, 15235:5, 15235:7, 15235:21, 15236:11, 15240:2, 15241:10, 15241:12, 15241:21, 15242:20, 15242:24, 15243:4, 15243:13, 15244:12, 15244:15, 15244:21, 15245:1, 15245:7, 15245:12, 15245:18, 15246:2, 15246:21, 15247:12, 15247:13, 15247:19, 15248:3, 15248:25, 15249:2, 15249:12, 15249:19, 15249:22, 15250:16, 15251:1, 15251:8, 15251:14, 15251:23, 15252:3, 15252:10, 15255:21, 15257:1, 15257:8, 15267:3, 15267:9, 15267:10, 15267:23, 15268:5, 15268:13, 15269:16, 15274:23, 15277:22, 15279:24, 15281:5, 15282:8, 15284:19, 15285:23, 15286:21, 15292:21, 15293:8, 15294:9, 15298:7, 15298:24, 15301:14, 15301:21, 15302:6, 15302:9, 15302:23, 15304:15, 15304:21, 15305:21, 15306:24, 15307:25, 15308:24, 15309:4, 15309:16, 15309:22, 15311:21, 15312:17, 15313:14, 15313:23, 15326:10, 15330:8, 15331:9, 15331:17, 15332:4, 15332:10, 15333:24, 15335:25, 15338:6, 15339:11, 15343:4, 15343:22, 15344:9, 15344:18, 15345:17, 15346:3, 15346:10, 15346:23, 15346:25, 15348:9, 15351:8, 15358:24, 15363:14, 15364:7, 15365:7, 15366:12, 15367:12, 15367:18, 15368:11, 15368:17, 15368:19, 15368:22, 15372:7, 15372:10, 15372:24, 15373:15, 15374:11, 15377:14, 15383:4, 15383:9, 15383:11, 15383:15, 15383:16, 15384:9, 15384:13, 15384:14, 15384:16, 15384:20, 15385:25, 15388:6, 15388:18, 15388:21, 15389:16, 15394:6, 15399:9, 15400:23, 15401:3,

15401:11, 15401:12, 15401:13, 15404:19, 15406:3, 15408:15, 15413:12, 15413:23, 15414:4, 15415:20, 15416:13, 15418:7, 15418:24, 15420:6, 15420:14, 15420:15, 15422:13, 15423:16, 15424:6, 15426:20, 15427:14, 15427:17, 15428:17, 15429:12, 15430:1, 15430:7, 15433:8, 15434:3, 15435:4, 15435:6, 15435:21, 15436:11, 15437:17, 15437:15, 15438:9, 15439:8, 15440:15, 15441:15, 15444:12, 15444:14, 15448:17, 15449:12, 15444:20, 15444:25, 15445:2, 15445:17, 15446:2, 15446:4, 15446:10, 15446:17, 15446:23, 15447:2, 15447:7, 15447:16, 15448:24, 15450:1, 15450:16, 15452:13, 15452:24, 15453:13, 15453:22, 15455:13, 15455:14, 15456:8, 15456:11, 15457:6, 15457:13, 15457:16, 15458:5, 15460:1, 15460:15, 15463:14, 15465:13, 15465:25, 15466:5, 15467:4, 15467:12, 15469:18, 15470:1, 15472:14, 15472:23, 15473:19, 15473:22, 15475:12, 15475:19, 15476:22, 15482:4, 15488:10, 15488:11, 15488:17, 15489:3, 15490:2, 15492:5, 15492:8, 15494:1, 15495:6, 15499:1, 15499:20, 15501:15, 15502:3, 15502:17, 15502:22, 15504:23, 15505:3, 15511:15, 15513:1, 15513:8, 15520:2, 15523:24, 15525:5, 15526:18
Fisher's - 15243:3, 15244:18, 15244:19, 15244:22, 15245:19, 15245:25, 15246:13, 15250:11, 15251:9, 15252:3, 15271:10, 15293:22, 15339:13, 15341:2, 15341:4, 15346:21, 15356:10, 15370:12, 15370:20, 15377:19, 15383:22, 15387:24, 15435:18, 15436:25, 15453:11, 15454:5, 15455:2, 15456:7, 15457:23, 15488:21, 15491:12
Fisher/david - 15238:13
fit - 15275:17, 15294:12, 15390:6
Fitzpatrick - 15231:13
five - 15526:20
flashing - 15283:3
flier - 15256:22,



15257:3, 15269:11,
15269:16, 15269:17,
15391:4
floral - 15439:12
floral-print - 15439:12
fluid - 15385:17
flyer - 15235:14,
15236:5, 15236:13,
15236:14, 15288:14,
15329:6, 15362:14
flyers - 15289:6
focus - 15520:2
focusing - 15291:2
follow - 15236:22,
15416:22
followed - 15267:18,
15276:8, 15521:17
following - 15240:9,
15240:25, 15247:9,
15324:5, 15325:11,
15330:24, 15368:18,
15372:11, 15372:20,
15442:23, 15486:4
follows - 15339:16
fooling - 15374:20,
15374:21, 15374:25
force - 15382:10
foregoing - 15527:4
forensic - 15258:25,
15266:11
forget - 15321:24
forgetting - 15327:23
forgot - 15270:23,
15290:15, 15447:13
fork - 15424:16
form - 15249:23
former - 15473:9
forward - 15426:13,
15426:17
forwarded - 15254:18,
15368:16
found - 15289:10
four - 15272:23,
15349:3, 15349:4,
15393:14, 15473:6,
15491:3, 15491:5,
15492:24, 15493:15,
15502:5
Four - 15252:25
four-inch - 15491:3,
15491:5
Fourth - 15524:10
Fox - 15232:8,
15233:10, 15382:6,
15504:25, 15513:4,
15513:11, 15524:11,
15525:3, 15526:16
frame - 15237:12,
15313:14, 15373:21,
15420:2
Frank - 15356:5
Framer - 15232:11
Free - 15420:9
frequent - 15317:16
frequently - 15510:23
Friday - 15260:2,
15260:5, 15314:9,
15330:16, 15437:25
friend - 15333:9,
15383:14, 15418:2,
15459:19
friend's - 15437:23
friends - 15265:9,
15327:12
Friends - 15513:6
frigid - 15438:24
front - 15274:6,
15288:5, 15295:13,
15295:16, 15324:17,
15324:18, 15324:22,

15324:24, 15354:11,
15354:13, 15354:15,
15375:3
full - 15249:8,
15404:23
fully - 15498:6
furious - 15398:8
Furthermore -
15244:14

G

Gagne - 15475:25,
15476:18
Gail - 15244:10,
15245:10, 15247:13,
15248:25, 15261:23,
15262:16, 15273:2,
15278:15, 15292:7,
15292:14, 15292:17,
15293:11, 15294:11,
15294:19, 15309:5,
15309:18, 15316:17,
15322:6, 15324:3,
15326:16, 15331:9,
15338:8, 15338:16,
15341:20, 15344:19,
15347:17, 15359:17,
15373:3, 15374:3,
15380:12, 15384:17,
15385:1, 15386:19,
15406:10, 15411:22,
15413:22, 15415:3,
15415:8, 15417:17,
15419:16, 15425:12,
15437:1, 15437:8,
15445:3, 15445:11,
15446:6, 15446:25,
15452:20, 15453:24,
15455:16, 15455:19,
15456:13, 15456:14,
15457:6, 15457:7,
15457:11, 15457:17,
15460:6, 15460:18,
15463:19, 15472:19,
15474:16, 15475:13,
15488:12, 15503:4,
15506:2, 15513:23,
15515:7, 15515:8,
15515:21, 15517:13,
15519:1, 15520:6,
15520:8, 15521:2,
15521:19, 15521:25,
15522:13
gain - 15426:12
gained - 15243:13
game - 15306:14
garbage - 15278:8,
15278:12, 15326:1
garbage - 15277:1,
15277:2
Garrett - 15232:6
gather - 15411:10,
15507:21
gathered - 15506:9
gathering - 15429:11,
15429:25, 15430:6
gee - 15520:22
general - 15513:21,
15513:23, 15516:9
generally - 15238:18,
15240:8, 15242:6,
15250:18
Gibson - 15232:9
girl - 15263:12,
15263:19, 15271:11,
15272:2, 15275:14,
15275:15, 15288:5,
15320:4, 15320:13,
15352:19, 15462:12,

15518:17
girlfriend - 15407:13,
15407:18
girls - 15348:12,
15348:15
given - 15298:8,
15311:11, 15314:18,
15331:6, 15335:7,
15346:2, 15346:5,
15348:20, 15351:1,
15375:12, 15420:14,
15423:11, 15505:25,
15507:18
glad - 15252:23
go in - 15390:8,
15490:10
going - 15302:20
goings - 15514:24,
15515:2
goodness - 15274:15
Government - 15232:4
grab - 15263:19
grabbed - 15376:16
grandmother's -
15381:22, 15484:10
greater - 15303:25
green - 15439:11,
15439:12
Groat - 15314:22,
15314:23, 15315:4
groceries - 15502:20
guess - 15292:23,
15293:13, 15307:17,
15338:4, 15349:3,
15462:17, 15469:14,
15473:10, 15479:1,
15496:25
guess - 15288:17
guilt - 15272:4,
15272:8
guilty - 15270:22,
15270:24, 15283:17,
15285:16, 15309:4,
15321:21, 15322:17,
15322:22, 15323:21,
15323:24, 15416:24,
15418:11, 15430:22,
15473:23, 15474:10,
15475:9
guy - 15445:1
guys - 15485:15

H

had - 15289:16
half - 15264:24,
15272:23
Hall - 15426:1
hallway - 15274:3,
15319:14
halted - 15415:16
Halyk - 15232:5
hamlet - 15473:7
hamper - 15342:9
hand - 15300:18,
15362:20, 15466:10,
15466:18, 15467:14,
15467:18, 15467:21,
15479:21
handed - 15362:16,
15368:19, 15368:21,
15479:22, 15496:2,
15501:9
handle - 15273:5,
15290:4, 15290:13,
15350:20, 15393:14,
15393:19, 15393:25,
15403:20, 15404:9,
15405:3, 15406:14,
15406:25, 15410:13,
15478:20, 15479:12,
15484:17, 15487:25,
15491:4, 15492:25,
15495:2
handle - 15290:4,
15290:13
handled - 15272:18,
15291:2, 15306:6,
15368:23, 15369:9,
15369:20, 15369:21,
15369:22, 15369:23,
15370:1, 15370:2,
15371:8, 15371:22,
15404:8, 15405:21,
15406:8, 15409:6,
15411:18, 15421:21,
15422:12, 15422:20,
15422:24, 15423:4,
15423:17, 15460:23,
15482:16, 15489:7,
15491:3, 15492:22,
15494:16, 15494:22,
15497:3, 15498:1,
15499:21, 15500:21,
15501:4, 15502:5,
15509:20, 15510:18,
15512:1, 15512:8,
15512:12, 15521:10
handles - 15272:19,
15290:11
hands - 15489:25,
15490:1, 15492:10,
15499:12
handwriting -
15332:24
handwritten -
15315:10, 15316:23,
15317:1
hang - 15284:11
hangups - 15355:24
happen - 15292:10
happy - 15444:20
hard - 15445:1,
15470:11
hard-working -
15445:1
hardly - 15319:11,
15361:8, 15479:19,
15479:23
harm - 15258:12
Harry - 15348:14
hazy - 15373:21
he - 15296:11,
15304:10
head - 15288:7,
15449:18, 15487:16
headache - 15325:10
headed - 15503:21
heading - 15472:13
hear - 15239:7,
15256:11, 15268:11,
15340:14, 15343:14,
15343:15, 15365:8,
15374:6, 15399:6,
15399:15, 15399:18,
15451:18
heard - 15238:12,
15239:2, 15244:19,
15245:25, 15246:16,
15253:21, 15253:23,
15265:8, 15266:15,
15268:3, 15268:10,
15271:19, 15289:3,
15304:17, 15319:22,
15319:25, 15320:1,
15320:10, 15330:10,
15341:18, 15350:17,
15361:23, 15361:25,
15397:13, 15399:11,
15450:14, 15459:1,

15462:11, 15464:10,
15470:10, 15470:12,
15510:21, 15514:19,
15514:25, 15515:12,
15515:16, 15515:20,
15516:6, 15516:10
hearing - 15235:24,
15237:19, 15268:15,
15269:24, 15332:1,
15340:10, 15357:19,
15374:14, 15437:2,
15448:15, 15448:17,
15449:2, 15450:7,
15450:10, 15450:18,
15488:21, 15485:15,
15499:14, 15499:25,
15501:3, 15501:14,
15501:23, 15502:1,
15502:4, 15516:16
hearings - 15449:25,
15472:7
heavy - 15470:24
heck - 15462:1,
15462:3, 15462:6
held - 15350:21,
15405:21
help - 15266:20,
15303:8, 15307:14,
15329:9, 15424:11,
15476:15
help - 15296:8
helping - 15242:9
Henderson - 15237:25,
15239:18, 15242:12,
15251:6, 15252:10,
15252:15, 15253:2,
15256:10, 15257:20,
15258:20, 15259:2,
15260:1, 15261:4,
15262:15, 15264:20,
15267:16, 15268:10,
15268:14, 15268:17,
15268:19, 15268:21,
15270:8, 15270:10,
15272:16, 15273:10,
15274:17, 15278:2,
15281:1, 15282:16,
15282:23, 15283:1,
15283:5, 15283:14,
15285:10, 15285:23,
15286:8, 15288:13,
15288:17, 15290:7,
15292:1, 15292:14,
15292:18, 15292:24,
15293:19, 15293:21,
15294:6, 15295:7,
15295:18, 15296:9,
15296:13, 15296:15,
15296:22, 15297:7,
15298:19, 15298:21,
15299:20, 15300:6,
15300:10, 15300:13,
15300:19, 15301:7,
15301:16, 15303:10,
15305:4, 15305:7,
15306:6, 15306:14,
15307:9, 15308:12,
15309:1, 15309:6,
15310:25, 15311:12,
15311:14, 15311:23,
15312:1, 15312:11,
15313:25, 15314:2,
15314:18, 15315:1,
15315:3, 15315:13,
15315:16, 15338:22,
15340:4, 15349:15,
15360:1, 15427:10,
15427:23, 15427:25,
15438:10, 15441:10,
15483:7, 15497:20



Henderson's - 15332:24, 15428:1, 15483:11
her' - 15292:20
hereby - 15527:4
herein - 15527:6
heresay - 15345:11
herewith - 15368:10
Hersh - 15242:18, 15245:17, 15368:7, 15368:10, 15425:15
hidden - 15422:2
hide - 15526:9
Hiding - 15306:13
high - 15328:2
higher - 15312:1
him' - 15282:17, 15288:6, 15300:18
himself - 15244:4, 15306:20, 15310:14
hindsight - 15509:24
Hinz - 15231:10, 15527:2, 15527:13
history - 15250:11, 15445:25
hit - 15272:14
hits - 15305:10
Hmm - 15349:13
Hodson - 15231:2, 15233:4, 15235:6, 15237:7, 15238:5, 15238:7, 15243:21, 15243:23, 15249:6, 15249:7, 15313:17, 15313:22, 15382:7, 15383:3, 15425:5, 15425:8, 15446:19, 15447:19, 15447:21, 15448:23, 15495:5, 15504:22, 15513:9, 15514:11, 15519:22, 15524:10, 15526:19
Hodson's - 15510:22
hold - 15292:15
holding - 15301:18, 15301:19, 15303:15
holes - 15427:13
hollered - 15462:19
hollering - 15270:16, 15442:16
home - 15243:4, 15244:16, 15245:18, 15253:6, 15253:13, 15260:23, 15260:24, 15273:17, 15280:8, 15280:10, 15280:11, 15280:14, 15280:17, 15280:22, 15281:7, 15281:9, 15281:18, 15282:2, 15282:5, 15282:9, 15283:9, 15285:14, 15292:10, 15292:12, 15293:24, 15296:13, 15302:15, 15312:22, 15317:4, 15317:6, 15317:21, 15317:23, 15318:1, 15318:19, 15318:22, 15319:16, 15329:11, 15336:21, 15337:16, 15345:7, 15347:20, 15349:8, 15349:20, 15349:23, 15350:4, 15350:5, 15353:5, 15353:16, 15353:25, 15363:18, 15364:9, 15364:11, 15364:13, 15364:18, 15364:20, 15364:24, 15364:25, 15365:2, 15365:4,

15374:11, 15374:12, 15375:23, 15383:9, 15399:2, 15401:3, 15401:13, 15423:10, 15429:16, 15431:10, 15431:23, 15431:25, 15445:5, 15445:6, 15451:1, 15457:9, 15457:11, 15460:19, 15461:12, 15461:14, 15462:3, 15462:7, 15470:2, 15470:4, 15471:21, 15472:1, 15472:2, 15472:3, 15490:20, 15491:22, 15492:9, 15509:5, 15511:8, 15511:13, 15511:15, 15514:25, 15515:1, 15525:10, 15525:16
home' - 15280:19, 15350:2
Homeniuk - 15475:25, 15476:18
Hon - 15232:12
honest - 15344:15, 15380:2, 15380:22
honestly - 15326:23
Honourable - 15230:6
hopefully - 15255:17
hoping - 15266:22
horrible - 15322:3
Hospital - 15262:5
hospital' - 15292:24
hot - 15300:17, 15303:21
Hotel - 15230:16, 15524:2, 15524:15
hotel - 15265:15, 15524:2
hour - 15372:25
hours - 15330:21, 15435:14, 15435:20, 15439:18
house - 15239:20, 15248:9, 15254:12, 15279:22, 15290:10, 15295:8, 15295:14, 15295:15, 15295:16, 15296:24, 15310:11, 15315:20, 15324:22, 15325:25, 15330:18, 15333:5, 15336:16, 15354:6, 15354:15, 15354:16, 15380:11, 15381:23, 15435:8, 15435:14, 15435:23, 15436:13, 15437:23, 15438:3, 15439:3, 15439:6, 15439:19, 15444:1, 15455:7, 15458:19, 15470:16, 15478:4, 15484:10, 15516:11, 15516:18
house' - 15295:12, 15295:13, 15295:17
householder - 15403:17
hung - 15516:1, 15516:4
hunting - 15368:23, 15369:9, 15369:17, 15371:9, 15371:23, 15421:21, 15422:20, 15423:6
hunting-type - 15368:23, 15369:9, 15371:9, 15371:23
hurdles - 15258:23
hurts - 15331:22

husband - 15249:2, 15249:25, 15251:9, 15337:24, 15344:9, 15345:3, 15365:22, 15367:3, 15381:6, 15427:20, 15439:9, 15439:25, 15445:4, 15446:24, 15472:18, 15511:15
husband's - 15473:10
I
Id - 15243:20, 15404:18, 15523:25
idea - 15271:1, 15301:9, 15301:17, 15405:5, 15523:13
identical - 15289:15
identified - 15244:4, 15406:16, 15409:9, 15436:25, 15450:16, 15516:25
identify - 15244:8, 15424:5
identity - 15244:6, 15244:10, 15472:14
illusion - 15307:11
imagine - 15302:3
immediately - 15307:7, 15341:20, 15350:18
implication - 15415:2
importance - 15410:7
important - 15259:19, 15454:19, 15454:22
impossible - 15283:12
impression - 15332:8, 15425:25, 15426:11
imprisoned - 15245:2, 15329:8, 15331:11
inaudible - 15258:21, 15263:13, 15278:24, 15283:22, 15284:3, 15288:6, 15288:23, 15304:10
Inaudible - 15253:20, 15312:22
incarcerated - 15384:9
inch - 15272:24, 15491:3, 15491:5, 15502:6
inches - 15393:14, 15403:19, 15492:24
incident - 15285:24, 15288:12, 15326:9, 15341:25, 15362:8, 15374:17, 15377:21, 15420:23, 15421:3, 15429:1, 15436:10, 15460:1, 15477:16, 15500:4, 15501:18, 15518:19, 15518:20
indeed - 15505:25, 15512:18
Index - 15233:1, 15234:1
indicate - 15298:7, 15344:16, 15383:14, 15421:20, 15471:13, 15517:25
indicated - 15235:12, 15251:13, 15251:17, 15344:7, 15348:10, 15368:20, 15375:6, 15377:21, 15378:4, 15381:8, 15383:13, 15385:9, 15420:12, 15453:24, 15460:12, 15503:12, 15510:16,

15514:14, 15515:5, 15515:16, 15517:9
indicates - 15374:20, 15375:11, 15386:4, 15426:7, 15455:5
indicating - 15272:23, 15375:13, 15377:17, 15435:11
Indications - 15435:18
indirectly - 15434:12, 15457:15
individual - 15244:3, 15244:5, 15244:13, 15245:6, 15343:23, 15380:3
indulge - 15513:6, 15513:7
infection - 15466:10, 15466:18, 15467:17, 15467:21
inflicted - 15369:6, 15371:15
influence - 15285:2
inform - 15326:24
informant - 15242:18, 15242:24
Informant - 15243:2, 15243:5
information - 15235:14, 15235:24, 15236:4, 15239:5, 15239:14, 15240:1, 15242:1, 15243:9, 15243:13, 15244:25, 15245:6, 15247:3, 15250:17, 15251:24, 15254:11, 15254:18, 15258:3, 15258:8, 15258:16, 15258:25, 15261:2, 15262:24, 15273:10, 15276:18, 15279:23, 15303:21, 15304:21, 15305:22, 15308:7, 15331:18, 15332:9, 15333:21, 15339:20, 15339:21, 15340:11, 15341:13, 15342:3, 15343:3, 15344:6, 15346:2, 15348:19, 15348:21, 15350:25, 15357:19, 15362:15, 15365:11, 15368:8, 15376:23, 15378:18, 15382:12, 15382:17, 15385:25, 15386:25, 15389:25, 15390:8, 15390:18, 15391:22, 15402:22, 15403:21, 15408:1, 15423:22, 15424:23, 15449:15, 15453:4, 15507:3, 15507:4, 15507:9, 15510:8, 15510:9
informed - 15244:9, 15452:21, 15454:6, 15454:15, 15454:20, 15457:20, 15458:3
ing - 15441:25
initial - 15238:19, 15238:24, 15242:16
Inland - 15231:13
inmate - 15242:25
innocence - 15329:9, 15519:16, 15519:19
innocent - 15267:7, 15289:7, 15330:7, 15391:6, 15391:11, 15416:24, 15443:17
inquiries - 15367:8,

15477:15, 15478:1, 15486:13
inquiring - 15263:1, 15458:2
Inquiry - 15230:2, 15230:23, 15453:1, 15505:9
inquiry - 15389:18
insisted - 15368:14
insists - 15368:15
Inspector - 15505:10, 15505:17, 15506:18, 15507:1, 15507:13, 15509:11, 15510:9
instance - 15273:1, 15286:25
instead - 15318:23
institution - 15243:1, 15386:10
intense - 15320:24
interest - 15278:20, 15434:14, 15510:15
interested - 15385:16, 15403:16, 15429:10, 15429:24, 15430:5, 15473:11
interesting - 15368:13
Interesting - 15497:19
interesting' - 15294:3
interpret - 15272:7, 15430:19
interrupt - 15446:12
interview - 15241:16, 15252:9, 15262:19, 15267:17, 15276:17, 15287:14, 15297:6, 15297:14, 15298:6, 15298:8, 15314:10, 15333:23, 15341:7, 15372:7, 15376:11, 15390:20, 15418:6, 15418:8, 15418:14, 15418:20, 15419:23, 15429:8, 15430:2, 15430:25, 15432:24, 15435:9, 15440:1, 15441:23, 15448:9, 15466:8, 15472:24, 15473:3, 15479:24, 15480:7
interviewed - 15241:6, 15248:3, 15340:25, 15341:4, 15341:5, 15343:22, 15358:14, 15367:14, 15409:14, 15425:17, 15425:21, 15433:17, 15436:1, 15475:24, 15476:9, 15476:10, 15476:17
interviewing - 15338:23, 15348:9, 15453:9
interviews - 15238:17, 15250:19, 15427:5, 15488:2, 15505:7
introduce - 15252:22
introduced - 15497:21
investigated - 15279:13
investigating - 15255:17, 15343:13
investigation - 15303:12, 15327:25, 15342:8, 15342:9, 15385:12, 15403:11, 15421:25, 15436:8, 15475:12, 15476:6, 15476:8, 15503:23, 15506:2, 15513:13
investigative -



15367:8
investigator -
 15425:21, 15425:25,
 15426:4, 15426:7,
 15428:5
investigator's -
 15426:3
investigators -
 15290:25, 15342:19,
 15422:2, 15422:10,
 15426:22
involved - 15249:25,
 15266:17, 15267:23,
 15294:11, 15294:18,
 15307:22, 15338:8,
 15338:15, 15344:19,
 15347:1, 15365:23,
 15366:3, 15366:13,
 15373:2, 15387:13,
 15398:14, 15411:22,
 15434:15, 15446:25,
 15506:2, 15513:13,
 15516:18, 15517:12,
 15518:1, 15518:6,
 15518:25, 15519:12,
 15521:1, 15521:19,
 15521:25
involvement -
 15242:17, 15244:22,
 15246:3, 15246:10,
 15250:1, 15383:19,
 15385:1, 15387:25,
 15389:13, 15415:8
involving - 15325:25
Irene - 15231:9
Irwin - 15232:12
Isabelle - 15231:5
issue - 15431:20
issues - 15506:23
it - 15277:5, 15300:12
item - 15494:4,
 15501:1, 15502:9
items - 15458:6

J

jacket - 15449:11
jackets - 15450:6
jagged - 15350:23,
 15404:15, 15405:16
jail - 15286:2,
 15287:10, 15366:8,
 15383:24, 15384:3,
 15384:5, 15384:6,
 15384:10, 15468:16,
 15469:20, 15476:14
James - 15232:3,
 15327:21, 15386:4
Jan - 15345:8, 15353:6,
 15353:12, 15354:4,
 15355:8, 15359:14,
 15363:12, 15374:7
January - 15244:17,
 15247:20, 15260:3,
 15272:6, 15312:16,
 15313:13, 15334:10,
 15334:23, 15335:1,
 15337:4, 15337:9,
 15340:1, 15353:24,
 15361:11, 15401:14,
 15402:5, 15449:2,
 15449:22, 15449:23,
 15450:22, 15465:13,
 15466:6, 15467:12,
 15467:23, 15470:2,
 15470:3, 15478:3,
 15481:22, 15481:23,
 15491:8, 15492:7,
 15499:8, 15500:1,
 15501:3, 15501:15,

15503:2, 15508:14,
 15509:6, 15510:16,
 15510:18, 15511:7,
 15511:19, 15512:16,
 15513:18, 15514:20,
 15515:3, 15516:11,
 15516:18, 15517:17,
 15520:21, 15521:14
Japan - 15403:20
Jerry - 15231:12
job - 15356:7, 15364:3,
 15469:8
Jodie - 15231:6
John - 15263:12,
 15514:23
Johnson - 15489:17,
 15491:11
joins - 15444:12
joke - 15265:20
joking - 15265:24,
 15265:25, 15266:3
Jones - 15318:16,
 15318:25, 15376:5
Joyce - 15232:3,
 15237:19, 15237:24,
 15242:12, 15248:24,
 15252:9, 15252:15,
 15253:3, 15267:15,
 15296:21, 15298:21,
 15308:15, 15308:20,
 15311:22, 15314:21,
 15330:16, 15331:16,
 15332:8, 15333:19,
 15338:22, 15339:15,
 15340:23, 15342:17,
 15349:5, 15367:15,
 15368:14, 15386:24,
 15420:8, 15428:4,
 15437:7, 15438:10
judge - 15264:4
judges - 15473:22
June - 15425:15,
 15433:25, 15435:5,
 15436:22, 15437:5,
 15437:6, 15437:25,
 15438:8, 15440:6,
 15440:13, 15440:15
just - 15277:4
Justice - 15230:6,
 15232:11, 15232:13,
 15240:18, 15242:2,
 15257:23, 15258:4,
 15259:1, 15266:12,
 15300:24, 15301:1,
 15303:12, 15303:13,
 15303:20, 15303:25,
 15306:8, 15367:25,
 15389:22, 15390:10,
 15429:8, 15448:10,
 15471:17

K

Kara - 15231:5
Karen - 15231:10,
 15527:2, 15527:13
Karst - 15232:8,
 15513:12
Katchur - 15428:17
keep - 15321:18,
 15395:16
keeping - 15297:3
Ken - 15356:4,
 15505:10
Kendry - 15231:6
Kept - 15263:14
kept - 15312:23
key - 15257:8
kick - 15487:16
kicked - 15355:22

kid - 15284:10
kidding - 15270:21
kids - 15253:1,
 15253:13, 15265:7,
 15279:5, 15280:1,
 15438:21
kill - 15322:6, 15324:3
killed - 15264:20,
 15273:2, 15275:14,
 15275:15, 15309:18,
 15366:19, 15366:23,
 15394:15, 15398:6,
 15442:1, 15473:14
killer - 15244:10,
 15301:21, 15306:7,
 15472:14
killer's - 15244:12
killing - 15309:5,
 15352:19, 15398:11,
 15446:6, 15462:21,
 15472:19
Kim - 15435:12,
 15435:15, 15436:13
kind - 15257:12,
 15266:1, 15266:25,
 15275:25, 15287:8,
 15290:8, 15290:13,
 15300:24, 15303:18,
 15307:20, 15317:24,
 15341:8, 15398:17,
 15408:16, 15418:9,
 15443:18, 15444:19,
 15463:3, 15475:15,
 15489:21, 15500:3,
 15501:17, 15501:8,
 15501:17, 15502:8
Kindly - 15250:10
kindly - 15403:21
kitchen - 15290:17,
 15320:9, 15350:19,
 15351:16, 15351:19,
 15423:5, 15462:12
Kitchen - 15403:18
Klassen - 15407:20
kleenex - 15468:16,
 15468:21
knife - 15263:19,
 15272:15, 15272:16,
 15272:21, 15272:25,
 15273:11, 15275:5,
 15275:7, 15275:9,
 15275:12, 15282:16,
 15282:18, 15282:21,
 15282:22, 15283:24,
 15289:10, 15289:13,
 15289:16, 15289:17,
 15290:3, 15290:8,
 15290:18, 15291:8,
 15291:12, 15291:13,
 15291:17, 15320:9,
 15320:12, 15321:3,
 15346:9, 15350:18,
 15350:19, 15350:22,
 15350:23, 15350:24,
 15351:4, 15351:5,
 15351:14, 15352:3,
 15352:6, 15368:24,
 15369:1, 15369:16,
 15369:17, 15369:18,
 15369:23, 15370:4,
 15371:9, 15371:12,
 15371:23, 15376:17,
 15379:21, 15393:11,
 15394:8, 15394:23,
 15398:13, 15403:18,
 15403:19, 15403:23,
 15404:1, 15404:11,
 15404:15, 15405:17,
 15405:21, 15406:8,
 15406:9, 15406:14,
 15406:25, 15407:15,
 15407:16, 15407:24,
 15408:6, 15408:11,
 15408:12, 15408:17,
 15408:21, 15408:22,
 15409:6, 15409:9,
 15409:15, 15409:18,
 15410:3, 15410:5,
 15410:8, 15410:11,
 15410:13, 15410:21,
 15410:25, 15411:16,
 15411:17, 15411:18,
 15411:19, 15417:2,
 15417:22, 15417:24,
 15419:9, 15421:13,
 15421:19, 15421:21,
 15422:1, 15422:7,
 15422:9, 15422:12,
 15422:19, 15422:20,
 15422:22, 15422:25,
 15423:5, 15423:6,
 15423:17, 15423:20,
 15423:23, 15423:25,
 15424:2, 15424:4,
 15424:6, 15424:8,
 15424:13, 15424:14,
 15424:15, 15424:16,
 15424:19, 15424:20,
 15424:24, 15425:2,
 15425:10, 15446:8,
 15446:11, 15452:23,
 15457:9, 15458:2,
 15458:12, 15460:17,
 15460:19, 15460:23,
 15460:24, 15462:14,
 15462:15, 15462:22,
 15478:19, 15478:24,
 15479:3, 15479:6,
 15479:12, 15479:22,
 15480:14, 15480:18,
 15480:22, 15480:23,
 15481:2, 15481:4,
 15481:25, 15482:2,
 15482:6, 15482:10,
 15482:16, 15485:5,
 15485:21, 15486:1,
 15486:18, 15487:23,
 15489:4, 15489:7,
 15489:11, 15489:12,
 15491:1, 15491:7,
 15492:19, 15492:23,
 15494:6, 15494:8,
 15494:16, 15494:22,
 15495:1, 15495:2,
 15495:3, 15495:6,
 15495:15, 15496:19,
 15497:3, 15497:5,
 15497:11, 15497:14,
 15497:21, 15498:2,
 15498:3, 15498:5,
 15498:10, 15498:11,
 15498:14, 15499:20,
 15499:22, 15500:2,
 15500:7, 15500:9,
 15500:12, 15500:14,
 15500:19, 15500:20,
 15500:22, 15501:2,
 15501:4, 15501:5,
 15501:6, 15501:7,
 15501:11, 15501:17,
 15501:24, 15502:2,
 15502:12, 15502:18,
 15502:21, 15503:7,
 15503:14, 15504:12,
 15508:9, 15508:10,
 15508:25, 15509:4,
 15509:9, 15509:21,
 15509:22, 15510:18,
 15510:23, 15511:6,
 15511:11, 15511:19,

15511:22, 15511:25,
 15512:1, 15512:4,
 15512:8, 15512:13,
 15512:17, 15512:20,
 15514:9, 15517:21,
 15519:9, 15521:11,
 15521:13, 15521:16,
 15521:19, 15521:24,
 15522:4, 15522:5,
 15522:10, 15522:17,
 15522:20, 15522:25,
 15523:1, 15523:4,
 15523:12
Knife - 15234:4,
 15425:7
knife - 15282:19,
 15290:19
knives - 15263:17,
 15272:19, 15290:9,
 15290:12, 15290:13,
 15290:24, 15351:10,
 15351:16, 15351:19,
 15351:20, 15352:1,
 15368:22, 15369:9,
 15419:13, 15422:23,
 15423:4, 15423:10,
 15424:15, 15479:18,
 15495:23, 15521:7,
 15521:9, 15521:23,
 15523:2
knives - 15290:17
knocked - 15324:6
know - 15277:8,
 15280:23, 15288:20,
 15290:11, 15296:15,
 15300:13
Knowing - 15321:17
knowing - 15280:13,
 15306:12, 15322:10,
 15402:19, 15419:12,
 15423:25, 15507:14
knowledge -
 15348:16, 15457:21,
 15458:4, 15477:6,
 15506:19, 15522:16,
 15527:6
known - 15255:20,
 15283:24, 15293:11,
 15376:3, 15390:19,
 15400:2, 15407:4,
 15437:7, 15444:22,
 15444:23, 15471:1,
 15472:15, 15506:13
knows - 15287:5,
 15287:11, 15306:8,
 15373:16
Krogan - 15232:4
Kujawa - 15232:6

L

Labchuk - 15426:14
label - 15301:21
labelled - 15306:7
labourer - 15318:16
lady - 15382:20,
 15450:7, 15450:16,
 15510:2, 15519:12
Lafreniere - 15246:17,
 15246:18, 15247:1
Lamb - 15459:18,
 15460:20, 15507:21,
 15507:22
Lana - 15232:4
landlady - 15428:15
language - 15442:3,
 15442:5
large - 15290:17
larger - 15423:20,
 15424:18, 15424:19



Larry- 15232:10,
15236:11, 15238:13,
15240:2, 15242:20,
15243:3, 15244:12,
15245:1, 15245:7,
15246:21, 15247:12,
15247:19, 15248:25,
15249:2, 15251:8,
15251:17, 15251:19,
15251:23, 15252:3,
15254:21, 15257:10,
15258:12, 15259:14,
15260:7, 15260:10,
15261:13, 15261:16,
15261:23, 15262:3,
15262:9, 15262:15,
15263:8, 15266:16,
15267:9, 15267:23,
15268:1, 15268:5,
15268:9, 15268:22,
15269:1, 15271:10,
15274:10, 15274:23,
15276:5, 15276:9,
15276:12, 15276:23,
15277:22, 15278:5,
15278:7, 15278:9,
15278:23, 15279:24,
15280:24, 15281:6,
15282:16, 15282:17,
15282:21, 15282:25,
15283:16, 15284:19,
15284:24, 15285:2,
15285:23, 15286:15,
15286:20, 15287:1,
15287:15, 15292:16,
15293:2, 15293:3,
15293:4, 15293:22,
15294:11, 15299:25,
15300:8, 15300:9,
15301:14, 15301:21,
15303:11, 15303:19,
15304:20, 15305:2,
15305:12, 15305:21,
15306:12, 15306:24,
15307:21, 15307:25,
15308:19, 15308:21,
15308:24, 15309:13,
15309:15, 15309:16,
15309:22, 15310:10,
15310:15, 15311:9,
15313:4, 15313:14,
15316:19, 15317:3,
15317:8, 15317:12,
15317:20, 15317:25,
15318:6, 15318:15,
15318:22, 15319:10,
15320:11, 15322:4,
15322:10, 15324:9,
15325:2, 15325:22,
15325:25, 15326:2,
15326:5, 15326:10,
15327:6, 15328:3,
15329:14, 15329:25,
15330:8, 15330:19,
15331:9, 15332:3,
15332:10, 15333:24,
15334:3, 15334:8,
15334:13, 15334:20,
15334:24, 15335:14,
15335:25, 15336:1,
15336:9, 15336:25,
15337:7, 15337:16,
15338:10, 15338:12,
15339:10, 15339:25,
15341:1, 15341:4,
15341:15, 15341:21,
15341:22, 15343:4,
15344:9, 15344:18,
15345:9, 15345:17,
15346:2, 15346:12,
15346:15, 15347:1,
15348:11, 15349:20,
15349:21, 15349:24,
15350:10, 15352:12,
15352:16, 15353:2,
15353:3, 15353:5,
15353:10, 15353:25,
15355:1, 15355:9,
15355:20, 15355:24,
15356:4, 15356:10,
15356:19, 15356:22,
15356:23, 15357:6,
15359:9, 15359:13,
15359:16, 15360:11,
15360:13, 15361:13,
15361:17, 15362:8,
15362:16, 15363:13,
15363:17, 15363:22,
15363:25, 15364:2,
15364:9, 15364:13,
15365:4, 15365:19,
15366:8, 15366:12,
15370:12, 15372:24,
15373:15, 15373:17,
15373:23, 15374:11,
15374:18, 15375:6,
15375:16, 15376:1,
15376:14, 15376:15,
15376:18, 15377:18,
15377:20, 15378:21,
15380:9, 15381:3,
15381:8, 15383:12,
15383:15, 15383:21,
15384:9, 15384:13,
15385:8, 15385:11,
15385:13, 15385:19,
15385:25, 15386:7,
15386:8, 15387:12,
15387:24, 15388:13,
15391:7, 15398:24,
15399:2, 15399:22,
15401:13, 15405:24,
15408:15, 15411:3,
15412:4, 15416:13,
15416:23, 15418:24,
15419:15, 15420:13,
15422:14, 15423:19,
15427:14, 15428:14,
15428:20, 15429:16,
15430:4, 15430:7,
15430:22, 15431:9,
15434:11, 15435:17,
15436:25, 15439:9,
15439:17, 15439:19,
15440:15, 15441:14,
15444:11, 15444:14,
15444:18, 15447:2,
15447:5, 15447:7,
15447:13, 15447:16,
15450:1, 15450:16,
15452:12, 15452:23,
15453:11, 15453:22,
15454:5, 15454:7,
15454:15, 15454:20,
15455:2, 15455:14,
15455:18, 15455:24,
15456:8, 15456:11,
15457:15, 15458:13,
15461:12, 15461:17,
15462:19, 15464:21,
15465:13, 15465:25,
15466:5, 15467:10,
15467:12, 15468:6,
15468:12, 15468:19,
15468:21, 15469:11,
15469:18, 15470:1,
15470:13, 15471:9,
15473:2, 15475:12,
15475:19, 15476:22,
15478:12, 15482:4,
15483:23, 15483:24,
15487:14, 15488:17,
15488:21, 15489:3,
15496:15, 15499:1,
15502:15, 15511:7,
15514:3, 15514:13,
15516:20, 15517:6,
15517:11, 15517:12,
15517:17, 15517:25,
15518:23, 15519:11,
15519:17, 15519:19,
15520:2, 15520:5,
15520:23, 15520:25,
15525:5, 15525:12,
15525:17, 15526:9
Larry'- 15300:6
Larry's- 15251:14,
15255:14, 15255:21,
15259:18, 15271:25,
15324:7, 15341:16,
15345:6, 15346:14,
15346:17, 15352:10,
15352:23, 15354:5,
15359:1, 15360:16,
15375:12, 15378:19,
15379:20, 15384:16,
15384:21, 15385:10,
15386:12, 15437:16,
15449:11, 15449:17,
15459:15, 15468:17,
15473:15, 15482:23,
15523:18
last - 15266:13,
15299:23, 15446:21,
15460:14, 15469:17,
15471:7, 15471:19,
15521:8, 15523:15
lastly - 15459:18
lat - 15280:25
late - 15279:16,
15280:18, 15316:20,
15317:12, 15317:17,
15319:12, 15319:16,
15344:22, 15362:6,
15407:11, 15450:17,
15459:25, 15463:16,
15469:18
law - 15285:12,
15345:3, 15367:3,
15412:5
lawyer - 15240:21,
15242:2, 15285:12,
15299:23, 15300:18,
15302:18, 15303:17,
15346:5, 15367:25,
15386:1, 15428:5,
15453:11, 15491:13
lawyers - 15308:16
learn - 15254:10,
15267:18
Learned- 15513:6
learned - 15271:23,
15323:15, 15407:6,
15452:19, 15457:5
learning - 15403:16
least - 15240:23,
15300:15, 15317:9,
15318:7, 15326:7,
15432:20, 15513:20,
15514:19
leave - 15265:1,
15372:16, 15374:7,
15379:16, 15418:9,
15435:21
leaving - 15317:8,
15318:6, 15318:9,
15524:1
led - 15305:7, 15439:2
left - 15237:9, 15261:6,
15288:7, 15292:8,
15292:11, 15292:12,
15340:9, 15364:3,
15375:13, 15380:11,
15383:6, 15401:15,
15418:12, 15425:24,
15435:11, 15439:19,
15496:2, 15501:9
left-handed - 15496:2,
15501:9
legal - 15342:12,
15367:22, 15506:23,
15507:10
lend - 15313:9
lending - 15360:8,
15449:12
length - 15319:17,
15403:19
lent - 15361:8
less - 15373:1,
15411:22, 15411:24,
15418:24
Lett- 15438:7,
15438:22, 15440:3,
15440:12, 15441:22
letter - 15243:15,
15243:24, 15247:11,
15249:14, 15325:6,
15325:16, 15325:19,
15357:2, 15357:15,
15357:22, 15357:23,
15357:24, 15358:21,
15370:8, 15370:12,
15385:11, 15417:23,
15425:15, 15427:2,
15451:22, 15523:25,
15524:17, 15524:22,
15524:25, 15525:4,
15525:11
letters - 15357:7,
15357:11, 15388:12,
15523:19, 15526:6,
15526:14
letting - 15300:9,
15300:11
liaison - 15300:23
Library- 15460:3
library - 15508:2,
15508:4
life - 15344:14,
15463:21
light - 15310:14,
15310:15
lighter - 15405:10
Likely- 15525:16
likely - 15335:5,
15337:13, 15406:16,
15407:1, 15410:5,
15411:22, 15411:24
Lillian- 15233:3,
15235:5, 15251:23,
15388:20
Linda- 15233:3,
15235:5, 15247:13,
15248:3, 15249:22,
15250:11, 15250:16,
15251:20, 15252:10,
15252:22, 15253:2,
15264:7, 15268:12,
15270:12, 15292:20,
15293:7, 15293:21,
15295:18, 15298:24,
15301:9, 15302:5,
15307:6, 15309:1,
15309:4, 15311:1,
15311:21, 15312:17,
15331:16, 15339:22,
15339:23, 15339:24,
15340:25, 15341:15,
15341:18, 15341:20,
15342:23, 15342:24,
15343:5, 15343:22,
15344:11, 15344:20,
15345:9, 15345:16,
15345:18, 15346:13,
15348:1, 15348:9,
15348:15, 15363:16,
15363:21, 15363:24,
15364:2, 15365:19,
15366:25, 15367:12,
15367:18, 15368:11,
15370:14, 15372:7,
15372:9, 15372:24,
15374:17, 15375:11,
15375:15, 15375:18,
15376:6, 15376:15,
15376:16, 15377:14,
15377:22, 15378:3,
15379:18, 15379:24,
15380:2, 15380:5,
15380:9, 15380:19,
15380:21, 15380:22,
15380:25, 15383:9,
15383:12, 15385:5,
15385:8, 15385:14,
15385:18, 15385:24,
15386:4, 15387:11,
15388:5, 15388:12,
15388:18, 15388:20,
15419:11, 15420:5,
15420:12, 15420:15,
15421:11, 15422:7,
15423:16, 15423:21,
15426:20, 15427:12,
15428:13, 15428:16,
15428:18, 15429:9,
15429:19, 15431:5,
15431:13, 15434:2,
15434:12, 15435:4,
15435:6, 15435:9,
15435:19, 15435:22,
15436:1, 15436:5,
15437:14, 15439:8,
15439:16, 15439:24,
15441:24, 15444:12,
15444:14, 15444:16,
15444:20, 15444:25,
15445:2, 15445:16,
15445:17, 15446:2,
15446:4, 15446:10,
15446:13, 15446:17,
15446:23, 15447:2,
15447:7, 15450:1,
15450:22, 15451:2,
15453:13, 15455:13,
15456:7, 15457:6,
15457:13, 15457:23,
15458:5, 15460:1,
15460:15, 15472:14,
15472:23, 15473:6,
15473:19, 15477:14,
15477:25, 15478:18,
15483:6, 15483:9,
15483:22, 15484:2,
15486:4, 15487:23,
15525:7
Linda's- 15251:21
line - 15273:14,
15379:25, 15391:2,
15410:1, 15429:13,
15524:10
Line - 15403:8
lines - 15277:15,
15312:1
liquor - 15375:6
list - 15376:25
listed - 15251:22
listing - 15330:6
live' - 15293:8,
15299:9
lived - 15292:22,



15293:9, 15293:10,
15293:14, 15293:16,
15295:15, 15361:15,
15372:21, 15423:19,
15455:5, 15455:7,
15455:23, 15477:18,
15478:3, 15525:14
lives - 15299:9
living - 15239:24,
15289:2, 15319:18,
15348:11, 15428:15,
15437:21
loaned - 15312:2
loaning - 15359:16
locate - 15325:16,
15485:5
located - 15343:22,
15422:1, 15482:8
location - 15406:18
locker - 15369:2
Lockyer - 15232:3,
15249:5
lodge - 15436:7
logical - 15511:20
look - 15270:23,
15282:18, 15289:25,
15290:9, 15300:15,
15301:3, 15301:5,
15303:19, 15304:6,
15308:18, 15322:22,
15341:24, 15352:13,
15403:12, 15407:10,
15417:23, 15433:11,
15447:14, 15450:6,
15460:24, 15481:10,
15495:24, 15498:9,
15504:12, 15507:19,
15511:20, 15512:10,
15524:25, 15525:1
looked - 15266:11,
15270:22, 15270:24,
15274:16, 15289:13,
15310:22, 15321:21,
15321:23, 15322:17,
15322:22, 15376:18,
15394:8, 15407:13,
15417:24, 15442:16,
15498:7, 15498:8,
15498:14, 15500:14,
15512:21
looking - 15237:16,
15239:13, 15275:4,
15275:7, 15298:24,
15310:17, 15369:24,
15385:14, 15386:24,
15417:10, 15424:11,
15460:23, 15462:14,
15508:8
lookit - 15305:22
Looks - 15493:3
looks - 15311:10,
15314:8, 15316:25,
15349:1, 15422:17,
15424:10, 15434:20,
15467:4, 15479:10,
15496:7, 15498:10,
15504:4, 15504:17,
15525:6
lose - 15294:5,
15296:12
losing - 15421:13,
15422:21, 15449:11
lost - 15294:2,
15294:14, 15294:18,
15296:10, 15296:13,
15346:9, 15355:2,
15371:17, 15374:16,
15406:21, 15419:9,
15423:18, 15423:20,
15424:12

loved - 15327:7
lucky - 15444:21
Luft - 15456:20,
15458:10, 15459:10
lying - 15335:3,
15337:11, 15426:9,
15426:15

M

M' - 15299:9
Maccallum - 15230:7,
15235:3, 15237:5,
15238:3, 15243:19,
15313:19, 15526:22
mad - 15254:1,
15254:14, 15254:17,
15272:12, 15272:13,
15287:8, 15307:22,
15355:25, 15364:23,
15364:25, 15398:5,
15398:7, 15462:5
Madam - 15498:13
madam - 15471:7
mahogany - 15493:3
maiden - 15251:21,
15456:20
mail - 15256:23,
15257:3, 15362:15,
15391:4
main - 15442:21
mainland - 15301:22
maintain - 15414:25
male - 15342:24
man - 15380:21,
15437:20, 15444:19
man's - 15437:11
Manager - 15231:4
Manitoba - 15386:10
manner - 15427:4,
15505:16
Mar - 15367:16,
15367:21
Marceline - 15251:16
March - 15237:23,
15238:5, 15240:24,
15249:14, 15251:11,
15297:11, 15298:2,
15298:8, 15314:7,
15314:8, 15314:9,
15314:11, 15330:16,
15332:17, 15332:18,
15338:20, 15338:21,
15338:23, 15339:1,
15339:5, 15340:19,
15343:2, 15349:2,
15363:9, 15365:10,
15368:6, 15370:9,
15370:10, 15370:14,
15372:3, 15377:7,
15377:16, 15379:10,
15383:7, 15387:3,
15387:8, 15388:2,
15388:3, 15388:22,
15419:5, 15427:24,
15441:9, 15441:13,
15452:16, 15476:17,
15483:4
Marcy - 15251:14,
15251:17, 15341:7
Maria - 15341:2
mark - 15316:25,
15425:2
markings - 15289:14
marks - 15273:21
Maroon - 15480:20
maroon - 15276:4,
15290:6, 15403:20,
15404:8, 15405:2,
15405:4, 15405:9,

15406:14, 15406:25,
15409:6, 15409:22,
15409:25, 15480:13,
15480:19, 15494:16,
15497:3, 15498:1,
15498:4, 15512:1,
15512:12
maroon-coloured -
15480:13
maroon-handled -
15404:8, 15409:6,
15494:16, 15497:3,
15498:1, 15512:1,
15512:12
marriage - 15427:15
married - 15247:12,
15381:1, 15444:15,
15444:17, 15458:11,
15463:17, 15481:20,
15503:2, 15503:5,
15522:7
Mary - 15251:13
Mary's - 15293:17
Masonary - 15334:4
Masonry - 15319:1,
15356:7, 15364:4,
15376:4
matched - 15264:16,
15404:7, 15408:5,
15423:10
mate - 15421:22
matter - 15238:14,
15248:4, 15248:17,
15319:11, 15385:9,
15390:6, 15390:17,
15436:5, 15448:14,
15459:12, 15500:1,
15509:19, 15510:2
matters - 15314:14,
15518:11
mauve - 15478:20,
15479:12, 15480:9,
15480:11, 15480:12,
15480:22, 15480:24,
15484:17, 15487:25,
15489:7, 15494:22,
15522:4, 15522:17
Mauve - 15480:11
mauve-handled -
15489:7, 15494:22
McDonald - 15251:22
Mcgettigan -
15327:22, 15328:7,
15386:5, 15477:4
me' - 15287:8
meal - 15511:3
mean - 15239:2,
15239:13, 15265:22,
15266:23, 15266:25,
15268:1, 15283:12,
15285:17, 15286:16,
15289:22, 15290:8,
15290:9, 15301:25,
15305:10, 15305:15,
15305:16, 15305:18,
15309:11, 15336:14,
15337:15, 15337:17,
15340:5, 15351:16,
15357:21, 15392:9,
15396:9, 15401:11,
15410:24, 15418:23,
15430:11, 15433:15,
15443:16, 15443:20,
15474:5, 15483:16,
15519:7, 15522:9
meaning - 15430:13
means - 15393:19
meant - 15279:25,
15286:21, 15365:18,
15374:21, 15474:6,

15480:10
Meanwhile - 15473:6
media - 15421:4,
15437:2, 15438:11,
15438:18, 15440:7,
15440:14, 15440:17,
15441:4, 15441:6,
15441:14, 15441:18,
15443:11, 15448:3,
15515:12
medical - 15467:14
meet - 15297:7,
15330:22, 15343:5,
15367:18, 15367:25,
15487:9
meeting - 15238:8,
15238:19, 15253:5,
15255:24, 15267:15,
15297:16, 15297:21,
15311:22, 15363:9,
15379:11, 15427:24,
15485:25
meetings - 15252:14,
15314:17
Melnick - 15426:14
member - 15344:21,
15388:7, 15516:2
members - 15237:10,
15261:21, 15276:12,
15327:13, 15360:12,
15360:23
memo - 15247:5,
15429:23, 15433:9
memorandum -
15339:6, 15368:6,
15370:11
memories - 15289:5
memory - 15236:13,
15238:8, 15316:16,
15335:10, 15402:3,
15451:14, 15492:6
mention - 15236:22,
15257:18, 15258:6,
15314:2, 15370:20,
15405:2, 15488:1,
15514:2, 15514:5,
15514:8, 15523:7
mentioned - 15235:18,
15248:24, 15278:3,
15279:10, 15300:1,
15300:2, 15300:3,
15356:19, 15376:8,
15434:18, 15455:20,
15457:8, 15499:11,
15514:11, 15516:20,
15518:14, 15522:11,
15523:4
mentioning - 15387:11
mentions - 15357:23,
15421:20
messed - 15266:8
Messrs - 15426:14
Met - 15487:10
met - 15298:21,
15370:15, 15370:23,
15372:4, 15376:24,
15423:15, 15427:22,
15440:22, 15440:23,
15457:1, 15468:14,
15487:5, 15497:20,
15520:19
Meyer - 15231:11,
15527:2, 15527:17
microfilm - 15508:6
mid - 15363:20
middle - 15274:3,
15282:5, 15319:13,
15339:12
midnight - 15435:22
might - 15238:25,

15266:17, 15275:10,
15275:16, 15296:4,
15296:7, 15296:8,
15300:9, 15300:10,
15300:25, 15304:7,
15304:20, 15305:5,
15305:6, 15312:13,
15320:4, 15326:17,
15328:12, 15329:14,
15329:25, 15338:15,
15354:14, 15358:15,
15360:7, 15368:12,
15371:12, 15373:11,
15374:21, 15377:2,
15384:18, 15399:7,
15399:11, 15399:16,
15400:25, 15412:23,
15413:16, 15414:8,
15414:16, 15414:18,
15421:2, 15430:4,
15430:22, 15446:24,
15458:24, 15471:13,
15471:22, 15474:15,
15488:10, 15499:11,
15501:18, 15503:16,
15504:4, 15510:1,
15514:14, 15516:6,
15517:12, 15518:1,
15518:6, 15518:13,
15526:20
mile - 15264:23
Milgaard - 15230:4,
15232:2, 15232:3,
15235:15, 15237:19,
15237:24, 15238:13,
15239:8, 15239:15,
15240:5, 15240:21,
15242:4, 15242:12,
15247:8, 15248:11,
15248:24, 15251:6,
15252:9, 15252:15,
15252:21, 15253:3,
15253:19, 15254:12,
15254:20, 15255:11,
15255:24, 15256:7,
15256:10, 15256:14,
15256:17, 15257:2,
15257:17, 15259:2,
15259:4, 15259:12,
15259:22, 15260:4,
15260:8, 15260:18,
15261:5, 15261:9,
15262:14, 15263:6,
15263:22, 15263:25,
15264:12, 15264:14,
15264:21, 15265:11,
15266:4, 15267:6,
15267:10, 15267:16,
15267:19, 15268:4,
15268:12, 15269:12,
15270:12, 15270:21,
15272:12, 15272:17,
15272:22, 15272:25,
15273:9, 15273:13,
15274:1, 15274:15,
15274:19, 15275:15,
15275:25, 15276:3,
15276:7, 15277:1,
15277:15, 15278:5,
15278:20, 15279:13,
15279:18, 15280:12,
15283:11, 15285:13,
15286:8, 15286:24,
15287:11, 15288:18,
15288:24, 15289:14,
15290:5, 15292:11,
15292:13, 15292:16,
15293:6, 15293:8,
15293:14, 15293:20,
15294:3, 15295:9,



15295:11, 15295:13,
15296:2, 15296:22,
15297:6, 15298:21,
15299:22, 15300:3,
15300:10, 15300:12,
15300:19, 15301:6,
15301:8, 15302:5,
15302:14, 15304:18,
15305:5, 15306:10,
15307:3, 15308:20,
15309:2, 15309:8,
15309:13, 15309:16,
15310:1, 15310:18,
15311:23, 15312:5,
15313:25, 15314:17,
15314:21, 15315:5,
15330:7, 15330:16,
15330:22, 15331:3,
15331:10, 15331:16,
15331:24, 15332:9,
15333:19, 15333:20,
15334:8, 15334:19,
15336:24, 15338:22,
15339:16, 15339:19,
15339:24, 15339:25,
15340:4, 15340:24,
15341:3, 15342:7,
15342:17, 15343:13,
15344:4, 15347:13,
15349:5, 15360:1,
15361:16, 15361:22,
15367:15, 15375:11,
15377:11, 15379:2,
15379:8, 15386:24,
15389:23, 15396:8,
15396:20, 15406:16,
15407:1, 15409:8,
15419:11, 15420:1,
15420:8, 15420:12,
15420:16, 15420:17,
15420:25, 15428:4,
15428:5, 15428:9,
15437:7, 15437:13,
15438:11, 15438:14,
15440:9, 15440:22,
15441:10, 15441:18,
15441:19, 15442:8,
15443:10, 15444:10,
15447:11, 15448:9,
15460:7, 15468:7,
15468:11, 15468:14,
15468:15, 15468:19,
15469:2, 15469:11,
15473:9, 15473:22,
15475:10, 15476:14,
15486:25, 15487:5,
15494:2, 15495:19,
15497:19, 15506:11,
15506:14, 15507:5,
15507:10, 15507:15,
15514:22, 15515:6,
15515:21, 15516:10,
15516:17
Milgaard's - 15242:13,
15279:22, 15329:7,
15330:17, 15346:5,
15386:1, 15437:22,
15448:5, 15448:10,
15468:5, 15472:9,
15476:8, 15477:18
Milgaards - 15290:25,
15359:24, 15360:9,
15391:5
Miller - 15244:11,
15245:11, 15247:13,
15261:16, 15261:23,
15262:16, 15273:2,
15278:15, 15292:7,
15292:17, 15293:12,
15294:11, 15294:19,
15309:5, 15309:18,
15316:17, 15317:3,
15322:6, 15324:3,
15326:16, 15331:9,
15338:8, 15338:16,
15341:20, 15344:5,
15344:8, 15344:19,
15344:24, 15346:11,
15346:20, 15365:24,
15366:3, 15366:13,
15373:3, 15373:20,
15374:3, 15376:9,
15376:21, 15380:12,
15383:19, 15384:17,
15385:1, 15386:20,
15411:22, 15417:18,
15421:16, 15421:25,
15423:8, 15429:17,
15431:11, 15437:1,
15445:3, 15445:11,
15446:6, 15447:1,
15452:20, 15453:24,
15455:16, 15455:20,
15456:13, 15456:14,
15457:6, 15457:17,
15460:6, 15460:18,
15462:11, 15463:20,
15472:19, 15473:14,
15474:16, 15475:14,
15476:23, 15488:12,
15513:23, 15515:7,
15515:9, 15515:21,
15517:13, 15519:1,
15520:6, 15520:8,
15521:2, 15521:20
Miller - 15292:14
Miller's - 15248:25,
15346:15, 15347:17,
15359:17, 15406:10,
15413:22, 15415:3,
15415:9, 15419:16,
15425:12, 15437:8,
15439:1, 15439:7,
15457:7, 15457:11,
15473:19, 15503:4,
15506:2, 15521:25,
15522:13
mind - 15257:17,
15267:21, 15283:8,
15325:12, 15344:8,
15346:24, 15357:14,
15357:17, 15394:2,
15395:5, 15433:10,
15469:4, 15481:1
minds - 15300:16
mine - 15283:24,
15405:19
Mine - 15405:19,
15410:13
Minister - 15232:11,
15257:22, 15258:3,
15259:1, 15266:13,
15389:22, 15448:10
minute - 15268:20,
15292:15, 15444:3,
15446:21
minutes - 15284:8,
15284:9, 15401:20,
15428:18, 15431:16,
15441:2, 15526:20
miserable - 15270:18
Miss - 15389:16
missed - 15319:11
missing - 15272:15,
15272:16, 15275:3,
15275:10, 15275:12,
15291:1, 15291:5,
15291:19, 15320:10,
15320:12, 15350:19,
15351:12, 15369:2,
15369:10, 15373:16,
15379:21, 15394:11,
15403:17, 15405:18,
15406:9, 15408:6,
15409:18, 15410:7,
15417:2, 15421:15,
15423:7, 15423:24,
15424:16, 15424:25,
15425:11, 15452:22,
15457:9, 15458:9,
15458:12, 15462:22,
15478:19, 15479:11,
15481:6, 15481:9,
15484:15, 15484:16,
15486:19, 15486:21,
15487:23, 15491:2,
15491:7, 15496:11,
15496:20, 15497:6,
15497:10, 15497:15,
15499:21, 15500:21,
15501:12, 15509:5,
15510:18, 15511:19,
15512:9, 15512:17,
15512:18, 15514:9,
15517:20, 15521:14,
15522:20, 15523:13
mistaken - 15448:1,
15464:8, 15464:10,
15510:3
mixed - 15315:1,
15480:21
Mmmmm - 15493:18,
15493:20
mom - 15255:15,
15378:20, 15515:1,
15515:18
moment - 15245:15,
15446:13, 15446:14,
15446:17
Monday - 15244:2,
15302:17, 15340:19,
15342:21
money - 15331:4
month - 15305:9,
15370:16, 15396:19
months - 15240:25,
15267:17, 15276:24,
15372:22, 15419:23,
15437:9, 15442:23,
15460:14
Moosomin - 15332:19,
15333:7, 15378:20,
15383:13, 15383:21,
15384:7, 15384:13
Moreover - 15426:6
Morning - 15235:3,
15235:4, 15235:7
morning - 15244:16,
15245:18, 15251:1,
15254:22, 15255:4,
15264:18, 15270:9,
15271:5, 15272:6,
15283:4, 15285:14,
15285:24, 15291:4,
15293:24, 15294:15,
15296:12, 15299:23,
15308:25, 15309:3,
15309:12, 15309:17,
15309:23, 15316:16,
15317:2, 15317:8,
15317:20, 15318:6,
15318:10, 15318:21,
15319:19, 15320:8,
15321:7, 15323:24,
15326:18, 15333:22,
15334:9, 15334:13,
15334:17, 15334:23,
15335:1, 15335:16,
15335:18, 15336:9,
15336:13, 15336:17,
15336:20, 15337:3,
15337:9, 15337:25,
15338:2, 15346:13,
15349:22, 15349:24,
15352:24, 15353:12,
15360:13, 15361:7,
15363:21, 15364:19,
15365:3, 15368:25,
15374:7, 15375:16,
15375:19, 15375:22,
15376:2, 15394:13,
15397:21, 15397:23,
15398:3, 15399:2,
15399:23, 15400:14,
15400:25, 15401:5,
15401:6, 15401:14,
15401:15, 15402:5,
15403:2, 15406:10,
15408:7, 15413:12,
15419:16, 15429:16,
15429:19, 15431:10,
15431:13, 15431:22,
15432:7, 15432:15,
15433:11, 15450:8,
15461:18, 15464:13,
15470:2, 15478:12,
15486:21, 15496:20,
15505:8, 15514:21,
15520:20
morning - 15294:3
most - 15312:5
mostly - 15312:7,
15515:20
motel - 15264:17,
15265:2, 15265:13
Motel - 15264:22
mother - 15251:14,
15252:3, 15253:20,
15255:21, 15330:17,
15333:19, 15341:2,
15341:4, 15377:19,
15383:22, 15384:16,
15384:21, 15482:15
motivated - 15343:24
 motive - 15335:3,
15337:11
mouth - 15274:11
moved - 15279:15,
15473:6, 15481:24
mum - 15297:3
mum - 15302:7
Murder - 15403:10
murder - 15242:22,
15244:20, 15245:3,
15245:19, 15246:1,
15247:24, 15267:7,
15268:6, 15268:16,
15268:18, 15270:17,
15285:25, 15291:5,
15294:7, 15294:12,
15294:19, 15295:8,
15295:14, 15295:17,
15309:23, 15312:16,
15317:3, 15317:20,
15319:20, 15320:10,
15320:17, 15324:4,
15326:16, 15328:11,
15328:22, 15335:4,
15335:25, 15337:12,
15337:20, 15338:8,
15338:16, 15344:8,
15344:19, 15346:11,
15346:16, 15346:19,
15346:22, 15355:9,
15359:17, 15360:14,
15361:10, 15362:16,
15365:17, 15372:23,
15373:3, 15374:3,
15376:9, 15376:21,
15384:17, 15385:1,
15394:13, 15397:4,
15397:10, 15406:10,
15406:17, 15407:2,
15408:1, 15408:7,
15409:16, 15410:12,
15410:17, 15411:22,
15413:12, 15413:22,
15417:17, 15421:17,
15421:25, 15422:3,
15425:12, 15429:17,
15431:11, 15437:1,
15437:9, 15446:25,
15450:8, 15453:23,
15464:5, 15465:15,
15476:23, 15477:6,
15477:14, 15477:25,
15478:8, 15478:12,
15480:2, 15480:12,
15480:18, 15484:13,
15487:24, 15488:12,
15489:4, 15489:19,
15491:20, 15494:1,
15494:10, 15494:11,
15494:17, 15496:21,
15503:4, 15503:22,
15504:17, 15504:19,
15506:3, 15509:22,
15513:23, 15515:7,
15515:8, 15518:2,
15518:25
murder - 15285:17
murdered - 15247:14,
15278:16, 15316:18,
15321:1, 15331:9,
15380:13, 15445:4,
15472:20, 15474:16
murderer - 15473:19
murdering - 15271:11,
15414:4, 15445:11
music - 15300:21
must - 15259:17,
15259:25, 15261:10,
15268:17, 15280:19,
15280:21, 15280:22,
15289:4, 15296:10,
15323:13, 15357:21,
15358:8, 15358:12,
15374:18, 15415:25,
15441:19
mutating - 15381:7
Mysteriously -
15369:1

N

name - 15240:16,
15243:6, 15243:7,
15244:12, 15248:24,
15251:22, 15253:3,
15306:14, 15314:23,
15315:7, 15339:12,
15345:16, 15348:12,
15429:2, 15436:25,
15437:16, 15438:20,
15440:15, 15456:14,
15456:21, 15458:11,
15505:3
named - 15245:7,
15245:12, 15246:17,
15247:14, 15346:1
namely - 15511:25
names - 15386:3
national - 15303:22
nature - 15240:5,
15244:8, 15250:1,
15250:20, 15328:7,
15345:13, 15430:12,
15449:17
Naumetz - 15452:14
near - 15473:7



nearly - 15421:17
necessarily - 15415:8, 15519:8
neck - 15427:19
need - 15266:14, 15266:18
negative - 15425:24
neighbourhood - 15293:25, 15316:19, 15324:6
Never - 15312:18
never - 15260:7, 15260:10, 15260:23, 15262:21, 15262:22, 15270:23, 15280:2, 15281:13, 15281:14, 15282:17, 15282:23, 15285:18, 15287:8, 15287:21, 15288:19, 15289:9, 15293:5, 15306:15, 15312:22, 15312:23, 15321:24, 15329:19, 15349:20, 15351:4, 15352:16, 15352:17, 15355:8, 15355:10, 15356:22, 15364:13, 15364:18, 15365:4, 15369:3, 15371:18, 15380:20, 15391:19, 15392:10, 15398:5, 15401:9, 15433:22, 15437:9, 15444:23, 15445:4, 15445:13, 15447:13, 15451:17, 15455:13, 15456:9, 15457:6, 15457:8, 15457:13, 15458:5, 15461:12, 15463:6, 15463:8, 15469:15, 15474:15, 15474:20, 15475:8, 15475:9, 15478:23, 15479:5, 15479:6, 15479:19, 15479:20, 15479:22, 15481:11, 15482:22, 15495:21, 15495:25, 15501:11, 15504:18, 15507:12, 15512:19, 15512:20, 15516:8, 15517:25, 15520:25, 15521:4, 15522:11, 15525:14
new - 15258:21, 15259:11, 15266:15, 15277:7, 15283:23, 15372:14
news - 15269:1, 15270:17, 15271:2, 15307:17, 15307:19, 15319:19, 15319:22, 15320:7, 15331:21, 15332:1, 15332:4, 15350:17, 15453:10, 15462:16, 15464:13, 15464:15
newscast - 15394:21, 15394:22
Newspaper - 15460:5
newspaper - 15237:14, 15238:11, 15256:19, 15368:11, 15407:7, 15407:8, 15407:25, 15408:9, 15409:11, 15409:17, 15417:25, 15450:17, 15453:9, 15507:19, 15507:23
newspaper' - 15278:22
next - 15251:10,

15255:16, 15257:7, 15258:19, 15260:9, 15273:9, 15274:12, 15278:2, 15280:6, 15280:7, 15282:15, 15284:21, 15288:11, 15290:5, 15292:5, 15296:20, 15297:2, 15297:7, 15297:13, 15298:13, 15299:6, 15299:9, 15300:1, 15302:12, 15307:2, 15310:24, 15312:10, 15318:9, 15318:13, 15320:6, 15329:18, 15332:15, 15340:16, 15342:4, 15343:1, 15346:13, 15348:7, 15349:17, 15349:22, 15362:4, 15363:2, 15363:11, 15364:19, 15365:3, 15371:6, 15372:7, 15379:9, 15385:4, 15387:2, 15388:19, 15391:24, 15392:17, 15399:22, 15399:24, 15400:12, 15409:3, 15411:8, 15414:22, 15416:15, 15417:14, 15417:19, 15420:18, 15423:13, 15425:22, 15429:7, 15436:23, 15453:19, 15455:1, 15455:6, 15456:6, 15457:18, 15461:16, 15461:18, 15461:23, 15470:22, 15476:20, 15482:21, 15483:20, 15488:20, 15490:25, 15498:25, 15503:19, 15511:21, 15511:22
Next - 15260:3, 15262:18, 15268:14, 15269:5, 15269:19, 15272:20, 15273:13, 15275:6, 15276:15, 15278:19, 15282:23, 15294:23, 15319:8, 15320:22, 15356:15, 15366:24, 15376:4, 15401:18, 15415:14, 15457:4, 15464:18, 15484:1, 15486:3, 15486:24, 15487:20, 15490:13, 15493:13
Nichol - 15263:12, 15514:22
night - 15259:23, 15260:1, 15260:2, 15260:3, 15260:5, 15260:16, 15260:23, 15263:15, 15280:14, 15280:25, 15282:6, 15294:2, 15296:10, 15296:11, 15296:16, 15299:23, 15312:6, 15312:7, 15312:14, 15312:15, 15316:20, 15316:22, 15317:2, 15317:13, 15317:19, 15319:12, 15320:8, 15321:5, 15321:7, 15321:9, 15329:10, 15329:21, 15339:25, 15344:22, 15350:13, 15352:19, 15353:6, 15353:10, 15353:15, 15362:6, 15363:16, 15364:8, 15364:14,

15380:11, 15380:12, 15401:4, 15435:12, 15445:3, 15445:5, 15445:22, 15464:25, 15471:19, 15471:24, 15490:17, 15490:20, 15511:14
nine - 15242:17, 15251:5, 15283:18, 15365:3, 15392:4, 15392:13, 15399:23, 15401:6, 15401:9, 15461:20, 15514:20
nobody - 15266:10, 15313:10
none - 15456:13
None - 15264:15, 15522:1
normal - 15265:6, 15274:10
normally - 15280:24, 15318:17, 15319:5, 15439:21
North - 15242:21, 15244:13, 15246:23, 15341:1, 15343:21, 15367:20, 15388:6, 15388:23, 15420:11, 15423:15, 15436:6, 15455:8, 15473:7, 15519:13
notably - 15512:12
note - 15284:7, 15384:19, 15404:13, 15419:7, 15419:18, 15434:20, 15435:10, 15441:2, 15467:7, 15476:10, 15479:10
noted - 15421:24, 15486:15
notes - 15250:25, 15251:2, 15340:18, 15362:25, 15364:5, 15364:7, 15372:3, 15379:4, 15383:5, 15383:8, 15419:6, 15427:10, 15428:1, 15449:8, 15466:11, 15476:24, 15527:6
nothing - 15260:19, 15266:7, 15266:14, 15268:8, 15271:1, 15283:25, 15295:11, 15328:4, 15375:15, 15426:12
notice - 15273:20, 15277:7, 15293:24, 15321:5, 15486:18
noticed - 15275:3, 15275:9, 15281:7, 15291:5, 15321:3, 15321:10, 15363:22, 15370:2, 15446:8
notified - 15507:16
notify - 15331:17
nowhere - 15427:18
number - 15240:12, 15241:1, 15241:4, 15244:7, 15244:24, 15246:15, 15251:22, 15300:11, 15305:11, 15342:24, 15372:22, 15415:7, 15440:7, 15447:15, 15476:9, 15493:14, 15514:21, 15523:25
numerous - 15455:17
nurse - 15271:11, 15286:5, 15316:17, 15319:20, 15320:1,

15328:13, 15328:25, 15329:1, 15387:13, 15391:8, 15394:16, 15398:6, 15414:4, 15442:1, 15462:21
nursing - 15472:21
O
O' - 15293:9
o'clock - 15264:18, 15365:3, 15376:11, 15392:4
O'keefe - 15232:10
oath - 15241:6, 15390:21, 15466:22
observed - 15460:3
obtain - 15395:15, 15420:13
obtained - 15387:5
obtaining - 15367:22
obvious - 15385:12
obviously - 15306:18, 15374:11
occasion - 15241:6, 15480:5, 15494:15, 15505:18
occasionally - 15317:18
occasions - 15241:2, 15285:20, 15467:19, 15488:25
occurred - 15335:4, 15337:12, 15397:21, 15454:9, 15501:14, 15517:11, 15523:20, 15526:11
occurrence - 15317:16
October - 15236:2
odd - 15268:9, 15284:12
Oddly - 15371:16
of - 15283:4
offences - 15365:21, 15370:22, 15523:20, 15526:11
offer - 15486:25
offered - 15236:21, 15331:4
office - 15243:10, 15245:17, 15247:2, 15345:24
Officer - 15231:12
officer - 15255:18, 15255:20, 15362:7, 15475:1, 15520:19
officers - 15248:9, 15363:3, 15382:1, 15382:8, 15475:24, 15475:25, 15476:11, 15485:24, 15506:1, 15513:19, 15516:22, 15517:1, 15517:18
Official - 15231:10, 15527:1, 15527:3, 15527:14, 15527:18
often - 15312:4, 15313:10, 15350:24, 15357:6, 15454:7
old - 15272:18, 15290:12, 15300:20, 15435:12, 15435:24, 15508:6
old' - 15286:15
on' - 15290:15, 15293:2
once - 15323:22, 15355:22, 15381:2, 15454:9, 15455:13, 15468:20, 15469:15,

15485:14, 15487:17, 15511:18, 15512:7
One - 15327:6, 15327:11, 15354:16, 15493:7
one - 15235:13, 15241:6, 15243:20, 15245:18, 15251:23, 15267:25, 15268:12, 15268:13, 15270:19, 15273:1, 15275:13, 15278:7, 15286:3, 15288:21, 15290:10, 15290:19, 15291:2, 15291:4, 15291:10, 15291:11, 15297:23, 15298:14, 15298:16, 15298:20, 15301:9, 15302:19, 15305:2, 15320:13, 15322:10, 15325:8, 15328:18, 15330:5, 15332:17, 15341:9, 15351:15, 15369:6, 15369:10, 15372:25, 15376:7, 15376:11, 15376:14, 15378:19, 15381:8, 15383:24, 15416:20, 15417:11, 15417:23, 15417:24, 15419:10, 15421:22, 15423:7, 15423:11, 15423:18, 15423:21, 15424:12, 15424:17, 15438:15, 15439:6, 15439:20, 15441:25, 15443:10, 15443:24, 15444:1, 15444:2, 15447:12, 15452:19, 15458:17, 15462:20, 15467:9, 15471:7, 15475:4, 15475:5, 15479:1, 15479:2, 15479:18, 15481:7, 15482:15, 15484:15, 15484:22, 15484:25, 15485:1, 15485:5, 15485:6, 15485:10, 15485:13, 15485:23, 15487:22, 15487:24, 15490:11, 15495:7, 15495:11, 15495:13, 15495:22, 15495:25, 15496:7, 15496:11, 15496:13, 15496:17, 15498:15, 15498:21, 15498:22, 15498:23, 15500:23, 15500:24, 15502:19, 15503:17, 15504:4, 15508:15, 15511:20, 15512:12, 15513:12, 15518:15, 15522:6, 15522:10, 15523:25
one-page - 15298:14, 15330:5
ones - 15273:16, 15277:7, 15381:19
onward - 15398:22
open - 15304:17, 15343:23, 15380:1
operation - 15386:9
opportunity - 15365:23, 15366:3, 15366:13
opposed - 15433:6
or' - 15283:10
ordinary - 15272:24, 15350:22, 15492:22
originals - 15368:15
otherwise - 15296:11



Ottawa - 15390:7,
15390:15, 15427:15,
15448:25, 15449:13,
15452:6, 15452:15
ourselves - 15255:12
out - 15301:7, 15302:6
outfits - 15439:21
outside - 15305:16,
15310:13, 15435:15
overall - 15434:14
overalls - 15279:20,
15451:9
overboard - 15322:25,
15463:1
overdid - 15271:15,
15323:8
overheard - 15319:19
overnight - 15312:18,
15312:21, 15312:23,
15312:24, 15313:5,
15313:6, 15313:15
overnighting -
15343:21
own - 15243:7,
15258:16, 15301:4,
15303:16, 15307:6,
15342:8, 15346:2,
15468:13, 15469:12,
15510:13
owned - 15368:22
owner - 15264:18

P

P-1 - 15495:1
P-18 - 15493:24,
15494:1, 15494:3
P-4 - 15495:4, 15495:6
P-6 - 15234:3, 15425:4,
15425:5, 15425:6,
15425:10
pack - 15318:11
packed - 15274:3,
15317:7, 15318:5,
15319:13
page - 15243:18,
15243:22, 15249:18,
15251:11, 15255:16,
15257:7, 15258:19,
15260:3, 15262:18,
15268:14, 15269:5,
15269:19, 15272:20,
15273:13, 15274:12,
15275:6, 15276:15,
15278:2, 15278:19,
15280:6, 15280:7,
15282:15, 15282:23,
15284:21, 15285:22,
15286:11, 15288:11,
15288:12, 15288:16,
15290:5, 15292:5,
15294:23, 15296:1,
15297:2, 15298:2,
15298:14, 15299:6,
15299:7, 15299:10,
15299:20, 15300:1,
15302:12, 15307:2,
15309:25, 15310:24,
15311:20, 15311:25,
15312:11, 15314:4,
15320:22, 15330:5,
15332:15, 15342:5,
15343:1, 15348:7,
15348:24, 15349:2,
15349:17, 15356:15,
15362:4, 15363:2,
15363:7, 15363:11,
15366:24, 15371:6,
15372:7, 15376:4,
15379:9, 15385:4,
15387:2, 15387:9,
15388:19, 15391:1,
15391:24, 15392:17,
15393:1, 15394:11,
15395:11, 15396:25,
15398:1, 15398:21,
15400:12, 15401:18,
15404:23, 15405:12,
15406:22, 15409:3,
15410:1, 15411:8,
15414:22, 15415:14,
15416:15, 15417:14,
15417:19, 15417:20,
15419:4, 15425:22,
15429:7, 15441:22,
15442:21, 15449:9,
15449:21, 15455:1,
15455:6, 15456:6,
15457:4, 15457:18,
15461:8, 15461:16,
15461:23, 15463:13,
15464:18, 15466:4,
15469:25, 15470:22,
15471:17, 15476:20,
15477:12, 15478:17,
15482:21, 15483:20,
15484:1, 15486:3,
15486:24, 15487:20,
15488:20, 15489:16,
15490:13, 15490:25,
15491:10, 15493:13,
15496:23, 15498:25,
15503:19, 15524:1
Page - 15233:2,
15234:2, 15393:10,
15402:3, 15464:2,
15468:3, 15492:15,
15497:18, 15499:7,
15499:18
pages - 15330:13,
15527:4
paid - 15287:6
pain - 15288:6
pair - 15276:25,
15277:1, 15326:3,
15361:13, 15361:19,
15373:17, 15450:24
pairing - 15462:15
pale - 15270:20,
15271:12, 15352:11,
15405:5, 15462:24,
15463:6
Pambrun - 15276:16,
15310:3, 15310:19,
15311:15, 15311:21,
15311:22, 15314:1,
15325:23, 15338:25,
15339:1, 15356:4,
15356:6, 15387:4,
15387:8, 15387:10,
15387:19, 15454:6,
15454:8, 15457:24
pamphlet - 15235:14
pants - 15439:12,
15482:23
paper - 15259:3,
15259:7, 15259:9,
15408:22, 15417:22,
15438:4, 15453:10,
15485:7
papers - 15417:21
paragraph - 15250:9,
15252:21, 15316:15,
15318:13, 15319:8,
15320:6, 15330:13,
15333:17, 15337:5,
15341:11, 15342:5,
15343:19, 15367:11,
15424:12, 15427:11,
15427:21, 15452:17,

15453:16, 15453:19,
15454:14, 15455:6,
15455:10, 15457:4,
15458:8, 15525:4
pardon - 15236:3,
15343:1, 15398:1,
15483:21, 15488:4
Pardon - 15237:5,
15271:8, 15354:18,
15423:13
paring - 15272:15,
15272:19, 15272:25,
15273:11, 15275:7,
15290:18, 15291:8,
15291:11, 15320:11,
15346:9, 15350:18,
15350:22, 15351:4,
15351:20, 15352:6,
15403:17, 15403:19,
15403:23, 15403:25,
15404:11, 15405:17,
15405:21, 15406:13,
15406:24, 15409:6,
15410:3, 15424:18,
15446:8, 15446:11,
15452:22, 15457:9,
15458:2, 15458:12,
15462:14, 15462:21,
15481:4, 15481:25,
15482:16, 15486:18,
15491:7, 15492:23,
15495:22, 15497:14,
15498:4, 15498:10,
15498:11, 15501:6,
15501:7, 15502:18,
15509:21, 15510:18,
15510:22, 15511:6,
15511:10, 15511:18,
15511:25, 15512:1,
15512:12, 15514:9,
15517:21, 15522:4
park - 15317:24
part - 15238:19,
15274:4, 15284:2,
15294:18, 15302:9,
15302:13, 15302:22,
15304:20, 15304:24,
15305:3, 15309:25,
15346:25, 15347:22,
15361:25, 15362:1,
15371:19, 15389:19,
15397:3, 15401:22,
15416:12, 15444:9,
15449:7, 15465:1,
15474:7, 15474:8
participated -
15448:17
particular - 15311:7,
15334:13, 15336:9,
15360:14, 15379:19,
15404:14, 15505:16
particularly -
15435:24, 15511:2
particulars - 15339:10,
15516:14
parts - 15241:23,
15252:14, 15252:20
party - 15464:24
partyng - 15489:22
passed - 15305:9
past - 15340:23,
15344:12, 15352:15,
15367:23, 15377:15
Pat - 15279:9,
15348:13, 15376:12,
15451:2, 15515:20,
15515:22, 15515:23,
15515:24
path - 15439:2
pathologist - 15371:14

Patricia - 15456:20,
15456:23, 15458:9,
15458:10, 15459:10
Patricia's - 15458:21
Patrolled - 15423:15
Paul - 15237:25,
15239:18, 15242:12,
15252:10, 15252:15,
15253:2, 15267:16,
15296:22, 15298:19,
15298:21, 15307:4,
15311:23, 15313:25,
15314:25, 15315:3,
15315:13, 15315:16,
15338:22, 15340:4,
15349:15, 15438:10,
15483:7, 15483:10
Paul's - 15292:22,
15302:18
pause - 15263:21,
15271:3, 15302:21,
15353:13, 15355:12,
15357:1, 15381:11,
15404:17, 15412:25,
15420:22, 15479:5,
15502:24
Pause - 15494:12
pay - 15264:23
Pd - 15477:9,
15477:13, 15477:24
Pearson - 15240:10,
15240:13, 15242:9,
15249:14, 15249:20,
15250:19, 15251:12,
15341:12, 15342:5,
15342:16, 15342:22,
15343:7, 15345:13,
15346:7, 15347:25,
15348:4, 15348:21,
15349:1, 15349:6,
15349:18, 15351:13,
15352:2, 15352:22,
15356:9, 15358:9,
15358:15, 15358:25,
15362:21, 15362:24,
15363:8, 15365:8,
15366:2, 15366:10,
15367:24, 15370:5,
15373:6, 15375:20,
15375:25, 15376:24,
15377:9, 15377:10,
15378:16, 15379:10,
15379:13, 15380:17,
15383:5, 15386:11,
15387:3, 15387:9,
15389:7, 15390:13,
15390:18, 15396:21,
15401:21, 15419:25,
15422:18, 15423:2,
15423:14, 15424:9,
15426:24, 15427:1,
15434:1, 15434:16,
15434:24, 15436:15,
15440:23, 15441:3,
15441:6, 15449:10,
15449:14, 15449:23,
15451:5, 15475:3,
15498:9, 15498:18,
15508:19
Pearson's - 15251:2,
15340:18, 15364:5,
15372:2, 15379:3,
15383:8, 15389:13,
15419:5, 15419:18,
15449:8
peel - 15291:14,
15446:5, 15446:10,
15462:17, 15482:13,
15482:14, 15486:20,
15496:4, 15512:4

peeled - 15479:20,
15512:5
peeling - 15291:8
Pen - 15343:4,
15355:13, 15357:7,
15378:5, 15381:6,
15383:11
pen - 15378:12,
15518:23, 15518:24
penitentiary -
15251:18, 15383:23,
15384:3, 15384:4
Penitentiary -
15355:13, 15377:18,
15383:20, 15388:14,
15453:21
People - 15473:8
people - 15241:1,
15250:8, 15258:13,
15265:4, 15265:24,
15285:16, 15291:16,
15309:14, 15328:18,
15344:17, 15386:24,
15440:7, 15443:7,
15476:9, 15514:21,
15520:12
perfectly - 15265:6
perhaps - 15236:2,
15372:16, 15392:18,
15510:6
period - 15241:11,
15245:9, 15250:12,
15345:7, 15455:12
person - 15269:10,
15321:21, 15322:17,
15323:24, 15324:12,
15344:16, 15374:22,
15374:25, 15459:21,
15505:10
personal - 15244:6,
15250:11, 15344:14
perspective -
15509:24
pertaining - 15250:10
phone - 15251:7,
15251:22, 15299:11,
15302:24, 15310:3,
15339:1, 15342:23,
15361:17, 15361:22,
15388:11, 15403:21
phoned - 15246:16,
15342:23, 15356:18,
15383:9, 15434:24,
15441:3, 15441:5
photo - 15404:14,
15435:17, 15436:14,
15485:22, 15486:1
Photo - 15484:14
photocopy - 15404:24,
15504:2
photograph -
15404:25, 15405:13,
15420:13, 15450:17,
15479:3, 15479:16,
15484:18, 15484:20,
15485:4, 15485:7,
15489:11, 15489:15,
15498:17, 15498:20,
15498:22, 15500:9,
15500:10, 15500:13,
15500:15, 15500:19,
15503:14, 15504:1,
15504:2, 15504:6,
15504:8, 15504:15,
15508:8, 15508:10,
15508:17, 15508:18,
15508:25, 15509:4,
15509:9
photographs -
15435:17, 15500:6,



15521:23
photos - 15450:1,
 15450:5
phrase - 15509:14,
 15509:16, 15509:17
physical - 15264:16,
 15396:12, 15396:13
pick - 15376:10,
 15388:8, 15498:17
picked - 15483:23
picking - 15395:4
picture - 15435:18,
 15498:7, 15498:8
piece - 15348:18
pizza - 15315:20
place - 15239:19,
 15294:8, 15315:20,
 15324:20, 15367:16,
 15376:8, 15440:9,
 15505:7, 15513:24,
 15517:7
placed - 15271:20,
 15388:5, 15388:11,
 15420:5, 15435:10
places - 15357:24
plain - 15290:4,
 15516:22
plain-clothes -
 15516:22
plainclothes - 15484:3
plan - 15299:24
planned - 15317:10,
 15318:8
planning - 15317:8,
 15318:6
plastic - 15502:5
play - 15304:20,
 15304:24
played - 15369:3,
 15371:19
playing - 15252:25
plea - 15302:1
pled - 15283:16
plural - 15426:23
plus - 15263:8,
 15303:15
pm - 15342:25,
 15388:8
Pm - 15367:21,
 15383:2, 15448:21,
 15448:22, 15526:23
pocket - 15263:19
point - 15257:1,
 15298:14, 15306:18,
 15314:17, 15319:18,
 15325:12, 15341:17,
 15347:9, 15371:21,
 15374:12, 15378:23,
 15380:14, 15385:13,
 15389:6, 15407:21,
 15424:17, 15448:8,
 15448:13, 15465:12,
 15472:8, 15512:7,
 15515:5, 15517:9,
 15517:23, 15518:22,
 15520:9
pointing - 15272:4
points - 15257:9,
 15346:7, 15372:10,
 15372:20
Poitras - 15385:10,
 15455:1, 15455:23
Police - 15232:7,
 15235:11, 15237:13,
 15329:5, 15344:21,
 15344:25, 15348:3,
 15362:6, 15362:14,
 15367:9, 15368:23,
 15395:25, 15486:7,
 15492:17, 15505:4,

15506:13, 15510:7
police - 15236:6,
 15236:15, 15236:23,
 15237:3, 15237:19,
 15239:5, 15239:7,
 15239:9, 15244:24,
 15246:15, 15250:4,
 15254:8, 15254:16,
 15255:18, 15255:20,
 15256:11, 15256:16,
 15256:24, 15263:14,
 15264:2, 15265:15,
 15267:5, 15269:6,
 15269:17, 15277:16,
 15282:24, 15289:22,
 15291:1, 15295:19,
 15295:23, 15309:5,
 15309:19, 15326:24,
 15327:3, 15327:10,
 15328:1, 15329:10,
 15329:16, 15329:20,
 15330:5, 15330:10,
 15333:23, 15334:1,
 15334:21, 15334:25,
 15335:6, 15335:21,
 15335:24, 15337:1,
 15337:8, 15337:14,
 15337:20, 15337:23,
 15338:1, 15338:12,
 15339:17, 15340:12,
 15345:4, 15348:5,
 15367:4, 15371:11,
 15371:18, 15375:13,
 15376:7, 15382:1,
 15382:10, 15385:14,
 15391:3, 15395:13,
 15396:2, 15397:3,
 15403:15, 15403:24,
 15408:19, 15408:25,
 15436:4, 15438:24,
 15452:19, 15452:22,
 15464:4, 15469:9,
 15474:15, 15475:1,
 15478:7, 15488:3,
 15488:14, 15491:19,
 15496:16, 15496:17,
 15497:1, 15497:3,
 15498:23, 15504:9,
 15506:19, 15507:2,
 15513:19, 15514:12,
 15516:22, 15518:10,
 15520:4, 15520:14,
 15520:19, 15520:20,
 15521:4, 15521:17,
 15522:10, 15522:11,
 15522:12
police - 15474:17
policeman's - 15369:2
policemen - 15484:2
portion - 15245:8
portions - 15339:12
position - 15328:2
Positive - 15393:18
positive - 15320:1,
 15373:22, 15380:1,
 15393:23, 15394:7,
 15429:20, 15431:6,
 15431:14, 15431:22,
 15432:5, 15432:6,
 15432:25, 15433:6,
 15433:10, 15441:20,
 15467:15, 15468:2,
 15490:11, 15492:14,
 15503:18
possessed - 15243:10
possesses - 15344:7
possession -
 15423:24
possibilities -
 15418:19, 15430:10

possibility - 15301:24,
 15302:2, 15342:12,
 15422:11, 15430:16
possible - 15236:4,
 15236:18, 15236:20,
 15273:14, 15273:18,
 15358:13, 15358:23,
 15364:20, 15376:24,
 15378:1, 15400:13,
 15400:17, 15400:19,
 15401:3, 15401:7,
 15401:13, 15401:17,
 15412:18, 15412:22,
 15413:11, 15413:22,
 15414:3, 15414:8,
 15415:15, 15418:17,
 15418:18, 15429:18,
 15430:4, 15431:12,
 15431:18, 15431:25,
 15432:2, 15432:19,
 15432:21, 15433:6,
 15433:15, 15433:18,
 15437:8, 15474:12,
 15474:13, 15474:14,
 15511:10, 15525:19
possibly - 15272:4,
 15324:9, 15356:5,
 15466:10, 15466:18
potato - 15350:24
potatoes - 15291:9,
 15446:5, 15446:11,
 15462:17, 15482:14,
 15486:20, 15496:4,
 15512:5
potatoes' - 15291:14
practices - 15506:19
precedes - 15242:16
preceding - 15397:18
preliminary -
 15488:21, 15495:15,
 15499:14, 15499:25,
 15501:2, 15501:14,
 15501:23, 15501:25,
 15502:4
prepared - 15236:1,
 15252:12, 15286:20,
 15299:1, 15436:19,
 15448:3
preparing - 15511:2
present - 15250:13,
 15312:12, 15363:22,
 15401:21, 15401:22,
 15450:12, 15459:15
press - 15303:22,
 15303:24, 15420:24,
 15434:8, 15436:3
Press - 15420:10
pressure - 15303:14,
 15304:1, 15306:9
presume - 15415:20
pretty - 15286:5,
 15319:25, 15324:24,
 15329:23, 15526:14
Pretty - 15316:13,
 15503:1
previous - 15333:2,
 15364:1, 15380:11,
 15396:19, 15406:22,
 15417:20, 15421:19,
 15449:9
primarily - 15427:13
Prince - 15251:18,
 15286:9, 15343:3,
 15377:18, 15378:19,
 15383:10, 15453:21
Pringle - 15232:13
print - 15439:12
printed - 15507:24
prison - 15263:9,
 15263:15, 15287:14,

15300:8, 15301:14,
 15325:5, 15325:6,
 15325:22, 15329:15,
 15329:25, 15330:2,
 15331:21, 15472:10
problem - 15344:12,
 15492:10, 15505:19
problems - 15505:16
Proceedings -
 15230:12, 15230:23,
 15233:1, 15235:1
proceedings -
 15369:4, 15371:20,
 15505:5
proclaiming -
 15519:15, 15519:18
produce - 15493:24,
 15494:3
produced - 15236:17,
 15369:16
producers - 15444:7
producing - 15403:9
productive - 15434:13
program - 15444:8,
 15444:11
promise - 15325:17
promised - 15331:7,
 15331:16
prompted - 15320:24,
 15325:7, 15373:9
proof - 15300:14
properly - 15357:25
property - 15324:17,
 15354:22
propose - 15241:9
prosecute - 15304:1
prosecuted - 15302:3
prosecuted' - 15304:9
prosecutor -
 15248:11, 15248:16,
 15422:5, 15489:18,
 15490:14, 15499:18,
 15503:20
protect - 15306:20,
 15437:10, 15437:17
protecting - 15328:1
prove - 15286:14,
 15300:15
proved - 15416:20,
 15416:23, 15417:2
provide - 15243:9,
 15244:5, 15247:9,
 15250:10, 15330:20
provided - 15236:10,
 15258:3, 15259:1,
 15339:14, 15367:15,
 15379:17, 15424:6,
 15438:10, 15438:11,
 15507:3, 15507:4,
 15507:5
providing - 15276:17
Province - 15527:3
provincial - 15384:4,
 15384:6
proving - 15329:9
proximity - 15347:19
Psychiatric - 15383:25
psychopaths -
 15306:15
Public - 15460:2
public - 15300:16,
 15300:17, 15303:14,
 15305:11, 15305:17,
 15305:22, 15308:7,
 15331:18, 15332:10,
 15438:15, 15508:2,
 15508:4
publicity - 15301:20,
 15305:10, 15434:10
publicized - 15437:9

publicly - 15436:25
puking - 15305:8
purchased - 15502:22,
 15522:6
purple - 15405:6,
 15405:10
purpose - 15367:21,
 15508:6, 15511:23
purposes - 15454:17,
 15511:2
pursue - 15342:10
pursued - 15475:20
put - 15241:14,
 15241:15, 15271:6,
 15290:15, 15300:5,
 15303:25, 15310:6,
 15392:18, 15438:15,
 15467:8, 15480:24,
 15483:18, 15495:7

Q

Qb - 15231:10
Qc - 15232:5, 15232:6,
 15232:8, 15232:11,
 15232:13
Queen's - 15527:1,
 15527:3, 15527:14,
 15527:18
questioned -
 15334:20, 15337:1,
 15389:1, 15393:10,
 15399:10, 15409:4,
 15411:14, 15432:18,
 15452:3, 15454:4
questioning - 15356:9,
 15405:8, 15411:16,
 15429:13, 15432:17,
 15463:14, 15468:4,
 15471:8, 15513:24
questions - 15237:14,
 15240:4, 15241:17,
 15250:20, 15276:15,
 15287:2, 15311:25,
 15313:8, 15315:24,
 15315:25, 15319:22,
 15368:8, 15368:18,
 15389:18, 15391:25,
 15402:1, 15416:16,
 15417:11, 15419:14,
 15429:22, 15430:12,
 15444:5, 15449:11,
 15449:15, 15470:1,
 15486:5, 15491:12,
 15496:24, 15504:22,
 15504:24, 15506:4,
 15510:22, 15513:2,
 15513:5, 15513:9,
 15513:10, 15513:21,
 15526:17
quietly - 15306:7
quit - 15463:10
Quite - 15264:24
quite - 15303:18,
 15312:3, 15335:2,
 15337:10, 15402:25,
 15466:9, 15466:17,
 15509:9

R

radio - 15243:8,
 15278:21, 15319:17,
 15341:19, 15397:13,
 15397:16, 15446:4,
 15446:7
rage - 15341:22
raises - 15371:7
ran - 15436:24,
 15453:10



rape - 15245:3,
 15325:4, 15325:7,
 15412:9, 15412:16,
 15412:21, 15413:1,
 15413:24, 15447:4,
 15518:1, 15524:6
raped - 15316:18,
 15381:2, 15447:16
rapes - 15268:10,
 15268:11, 15271:20,
 15271:24, 15323:15,
 15323:23, 15344:10,
 15356:24, 15357:9,
 15357:22, 15357:25,
 15358:2, 15358:10,
 15358:11, 15358:16,
 15358:19, 15359:1,
 15370:24, 15382:4,
 15413:2, 15413:8,
 15413:13, 15413:24,
 15414:6, 15414:19,
 15415:5, 15437:21,
 15447:8, 15473:15,
 15483:24, 15516:21,
 15518:13, 15523:17
rapist - 15444:22,
 15444:24, 15445:14,
 15445:15
rather - 15329:17
rationale - 15301:1
Rcmp - 15232:9,
 15237:20, 15240:10,
 15242:9, 15252:4,
 15252:13, 15299:1,
 15343:9, 15388:22,
 15389:4, 15424:7,
 15475:24, 15476:1,
 15476:6, 15477:12,
 15477:22, 15478:7,
 15478:15, 15478:25,
 15479:11, 15479:24,
 15480:4, 15480:16,
 15481:1, 15482:21,
 15483:12, 15484:4,
 15485:10, 15485:12,
 15487:20, 15488:4,
 15488:15, 15489:6,
 15522:13
re - 15265:14, 15471:6
re-enacting - 15265:14
re-examination -
 15471:6
reach - 15263:18,
 15267:21
reached - 15262:1,
 15276:19
react - 15306:24
reacted - 15322:5
reaction - 15238:24,
 15271:5, 15271:7,
 15271:10, 15271:21,
 15271:25, 15272:4,
 15272:7, 15272:9,
 15321:12, 15321:14,
 15323:2, 15323:9,
 15323:17, 15323:18,
 15323:23, 15346:14,
 15352:10, 15352:14,
 15352:18, 15365:16,
 15365:18, 15376:22,
 15411:10, 15412:19,
 15414:17, 15514:6
read - 15262:21,
 15262:25, 15288:14,
 15289:9, 15302:22,
 15315:23, 15316:2,
 15316:6, 15332:16,
 15334:8, 15357:24,
 15362:24, 15366:21,
 15404:20, 15417:20,
 15417:21, 15436:17,
 15441:2, 15452:8,
 15453:6, 15460:7,
 15466:15, 15503:9,
 15526:7
Reading - 15526:14
reading - 15259:3,
 15307:24, 15408:10
reads - 15403:15
ready - 15264:25,
 15462:17
real - 15296:8,
 15327:16
realization - 15412:20
realized - 15255:6,
 15269:9, 15347:16,
 15372:14, 15399:24,
 15479:18, 15481:11
really - 15266:7,
 15269:24, 15270:14,
 15274:5, 15277:3,
 15280:18, 15297:3,
 15306:1, 15307:4,
 15310:7, 15312:7,
 15313:7, 15320:25,
 15322:5, 15322:24,
 15323:3, 15323:6,
 15324:3, 15325:1,
 15327:15, 15327:16,
 15352:14, 15357:2,
 15362:1, 15370:7,
 15380:14, 15382:11,
 15385:3, 15442:13,
 15442:17, 15454:18,
 15454:22, 15462:24,
 15463:1, 15472:4,
 15473:11, 15488:6,
 15517:10, 15525:25
reason - 15270:13,
 15270:14, 15273:14,
 15273:17, 15277:5,
 15283:20, 15285:1,
 15285:11, 15327:9,
 15327:12, 15395:6,
 15395:22, 15397:12,
 15398:23, 15466:5,
 15467:13, 15470:19,
 15476:18, 15482:18,
 15505:11, 15509:2
reasonable -
 15509:17, 15510:1,
 15512:9
reasonably - 15509:3
reasons - 15235:13,
 15288:22, 15322:7,
 15324:2, 15327:1,
 15330:6, 15467:10,
 15469:12
rec - 15450:14
recalled - 15235:23,
 15278:4, 15350:18,
 15428:14, 15428:16,
 15450:24, 15482:19
recanting - 15267:25
received - 15251:12,
 15257:3, 15339:9,
 15344:13, 15377:14,
 15388:13, 15509:20,
 15525:5, 15525:11
Received - 15372:9
receiving - 15348:16,
 15362:14
recent - 15383:18,
 15384:24, 15439:25
recently - 15367:14
recited - 15339:12,
 15339:21
recognize - 15273:1,
 15273:2, 15289:12,
 15407:14, 15408:12,
 15508:24
recognized -
 15494:19, 15524:14
recollection -
 15279:20, 15282:1,
 15309:21, 15316:12,
 15319:4, 15324:21,
 15359:6, 15364:16,
 15364:17, 15373:24,
 15378:9, 15390:24,
 15393:5, 15394:8,
 15440:17, 15453:4,
 15455:22, 15461:6,
 15461:10, 15461:24,
 15467:24, 15470:17,
 15481:6, 15482:1,
 15485:6, 15488:25,
 15489:18, 15511:5,
 15515:2, 15515:11,
 15516:15, 15517:1,
 15518:15, 15520:18,
 15522:19
Reconvenced - 15235:2,
 15313:21, 15383:2,
 15448:22
record - 15252:6,
 15252:8, 15287:12,
 15293:21, 15339:13,
 15370:12, 15370:21,
 15503:22, 15523:23,
 15525:2
recorded - 15313:24,
 15365:11, 15368:3,
 15478:11
recorder - 15252:18,
 15299:3
recording - 15252:17,
 15273:23, 15275:19,
 15476:25
recording - 15300:19
records - 15262:21,
 15298:6, 15364:8,
 15485:4, 15514:12
recover - 15422:7
recovered - 15354:25
Red - 15359:12
red - 15276:3
red - 15276:2
refer - 15370:3,
 15379:12, 15396:6,
 15396:16, 15421:3,
 15452:13
reference - 15269:15,
 15370:21, 15389:7,
 15389:12, 15428:12,
 15452:11, 15523:16
referred - 15325:19,
 15395:19, 15396:3,
 15396:4, 15396:7,
 15396:10, 15396:15,
 15396:21, 15420:23,
 15441:23, 15485:13,
 15494:23, 15513:17,
 15525:22
referring - 15254:5,
 15254:15, 15259:16,
 15261:12, 15261:17,
 15269:21, 15279:2,
 15284:4, 15284:18,
 15360:4, 15381:18,
 15415:21, 15426:24,
 15464:3, 15515:23,
 15518:19, 15521:25,
 15525:16
refers - 15292:7,
 15466:7, 15524:1
reflected - 15412:20,
 15415:6, 15506:11
refresh - 15335:9
refused - 15244:5,
 15435:10
regard - 15454:5
regarding - 15379:20
Regarding - 15429:8
Regina - 15263:14,
 15357:9, 15357:18,
 15358:1, 15358:3,
 15358:7, 15358:10,
 15358:11, 15358:16,
 15358:19, 15358:22,
 15359:2, 15359:4,
 15370:22, 15370:25,
 15371:2, 15371:4,
 15412:9, 15412:16,
 15412:21, 15413:3,
 15413:14, 15523:17,
 15523:22, 15524:21,
 15525:14, 15525:23,
 15526:2, 15526:4,
 15526:6
Regional - 15383:25
regional - 15384:3,
 15384:4
relate - 15250:7,
 15303:3, 15500:3,
 15510:12, 15510:14,
 15525:21
Related - 15449:17
related - 15258:14,
 15339:15, 15353:20,
 15373:23, 15386:19,
 15421:12, 15467:14,
 15501:18
relates - 15260:21,
 15424:1, 15450:23
relating - 15460:5
relation - 15278:15,
 15389:18, 15390:1,
 15395:15
relationship -
 15390:12
relative - 15510:8
released - 15437:16,
 15472:10, 15475:10,
 15476:14, 15519:11
relieved - 15408:16,
 15408:23, 15418:10,
 15418:16, 15418:22,
 15418:23, 15430:21,
 15508:24, 15509:2
remain - 15309:10
remark - 15274:1,
 15274:13
remarried - 15251:23
remember - 15235:15,
 15237:15, 15237:18,
 15238:18, 15239:17,
 15240:20, 15241:7,
 15241:24, 15250:22,
 15252:5, 15252:14,
 15252:17, 15253:5,
 15253:15, 15259:2,
 15259:9, 15260:3,
 15262:1, 15263:1,
 15264:3, 15267:13,
 15268:23, 15268:25,
 15270:8, 15272:18,
 15273:7, 15273:11,
 15274:22, 15276:1,
 15276:16, 15276:19,
 15278:17, 15279:3,
 15279:9, 15282:21,
 15282:22, 15283:11,
 15283:12, 15285:6,
 15285:25, 15287:13,
 15287:17, 15288:8,
 15289:18, 15290:16,
 15291:25, 15293:13,
 15295:25, 15296:9,
 15296:20, 15297:14,
 15298:15, 15298:16,
 15299:2, 15299:15,
 15301:12, 15302:10,
 15302:24, 15304:19,
 15304:23, 15304:24,
 15305:2, 15305:3,
 15305:14, 15311:14,
 15311:22, 15313:1,
 15314:22, 15315:8,
 15315:18, 15315:24,
 15316:3, 15319:24,
 15340:9, 15341:6,
 15343:7, 15343:11,
 15345:12, 15347:12,
 15350:10, 15352:23,
 15356:12, 15358:9,
 15364:11, 15367:24,
 15369:8, 15369:12,
 15369:13, 15370:5,
 15371:1, 15371:22,
 15371:25, 15372:12,
 15372:13, 15374:1,
 15374:14, 15378:6,
 15378:11, 15379:7,
 15381:11, 15383:20,
 15384:12, 15385:3,
 15386:25, 15389:8,
 15392:8, 15393:11,
 15397:4, 15399:8,
 15399:11, 15399:12,
 15399:13, 15399:17,
 15401:21, 15404:24,
 15407:19, 15408:9,
 15408:11, 15408:17,
 15413:19, 15420:22,
 15420:24, 15422:20,
 15427:23, 15428:8,
 15428:22, 15428:24,
 15429:3, 15429:5,
 15432:11, 15432:13,
 15434:17, 15436:12,
 15437:2, 15438:1,
 15439:15, 15449:5,
 15449:13, 15450:2,
 15450:4, 15450:7,
 15450:9, 15450:18,
 15451:10, 15452:5,
 15454:13, 15459:5,
 15465:20, 15466:2,
 15470:11, 15475:24,
 15476:11, 15479:25,
 15480:23, 15481:15,
 15481:19, 15482:6,
 15484:18, 15485:9,
 15485:11, 15485:23,
 15485:25, 15488:3,
 15488:6, 15488:15,
 15488:20, 15489:10,
 15489:14, 15490:6,
 15490:10, 15490:19,
 15491:11, 15492:12,
 15498:22, 15500:12,
 15503:14, 15508:21,
 15511:9, 15511:13,
 15518:16, 15520:24
remembered -
 15268:18, 15271:4,
 15278:7, 15325:10,
 15351:15, 15351:19,
 15351:24, 15362:2,
 15409:21, 15422:21,
 15451:9, 15479:15,
 15480:5, 15480:7,
 15488:5, 15521:13
remembers -
 15310:10, 15311:2
reminding - 15388:12
removed - 15422:12
rented - 15245:7
report - 15319:9,



15319:23, 15320:7,
15320:11, 15333:22,
15333:25, 15334:7,
15335:22, 15341:18,
15362:10, 15362:23,
15363:1, 15421:2,
15436:11, 15438:7,
15443:1, 15462:11,
15464:15, 15522:10
reported - 15385:24,
15387:10, 15405:18,
15428:19, 15437:23
reportedly - 15339:24
reporter - 15367:19,
15388:25, 15389:2,
15420:9, 15442:4,
15442:8, 15442:19,
15452:15, 15453:3,
15453:8, 15453:12,
15474:3
Reporter- 15527:14,
15527:18
Reporters- 15231:10,
15527:3
reporters - 15435:13,
15435:16
Reporters' 15527:1
reporting - 15363:3,
15397:17, 15397:20
reports - 15278:21,
15440:15, 15460:5
represent - 15505:4,
15513:12
representation -
15505:25
representing -
15510:15
request - 15325:18,
15468:5
requested - 15385:7
resembled - 15487:24,
15501:2, 15501:7
resided - 15455:6,
15457:2
residence - 15245:9,
15346:10, 15346:18,
15346:21, 15346:23,
15387:4, 15388:8,
15420:6, 15421:14,
15422:13, 15435:21,
15514:22
residential - 15422:3
resides - 15251:21
residing - 15346:20
respect - 15379:24,
15425:20, 15505:21,
15506:20, 15506:24
responsibility -
15411:3
responsible -
15242:22, 15268:6,
15391:8, 15455:15,
15456:12, 15457:16,
15476:23
rest - 15503:9
restaurant - 15310:17
result - 15239:8,
15357:19, 15415:2
resulted - 15488:11
retained - 15368:13
retaining - 15368:15
Retired- 15232:14
retrospect - 15268:16,
15320:23
return - 15331:8,
15363:15, 15446:16
returned - 15324:7,
15324:13, 15346:17,
15348:17, 15354:5,
15355:1, 15355:4,

15363:18, 15374:16,
15375:18, 15459:15
Returned- 15434:2,
15435:4, 15435:6
reveal - 15243:5,
15243:6
revelations -
15383:18, 15384:24
revenge - 15343:25
review - 15242:3,
15314:8, 15409:16,
15444:4, 15452:1,
15505:14
reviewed - 15242:5,
15448:11
reviewing - 15333:21,
15460:4, 15506:24
reward - 15235:18,
15236:21, 15236:23,
15237:1, 15237:2,
15331:4, 15487:1
rib - 15496:1
ribbed - 15494:8
ribbed-edged -
15494:8
ribbing - 15491:6
ribs - 15501:9, 15502:6
Richard- 15314:22,
15314:23, 15505:3
Rick- 15232:7,
15240:10, 15387:8,
15390:13, 15390:14
rid - 15300:21
ride - 15318:20
right-handed -
15368:19, 15368:21,
15479:22
rivets - 15290:14,
15290:15, 15350:21,
15393:24, 15405:22,
15491:4, 15493:15,
15493:16, 15493:17,
15493:19, 15496:6,
15496:8, 15499:22,
15500:22, 15521:11
Rivets- 15393:21
robbery - 15265:8
Rochelle- 15232:9
role - 15369:3
Ron- 15263:8,
15265:9, 15514:23
room - 15265:13,
15265:15, 15319:18
Roy- 15276:23,
15277:10, 15277:16,
15277:17, 15277:21,
15278:3, 15278:12,
15278:14, 15292:3,
15296:18, 15298:24,
15299:14, 15299:16,
15302:24, 15310:2,
15310:19, 15311:1,
15311:5, 15311:15,
15325:23, 15326:1,
15326:4, 15326:9,
15338:25, 15340:2,
15342:4, 15356:6,
15361:12, 15361:16,
15361:17, 15361:22,
15361:24
Roy- 15277:8
Roy's- 15361:14,
15361:19
Rpr- 15231:11,
15527:2, 15527:16,
15527:17
running - 15296:13,
15316:21, 15317:13,
15317:24, 15360:17,
15445:21, 15445:22,

15462:3, 15462:6,
15518:5
S
safety - 15332:5,
15436:2
saliva - 15468:17,
15468:21
salivating - 15303:22
sample - 15468:16,
15468:21
Sandra- 15231:4
Sask - 15330:18
Saskatchewan-
15230:17, 15232:4,
15242:21, 15244:14,
15251:21, 15334:6,
15390:14, 15413:2,
15518:19, 15527:4
Saskatoon- 15230:17,
15232:7, 15235:11,
15237:13, 15245:9,
15251:24, 15256:16,
15263:14, 15287:7,
15297:17, 15298:3,
15298:16, 15298:20,
15314:12, 15329:5,
15329:12, 15330:23,
15332:17, 15338:24,
15344:21, 15344:25,
15348:3, 15357:16,
15357:23, 15362:5,
15364:4, 15367:9,
15382:1, 15387:14,
15395:25, 15397:2,
15413:8, 15417:25,
15420:18, 15460:2,
15464:4, 15477:5,
15477:9, 15477:13,
15477:24, 15486:7,
15492:17, 15505:4,
15506:13, 15508:7,
15508:11, 15510:7,
15513:18, 15516:23,
15517:2, 15518:13,
15520:14, 15520:19,
15522:12, 15523:21,
15524:2, 15524:7,
15524:19, 15525:17,
15525:21, 15526:1,
15526:12
satisfied - 15316:11
satisfy - 15408:5
Saturday - 15314:9,
15338:23, 15340:4,
15340:5, 15376:11,
15377:15, 15378:4,
15388:10, 15388:21,
15464:11
saved - 15439:21
saw - 15235:13,
15236:13, 15236:14,
15236:19, 15251:9,
15263:10, 15263:18,
15264:7, 15264:18,
15265:4, 15265:5,
15270:9, 15308:21,
15309:9, 15337:21,
15349:24, 15351:4,
15352:17, 15352:18,
15353:9, 15353:11,
15356:21, 15399:2,
15399:22, 15401:16,
15402:15, 15408:21,
15447:23, 15471:19,
15494:19, 15495:14,
15508:17, 15508:23,
15509:4, 15509:22,
15516:14

sayin' - 15357:3,
15366:20
scan - 15438:25
scared - 15263:13,
15304:9, 15304:11,
15321:24, 15376:19,
15462:24
scaring - 15317:9,
15318:7
scary - 15287:23
scattered - 15439:2
scene - 15295:9,
15295:14, 15295:17,
15296:3, 15346:22,
15368:24, 15371:10,
15371:11, 15405:23,
15422:4, 15460:18,
15509:23
scene' - 15294:7
school - 15253:9,
15302:17, 15343:5,
15420:11, 15420:25,
15421:5, 15421:7,
15440:10, 15440:17
Schultz - 15356:5
Scp - 15486:6,
15486:12
scratches - 15273:21,
15353:2
screamed - 15439:23
screaming - 15319:14
screen - 15249:9,
15301:22
Scroll - 15259:21,
15260:15, 15261:10,
15318:13, 15363:19
scroll - 15245:5,
15245:15, 15254:20,
15256:3, 15256:4,
15284:6, 15287:9,
15324:25, 15331:14,
15336:7, 15346:6,
15351:3, 15361:9,
15389:14, 15395:2,
15399:20, 15428:11,
15435:2, 15452:17,
15477:10, 15478:10,
15483:3, 15483:5,
15490:18
searched - 15485:3
second - 15273:14,
15297:13, 15298:5,
15316:15, 15339:3,
15388:11, 15421:13,
15422:1, 15422:19,
15437:8, 15441:22,
15522:4, 15524:25
second' - 15293:20
Section - 15389:20
Security - 15231:12
see - 15238:22,
15239:15, 15251:4,
15252:4, 15252:21,
15252:23, 15255:4,
15255:13, 15255:20,
15256:7, 15259:3,
15263:10, 15264:3,
15264:4, 15264:12,
15266:21, 15268:8,
15276:5, 15282:16,
15286:15, 15286:23,
15287:1, 15292:11,
15293:15, 15295:14,
15296:3, 15296:12,
15297:4, 15299:8,
15299:14, 15300:24,
15301:14, 15303:2,
15303:8, 15309:11,
15310:15, 15353:3,
15358:21, 15364:18,

15377:4, 15378:23,
15382:9, 15383:21,
15384:7, 15384:12,
15384:13, 15388:3,
15401:7, 15401:19,
15402:2, 15402:16,
15407:14, 15407:24,
15418:3, 15428:7,
15428:11, 15433:12,
15437:19, 15440:25,
15441:13, 15441:14,
15443:4, 15446:20,
15461:17, 15466:14,
15477:4, 15482:24,
15484:2, 15491:24,
15492:4, 15492:11,
15493:19, 15496:13,
15499:11, 15513:22,
15522:9
See - 15302:17,
15367:17
seeing - 15235:23,
15250:25, 15259:9,
15266:24, 15329:6,
15353:1, 15353:14,
15408:9, 15454:18,
15485:23, 15489:14,
15498:22
seeking - 15242:13,
15434:6
seem - 15375:6,
15511:20, 15512:9,
15517:23
segregation - 15525:8
self - 15379:17
self-explanatory -
15379:17
sending - 15370:13
sense - 15302:16,
15430:1, 15430:24
sent - 15525:1
sentence - 15245:3
sentence - 15325:4
separate - 15267:22
September - 15230:21,
15405:23, 15448:1
Serge - 15232:6
Sergeant - 15242:9,
15249:14, 15249:20,
15250:19, 15251:2,
15251:13, 15340:18,
15341:12, 15342:5,
15342:16, 15343:7,
15346:7, 15347:25,
15348:4, 15348:21,
15349:1, 15349:6,
15349:18, 15351:13,
15352:2, 15352:22,
15356:9, 15358:9,
15358:15, 15358:25,
15362:21, 15362:24,
15363:8, 15364:5,
15365:8, 15366:2,
15366:10, 15367:24,
15370:5, 15375:20,
15375:25, 15376:24,
15377:10, 15378:16,
15379:13, 15383:7,
15386:11, 15387:3,
15389:7, 15389:13,
15390:13, 15396:21,
15401:20, 15419:18,
15422:18, 15423:14,
15424:9, 15427:1,
15434:1, 15436:15,
15441:3, 15441:6,
15449:7, 15449:14,
15449:23, 15451:5,
15475:3, 15508:19
serial - 15445:15



serious - 15318:11
seriously - 15395:3, 15505:23
serrated - 15502:8
serve - 15511:23
Service - 15232:7, 15505:4, 15510:8
service - 15522:11
serving - 15245:2, 15386:9
set - 15242:14, 15259:5, 15423:10, 15423:18, 15424:13, 15424:14, 15424:15, 15472:9, 15523:1
setting - 15319:13
seven - 15261:11, 15264:18, 15319:4
seventh - 15243:22
several - 15322:6, 15324:2, 15326:25, 15330:21, 15359:15, 15360:5, 15372:10, 15372:20, 15435:14, 15460:9, 15488:2
sex - 15356:2, 15487:15
sexual - 15355:24, 15365:21, 15405:24, 15524:19
shake - 15263:19
shape - 15326:6
shared - 15507:10
sharp - 15479:20
sheet - 15485:7, 15504:9
Sheraton - 15230:16
Shirley - 15444:7, 15444:18, 15444:23, 15445:1, 15445:3, 15445:25, 15446:3, 15446:8, 15446:12, 15446:23, 15447:4, 15447:15, 15487:10
shirt - 15439:11
shit - 15319:15
shock - 15323:12, 15341:24, 15415:6
shocked - 15321:23, 15323:2, 15323:9, 15346:14, 15352:12, 15352:13, 15352:16, 15376:14, 15376:19, 15411:10, 15412:19, 15413:13, 15414:4, 15414:25, 15447:14
Shoemaker - 15356:4
shoes - 15310:11, 15449:12, 15450:6
short - 15272:18, 15298:13, 15443:23, 15444:4, 15492:22, 15492:23
short-handled - 15492:22
shorthand - 15527:5
shortly - 15240:9, 15248:4, 15255:24, 15256:11, 15335:25, 15362:14, 15371:10, 15449:24, 15477:14, 15477:25, 15478:8, 15522:7
shorts - 15373:19
Shorty - 15284:9, 15284:13, 15285:2
shot - 15422:10, 15422:14, 15441:24
show - 15236:8, 15241:13, 15249:12, 15249:19, 15276:17, 15278:20, 15298:15, 15389:12, 15436:13, 15444:8, 15521:24
Show - 15487:10
Showned - 15263:16
showed - 15235:22, 15314:1, 15404:21, 15423:21, 15441:18, 15485:1, 15485:8, 15485:10, 15485:12, 15485:15, 15485:20, 15489:3, 15495:16, 15498:15, 15498:18, 15500:10, 15501:20, 15501:23, 15503:13, 15503:24
showing - 15310:10, 15403:9, 15485:25, 15489:10, 15489:11
shown - 15478:23, 15479:1, 15479:2, 15479:5, 15479:6, 15483:2, 15483:3, 15484:13, 15484:18, 15484:21, 15485:14, 15494:16, 15495:1, 15498:21, 15500:2, 15500:6, 15501:1, 15501:6, 15501:16, 15502:3, 15502:10, 15504:8, 15508:11, 15508:19
shows - 15503:20
Si - 15232:5
sick - 15473:14, 15473:15, 15514:25
side - 15284:7, 15284:8, 15293:15, 15295:11, 15341:24, 15347:4
sidewalk - 15324:11
Sidney - 15244:4, 15245:13, 15250:3, 15250:16, 15250:21, 15345:17, 15345:21, 15346:1, 15367:10
sign - 15339:3
signature - 15314:4, 15332:22, 15348:24
signed - 15316:10, 15395:18
significance - 15271:6, 15271:20, 15326:9
significant - 15347:21, 15348:18, 15419:7
silently - 15439:10, 15439:13
silly - 15300:21
silver - 15350:20
similar - 15333:2, 15428:25, 15484:15, 15493:15, 15508:18
similarity - 15422:8
simply - 15241:13, 15426:13
sincere - 15343:23, 15344:16, 15380:2, 15380:23, 15486:9
sincerely - 15343:25
sister - 15333:10, 15385:10, 15455:2
sit - 15254:3
site - 15435:19
sitting - 15230:15, 15252:24, 15303:15, 15325:8
six - 15261:6, 15392:21, 15392:22, 15393:3, 15401:10, 15403:19, 15460:14
sixties - 15463:16
sketchy - 15428:13
skill - 15527:6
skim - 15460:8
skip - 15257:7
slam - 15470:11, 15470:12
sleep - 15356:2, 15490:16
sleepers - 15470:24
slept - 15353:7, 15470:9
sliced - 15381:10, 15381:14
slow - 15281:2
small - 15291:11, 15303:13
smartly - 15304:2
smear - 15303:23
smell - 15375:5
smokes - 15385:19
smooth - 15405:19, 15491:5
so - 15285:4
soliciting - 15362:15
solid - 15263:4
someone - 15237:15, 15256:8, 15300:5, 15305:21, 15308:23, 15309:9, 15315:10, 15321:1, 15324:5, 15328:2, 15328:3, 15346:1, 15371:22, 15442:19, 15450:24, 15506:14, 15507:5, 15507:15
sometime - 15236:2, 15318:14, 15334:14, 15336:10, 15349:24, 15439:8, 15508:20, 15522:23
Sometime - 15320:7, 15325:5, 15340:23, 15380:18
sometimes - 15265:24, 15311:5, 15312:6, 15474:20, 15475:8
somewhat - 15422:14
somewhere - 15514:20
son - 15270:18, 15289:4, 15383:18, 15384:23, 15391:5, 15435:12, 15435:24
Soon - 15394:20
soon - 15262:19, 15329:15, 15330:1, 15394:19, 15418:11, 15418:12, 15419:2
sore - 15466:10, 15466:18, 15489:25
sorry - 15243:17, 15243:18, 15252:22, 15253:2, 15275:15, 15281:16, 15286:12, 15287:20, 15297:21, 15315:14, 15354:13, 15368:5, 15371:5, 15379:15, 15382:8, 15396:7, 15401:11, 15417:20, 15423:1, 15427:7, 15428:25, 15446:13, 15473:25, 15477:21, 15485:13, 15497:9, 15508:4, 15517:11
Sorry - 15249:8, 15271:9
sort - 15262:19, 15266:8, 15276:3, 15290:6, 15303:2, 15323:12, 15513:19, 15513:23, 15515:16, 15515:18, 15516:9, 15518:6, 15519:16, 15519:22, 15519:25, 15521:16
sorted - 15504:25
sound - 15238:2, 15298:11, 15314:12, 15314:23, 15328:22
Sounds - 15442:10
sounds - 15384:19, 15385:2, 15394:6, 15442:9, 15451:21
source - 15339:19
South - 15334:2, 15348:11, 15348:14, 15439:4, 15451:2
South' - 15293:10
speaking - 15446:16
special - 15289:14
specific - 15310:7, 15421:18, 15423:22, 15516:15
specifically - 15506:10, 15510:12, 15510:14
Specifically - 15426:1, 15429:17, 15431:11
specifics - 15388:15
speculation - 15282:12
speeding - 15287:6
spent - 15435:14
sperm - 15259:11
spoken - 15339:23, 15457:7, 15477:13, 15477:24
spot - 15313:17, 15382:25, 15448:19
St - 15292:21, 15293:17
stab - 15263:19, 15264:10, 15264:14
stabbed - 15398:16, 15464:14
stabbing - 15319:20, 15319:23, 15319:25, 15320:13
Staff - 15231:1, 15231:8
stand - 15264:2, 15433:4
standing - 15274:4, 15274:5, 15274:6, 15439:10, 15439:13
stands - 15311:3
Stanley - 15232:2
Starphoenix - 15407:9, 15407:14, 15407:23, 15408:14, 15418:3, 15437:6, 15459:21, 15460:4, 15472:13, 15484:25, 15498:23, 15507:22, 15508:7, 15508:11, 15508:18
start - 15284:9, 15521:9
started - 15259:6, 15261:5, 15294:10, 15295:4, 15319:14, 15325:9, 15366:7, 15392:3, 15394:20, 15449:2, 15449:25, 15463:23
starts - 15253:19, 15389:15
state - 15456:9, 15483:6, 15483:9
statement - 15254:7, 15256:14, 15256:15, 15264:1, 15265:16, 15267:2, 15267:4, 15269:20, 15277:16, 15288:15, 15289:25, 15295:23, 15297:15, 15298:1, 15298:8, 15298:14, 15310:5, 15311:3, 15311:4, 15311:11, 15314:3, 15314:11, 15314:15, 15314:19, 15315:11, 15315:12, 15315:18, 15316:11, 15317:1, 15321:6, 15322:20, 15326:8, 15330:5, 15330:11, 15330:20, 15330:24, 15331:6, 15332:7, 15332:15, 15332:16, 15333:3, 15333:4, 15333:14, 15335:7, 15335:9, 15335:13, 15335:20, 15339:3, 15344:20, 15345:1, 15348:1, 15348:5, 15349:5, 15349:14, 15350:1, 15353:18, 15357:13, 15358:25, 15360:5, 15362:5, 15362:13, 15363:10, 15365:10, 15367:4, 15367:15, 15368:2, 15368:3, 15368:10, 15368:16, 15370:13, 15370:15, 15372:5, 15372:15, 15372:17, 15375:12, 15376:7, 15378:16, 15379:11, 15379:18, 15380:17, 15387:5, 15387:7, 15387:10, 15388:18, 15388:20, 15391:2, 15391:14, 15391:21, 15392:13, 15395:12, 15395:24, 15396:21, 15397:2, 15415:10, 15429:11, 15429:25, 15430:6, 15431:1, 15453:7, 15464:3, 15467:2, 15467:5, 15467:9, 15478:25, 15483:4, 15483:7, 15483:10, 15486:8, 15492:16, 15492:20, 15493:8, 15494:5, 15505:11, 15520:16, 15520:17
statement' - 15284:1, 15295:20
statements - 15236:9, 15241:4, 15291:16, 15297:11, 15349:5, 15351:9, 15367:23, 15369:15, 15438:9, 15438:12, 15438:17, 15438:19, 15442:3, 15451:25, 15452:6, 15523:16
states - 15311:12, 15344:20, 15375:16, 15414:23, 15419:12, 15455:10
stating - 15382:13, 15423:17
station - 15235:11, 15236:6, 15236:24,



15237:3, 15243:8,
15329:11, 15329:20,
15345:1, 15345:5,
15367:4, 15392:2,
15396:2, 15497:4,
15520:15, 15520:20
stayed - 15317:4,
15319:12, 15416:2
staying - 15316:19,
15317:12, 15319:15,
15319:16, 15420:17,
15429:16, 15431:10
steadily - 15392:12
steak - 15290:8,
15290:9, 15290:10,
15351:20, 15369:16,
15369:18, 15407:16,
15417:24, 15423:9,
15423:17, 15424:8,
15424:15, 15498:2,
15498:14, 15500:14,
15523:2
Steel - 15493:17
steps - 15475:11
stick - 15427:19
still - 15236:14,
15237:3, 15280:21,
15286:17, 15286:20,
15308:23, 15317:6,
15325:15, 15350:2,
15358:21, 15385:24,
15391:10, 15401:12,
15403:11, 15408:23,
15408:25, 15411:7,
15411:25, 15414:25,
15418:12, 15419:2,
15419:3, 15419:14,
15427:19, 15433:22,
15443:3, 15461:14,
15469:20, 15473:23,
15474:10, 15477:18,
15498:9, 15503:22,
15524:21
stole - 15275:13
stood - 15274:9,
15374:17
stop - 15375:15,
15514:13
stopped - 15274:13,
15274:14, 15274:18,
15274:20, 15321:20,
15322:15, 15352:11,
15442:14, 15442:15,
15477:13, 15477:24
store - 15299:11
stories - 15311:6,
15434:8
story - 15253:21,
15254:4, 15265:12,
15277:10, 15278:13,
15311:8, 15349:12,
15356:21, 15361:21,
15381:21, 15434:5,
15436:24, 15440:5,
15444:10, 15491:21,
15516:16
straight - 15308:22,
15521:11
straightforward -
15379:23
strange - 15321:12,
15322:1, 15325:24,
15326:4, 15334:12,
15336:8, 15486:15
Strange - 15439:16
street - 15303:7
Street - 15315:21,
15334:11, 15354:17,
15386:5, 15482:9
strictly - 15257:20,

15263:7
stronger - 15366:4,
15366:16
stuck - 15346:16
stuff - 15266:25,
15267:1, 15274:3
subsequent - 15236:9,
15276:17, 15351:8,
15453:20
subsequently -
15254:10, 15510:7,
15525:22
substantially -
15509:10
Suddenly - 15441:24
suggested - 15369:5,
15377:23, 15380:8,
15455:13, 15456:11,
15457:14, 15460:1,
15488:10
suggesting - 15464:7,
15464:8, 15509:24
suggests - 15433:5,
15476:10
suite - 15334:14,
15336:10, 15363:15,
15374:7, 15437:22
summary - 15409:19
summer - 15356:3
Sun - 15452:15
sun - 15350:9
Sunday - 15339:1,
15340:5, 15340:7,
15383:11
supper - 15260:24,
15353:10, 15353:14,
15364:15, 15364:21,
15461:12, 15471:22,
15472:1, 15511:3,
15511:8, 15511:12,
15511:16
supplied - 15483:4
Support - 15231:8
supposed - 15260:8,
15270:11, 15305:1
Supreme - 15448:14,
15448:25, 15449:1,
15449:25, 15452:4,
15452:11, 15461:2,
15461:24, 15467:6,
15472:7, 15472:17,
15473:4, 15473:17,
15473:21, 15474:18,
15476:13
surprise - 15420:10
surprised - 15238:22,
15239:15, 15260:7,
15273:10, 15280:10,
15318:20, 15427:18,
15458:1, 15470:14
surprising - 15319:10
surrounding -
15344:1, 15379:22,
15417:17
suspect - 15295:4,
15325:1, 15365:22,
15366:7, 15366:11,
15395:6, 15418:7,
15437:1, 15437:8,
15445:17, 15446:24,
15475:19, 15515:7
suspected - 15316:20,
15317:13, 15412:21,
15414:5, 15445:10,
15445:14, 15517:25
suspicion - 15338:7,
15434:11, 15518:6
suspicious -
15246:21, 15277:22,
15283:17, 15294:10,

15294:13, 15311:8,
15323:16, 15326:10,
15326:24, 15338:15,
15346:25, 15360:11,
15366:4, 15366:15,
15367:1, 15387:12,
15387:18, 15408:15,
15411:7, 15411:9,
15411:25, 15416:13,
15418:13, 15455:24,
15456:17, 15458:12,
15465:23, 15517:10,
15517:11, 15519:10
suspicious - 15277:3,
15335:2, 15337:10,
15362:9, 15366:22,
15387:16, 15387:24,
15408:23, 15418:24,
15447:9, 15519:18
swear - 15270:18,
15270:19, 15453:12
swearing - 15270:16
swore - 15459:24
sworn - 15388:18,
15388:20
Sylvia - 15341:8,
15385:9, 15455:1,
15455:2, 15455:22,
15456:5, 15468:10,
15468:18

T

table - 15495:2,
15495:7
take - 15292:16
talks - 15242:17,
15243:16, 15244:1,
15251:7, 15251:8,
15261:15, 15288:11,
15296:1, 15299:10,
15339:17, 15363:5,
15365:16, 15372:6,
15372:21, 15375:9,
15376:10, 15376:12,
15377:10, 15380:17,
15419:4, 15449:9,
15450:21, 15451:23,
15453:19, 15457:18,
15472:16, 15477:3
Tallis - 15232:13
Tammy - 15247:15,
15258:11, 15258:15,
15286:14, 15286:17,
15286:21, 15303:2,
15303:3, 15307:5,
15307:15, 15307:18,
15307:21, 15307:24,
15308:1, 15308:6,
15308:14, 15327:7,
15332:1, 15454:19
Tammy - 15301:11
Tammy's - 15438:20
tape - 15252:8,
15252:13, 15252:17,
15252:18, 15257:18,
15284:7, 15297:10,
15298:24, 15299:1,
15299:2, 15300:20,
15310:1, 15311:20,
15313:24, 15314:16,
15443:22
taped - 15258:3,
15297:23
Tdr - 15232:5, 15248:3,
15248:10
Technician - 15231:13
telephone - 15244:7,
15377:9, 15378:6,
15420:21, 15421:11,
15434:2, 15451:24,
15456:10, 15457:19,
15457:22
Telephone - 15388:5,
15420:5
television - 15278:21,
15303:23, 15442:22,
15443:8, 15443:14,
15443:25
ten - 15238:12,
15238:23, 15239:2,
15269:25, 15270:10,
15270:11, 15283:13,
15289:7, 15391:9,
15392:5, 15394:18,
15399:23, 15401:6,
15461:20
tendency - 15311:5
terms - 15283:19,
15392:18, 15411:2,
15509:15, 15516:14,
15523:12
testified - 15235:13,
15449:1, 15450:12,
15452:9, 15461:11,
15499:1, 15513:16,
15519:24
testify - 15286:14,
15286:20, 15452:4
testifying - 15488:20,
15489:2
Testimony - 15230:14
testimony - 15264:5,
15510:21
testing - 15488:9
text - 15403:22,
15404:19
than - 15301:6
that - 15285:3,
15289:11, 15291:9,
15293:18, 15295:21,
15296:9, 15302:5
them - 15288:16
then - 15283:1,
15288:24
then-common -
15345:3
there - 15278:25,
15287:5, 15287:12
thereabouts -
15358:7, 15361:11
therefore - 15305:23
Theresa - 15348:12,
15376:13
they - 15287:11
they've - 15266:14,
15301:4
things - 15290:14
think - 15294:8,
15300:9
Thinking - 15412:18
thinking - 15266:16,
15268:15, 15290:10,
15312:13, 15314:25,
15315:15, 15321:25,
15323:23, 15328:10,
15328:12, 15328:14,
15350:5, 15364:23,
15374:18, 15375:21,
15382:21, 15405:5,
15411:13, 15413:1,
15417:5, 15433:16,
15433:19, 15433:20,
15460:24, 15524:21
thinks - 15306:17,
15307:12
third - 15249:18,
15250:14, 15387:9,
15522:25
this - 15290:7

thorough - 15513:9
though - 15302:4
thought - 15277:18
thoughts - 15446:15
three - 15240:25,
15272:23, 15309:20,
15330:13, 15349:3,
15437:21, 15491:4,
15493:15, 15521:8
Three - 15444:16
threw - 15264:4,
15326:2
throughout - 15455:12
Thursday - 15353:23,
15437:11, 15437:24,
15511:6
tickets - 15287:7
Tim - 15452:14
timing - 15434:12
tiny - 15439:6
tip - 15285:12
tired - 15269:24,
15473:11
Today - 15401:11
today - 15236:13,
15282:8, 15285:8,
15300:3, 15313:12,
15350:5, 15389:17,
15395:19, 15400:22,
15401:12, 15419:8,
15467:11, 15510:16,
15512:2, 15513:7
today - 15300:2
together - 15329:20,
15350:21, 15390:17,
15405:21, 15458:18,
15463:21
tomorrow - 15296:3,
15297:4, 15388:9,
15391:18, 15526:21
tonight - 15391:16,
15391:19
Tony - 15231:13
took - 15247:19,
15247:25, 15251:2,
15261:9, 15261:13,
15261:16, 15262:8,
15262:9, 15265:15,
15276:9, 15287:4,
15292:21, 15341:24,
15365:9, 15372:5,
15375:22, 15376:8,
15391:20, 15423:24,
15483:8, 15505:7,
15505:10, 15513:24,
15519:8
took - 15292:17
toothed - 15473:1
top - 15257:9,
15269:19, 15273:13,
15312:11, 15333:16,
15388:3
topics - 15455:17
totally - 15380:3
touch - 15394:12,
15490:13, 15523:15
touched - 15235:9,
15245:16, 15281:20,
15317:15, 15323:1,
15330:25
toward - 15355:21
towards - 15354:15,
15356:11, 15427:1
town - 15481:24
tracks - 15274:21
trail - 15439:1
transcript - 15238:17,
15252:12, 15299:1,
15389:7, 15405:12,
15431:17, 15432:21,



15433:5, 15461:1,
15466:12, 15485:17,
15498:25
Transcript - 15230:12,
15235:1
transcription -
15527:5
transcripts - 15289:9
transferred - 15285:1
Travaleer - 15264:22
travelling - 15338:24
treat - 15486:8,
15505:22
treated - 15427:5,
15427:16, 15505:17,
15505:20, 15505:21
tree - 15294:1,
15294:8, 15295:16,
15324:10, 15324:16,
15324:19, 15354:7,
15354:9
trial - 15236:11,
15248:11, 15264:17,
15368:20, 15371:19,
15398:23, 15406:15,
15407:1, 15409:7,
15419:11, 15426:16,
15460:6, 15488:17,
15488:22, 15494:2,
15498:25, 15499:1,
15499:15, 15508:14
tried - 15303:4,
15310:2, 15310:3,
15360:16, 15521:18
trip - 15286:8
trouble - 15412:4,
15510:13
true - 15244:10,
15244:11, 15246:4,
15247:22, 15304:5,
15311:17, 15327:18,
15527:5
trusted - 15380:21
trusting - 15380:2
trustworthy -
15380:23
truth - 15270:5,
15272:14, 15289:8,
15300:9, 15306:13,
15328:1, 15390:23,
15461:5, 15464:9,
15472:23, 15483:5,
15483:10, 15488:24,
15499:4
truthful - 15316:12,
15391:22, 15392:15,
15392:24, 15393:8,
15394:4, 15395:9,
15397:24, 15398:19,
15400:10, 15400:20,
15402:22, 15403:5,
15406:20, 15415:12,
15417:8, 15447:23,
15454:11, 15454:23,
15461:21, 15463:11,
15464:16, 15468:23,
15471:3, 15471:15,
15472:5, 15482:25,
15483:14, 15484:6,
15486:10, 15486:16,
15486:22, 15487:3,
15487:7, 15487:18,
15490:23, 15497:16,
15502:25, 15503:10,
15504:20
truthfully - 15339:22
try - 15257:8,
15301:18, 15306:20,
15358:23, 15378:24,
15408:5, 15469:3,

15513:11
trying - 15281:6,
15289:4, 15300:21,
15301:6, 15303:5,
15303:6, 15303:8,
15304:20, 15309:10,
15338:4, 15338:11,
15342:10, 15360:18,
15360:24, 15365:7,
15386:12, 15414:17,
15426:13, 15431:1,
15433:8, 15443:3,
15443:4, 15445:19
Tuesday - 15230:21,
15377:8, 15377:9,
15472:24
Tuesday's - 15473:16
turn - 15237:8,
15257:22, 15293:19,
15325:17, 15421:23,
15507:5
turned - 15263:9,
15265:9, 15270:20,
15271:12, 15422:4,
15423:16, 15424:2
turns - 15335:22
Tv - 15301:22, 15306:7,
15437:23
twelve - 15463:21
twice - 15454:9
twig - 15296:5
twisting - 15426:4
two - 15240:25,
15251:19, 15265:7,
15292:2, 15297:11,
15303:7, 15309:7,
15309:20, 15319:22,
15346:21, 15348:12,
15349:4, 15351:20,
15356:24, 15361:10,
15365:20, 15372:4,
15372:21, 15381:7,
15381:25, 15382:15,
15412:15, 15413:23,
15419:23, 15422:15,
15439:21, 15452:19,
15456:10, 15475:25,
15479:18, 15484:8,
15492:8, 15493:14,
15513:18, 15516:21,
15518:4, 15521:8,
15521:11, 15525:10
Two - 15265:7,
15493:16, 15493:17
two-way - 15303:7
type - 15259:13,
15259:19, 15306:24,
15362:17, 15362:20,
15368:23, 15369:9,
15371:9, 15371:23,
15376:22, 15386:7,
15386:12, 15386:18,
15420:16, 15421:21
typed - 15315:9,
15315:11, 15316:14,
15316:25, 15378:1
typewritten - 15333:16
typing - 15379:6,
15386:17

U

Umm - 15248:8,
15298:16, 15317:18,
15335:14, 15336:1,
15338:3, 15338:19,
15340:15, 15343:15,
15347:13, 15347:22,
15389:10, 15438:4,
15443:9, 15443:16,

15444:1, 15446:2,
15447:2, 15479:1,
15481:22, 15488:6
umm - 15248:8,
15444:21, 15445:23
uncertain - 15380:7,
15380:13, 15420:19
Uncle - 15276:18,
15277:21, 15296:18,
15359:10, 15361:7,
15361:12, 15416:7,
15465:6, 15465:14
uncle - 15261:8,
15261:13, 15261:17,
15275:23, 15276:1,
15302:15, 15325:23,
15356:6, 15415:18,
15464:20, 15464:23,
15465:3
uncle' - 15277:8
uncles - 15292:2,
15376:23
Under - 15250:6
under - 15241:6,
15303:13, 15303:25,
15306:9, 15350:9,
15389:20, 15390:21,
15403:11, 15422:2,
15466:22, 15475:17,
15503:22
undercover - 15300:6
undershorts -
15373:18, 15373:25
understood -
15266:10, 15437:15,
15508:1, 15513:20,
15525:20
unfair - 15307:10
unfortunately -
15427:8
unfounded - 15434:11
uniform - 15344:21,
15388:7
uniformed - 15362:7
University - 15334:5
university - 15262:3,
15262:4, 15262:10
unknowingly -
15270:25
unknown - 15361:20,
15367:7, 15422:5
unless - 15392:11,
15401:10, 15454:21
unlikely - 15401:17
unsafe - 15286:18
unusual - 15271:14,
15322:11, 15337:21,
15346:19, 15513:22
unwittingly - 15272:13
up - 15235:9,
15236:22, 15241:19,
15245:15, 15252:7,
15252:23, 15256:4,
15257:11, 15257:22,
15263:14, 15264:16,
15265:8, 15265:12,
15266:8, 15270:2,
15270:9, 15273:17,
15280:16, 15281:18,
15281:21, 15281:23,
15282:14, 15287:1,
15287:5, 15289:1,
15291:24, 15298:1,
15298:23, 15301:10,
15301:14, 15303:1,
15303:19, 15304:18,
15310:10, 15313:23,
15314:3, 15315:1,
15315:11, 15317:4,
15318:21, 15321:18,

15327:25, 15333:15,
15336:7, 15336:16,
15348:23, 15349:19,
15349:23, 15353:4,
15356:1, 15363:16,
15368:5, 15375:18,
15376:10, 15381:10,
15381:14, 15383:4,
15383:20, 15384:6,
15388:8, 15388:17,
15399:14, 15401:4,
15404:17, 15412:5,
15413:20, 15418:9,
15419:2, 15425:14,
15428:18, 15431:7,
15431:23, 15438:6,
15443:13, 15445:19,
15447:12, 15449:7,
15451:22, 15454:25,
15456:19, 15457:22,
15460:25, 15461:18,
15463:19, 15467:19,
15467:24, 15470:3,
15470:15, 15472:12,
15477:21, 15480:21,
15483:23, 15487:23,
15498:24, 15518:24,
15521:17
upset - 15269:24,
15391:15
upstairs - 15515:3,
15516:4
upstairs' - 15284:10
upstanding -
15328:19, 15328:20
us' - 15284:12
useless - 15426:17

V

V10 - 15330:3,
15382:22, 15519:13
value - 15380:15,
15424:1
Van - 15376:13,
15456:21, 15456:23,
15458:9, 15458:23,
15459:2, 15515:24
Vanasseldonk -
15348:13, 15451:3
Vancouver - 15458:18
Vanessa - 15345:23
various - 15251:3,
15451:25, 15506:11
vehicle - 15302:23,
15312:20, 15312:23,
15313:6, 15313:10,
15360:13, 15360:15,
15361:3, 15449:12,
15454:6, 15454:21,
15478:13
version - 15315:9,
15316:14, 15316:23,
15333:16, 15361:21,
15361:23, 15362:1,
15443:15, 15450:15
via - 15243:8
vicinity - 15410:4
vicious - 15519:17
victim - 15410:4,
15428:16
victim's - 15404:2
victims - 15483:25
view - 15323:17,
15335:3, 15337:11,
15337:18
Viewed - 15414:24
viewed - 15257:15
viewing - 15508:6
views - 15410:6,

15410:9, 15410:23,
15418:6
violence - 15445:25
violent - 15282:25,
15355:21, 15356:11,
15356:13, 15356:14,
15487:14
virtually - 15439:3
visit - 15237:12,
15239:8, 15258:11,
15279:22, 15286:1,
15287:6, 15287:7,
15307:19, 15378:20,
15378:21, 15383:12,
15383:15, 15420:10,
15438:3
visited - 15251:6,
15251:17, 15357:6,
15383:13, 15426:22,
15458:18
visiting - 15286:17,
15331:20, 15332:3
visits - 15257:19
Volume - 15230:22

W

Wagner - 15505:10,
15505:17, 15506:18,
15507:1, 15507:13,
15509:11, 15510:9
waist - 15264:9
wait - 15268:20,
15329:17
waited - 15269:10,
15283:18, 15349:19,
15363:16
waiting - 15252:24,
15317:4
wake - 15318:21
walk - 15317:10,
15318:8
walked - 15329:10
wallet - 15293:23,
15294:1, 15294:6,
15294:7, 15294:12,
15294:18, 15295:8,
15296:6, 15296:7,
15296:17, 15324:7,
15324:9, 15324:13,
15324:15, 15346:17,
15348:16, 15354:5,
15355:1, 15355:2,
15374:16, 15458:3,
15459:14, 15459:15
wallet' - 15294:5,
15296:13
want - 15299:12
wants - 15292:2,
15446:19
was' - 15283:7,
15283:21
wash - 15281:18
washed - 15281:23,
15353:4
wasting - 15426:3
water - 15300:17
ways - 15292:23,
15354:12
weapon - 15369:6,
15371:17, 15398:17,
15406:17, 15407:2,
15408:1, 15409:16,
15410:12, 15410:17,
15480:12, 15480:18,
15484:13, 15487:25,
15489:4, 15494:1,
15494:11, 15494:17,
15504:17, 15504:19
wear - 15287:3,



15287:14
wearing - 15318:23,
 15326:17, 15363:13,
 15363:23, 15364:1,
 15378:23, 15380:9,
 15439:20, 15445:6,
 15471:18, 15471:23
weather - 15400:15,
 15401:6, 15415:17,
 15438:25
wedding - 15351:17
Wednesday - 15377:8
Wednesday' - 15343:6
week - 15297:18,
 15423:13, 15449:24,
 15466:25, 15467:1,
 15467:3
weekend - 15340:23,
 15341:5, 15439:22
weeks - 15251:19,
 15276:25
Wempe - 15232:9
whereabouts -
 15249:21, 15350:11
Whilst - 15377:13
white - 15270:21,
 15271:12, 15373:19,
 15500:8, 15500:16,
 15500:17, 15503:13
who' - 15296:18
who'd - 15255:6,
 15321:21
whole - 15264:15,
 15327:23, 15356:21,
 15426:18, 15525:8
wife - 15243:3,
 15243:6, 15244:18,
 15244:19, 15244:22,
 15245:7, 15245:20,
 15245:25, 15246:13,
 15251:9, 15251:20,
 15356:17, 15437:11
Wilde - 15231:12
Williams - 15237:20,
 15240:16, 15241:24,
 15242:6, 15242:10,
 15243:12, 15243:16,
 15243:24, 15243:25,
 15247:6, 15249:17,
 15249:20, 15251:8,
 15339:18, 15340:21,
 15341:13, 15342:6,
 15342:11, 15342:16,
 15363:5, 15367:19,
 15370:9, 15370:17,
 15370:23, 15371:7,
 15372:6, 15376:12,
 15388:24, 15389:1,
 15389:14, 15390:5,
 15391:1, 15391:24,
 15392:17, 15393:1,
 15393:10, 15394:12,
 15397:1, 15398:2,
 15399:10, 15401:2,
 15402:4, 15403:8,
 15404:20, 15405:7,
 15406:23, 15409:5,
 15409:15, 15410:1,
 15410:15, 15411:15,
 15412:3, 15413:10,
 15413:21, 15414:2,
 15414:7, 15414:19,
 15414:22, 15415:14,
 15416:15, 15418:6,
 15419:24, 15420:1,
 15425:16, 15426:24,
 15427:1, 15427:22,
 15429:9, 15429:14,
 15429:17, 15429:20,
 15429:24, 15430:2,

15431:5, 15431:8,
 15431:11, 15431:14,
 15431:18, 15431:21,
 15432:1, 15432:5,
 15432:18, 15432:24,
 15433:2, 15433:17,
 15443:1, 15466:7,
 15466:21, 15467:5,
 15475:3, 15479:2,
 15484:20, 15485:1,
 15485:8, 15485:18,
 15498:20, 15500:11,
 15503:13, 15508:20
Williams' - 15249:14,
 15339:5
willing - 15300:25,
 15330:19, 15427:19
Wilson - 15232:6,
 15244:4, 15244:9,
 15244:15, 15244:23,
 15245:1, 15245:13,
 15246:14, 15249:24,
 15250:3, 15250:16,
 15250:21, 15263:8,
 15265:9, 15345:17,
 15345:18, 15345:19,
 15345:21, 15346:2,
 15367:10, 15514:23
wine - 15405:6,
 15480:12, 15480:23,
 15480:24, 15481:2,
 15494:23
wine-coloured -
 15481:2, 15494:23
Winnipeg - 15246:7,
 15255:5, 15271:6,
 15271:19, 15271:24,
 15285:12, 15288:12,
 15323:16, 15338:7,
 15344:10, 15356:7,
 15356:16, 15356:21,
 15356:24, 15357:8,
 15365:20, 15381:7,
 15381:20, 15382:2,
 15405:22, 15420:9,
 15434:4, 15444:2,
 15444:13, 15516:21,
 15517:2, 15517:7,
 15518:10, 15518:19,
 15518:21, 15522:12
winter - 15278:18
wintertime - 15361:20
wire - 15287:3,
 15287:14, 15378:23
wiser - 15400:8
wish - 15416:17,
 15416:20, 15416:23,
 15417:1, 15421:23,
 15422:6, 15452:13
witness - 15349:1,
 15449:5
witnessed - 15314:21,
 15332:18, 15333:10
witnesses - 15425:20,
 15425:23, 15519:24
Wiwcharuk - 15328:22
woke - 15257:11,
 15270:9, 15280:16,
 15281:21, 15282:14,
 15336:16, 15399:13,
 15431:23, 15461:18,
 15470:15
Wolch - 15242:18,
 15242:19, 15242:20,
 15243:2, 15244:2,
 15246:17, 15368:7,
 15425:16, 15461:9,
 15471:5
Wolch's - 15245:17,
 15247:2

Wolch/asper - 15487:9
woman - 15261:9,
 15261:14, 15265:14,
 15265:17, 15308:17,
 15325:9, 15325:11,
 15381:9, 15428:19,
 15464:13, 15472:18
woman's - 15264:8,
 15381:8, 15382:14
women - 15316:21,
 15317:14, 15325:7,
 15381:7, 15447:15
wonder - 15280:11,
 15304:2, 15391:11,
 15425:2, 15445:11
wondered - 15284:23,
 15439:18
wondering - 15236:4,
 15262:7, 15262:21,
 15280:13, 15281:4,
 15366:14, 15400:24,
 15414:12, 15415:20,
 15433:1, 15433:7,
 15490:2, 15492:5,
 15494:25
wood - 15493:2,
 15493:9
wooden - 15272:19,
 15290:4, 15290:12,
 15291:2, 15350:20,
 15393:15, 15393:25,
 15406:8, 15410:13,
 15411:18, 15460:23,
 15482:16, 15491:3,
 15492:24, 15492:25,
 15495:24, 15499:21,
 15500:21, 15501:4,
 15509:20, 15510:18,
 15511:18, 15512:8,
 15521:10
wooden-handed -
 15291:2, 15406:8,
 15411:18, 15460:23,
 15482:16, 15509:20,
 15510:18, 15512:8,
 15521:10
worded - 15311:3
words - 15267:5,
 15301:20, 15304:5,
 15316:7, 15316:8,
 15320:15, 15394:7,
 15418:15, 15429:23,
 15448:5, 15483:11,
 15483:17, 15508:24,
 15510:24, 15519:23
work' - 15303:9
workaholic - 15445:2
workday - 15260:6
working' - 15281:2
worried - 15307:20,
 15341:9
worth - 15301:18
wounds - 15264:10,
 15369:5, 15371:15,
 15410:6
wrestling - 15375:2
Wright - 15329:13,
 15345:3, 15362:10,
 15367:3, 15375:9,
 15379:11, 15379:13,
 15381:12, 15382:13,
 15455:8
Wright's - 15380:17
write - 15315:22,
 15357:2, 15477:22,
 15487:20
writes - 15251:12,
 15339:18, 15340:21,
 15342:3, 15342:5,
 15342:22, 15343:20,

15346:7, 15347:25,
 15363:9, 15366:2,
 15366:10, 15379:10,
 15387:3, 15438:23
writing - 15243:10,
 15310:7, 15341:12,
 15483:19
written - 15298:19,
 15310:5, 15330:23,
 15385:10, 15466:16
wrongdoing - 15476:7
Wrongful - 15230:3
wrongly - 15329:8,
 15331:10
wrote - 15311:4,
 15315:11, 15315:13,
 15315:16, 15316:1,
 15325:6, 15357:7,
 15357:15, 15357:22,
 15433:9, 15452:15,
 15453:8, 15466:12,
 15483:18

Y

yard - 15310:14,
 15324:18, 15326:2
year - 15253:16,
 15361:20, 15380:18,
 15435:12, 15435:24
years - 15237:11,
 15238:12, 15238:23,
 15239:2, 15244:24,
 15246:15, 15256:17,
 15269:25, 15283:13,
 15283:14, 15283:18,
 15286:15, 15288:1,
 15289:7, 15302:2,
 15328:13, 15352:5,
 15356:25, 15361:10,
 15366:25, 15376:9,
 15391:9, 15411:18,
 15456:10, 15457:2,
 15457:19, 15469:23,
 15473:6, 15481:14,
 15488:1, 15520:12,
 15521:18, 15522:13,
 15522:17, 15523:4
yelled - 15320:11
yelling - 15321:18
yesterday - 15235:9,
 15235:16, 15236:12,
 15237:9, 15245:16,
 15246:6, 15255:9,
 15267:3, 15269:3,
 15271:4, 15271:9,
 15277:10, 15281:20,
 15317:15, 15319:21,
 15321:13, 15323:2,
 15325:20, 15327:19,
 15328:9, 15338:5,
 15366:18, 15397:5,
 15400:22, 15469:17,
 15477:17, 15484:9
you' - 15282:24,
 15283:18, 15289:5
young - 15265:7,
 15284:10, 15316:17,
 15348:12
yourself - 15268:20,
 15269:7, 15308:13,
 15408:5, 15463:18

