

C A N A D A

PROVINCE OF QUEBEC

DISTRICT OF MONTREAL

N<sup>o</sup>: 500-11-036947-097

S U P E R I O R C O U R T  
(Bankruptcy division)

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EARL JONES CONSULTANT &  
ADMINISTRATION CORPORATION

Debtor

- AND -

RSM RICHTER INC.,

Trustee

---

EXAMINATION IN VIRTUE OF ARTICLE 163  
OF THE BANKRUPTCY AND INSOLVENCY ACT  
DEPOSITION OF MRS. MAXINE JONES  
EXAMINED BY Me NEIL STEIN

APPEARANCES:

**Me NEIL STEIN,**  
for the Trustee.

**Me LEONARD KLIGER,**  
for Mrs. Maxine Jones.

**Mr. GILLES ROBILLARD, TRUSTEE**

DT091109.A

Danièle F. Tassé, s.o., o.c.r.  
November 9, 2009

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In the year of Our Lord, two thousand and nine (2009), on this ninth (9th) day of November, PERSONALLY CAME AND APPEARED:

MAXINE JONES, homemaker, residing at four seven seven five  
5 (4775) Sherbrooke Street West, apt. 5, Montreal, Province of  
Quebec, H3Z 1G5;

WHO, after having made a Solemn Declaration, doth depose and  
say as follows:

10

EXAMINED BY Me NEIL STEIN,  
on behalf of the Trustee:

1 Q- Good morning Mrs. Jones.

15 A- Good morning.

Me LEONARD KLIGER,  
on behalf of Mrs. Maxine Jones:

20 Before we start, as we discussed in a chain of  
emails on October twenty-ninth (29th) two thousand nine  
(2009), I wish to invoke section 5.2 of the Canada  
Evidence Act, protection that the questions and answers  
can't be held in any way to incriminate my client and  
your email to me of October twenty-ninth (29th) is  
stating that you have no objection.

Me NEIL STEIN:

We have no objection. Normally, you are suppose to  
invoke the rights in respect of each question -- I  
presume that for purposes of simplicity, we will apply to  
5 all questions.

Me LEONARD KLIGER:

Correct.

Me NEIL STEIN:

Okay.

10 Me LEONARD KLIGER:

We have one other comment. On the advice of my  
client's family, they requested that she seeks medical  
help because of the trauma and all the series of events  
that caused her and so, she is going to seek medical  
15 help. Obviously, I am not a doctor, but she should have  
done this long ago and I just want you to be aware of  
that in your questioning, you obviously are entitled --  
whatever you are legally entitled to ask, but I just want  
you to be aware of her mental situation. To say the  
20 least, she's not very stable. We have no objection if you  
want to have her medically evaluated as well.

Me NEIL STEIN:

No. At this stage, we do not -- but I'll ask a  
preliminary question for purposes of the record.

2 Q- Mrs. Jones, at the present time, are you under any  
medical supervision, at the present time?

A- No.

3 Q- Are you taking any drugs of any nature which could affect  
5 your memory at the present time?

A- No.

4 Q- Oka, thank you.

Mrs. Jones, can you tell the Court whether, at any point  
in time, you worked for your husband or his corporation  
10 Earl Jones Consultant & Administration Corporation?

A- No.

5 Q- You have at no time worked for the...

A- No.

6 Q- Were you at any time an officer or director of that  
15 corporation?

A- No.

7 Q- Okay. Can you tell the Court, first of all, for what  
period of time were you married or have you been married  
to your husband?

20 A- I got married in August the twenty-seventh (27th)  
nineteen sixty-six (1966).

8 Q- Okay. And since that time, nineteen sixty-six (1966), did  
you, at any time work or were you always a homemaker?

A- When he first started his company, I worked at home just typing some letters.

9 Q- So you were typing letters for him, is that it, or his corporation?

5 A- No, when he first opened his company in - I think it was around nineteen seventy-seven (1977).

10 Q- And were you remunerated by the company for that or that you were just doing it on a voluntary basis?

A- No, I did it on a voluntary basis.

1110 Q- We have here copies of a summary of your tax returns from the years two thousand (2000) up to two thousand and eight (2008)...

Me LEONARD KLIGER:

Mr. Stein, sorry for interrupting, but I asked my client to bring some tax returns, I do not know...

Me NEIL STEIN:

Okay, fine. Okay, let's just start with two thousand...

Me LEONARD KLIGER:

20 Eight (8), seven (7), six (6), five (5).

Me NEIL STEIN:

12 Q- Okay, let's just start with two thousand and eight (2008) for the moment. The two thousand and eight (2008) income tax return indicates that you have

gross income...

Me LEONARD KLIGER:

Total income.

Me NEIL STEIN:

5           ... total income of seven thousand five thirty-one  
dollars (\$7,531) -- total income, all right? Tell the  
Court where this income came from -- you have attached to  
there various T-4A slips -- one from the Régie des rentes  
for twenty-eight hundred dollars (\$2,800)...

10 Me GILLES ROBILLARD,

Trustee:

That is what happens when you have a lawyer trying  
to read...

Me NEIL STEIN:

15           ... taxable pension of forty-five hundred and  
seventy-five dollars (\$4,575). So, I presume, from what  
I am seeing that your total revenue consisted of  
basically pension income, is that correct?

A- Yes.

20 Me LEONARD KLIGER:

Can you show her the document?

Me NEIL STEIN:

Yes, just give me one second. It seems to be a  
minimal amount of income which came from London Life

Insurance or a fund that they will administrate. Take a look, that's your two thousand and eight (2008) return.

Me LEONARD KLIGER:

Two thousand eight (2008) tax return he's showing  
5 you. He just wants to confirm the source of the income.

Me NEIL STEIN:

13 Q- Instead of producing your actual tax returns, I'm going  
to show you, and I'll show your counsel, a two (2) year  
comparative reviews prepared by Mr. Pierre Courchesne,  
10 who I believe was the accountant preparing your tax  
returns for a number of years. Is that correct?

A- Yes.

14 Q- And, I'd ask you to take a look at it -- you'll see the  
first one is a comparative as to what your income is for  
15 two thousand and eight (2008) and two thousand and seven  
(2007) and you are going to see that in two thousand and  
eight (2008), you have a total income of seven thousand  
five thirty-two dollars (\$7,532), in two thousand and  
seven (2007) you have total income of two thousand eight  
20 twenty-one dollars (\$2,821), in two thousand and six  
(2006), you have total income of four thousand one

hundred and ninety-three dollars (\$4,193). Two thousand  
and five (2005), you have total income of ten thousand  
eight hundred and fifty-nine dollars (\$10,859). Two  
thousand and four (2004), you have total income of two  
5 thousand eight hundred and seventy-six dollars (\$2,876).

Just examine that for a moment. The only point that  
I am trying to make with respect to this is that you have  
very minimal income in all of these years and I'm asking  
you if you had any other source of income during those  
10 years?

Me LEONARD KLIGER:

Other than what is in the tax returns.

Me NEIL STEIN:

Just look at that for a moment.

15 Me LEONARD KLIGER:

Two thousand eight (2008) for a total of seven  
thousand five hundred and thirty-two dollars (\$7,532);  
two thousand seven (2007), two thousand eight hundred and  
twenty-one dollars (\$2,821). Mr. Stein wants to know did  
20 you have any other -- correct me if I am wrong Mr. Stein,  
if you want me to -- I am just clarifying for the  
witness.

15 Q- He wants to know if you had any other sources of income  
during those years, two thousand eight

(2008), two thousand seven (2007). Does your total income...

R- Only the cheques that Earl would give me every month to pay bills.

16 5 Q- But that is not the question. Did you have income for working or investment?

A- No. Not that I know of.

Me NEIL STEIN:

We're going to produce the copy of this. I don't  
10 think we have another copy, but we will produce copy of this as exhibit P-1 which I would ask you to -- or we'll call it MJ-1 -- we'll ask you to produce exhibit MJ-1. It is two (2) year comparative reviews of federal income taxes for Mrs. Jones for the periods two thousand and  
15 eight (2008) until two thousand (2000).

**EXHIBIT MJ-1**

Me LEONARD KLIGER:

From two thousand (2000) to two thousand eight (2008) inclusive?

20 Me NEIL STEIN:

Correct.

Me NEIL STEIN:

Can I get copies of...

Me LEONARD KLIGER:

Yes. We'll put all the documents in the centre of the table and afterwards, we'll make copies for everybody, okay?

5 Me NEIL STEIN:

But, that document you just referred to, refer to two thousand seven (2007) and two thousand six (2006).

Me LEONARD KLIGER:

10 No, if you go further, you'll see that the comparatives are there for two thousand and seven (2007), they're all there.

Me NEIL STEIN:

15 I'm not trying to -- there is nothing in there that I'm disputing, I just want to know if there was any other income.

Me LEONARD KLIGER:

Do you understand the question?

A- Yes.

Me NEIL STEIN:

1720 Q- All right, so that's your income for the particular years in question. Now, your husband had a similar comparative which we have in our possession which Mr. Courchesne has well prepared and the question which I have for you is how would you -- was it you,

first of all, that were paying the bills for the day-to-day household expenses and when I refer to the day-to-day household expenses, I'm referring to the Dorval condominium, the Mont-Tremblant condominium and, for the moment, the Florida condominium?

5

A- Yes.

18 Q- So, it was you who was paying these expenses on a regular basis?

A- Yes.

19 10 Q- Okay. How would those expenses be paid?

A- He gave me a cheque...

20 Q- When you say "he"?

A- Earl gave me a cheque every month and I paid bills.

21 Q- And when you received the cheque, are you aware from  
15 which account the cheque was coming?

A- No.

22 Q- You weren't aware?

A- No.

23 Q- You never looked at the actual cheque which you received  
20 then?

A- I looked at the top of it, but it didn't mean anything to me. I tucked it in and I just deposited the cheque.

24 Q- Okay. I am going to, at a point in time, go through

all the cheques which you received over a fairly lengthy period of time and from what I see and we will show you the cheques, the cheques were always made from the account which was entitled "Earl Jones in Trust". Do you recall seeing that on the top of the cheques?

5

A- I can't remember, but I think there were two (2) cheques: Earl Jones in Trust and Earl Jones Company.

25 Q- Okay. Do you recall which cheques you would get?

A- No.

2610 Q- So you don't recall. Did you ever question, at any point in time, why I'm getting a cheque from Earl Jones in Trust as opposed to a corporate cheque?

A- No.

27 Q- You never questioned?

15 A- No.

28 Q- Did you understand any significance in respect of a cheque titled "Earl Jones in Trust"?

A- No.

29 Q- Do you understand what "in trust" means?

20 A- Now I do.

30 Q- Okay. At the time, you didn't understand that there was a distinction between your husband, Earl Jones and funds he was holding in trust?

A- No.

31 Q- Have you ever opened up an in trust account for your children?

A- No.

32 Q- You never had an in trust account for your children?

5 A- No.

33 Q- So, can you tell the Court what's your background is in terms of education?

A- I finished high school and then I went to work.

34 Q- And then, you went to work. Okay. Can you explain to the  
10 Court, in the last couple of years, and we'll go two thousand and nine (2009), two thousand and eight (2008) and two thousand and seven (2007)? -- we'll take that period of time.

35 How would -- Let me rephrase that question. Would you  
15 discuss with your husband how much money you would need on a monthly basis to pay for the household expenses?

A- I would tell him approximately how much I needed.

36 Q- And how would the process work? Would you tell him once a month?

20 A- Yes.

37 Q- And how would you calculate what you need?

A- I would add up the mortgage and the Bell telephone and the gas and say I need approximately this much.

38 Q- And then, what would happen?

- A- He would give me a cheque. Sometimes, not what I had asked for and sometimes maybe a few dollars more.
- 39 Q- And, sometimes a few dollars more, sometimes a few dollars less so, he wasn't following your particular instructions, he was just giving you amounts?
- 5 A- What he was able to.
- 40 Q- What he was able to. So, was there ever discussion as to how much he could pay you or how much he couldn't pay you?
- 10 A- No.
- 41 Q- No? Just so that I can understand again. Do you recall if you ever received any cheques from the corporation as oppose to the Earl Jones in Trust account? Because, frankly, I haven't seen it.
- 15 A- I didn't really look at the top of the cheques.
- 42 Q- Okay. What was your understanding as to what the nature of your husband's business was?
- A- Financial consultant.
- 43 Q- A financial consultant? Where did he work prior to setting up his own business?
- 20 A- Montreal Trust.
- 44 Q- And doing what?
- A- He was, I believe, assistant manager in savings department and then he went into the trust department, that I recall.
- 25

45 Q- He went into the trust department. Approximately what year would you recall him going into the trust department?

A- I can't recall.

46 5 Q- Okay. Do you recall what his functions were in the trust department?

A- No.

47 Q- You had no idea what his functions were?

A- Looked at the client, as far as I know -- I don't know.

48 10 Q- Okay, and when he started his own business, were you married at the time?

A- Yes.

49 Q- And what did he tell you he wanted to do?

A- At first, he was settling people's estates -- people died and looking after their money as a financial consultant.

50 Q- Okay. But was it primarily in the sense of winding-up estates and acting as financial consultant for various estates?

A- Yes.

51 20 Q- Did he, at any time, make you aware of any other type of business that he was involved in?

A- No.

52 Q- You were aware then, that he was handling other

people's money? That was not his money?

A- Yes.

53 Q- Okay. And the fact that you received a cheque from, not  
the corporation that has been set-up for this business,  
5 but rather from Earl Jones in Trust. That at no time set  
off a red light in your mind?

A- No.

54 Q- Absolutely never?

A- No.

5510 Q- So you never questioned the fact that you were receiving  
money from an account called "Earl Jones in Trust" as  
oppose to the corporate account?

A- No.

56 Q- Did you really care where the money came from or?

15 A- I thought it was from his company.

57 Q- You thought it was from his company, but you knew he had  
a corporation and the cheques weren't entitled, and I am  
going to show them to you, they weren't entitled "Earl  
Jones Consultant & Administration Corporation". The  
20 cheques appeared to be clearly stipulated to be "Earl  
Jones in Trust".

A- But, I didn't understand that at first.

58 Q- When did you understand?

A- This past six (6) months.

5925 Q- Until then, you never realized there was a

difference?

A- No. I trusted him. I just took the cheques and deposited in the bank.

60 Q- The last few years, when your husband would come home at  
5 night -- I would have to think that you may have... Let me rephrase that question. In two thousand and six (2006), do you recall that your husband and yourself remortgaged the Dorval property and the property in the Laurentians, in Mont-Tremblant?

10 A- I knew about Dorval.

61 Q- You didn't know about Laurentians?

A- After the fact.

62 Q- Well, explain to me what happened. You say you knew about Dorval?

15 A- I asked him why he was remortgaging the property and he said he needed to pay corporate taxes. That was it.

63 Q- And when did you find out about Mont-Tremblant?

A- I don't recall.

64 Q- Was it a month or six (6) months after or?

20 A- I don't remember.

65 Q- You said you weren't aware, but eventually you found out about it, is that correct?

A- Yes.

66 Q- How did you find out about it?

A- Well, because there was two (2) mortgages to pay each month.

67 Q- Right, so?

5 A- So I only found out maybe six (6) months after the fact.

68 Q- Well, the mortgage, I presume, was payable monthly?

A- Yes, but I don't know if it was combined, I don't remember how it was. To be honest, I don't remember.

69 Q- I don't follow when you say it was combined? There were  
10 two (2) distinct mortgages. There was a mortgage for...

A- At eight seventy (870), there was two (2) mortgages. At Mont-Tremblant, there was only one, if I can remember.

70 Q- Okay.

A- Maybe it was combined, I don't know.

7115 Q- No, the mortgages were not combined. There are separate mortgages for the Mont-Tremblant property as opposed to the -- they are both from the same company, Maple Trust originally, then Bank of Nova Scotia, okay, but how did you find out that Mont-Tremblant was remortgaged?

20 A- I don't remember.

72 Q- Well, you said at a point in time you became aware that  
Mont-Tremblant was remortgaged. You said that you don't,  
I believe you said you don't recall signing the mortgage  
or that's what you meant. Is that correct?

5 A- I don't remember how I found out or when I found out  
about Mont-Tremblant.

73 Q- When you found out, whatever that period of time may be,  
did you question your husband?

A- No.

7410 Q- You did not?

A- No.

75 Q- You just simply accepted it?

A- Yes.

76 Q- I mean, this was a property of which supposedly you had a  
15 fifty percent (50%) interest, I mean, didn't you want to  
know why the property was being remortgaged?

A- I didn't ask him.

77 Q- Okay. In respect of the Dorval property, I understand  
that, at two (2) different times, there were two (2)  
20 distinct units that were purchased. One that is referred  
to as units "M3" and "3X". Do you recall -- and these  
units, as I understand were purchased in the joint name,  
yourself and your

husband. Do you recall whether you personally paid any of the purchase price for these properties?

A- No, I didn't.

78 Q- You did not pay any of the purchase price. Vis-à-vis the  
5 property in Mont-Tremblant, again that property is in the joint name. Do you recall if you paid anything?

79 A- I didn't.

80 Q- You did not. Vis-à-vis the condominium in Florida, there  
again, I believe the property is in the joint name, did  
10 you again pay anything personally for the property?

A- I did not.

81 Q- Okay. Your original home in Beaconsfield, I think it was  
in Beaconsfield on Gables Road, Gables Court, seventy-  
eight (78) Gables Court. Do you recall whether you as  
15 well advanced any money towards the purchase price of that property?

A- I didn't.

82 Q- You did not - okay. Now, unit, I think it was "3X" or  
"X3" whatever it's called, was sold to a Mr. Whalen. Do  
20 you recall that?

A- "M3" was sold to Mr. Whalen.

83 Q- "M3" was sold to Mr. Whalen. Did you receive any of the  
proceeds personally from that sale?

A- No.

84 Q- Okay. Do you know where the proceeds were deposited?

85 A- No.

86 Q- Okay. Now, the property in Hyannis for which a trust was  
5 set up, okay, for your daughter, were you involved in the  
purchase of that unit?

A- No.

87 Q- You were not at any time involved in the purchase of that  
unit?

10 A- No.

88 Q- Do you recall a trust being set up by the name of Jones  
Realty Trust?

A- I was told about it.

89 Q- You were told about it. By whom were you told about it?

15 A- By Earl.

90 Q- And what did he explain to you the purpose of that trust  
was?

A- He was just going to set up the house in trust. I don't  
know anything else about it.

9120 Q- Can you explain me a little bit further what you  
understood that he was going to set up the house in  
trust. Explain to me what you mean by that?

A- I don't understand what it meant at the time. He looked  
after everything, so I let him do it, I

didn't ask any questions.

92 Q- I show you here a copy of the Declaration of Trust  
establishing the Jones Realty Trust of which you are  
described as the sole trustee. The Jones Realty Trust was  
5 created July twenty-first (21st), nineteen ninety-seven  
(1997) and would you tell me if that is your signature  
which appears at the end of it?

Me LEONARD KLIGER:

Take your time, look at the document.

10 R- Yes.

Me NEIL STEIN:

93 Q- That is your signature?

A- Yes.

94 Q- Okay. Do you recall where you signed that document?

15 A- No.

95 Q- Did you ever go down to Boston or the Hyannis area to  
sign any documents with respect to that property?

A- I never went to Boston. I don't know where I signed it if  
it was in Hyannis, I don't know.

9620 Q- Okay. I am going to ask you to produce a copy of this as  
exhibit MJ-2. It is a Declaration of Trust for Jones  
Realty Trust dated July twenty-first (21st), nineteen  
ninety-seven (1997).

**EXHIBIT MJ-2**

9725 Q- Now, as I understand it, a unit was purchased in

respect of the condominium known as "Living Independently Forever Condominium" which your daughter, as I understand, lives there. Is that correct?

A- Yes.

98 5 Q- Okay.

Me LEONARD KLIGER:

For the record, her daughter "Kimberly".

Me NEIL STEIN:

Kimberly, correct.

9910 Q- The purchase was made July twenty-first (21st) nineteen  
ninety-seven (1997) for the sum of a hundred and sixty-  
two thousand US dollars (\$162,000 US). I will show you  
here a copy of the deed whereby you, as trustee of the  
Jones Realty Trust, appear to have purchased that unit  
15 and would you please tell me if that's your signature  
that we see on the document? There are various rights of  
first refusal which are drafted there as well, but just  
ignore those for the moment.

Me LEONARD KLIGER:

20 On the back the last page. For the record, you  
didn't number the pages.

Me NEIL STEIN:

I have no problem doing that except that it

doesn't appear to be the complete deed, this is the document which you provided us with.

Me LEONARD KLIGER:

It is the only thing my client had.

5 Me NEIL STEIN:

I am not blaming here, I am just...

A- Yes.

100 Q- All right, and I'm not saying that there is anything  
wrong with it, I just want to identify that this unit was  
10 purchased by that trust. That's all I...

Me LEONARD KLIGER:

For the record, it just indicates page 3.

Me NEIL STEIN:

15 Correct -- I am aware of that. This is what I think  
is referred to as a warranty deed and it's a transfer  
signed by Elizabeth Edwards, trustee of the -- who is the  
purchaser...

Me LEONARD KLIGER:

Vendor.

20 Me NEIL STEIN:

... vendor who just turns over the property to your trust  
and acknowledges the receipt of a hundred and sixty-two  
thousand three hundred dollars (\$162,300). I'm going to  
ask you to produce that as MJ-3. It's called a Quickclaim  
25 Deed transferring a condominium

unit in Hyannis to Maxine Jones, trustee of Jones Realty Trust for the sum of a hundred and sixty-two thousand three hundred US dollars (\$162,300 US). Okay, so that's produced.

5

EXHIBIT MJ-3

101 Q- Now, can you tell us -- are you aware of where the sum of a hundred and sixty-two thousand three hundred dollars (\$162,300) which was used to purchase that unit came from?

10 A- No.

102 Q- You have no idea.

A- No.

103 Q- Okay, so it didn't come from your personal account?

A- No.

1045 Q- Okay. Are you aware of any other trust that may have been set up for your daughter Kimberly in Hyannis or anywhere in that area?

A- No.

105 Q- You are unaware of it.

20 A- I'm unaware.

106 Q- So, as far as you know, this is the only trust which exist for the purposes of your daughter Kimberly?

A- Yes.

107 Q- I show you here an email dated December first (1st) two  
25 thousand and six (2006) from a Dianne Frade who

was a lawyer at the firm of Burns & Levinson. Do you know who she is?

A- I've never met her.

108 Q- But have you spoken to her or heard of her?

5 A- Yes.

109 Q- Okay. Who is she as far as you know? What is her relationship -- let me put it to you that way.

A- I thought she was in charge of the trust, but apparently she's not.

1100 Q- She's not in charge of the trust?

A- Well, no papers were signed I think in front of her.

111 Q- Okay. I show you here an email from her to your husband dated December first (1st) two thousand and six (2006) and I will read it to you.

15 *"Subject: Trust for Kimberly's benefit.*

*Mr. Jones: This email will serve to confirm that your family has prepared a trust for your daughter Kimberly's benefit. Based on my discussions with your family, in particular with you, it is my understanding that you will be funding this trust with funds during the year two thousand and six (2006). Please let me know if you need any additional information.*

20

*Dianne L. Frade*"

Are you aware of what trust that she was referring to there?

A- No.

5 Me LEONARD KLIGER:

Mr. Stein, you are referring to a document. Can you show the witness the document.

Me NEIL STEIN:

Yes, I am going to show it to you right now.

10 Me LEONARD KLIGER:

112 Q- Did you ever see this?

A- No.

113 Q- Your answer is "no", you never saw the document?

A- No, I never saw it.

15 Me NEIL STEIN:

Okay. Would you produce copy of this email as exhibit MJ-4?

**EXHIBIT MJ-4**

Me LEONARD KLIGER:

20 The date please.

Me NEIL STEIN:

One second. The date is December first (1st) two thousand and six (2006). It is addressed to *Earl Jones.corp@bellnet.ca*.

1125 Q- So, as far as you know, there never was any

additional trusts set up for your daughter.

A- As far as I know.

115 Q- The expenses in respect of the condominium in Hyannis,  
who would take care of those?

5 A- I did.

116 Q- Okay. And how would that work?

A- The cheque that Earl would give me every month, I would  
transfer Canadian money into the American account and pay  
the bills that way.

1170 Q- Okay, and when you say the US account, which US account  
are you referring to?

A- The RBC Centura.

118 Q- So that was an account where?

A- In Boca.

1195 Q- In Boca. So, the money would go from Earl Jones in Trust,  
whatever the amount was, you would take that cheque and  
deposit it to which account?

A- The joint account RBC in Dorval, then I would wire, like  
on the phone you do a wire transfer thing, to put  
20 American money into the American account and then I would  
write a cheque...

120 Q- You write a cheque on the American account?

A- Right.

121 Q- To pay the expenses?

25 A- Right.

122 Q- Would you use that account as well to pay the expenses in  
the Boca Raton condominium?

A- Yes.

123 Q- Okay. Now, in respect of, as I understand it, your  
5 daughter Kimberly attended a special school at different  
points in time in Hyannis. Do you recall how the expenses  
of that school were paid?

A- No.

124 Q- Again, were you the one paying the expenses?

10 A- What do you mean? Her yearly fee or...

125 Q- Her yearly fee and there were different expenses that had  
to be paid to the school, etc. You don't recall?

A- I didn't pay them.

126 Q- You didn't pay them?

15 A- No.

127 Q- So, those were paid directly by your husband, is that it?

A- Yes.

128 Q- All right. So, can you tell me precisely what things you  
paid, in terms of family matters, and what things your  
20 husband would pay?

A- Well, I would pay -- in refer to Kimberly?

129 Q- No, no. Let's start from the beginning. You mentioned  
vis-à-vis the Dorval condominium, you had

mortgages to pay.

A- Okay.

130 Q- So, would you pay those?

A- Yes.

1315 Q- Okay. The taxes for that property?

A- Yes.

132 Q- The insurance for the property?

A- Yes.

133 Q- Maintenance for the property?

10 A- Yes.

134 Q- That would all be paid by yourself?

A- Right.

Me LEONARD KLIGER:

Her moneys were received from Earl.

15 Me NEIL STEIN:

Correct. But, from what I understand, she would receive monthly cheques and lump sums which she would deposit to the joint account.

Me LEONARD KLIGER:

20 Correct.

Me NEIL STEIN:

And I'm trying to just understand what was paid from that joint account.

Me LEONARD KLIGER:

25 But, I just want to be clear when you say "you

pay", it's not from her money.

Me NEIL STEIN:

No, no. I understand the money -- well I don't know  
whose money it is, but...

5 Me LEONARD KLIGER:

It's not hers.

Me NEIL STEIN:

That's for sure.

135 Q- The condominium in Mont-Tremblant. Again, the mortgages  
10 were paid, the taxes, the insurance, that you paid?

A- Yes.

136 Q- Any repairs, maintenance or condo fees, that you would  
pay?

137 Q- Yes.

138 Q- Okay. Boca Raton is the same thing?

A- Yes.

139 Q- Okay, taxes, insurance, condo fees, that you would pay?

A- Yes.

140 Q- From the joint account. Okay. Vis-à-vis the Hyannis  
20 condominium again, the condo, you would pay?

A- No. Kimberly's quarterly fees, Earl would pay. I would  
pay her...

141 Q- Quarterly fees for what?

- A- Her condo.
- 142 Q- For her condo? Okay. Earl would pay those?
- A- Yes.
- 143 Q- Okay. So, what would you pay vis-à-vis...
- 5 A- Condo fees.
- 144 Q- I am not understanding.
- A- There is a cost of twelve thousand dollars (\$12,000) or  
twenty-four thousand dollars (\$24,000) for Kimberly to  
stay there. So, every quarter, he would have to pay four  
10 (\$4,000) or six thousand dollars (\$6,000), and then for  
her to stay there and then I pay the condo fees plus her  
electricity.
- 145 Q- There are two (2) sets of fees that we're talking about,  
just so that we understand. There's the condominium fees  
15 per say, those would be normal condo fees to run a  
condominium, the common expenses of the condominium being  
paid. Then, there was another set of fees, because it was  
a specific type of condominium, is that it?
- A- Yes, yearly fee.
- 146 Q- Yearly fee?
- A- That was divided into three (3) or four (4) payments.
- 147 Q- Okay, and that was payable to the trust for the  
condominium, not your trust, but I believe it's

called "Living Independently Forever Condominium", that's the actual condominium. Do you recall to whom those quarterly cheques were made to?

A- I don't know.

1485 Q- All right. What is the difference in the condominium fees and quarterly fees that you are referring to?

A- One is a yearly fee.

149 Q- For what?

A- I believe for her services.

1500 Q- The services that they would render as opposed to the maintenance of the common area parts of the condominium?

A- Right.

151 Q- Okay, and that, your husband would pay?

A- Yes.

1525 Q- Okay. Was there anything else that your husband would pay?

A- Not that I know of.

153 Q- Okay. In terms of schooling, your daughter Kimberly went to a special school at different points in time over the  
20 last few years.

A- Right.

154 Q- Can you tell us which schools she went to?

A- She went to Riverview School in East Sandwich. And then, from there you go to what they call a "glow

house", which is getting ready for the outside world, teaching them what a window is, what a shelf is, dresser, teach them how to cook.

155 Q- Okay. Who would pay for the Riverview school?

5 A- Earl.

156 Q- That wasn't part of what was coming out of your common account?

A- Right.

157 Q- So, that would be paid directly by him?

10 A- Right.

158 Q- At any point in time, did you ever see any of the cheques that were getting paid for the Riverview school?

A- No.

159 Q- They would be sent out from his office?

15 A- Right.

160 Q- As opposed to his home?

A- Well, I don't know where he wrote the cheques. He could have written them at home, he could have written them at the office.

1620 Q- Okay. Did you, at any point in time, see your husband's tax returns over the years?

A- No.

162 Q- You never saw them. Do you know where he kept the tax returns, his tax returns and yours?

A- No. At the office I would think because I never saw my own.

163 Q- You never saw your own. So, at the end of the year, he  
would simply ask you to sign and you would sign it, is  
5 that it?

A- I believe I didn't sign my tax returns.

164 Q- You didn't sign your tax returns. Was there any  
particular reason for that?

A- No. It was done at the office.

1650 Q- And you didn't understand that you have to sign your tax  
return?

A- Well maybe I signed a couple, but I don't remember  
signing any tax returns for a long time.

166 Q- When repairs would have to be made to the Hyannis  
15 condominium, are you aware of who would pay for those?

A- What type of repairs?

167 Q- Well, I'll be more specific. I am showing you here a  
contract -- I'm trying to find a date -- it's a proposal  
for a contract -- I don't see a date on this proposal,  
20 but my understanding is that it was in the last year that  
this proposal was submitted to make certain renovations  
to the Hyannis condominium. Are you aware of that?

A- Yes, but it was never done.

168 Q- It was never done?

A- Never done.

169 Q- So, the lien which this individual was placed on the  
property for having done work, you would say would not be  
5 valid?

A- There's no lien on this property. There's one in Florida,  
not this one.

170 Q- Right. I see, okay. So, this work was never done for the  
fifty-two thousand dollars (\$52,000)?

10 A- No.

171 Q- Okay. Was there any other work that had been performed to  
modify or renovate the Hyannis property during the years  
that you were aware of?

A- Yes.

172 Q- Okay, and who would have paid for the renovations?

A- Earl.

173 Q- Earl and never was paid by the trust per say?

A- He was never paid by the trust -- Earl?

174 Q- The work was never paid for, the trust supposedly owns  
20 the condominium, okay, and I'm asking you, did the trust  
itself pay for those renovations or it came from...

A- I don't know.

175 Q- You don't know, okay. Did the trust have any source of  
revenue that you are aware of?

A- I don't know.

176 Q- You don't know. You were the sole trustee of this trust.  
Can you tell us what you, as trustee, what did you do  
over the years?

5 A- I didn't do anything as far as the trust was concerned.  
Earl looked after everything.

177 Q- He looked after everything. So, he would not say to you  
"we have to pay, we need to renovate or we have to do  
certain things and therefore I am going to give you the  
10 money to put in the trust account."?

A- No.

178 Q- Did this trust ever have a specific account?

A- I have no idea.

179 Q- You have no idea?

15 A- I don't know.

Me Me LEONARD KLIGER:

Do you want this document back?

Me NEIL STEIN:

Yes.

1800 Q- Are you aware of what the expenses were in respect of  
this particular condominium in Hyannis over the last  
three (3) years?

A- The expenses?

181 Q- Yes. How much were they approximately per year?

25 A- Per year, I don't know, but per month, her condo

fees which was not every month, they were every three (3) months that I can recall. If her furnace broke down, her telephone bill, cable bill.

182 Q- What were the approximate amount per three (3) months?

5 A- I'm not sure, no.

Me LEONARD KLIGER:

She had a blue book when we had her first meeting and we have photocopies of the cheques that went in and out...

10 Me NEIL STEIN:

What we have...

A- This is the American one here, which would go to Kim. This is eight seventy (870). No, that's mine that I have now.

15 Me LEONARD KLIGER:

Do you have the original book with you?

A- The little book, no. I made copies.

Me NEIL STEIN:

183 Q- Okay. Just hold these for the moment. So, do you recall  
20 approximately, and I'm not pinning you down to an exact number, what the expenses were every three (3) months or every month for that particular property, Hyannis. You have no idea?

A- Not really.

184 Q- Do you have any idea what the expenses were for the Boca Raton property per month?

185186A- I could look in here and tell you because I have wrote it all down, but I don't recall of the top of my head.

187 Q- You said you prepared some sort of listing as to what would have to be paid every month. Did you, at any time, prepare sort of like a budget what your expenses were for the year with respect to all the properties?

A- No.

188 Q- No. Was there ever any issues that you didn't have sufficient funds to pay for all of these properties?

A- Yes.

189 Q- Okay. When would you have first say that there were issues in respect of that?

15 A- Well, if there wasn't enough money to pay the minimum on a certain bill.

190 Q- But when would you first started having those type of problems?

A- I don't recall.

191 Q- Approximately. Was it one (1) year ago, two (2) years ago, five (5) years ago?

A- I could say five (5) years.

192 Q- So, when you saw that there was problem that you

weren't paying off the bills, you were paying the minimum monthly balance, did you speak to your husband about it?

A- No, because he would say "well, next month, maybe we will get some more -- have more money to pay the bills" whatever it was.

193 Q- But there must have been some discussion I presume?

A- No.

194 Q- No?

A- No. He gave me a cheque. I wrote cheques. Whatever he gave me, I would pay the certain bills that I could and if I didn't pay them, then, I didn't pay them until the following month.

195 Q- There was an investment account that appeared to be at the Bank of Bermuda. Are you aware of that account?

15 A- Yes.

196 Q- Can you tell the Court, first of all, do you know when that account was set up?

A- No.

197 Q- Do you recall what the purpose of that account was?

20 A- I believe it was a client that opened it up for Earl.

198 Q- A client opened it up for Earl, but were you the one receiving the statements from that account?

A- Yes.

199 Q- Okay. Did you ever ask him why the statements for that  
account are coming to the house as opposed to the office?

A- No.

2005 Q- What was the purpose of that account as far as you knew?

A- I don't know.

201 Q- You never knew?

A- No.

202 Q- Statements would come in for the Bank of Bermuda and you  
10 wouldn't ask your husband what the account was for?

A- No.

203 Q- What type of transactions went through that account to  
your knowledge?

A- I don't know of any that went through the account. The  
15 statement came, I gave it to him and he would marked  
"file", so I'd file it. That's all I know about that.

204 Q- What would you see on these statements? Would you see  
cheques going in and out or?

A- No.

2050 Q- No?

A- I just looked at the balance of the account.

206 Q- When did you first become aware of this account?

A- I could say ten (10) years ago, I don't remember quite exactly.

207 Q- And, nothing struck you as particular that your husband  
5 had an account with the Bank of Bermuda?

A- No.

208 Q- It was a normal thing for you to have offshore bank accounts?

A- Well, I understand that a client had put money into that  
10 account, that's all I know. Was it like two thousand dollars (\$2,000).

209 Q- That was the total amount?

A- I think, the last statement that I could remember, maybe  
15 it was six thousand dollars (\$6,000). I never saw anything more than six thousand dollars (\$6,000) in that account.

210 Q- And the account was in whose name?

Me LEONARD KLIGER:

To your knowledge.

20 A- I don't know.

Me NEIL STEIN:

211 Q- How was it that you're the one that's opening the account, the envelope?

A- I didn't open the account.

212~~5~~ Q- No, not open the account, opening the envelope with

the statements. I presume that you're looking at the...

A- All the mail that came in, I would open it up and, if it was for him, I'd put it a pile. I didn't look at anything, you know, that came in.

213 Q- So you never questioned why there was this account in Bermuda. At a point in time, you must have because you said you believe that...

Me LEONARD KLIGER:

Mr. Stein. She said she didn't.

10 Me NEIL STEIN:

Well, let me explain...

214 Q- You said that it was for a particular client, so somebody must have told you it was for a particular client?

A- What I understood was that a client had put the money in  
15 the account for Earl. That's all I know.

215 Q- I see. Did you, at any time, ask the name of the client?

A- No.

216 Q- You didn't find it strange that a client would deposit money in an offshore bank account for your husband?

20 A- No. I didn't ask any questions. He looked after all the money, I didn't ask any questions.

217 Q- It appears you never asked any questions throughout the entire time?

A- Well, I trusted him to do, you know, for his family. I didn't ask any questions.

2185 Q- Is it possible you just didn't want to know?

A- No. I have a lot of other things on my mind with my children that I was concerned about also. As long as I was able to pay certain bills every month, I did it.

219 Q- And it didn't matter to you where the money was coming from?  
10

A- No, I didn't ask. I thought he was making money.

220 Q- Okay. I'm going to show you various cheques. Did you have any credit cards, personal credit cards?

A- Personal?

2215 Q- Yes.

A- Yes.

222 Q- Can you tell us with what institutions you had these credits cards?

A- I had one with Holt Renfrew and one with Ogilvy's.

2220 Q- I'm talking about bank credit cards, I'm not talking about credit cards with retailers.

A- The Royal Bank.

224 Q- The Royal Bank?

A- Like a Visa card?

225 Q- Right, a Visa card.

A- And American Express.

226 Q- Okay. So, you had a Royal Bank Visa card and an American  
Express card. Can you tell us how the bills on those  
5 accounts would get paid?

A- With the money that Earl gave me every month.

227 Q- So, it was you who was paying those accounts?

A- Yes.

228 Q- Even the American Express account?

10 A- Yes, but I have a companion card.

229 Q- On his account?

A- Yes. There was one American Express that he had, that I  
know of and I got a companion card to go with that and  
that's what I would pay.

2305 Q- So, you would pay the companion card bills and he would  
pay the remainder of the bills on the American Express  
account?

A- He had an American Express card and I would pay that bill  
plus the companion bill. And there were other American  
20 Express cards that he had that I didn't touch.

231 Q- Okay. Do you know the number of that card?

A- You mean the account number?

232 Q- Yes, the account number.

A- No.

233 Q- You don't know. What was the name on the account. Was it  
your personal name?

A- Yes.

234 Q- Okay. And on his, it was his personal name?

5 A- Yes.

SHORT RECESS

Me NEIL STEIN:

23150 Q- Mrs. Jones, I'm showing you here an American Express gold  
card statement of account and it's in no particular  
order, it's from two thousand and seven (2007) up to two  
thousand and nine (2009) in the name of B.B. Jones. Is  
this the account to which you're referring that you had a  
15 companion card or was there another account? You can go  
through the statements, you'll see what's charged to that  
account.

A- I don't know what that is.

236 Q- Daytimer is an agenda.

20 A- Daytimers I know, but I don't know what the CATA Alliance  
is and I don't know what this Lifestyle Transport is.

237 Q- Limousine service.

A- I don't know if my companion credit card was on this

one.

238 Q- Do you still have your credit card?

A- No.

239 Q- You don't. Do you have any way of verifying the number of  
5 the account?

A- I think I have a sheet of paper at home with all my  
account -- like the bills that I paid.

240 Q- Right. Okay. So would you undertake just to let us know  
the number of that account, because I'd like to know if  
10 it's the same one as this particular account.

**UNDERTAKING NO. 1**

Me LEONARD KLIGER:

Yes. This is the American Express account?

Me NEIL STEIN:

15 Correct.

241 Q- Is this the account number of the American Express  
companion card?

A- But, I never saw any of these bills.

Mr. GILLES ROBILLARD:

2420 Q- Excuse me, just one question. The RBC Visa, was that a  
companion card also or was it your card?

A- My card. Well, he had a card and I had a card.

243 Q- But there weren't companion cards?

A- No, I don't think so.

Me LEONARD KLIGER:

244 Q- Do you have the number of that account at home? Of your  
American Express companion card?

A- Yes, I think so, yes. This went to his office, I didn't  
5 see these.

Me NEIL STEIN:

245 Q- I understand. So, for your companion card, the bills came  
to your home?

A- Yes.

246 Q- Okay. So, it may well have been a different account,  
separate and distinct American Express card. Does he have  
a gold card as well?

A- It was silver.

247 Q- Then, it's not the same one. This is gold. It's marked  
15 "gold".

Me LEONARD KLIGER:

This is not a gold card.

Me NEIL STEIN:

So it was platinum, okay.

20 A- All these went to the office, I didn't see these.

248 Q- All right. Now, can you tell us what you would use your  
American Express card for? What sort of things would get  
paid on this?

A- I would, if I went out to dinner, I might have used it. I  
25 went shopping, I saw a sweater, a pair of

slacks of something.

249 Q- Right. You would use it for that purpose. You were not  
the one who was paying for the plane fair, for example,  
between Montreal and Boston or Montreal and Boca Raton?

5 A- Right.

250 Q- Okay. That, from what we see on this American Express  
gold card of your husband, seems to go to his account in  
any event?

A- Right.

25110 Q- So, you used it for your general purposes, for your  
personal needs, is that correct?

A- Right.

252 Q- Nothing to do with, call it, the common expenses?

A- Not that I recall.

25135 Q- Okay. The Visa card, the Royal Bank Visa card, is that  
the same thing?

A- Yes.

254 Q- Okay. Would you establish at the beginning or the end of  
the month, how much money you needed for the particular  
20 month?

A- Yes.

255 Q- No -- when? Would it be the beginning or the end of the  
month?

A- Oh sorry, at the end.

256 Q- At the end of the month, towards the end?

A- Towards the end, yes.

257 Q- And how would that work? You would look at, I don't want  
to put words in your mouth, perhaps you can explain how  
5 you would calculate what you would need?

A- Bills would come in and I would write down each bill, how  
much it was under Canadian and then, under American, I  
would do the same thing and then I would put it on his  
mail pile.

2580 Q- And, after that, he would simply give you a cheque. The  
cheques which I see that were given to you are in round  
amounts, they're not for a particular amount every month.  
So, he would simply round it and I think what you said at  
the beginning of your testimony is sometimes it wasn't  
15 enough and sometimes it was over, is that correct?

A- Right.

259 Q- Okay. How long did you have that sort of relationship or  
working relationship with your husband vis-à-vis payment  
of accounts?

20 A- I only started paying the bills in nineteen ninety-four  
(1994).

260 Q- In nineteen ninety-four (1994). And since nineteen  
ninety-four (1994) to two thousand and nine (2009), that  
you took take of?

A- Yes.

261 Q- Okay. I'm going to show you a list of cheques and we will  
provide you, if need be, with the actual cheques. No,  
perhaps before I get to that, I have a couple of further  
5 questions.

Did you husband ever involved you at all, or show  
you at any point in time, what he perceived to be the  
family assets?

A- No.

2620 Q- He never, at any point in time, said to you: "compile the  
list of the family assets, if anything happens to me,  
here's who you should contact or whatever"?

A- Well, if anything that were to happen to him, I was to  
contact, I think it was Robert Johnson, the executor for  
15 the will.

263 Q- That was the executor on his will?

A- Yes.

264 Q- Okay. Did you know Mr. Johnson?

A- A little bit.

2650 Q- Little bit in what, a social context or?

A- Only once I remember going to their house for dinner,  
long long time ago.

266 Q- I see. And he was friendly with your husband or your  
husband worked with him or what?

A- I believe they worked together with Gordon... and Bob Johnson worked together with Earl a long time ago.

267 Q- I see. Long time, that relationship existed?

A- I think they didn't. If Earl had a will, then Bob would  
5 have to sign it or whatever, you know, he had to do with the will.

268 Q- I see. I show you here a list of what is reported to be the Earl Jones family assets, November two thousand and six (2006).

10 Me LEONARD KLIGER:

I believe, Mr. Stein, that this is a document we provided you with.

Me NEIL STEIN:

It could be, that is why I'm asking if your client  
15 ever...

Me LEONARD KLIGER:

And the original document that we gave you that my client brought to my office.

Me NEIL STEIN:

20 Okay.

A- I don't remember.

Me LEONARD KLIGER:

Take your time.

Me NEIL STEIN:

269 Q- All right. So do you recall ever seeing that?

A- No, I don't.

270 Q- You don't. Even though it came from, as your counsel  
5 says, your own records?

A- I don't remember, no.

271 Q- So, he never discussed any of this, what is written on  
this paper with yourself, okay.

Do you recall, in the year two thousand and eight  
10 (2008) -- First of all, before I get there -- Was there  
any point in time that you suspected that your husband  
was running short of money or was tight in terms of  
paying bills?

A- This past June.

272 Q- Before that, it never occurred?

A- No.

273 Q- He never had a problem, he never mentioned anything?

A- Nothing.

274 Q- There was never any discussion that... we'd better watch  
20 how much we're spending or whatever?

A- No.

275 Q- Okay. When you remortgaged the property in two thousand  
and six (2006), you said he needed money to pay corporate  
taxes?

25 A- Right.

276 Q- There was a point in time when various insurance policies  
were cashed in as well, were you aware of that?

A- No.

277 Q- You were never aware of that?

5 A- No.

278 Q- Even policies in your name I believe were cashed in?

A- I didn't know.

279 Q- You didn't know. He never made you aware of that?

A- No.

28100 Q- Have you subsequently found out when those policies were  
cancelled -- not cancelled, but rather cashed in?

A- I'm not exactly sure when they were cashed in.

281 Q- Okay. How did you find out that they were cashed in?

A- Well, when all his business broke in July. I was going  
15 through all papers.

282 Q- When you were going through your own papers?

A- No, no, just going through files and stuff. Corey was  
helping me.

283 Q- And, what did you discover?

20 A- Well, that there wasn't any money. That he had cashed in  
the policies.

284 Q- How did you discover that, you knew that there was  
certain insurance policies?

- A- Well, I knew there were insurance policies, but I wasn't exactly sure the names of them.
- 285 Q- Right. So, what did you do to find out?
- A- I called London Life to find out if there was any money  
5 left on any of the policies. Actually, Corey did, I didn't do it.
- 286 Q- Why would you have called the London Life?
- A- Well, because I believe that's where the policies were.
- 287 Q- That's where you thought the policies were? Did your  
10 husband tell you what type of policies he had?
- A- No.
- 288 Q- He, at no time, told you as to what policies he had for your benefit and for your children's benefit?
- A- Years ago, maybe. But I don't remember now.
- 2895 Q- Do you recall, in two thousand and eight (2008), taking a cruise on the Princess Cruise Line?
- A- To Alaska?
- 290 Q- I'm asking you where...
- A- April or May two thousand and eight (2008).
- 2910 Q- May two thousand and eight (2008)?
- A- Yes.
- 292 Q- Okay. What was the purpose of that cruise?
- A- I believe the brothers and the sister, who unfortunately they wanted to have a cruise together,

have a holiday together, because they had never gone away together.

293 Q- The brothers and sister you are talking about are your husband's brothers and sister?

5 A- Two (2) brothers and sister, but the sister took sick, so she was unable to go.

294 Q- Okay. So, that cruise was a family cruise for how long?

A- I don't know, twelve (12) days, fourteen (14) days. I'm not sure.

295 Q- Were you aware of the cost of that cruise and all?

A- Around seven thousand dollars (\$7,000) I think.

296 Q- Seven thousand dollars (\$7,000) total?

A- As far as I know. I don't know, to be honest with you.

297 Q- Okay. I show you here a copy of the bill for same and...

15 Me LEONARD KLIGER:

That's just the extras. That doesn't include the trip.

Me NEIL STEIN:

That's just the extras?

20 Me LEONARD KLIGER:

Yes.

Me NEIL STEIN:

Where's the trip?

Me LEONARD KLIGER:

Here.

5 Me NEIL STEIN:

298 Q- Take a look at that Princess Cruise bill. Where did that  
cruise start from?

A- Vancouver.

299 Q- Vancouver and you had to fly out to Vancouver I presume?

10 A- Yes.

300 Q- I show you here, and did you stay, by any chance, in  
Vancouver at a hotel prior to the cruise taking place?

A- I believe one (1) night.

301 Q- Okay. I show you here that American Express bill which  
15 paid that cruise and the... I would ask you to produce  
that together with the Princess Cruise bill or statement  
as exhibit MJ-5 "en liasse".

**EXHIBIT MJ-5**

302 Q- Now, the question which I have at that particular point  
20 in time, were you aware of any liquidity problems on  
behalf of your husband?

A- No.

Me LEONARD KLIGER:

The date of the bill is May twentieth (20th) two thousand eight (2008)?

Me NEIL STEIN:

5           The statement for the Princess Cruise is -- it's  
just marked the date of embarkation which is May tenth  
(10th) and disembarkation, May seventeenth (17th) two  
thousand and eight (2008) and the American Express  
closing date is May twentieth (20th) two thousand and  
10           eight (2008).

Me LEONARD KLIGER:

Thank you.

Me NEIL STEIN:

303   Q-   Now, I'm going to, as I started to before, show you a  
15           series of cheques which were made payable to you during  
the period nineteen eighty-seven (1987) to two thousand  
and nine (2009) and I'm going to start in the reverse  
order, from two thousand and nine (2009), go backwards  
and as need be, we can pull out each one of the cheques.  
20           I just want to confirm that these are... Perhaps, this  
would be easier -- we give you a copy in front of you and  
at the bottom of the page is two thousand and nine (2009)  
and then it goes upwards to two thousand...

OFF RECORD DISCUSSION

Me NEIL STEIN:

304 Q- Mrs. Jones, I may have led you in error in terms of  
5 telling you where the cheques came from. The cheques up  
to I believe it's the summer of two thousand and eight  
(2008) came from the Earl Jones in Trust account and  
after that, came from the corporate account. Do you  
recall, in the summer of two thousand and eight (2008)  
10 any issues with respect to the cheques coming to you?

A- No.

305 Q- Were you aware that the Royal Bank, at a point in time,  
asked your husband to refrain from issuing cheques from  
the Earl Jones in Trust account?

15 A- No.

306 Q- He never discussed that with you?

A- No.

307 Q- Okay. While they're pulling out the cheques, I'm going to  
start to show them to you, this is in two thousand and  
20 nine (2009), January thirtieth (30th) two thousand and  
nine (2009) for fifteen thousand dollars (\$15,000) and  
January seventh (7th) two thousand and nine (2009) for  
six thousand dollars (\$6,000). Just take a look at those.  
I'll tell you

which ones they are. Have you seen those? Okay, were those the cheques that you were referring that you get on a monthly basis for purposes of usage of paying the household type expenses?

5 A- This one, but not that one.

Me LEONARD KLIGER:

Indicate which one. They have numbers on the top right, that may be easier for the record.

A- Serial number you mean?

10 Me NEIL STEIN:

308 Q- Just refer to the amounts, it will be easier.

A- The six thousand dollars (\$6,000) one.

309 Q- Was?

A- The one that I would receive.

3105 Q- For?

A- Monthly expenses.

311 Q- And the other cheque in the sum of fifteen thousand dollars (\$15,000)?

A- I have no idea.

3120 Q- When you say you have no idea, did you deposit it?

A- No.

313 Q- You see the reverse side of the cheque?

A- Here?

314 Q- Yes.

25 A- I didn't deposit it. I've never seen a cheque made

out to Earl and myself like that from Data Stewart.

315 Q- Whose account is five zero two two zero two five  
(5022025)?

A- That's our joint account.

316 Q- That's your joint account. This was deposited to your  
joint account and the other one was deposited to which  
account?

A- The joint account.

317 Q- The joint account and you would receive the statements  
10 from the joint account?

A- Yes.

318 Q- Yes, so you would have seen a deposit of fifteen thousand  
dollars (\$15,000)?

A- I don't remember that. I mean, I didn't sign that cheque.

319 Q- I understand you didn't sign it, but you would see it  
would be in your account?

A- What's the date on that one again?

320 Q- This one is January thirtieth (30th) two thousand and  
nine (2009), deposited January thirtieth (30th) two  
20 thousand and nine (2009).

Me LEONARD KLIGER:

Tell Mr. Stein what it is.

A- My sister taught me how to pay bills online. No matter  
what bills are paid online, I always kept a

book and those, that is the book, it goes back to two thousand seven (2007).

321 Q- That you made from the joint account?

A- Yes.

322 Q- Okay. I understand that, but I'm not talking about...

A- Well, if they were the deposit, there would have been a deposit in there too. It was a monthly deposit.

Me LEONARD KLIGER:

She wants to take five (5) minutes to look at it.

10 Me NEIL STEIN:

323 Q- I see the fifteen thousand dollars (\$15,000) here. Take a look at your statement.

A- I don't remember this. Okay, I don't know whether that was his cheque or a monthly cheque that he would give me.

324 Q- What is the date of that cheque? No, no, the date on your folder there.

A- January thirtieth (30th).

325 Q- January thirtieth (30th) and what's the date of the cheque?

20 A- January thirtieth (30th).

326 Q- Well, I can tell you from what we have, that's the

only cheque that was made on January thirtieth (30th) to yourself and/or your husband.

A- I don't remember that one. Debra.

327 Q- Okay. I'm going to show you a cheque for the sum of  
5       seventeen thousand dollars (\$17,000) made on February  
          twenty-fifth (25th) two thousand and nine (2009) to  
          yourself. I shall ask you to take a look at it. Is that  
          your endorsement on the cheque?

A- Yes.

3280 Q- Okay, and March thirty-first (31st) two thousand and nine  
          (2009) for fifteen thousand dollars (\$15,000). Is that  
          your endorsement on the cheque?

A- Yes.

329 Q- April thirtieth (30th) two thousand and nine (2009) for  
15       ten thousand dollars (\$10,000)?

A- Yes.

330 Q- May twelfth (12th) two thousand and nine (2009) for ten  
          thousand dollars (\$10,000)?

A- Yes.

3310 Q- And June first (1st) two thousand and nine (2009) for  
          twelve thousand dollars (\$12,000)?

A- Yes.

332 Q- Now, you notice those cheques are coming from various  
          parts. The last one came from Earl Jones in Trust  
25       supposedly at the Bank of Montreal. Go to the

next one, this one is the corporate account at the Royal Bank?

A- Okay.

333 Q- Okay, and the others, I believe, are all the corporate  
5 account at the Royal Bank in two thousand and nine  
(2009). Again, I ask you the question: Did you not, at  
any point in time, query why you were getting cheques  
sometimes from the corporation, sometimes from your  
husband in trust?

10 A- Not at all.

334 Q- Not at all. There was nothing that ever went off -- I'm  
receiving money from a corporation and maybe this is  
going to be taxable income?

A- I never questioned it. I didn't even notice it, I didn't  
15 notice where it would come from.

335 Q- Okay. I'm going to ask you to produce copies of those  
cheques for the year two thousand and nine (2009) as  
exhibit MJ-6 (en liasse).

**EXHIBIT MJ-6**

20 Me LEONARD KLIGER:

Is it a problem, Gilles, that we take these out of  
being filed now.

Mr. GILLES ROBILLARD:

We can take them out. We have other copies.

Me NEIL STEIN:

336 Q- I'm going to show you the cheques for the year two  
thousand and eight (2008) made to yourself. Two thousand  
and eight (2008) up until July two thousand and eight  
5 (2008) as I referred you before to the summer of two  
thousand and eight (2008) when the Royal Bank insisted  
that the Earl Jones in Trust account not be used by your  
husband and that a corporate account was opened or to be  
used for his corporate purposes at that time. You will  
10 see from the cheque which I have given you, that up until  
January two thousand and eight (2008) until the end of  
July two thousand and eight (2008), that cheques again  
are coming from Earl Jones in Trust at the Royal Bank and  
then after that, they are coming from the corporate  
15 account at the Royal Bank.

I'd ask you to take a look at these cheques and we  
will go through them in a second. First of all, tell me  
whether those were deposited to your joint account and  
used for what you referred to as the common expenses.

20 Me LEONARD KLIGER:

I object, but for the record, I need to know who  
deposited and the cheques speak for themselves.

Me NEIL STEIN:

Well, maybe she can identify who endorsed the cheques and you'll be able to tell who deposit them.

337 Q- Well, let's go one by one. The first cheque, just tell us  
5 the date, the amount and who deposited it.

A- January thirtieth (30th) two thousand eight (2008) for thirty thousand dollars (\$30,000), I deposited it in the joint account.

338 Q- Correct.

10 A- February twenty-seventh (27th) two thousand and eight (2008).

339 Q- For how much?

A- Ten thousand dollars (\$10,000), I deposited it.

340 Q- Okay, keep going. March seventeenth (17th). Thirty  
15 thousand dollars (\$30,000)? Ten thousand dollars (\$10,000)?

A- Ten thousand dollars (\$10,000). I don't see the signatures.

341 Q- March thirty-first (31st) two thousand and eight (2008).  
20 I see the bank stamp.

A- I didn't sign that -- did I? I don't see my signature anywhere.

Me LEONARD KLIGER:

Let me see. It's not very legible.

Me NEIL STEIN:

It's not legible?

342 Q- Okay, this one you can't identify whether you endorsed it  
or who endorsed it.

5 A- Would that be me endorsing there?

343 Q- Okay, next one.

A- March seventeenth (17th) two thousand and eight (2008)  
for thirty thousand dollars (\$30,000) in the joint  
account, I deposited it. April thirtieth (30th) two  
10 thousand eight (2008) for twenty thousand dollars  
(\$20,000), I deposited it in the joint account. April  
fourteenth (14th) two thousand and eight (2008) for ten  
thousand dollars (\$10,000), I deposited it in the joint  
account. May twenty-ninth (29th) two thousand eight  
15 (2008) for twenty thousand dollars (\$20,000), I deposited  
it in the joint account. Ten thousand dollars (\$10,000),  
June thirtieth (30th) two thousand eight (2008), I don't  
see a signature.

344 Q- It says deposit only to account five six two two zero two  
20 five (5622025). I believe that's what it says.

A- It would be five zero five two zero two five (5052025) I  
think the account number was.

345 Q- Five zero five two zero two five (5052025). It's

difficult to read -- made out to your name for ten thousand dollars (\$10,000). You don't know whether you endorsed that or not?

A- Well, I don't see a signature.

3465 Q- Okay. Well, it was just deposited to the account, okay.

A- June eighth (8th) two thousand eight (2008) for fifteen thousand dollars (\$15,000), I deposited it to the joint account. July thirty-first (31st) two thousand eight (2008) for fifteen thousand dollars (\$15,000), I  
10 deposited it to the joint account. August twenty-fifth (25th) two thousand eight (2008) for twenty-five thousand dollars (\$25,000), I deposited it in the joint account. It's five zero two two zero two five (5022025) not five (5)...

3475 Q- That's what I said. I thought it was five zero two (502).

A- August twenty-second (22nd) two thousand eight (2008) for twenty-five thousand dollars (\$25,000), I signed it into the joint account. This is Royal Bank of Canada, I didn't deposit it. Not Royal Bank, Bank of Montreal.

3480 Q- No, the cheque that we're looking at is not the ones in yellow, this one here, the middle one, made to your name for twenty thousand dollars (\$20,000).

A- Yes, okay. So, the tenth (10th) month is October twenty-ninth (29th) two thousand eight (2008), I deposited it. November nineteenth (19th) two thousand eight (2008) for twenty-five thousand dollars (\$25,000), I deposited it.  
5 December twenty-ninth (29th) two thousand eight (2008) for twelve thousand dollars (\$12,000). No signature.

349 Q- Where is it deposited?

A- Royal Bank of Canada, Beaconsfield.

Me LEONARD KLIGER:

10 Drawn on the Royal Bank of Canada.

Me NEIL STEIN:

Bottom line is deposited account five zero two two zero two dash five (502202-5).

A- But didn't signed it.

3505 Q- Okay, fine. But was deposited to the bank right?

A- Yes. January twenty-ninth (29th) two thousand seven (2007) for ten thousand dollars (\$10,000), I deposited it.

351 Q- No. Before, we'll just stop at two thousand and eight  
20 (2008) for the moment. Thank you. Let me see those for a second. I would ask you to produce these as exhibit MJ-7 (en liasse). The cheques made to the joint account five zero two two zero two five (5022025) for Mr. and Mrs. Jones.

EXHIBIT MJ-7

352 Q- Now again, I just want to be clear. You have seen these  
cheques, some come from Earl Jones in Trust and the  
latter, after July of two thousand and eight (2008), they  
5 come from the corporation. Again, I just want to make  
sure that your answer is correct. You did not notice any  
difference in the cheques, you did not question why  
cheques were coming to you from a corporation as oppose  
to the in trust account?

10 A- No.

353 Q- And, you certainly did not pay income tax on the moneys  
coming from the corporation?

A- I don't believe I paid income tax.

354 Q- No, well, we looked at your tax returns at the beginning  
15 and there was minimal income from pensions only. Do you  
recall that?

A- Yes.

355 Q- So, you certainly didn't pay any income tax on these  
moneys coming from the corporate account?

20 A- Right.

356 Q- And you never questioned how am I getting these moneys?

A- No.

357 Q- Okay. Now you have in front of you the cheques for

two thousand and seven (2007). Okay go ahead.

A- January twenty-ninth (29th) two thousand seven (2007) for ten thousand dollars (\$10,000), I deposited it in the joint account.

5 Me LEONARD KLIGER:

The cheque three eight zero three (3803), Mr. Stein, it is not clear.

Me NEIL STEIN:

Fifteen thousand dollars (\$15,000).

10 Me LEONARD KLIGER:

The date.

Me NEIL STEIN:

January fourth (4th) and the stamp is January fifth (5th).

15 A- Fifteen thousand dollars (\$15,000), I deposited it in the joint account. June twenty-seventh (27th) two thousand seven for twenty-five thousand dollars (\$25,000), I deposited it the joint account. July thirtieth (30th) two thousand seven (2007) for twenty-five thousand  
20 dollars (\$25,000). I don't know if I signed it or not. It doesn't look like my signature. Oh there, yes I deposited it. August twenty-seventh (27th) two thousand seven (2007) for thirty-five dollars (\$35,000), I deposited it in the joint account. September twenty-fifth (25th) two

thousand seven (2007) for thirty-five thousand dollars (\$35,000), I deposited in the joint account. October fifteenth (15th) two thousand seven (2007) for fifteen thousand dollars (\$15,000), I deposited it in the joint account. November twenty-ninth (29th) two thousand seven (2007) for twenty thousand dollars (\$20,000), I deposited it in the joint account. December nineteenth (19th) two thousand seven (2007) for fifteen thousand dollars (\$15,000), I deposited it in the joint account.

5

3580 Q- Okay. All of those cheques for two thousand and seven (2007) come from Earl Jones in Trust. Again, I'm asking you the question: What did you understand by cheque made by Earl Jones (in trust)? What did you...

A- I didn't understand and I didn't even look at the top of the cheque. I figured it's from his company.

15

359 Q- From his company?

A- Yes.

360 Q- You didn't understand that cheque or somebody is acting in trust that they're acting on behalf of somebody else amongst themselves?

20

A- I do now.

361 Q- You do now, but then you didn't.

A- Absolutely not.

Me LEONARD KLIGER:

You asked her the same question three (3) or four  
(4) times.

Me NEIL STEIN:

5 I understand. Correct, that's absolutely correct.  
All right, I will ask you to produce these as MJ-8 (en  
liasse).

**EXHIBIT MJ-8**

362 Q- Now, I'm not going to continue to run you through each  
10 and every year, but we'll finish for the time being with  
the year two thousand and six (2006) which I will ask you  
to take a look at. Again, just identify what happened  
with these cheques.

A- January thirtieth (30th) two thousand six (2006) for  
15 fifteen thousand dollars (\$15,000), I deposited it in the  
joint account. February twenty-seventh (27th) two  
thousand six (2006) for fifteen thousand dollars  
(\$15,000), I deposited it in the account.

363 Q- How much was the first cheque for?

20 A- Fifteen thousand dollars (\$15,000).

364 Q- Fifteen thousand dollars (\$15,000). Okay, fine. I though  
you said thirty (30). It was January thirtieth (30th).

A- March twenty-third (23rd) for twenty-five thousand  
dollars (\$25,000). Deposited in the joint account.

April twenty-eighth (28th) two thousand six (2006) for  
twelve thousand dollars (\$12,000), I deposited it in the  
joint account. May thirty-first (31st) two thousand six  
(2006) for ten thousand dollars (\$10,000), I deposited it  
5 in the joint account. June twenty-eighth (28th) two  
thousand six (2006) for twenty thousand dollars  
(\$20,000), I deposited it in the joint account. July  
twenty-seventh (27th) two thousand six (2006) for twenty-  
five thousand dollars (\$25,000), I deposited it in the  
10 joint account. August eighteenth (18th) two thousand six  
(2006) for twenty-five thousand dollars (\$25,000), I  
deposited it in the joint account. September twenty-  
ninth (29th) two thousand six (2006) for twenty-five  
thousand dollars (\$25,000), I deposited it in the joint  
15 account. October thirty-first (31st) two thousand six  
(2006) for five thousand dollars (\$5,000), I deposited it  
in the joint account. September twenty-fifth (25th) two  
thousand six (2006) for four thousand one hundred and  
twenty-five dollars US (\$4,125 US). I didn't sign that.  
20 If I'm the one he wrote my name, I don't know what to...  
365 Q- If you're referring to cheque number three zero one eight  
(3018) from Earl Jones in Trust at the Royal

Bank -- it's a cheque made out for four thousand one hundred twenty-five US dollars (\$4,125 US) and it's paid to the order of Boca Raton Resort Club. Can you tell us what that cheque is for? It says "smart annual dues" -- I think it's Maxine Jones, is that correct?

5

A- Annual social dues. We had a social membership there. Where we used to play golf.

366 Q- Okay. So, that was for both of your memberships, is that it?

10 A- But I thought it was paid up.

Me LEONARD KLIGER:

Mr. Stein, it's also on the list that my client gave you. It says Boca Raton Resort & Club / Maxine Jones.

15 A- It's a yearly membership.

Me LEONARD KLIGER:

I gave this to you, my client gave this to you with all the documents.

Me NEIL STEIN:

20 No, no, that's our list which was compiled...

Me LEONARD KLIGER:

Yes, okay.

A- November second (2nd) two thousand six (2006) for twenty thousand dollars (\$20,000), deposited into

the joint account. November thirtieth (30th) two thousand six (2006) for five thousand dollars (\$5,000), I didn't sign that.

Me NEIL STEIN:

367 Q- Okay. It's a cheque for five thousand dollars (\$5,000), November thirtieth (30th) two thousand six (2006), which looks like your husband's handwriting, deposited however to the joint account. You have it on your list?

A- I think I only go back until two thousand seven (2007).  
10 Two thousand six (2006). Wait a second, what is the date? November thirtieth (30th), deposit five thousand dollars (\$5,000).

368 Q- So, that's the same deposit?

A- I guess.

369 Q- Then okay. Fine.

A- December fourth (4th) two thousand six (2006) for fifteen thousand dollars (\$15,000) deposited into the joint account.

370 Q- I'd ask you to produce again all those cheques other than  
20 the US. No, all these cheques come from Earl Jones in Trust and again, I presume your answer would be the same for the year two thousand and six (2006). You never questioned or felt that there was any need to question in respect of cheques coming

from Earl Jones in Trust?

A- Right.

371 Q- Okay. I would ask you to produce those as MJ-9.

**EXHIBIT MJ-9**

372 Q- Now, from what we see from, as far back as we can go,  
which is nineteen eighty-seven (1987) up until, as I  
mentioned to you, the end of July two thousand and eight  
(2008), the cheques which were deposited and given to  
yourself appear to have all been made from the Earl Jones  
10 in Trust account and your answer to us is that, during  
this entire period, you never questioned the fact that  
you were receiving cheques from Earl Jones in Trust  
account so called in trust account. I'd like to now refer  
you to certain specific cheques perhaps...

15 Mr. GILLES ROBILLARD:

373 Q- You stated earlier that things like Riverview School, for  
example, were paid by your husband. What was your  
understanding of which account it was paid from?

A- I have no idea.

374 Q- Did he have is own personal account in addition to the  
joint account?

A- I have no idea.

Me NEIL STEIN:

375 Q- I would like to now refer you to certain specific cheques  
made from the Earl Jones in Trust account and ask you to  
identify what the cheques represented, in other words and  
5 I'll give one example. You've identified one of them, the  
first one, which you produced as part of MJ-9 as the Boca  
Raton Resort and Club. That was the golf club that you  
were members at in Florida. That's correct?

A- Yes.

3760 Q- Okay.

Me LEONARD KLIGER:

Social members.

Me NEIL STEIN:

377 Q- Social members. I'm showing you here a cheque number  
15 seven five zero three (7503), December eighth (8th) two  
thousand and three (2003) for the sum of two thousand  
seven hundred ninety-eight and sixty-three cent  
(2,798.63) Earl Jones in Trust made to Couvre-Planchers  
Perreault inc. and at the bottom, it's marked "Maxine -  
20 Earl Jones" -- I think it's Le Sanctuaire.

A- No. I'm just trying to think when we purchased Le  
Sanctuaire.

Me LEONARD KLIGER:

The Sanctuaire was purchased...

A- Ninety-four (94), I thought it was ninety-four (94), two thousand three (2003). I mean two thousand four (2004).

5 Me NEIL STEIN:

378 Q- Two thousand and three (2003) it was purchased. Okay, do you recognize what that is for?

A- I can only guess that it's for the floors that were put in to the condo.

3790 Q- Okay, and I show you here another one, October fourteenth (14th) two thousand three (2003) from Earl Jones in Trust for twelve thousand one hundred and one dollars and fifty-one cents (\$12,101.51) again to Couvre-Planchers Perreault inc. Examine that.

15 A- I don't know what it's for. Did I write in my book? Oh no, I don't have it. I don't know what it's for.

380 Q- I understand, but who was Couvre-Planchers Perreault inc. -- what were they doing for you?

A- Well, that's what I'm not too sure. Obviously it's  
20 floors, but you know, they've put in a wooden floor in the living room and dining room and tiles in the kitchen and the bathroom.

381 Q- So that's in the Mont-Tremblant condominium?

A- Yes, but I thought that all this stuff that was done in Tremblant, like we were working with a girl and she would get all this stuff and then we would pay her. Obviously, I don't know.

382 Q- Okay, but as far as you know, the Couvre-Planchers Perreault inc. was for floors and take a look at the back of the cheque, you will see that your husband has marked "Re: Le Sanctuaire" and got the bill numbers. Okay, now I'm going to show you another cheque dated October  
10 twenty-first (21st) two thousand and three (2003) for the sum of one thousand six hundred ninety-eight dollars and seventy-eight cents (\$1,698.78) made to Centre Electrique St-Jovite. Again, the back of the cheque indicates it's for the Sanctuaire condominium...

15 A- Centre Electrique -- the alarm system -- I don't know.

383 Q- Okay, I'm just asking to take a look at that. Have you ever seen these cheques before?

A- No.

384 Q- You've never seen them. So, in respect of the Mont-  
20 Tremblant condominium, your husband took care of all the payments and major payments and did he ever advise you what you were doing, what renovations you were doing?

A- Well, yes.

385 Q- Did you that jointly with him, whatever the renovation.

A- Well, I had to have. Another thing with this Plancher one  
5 I had to have extra railings put on all the walls so  
I can get downstairs properly. That's probably what part  
of that is. I wanted an alarm system because I was up  
there by myself.

386 Q- Okay, I'm just trying to understand what was done and  
where the money came from to do it. Okay?

10 A- I'm not a hundred percent (100%) sure what was done with  
respect to the twelve thousand dollars (\$12,000).

387 Q- You'll notice on each one of these cheques, there is, in  
the memo section, I believe it's SBS.

A- Funds, BEJ funds.

~~388~~ 388 Q- BEJ funds, I see. The next one is October seventeenth  
(17th) two thousand and three (2003) for two thousand one  
hundred seventy-seven dollars and seventeen cents  
(\$2,177.17) to Irrigation Eau Vive. On the back again,  
your husband seems to indicate it's Le Sanctuaire.

20 A- Irrigation for the grass.

389 Q- The next one is Meubles Pagé Electroménagers, I imagine,  
for nine thousand three hundred fifty-six

dollars and ninety-six cents (\$9,356.96) again indicated on the back that it's for Le Sanctuaire.

A- Furniture.

390 Q- Furniture, okay. The next one is October seventh (7th)  
5 two thousand three (2003), Entreprises Bernard Sigouin inc. for five thousand seven hundred thirty-six dollars and fourteen cents (\$5,736.14) again indicated to be for Le Sanctuaire.

A- I don't recall that name.

3910 Q- You notice the notation in the memo is "Re: Le Sanctuaire balance owing". The next one is September twentieth (20th) two thousand three (2003), Meubles Pagé for five thousand dollars (\$5,000).

A- It's furniture.

3915 Q- "Furniture pour Le Sanctuaire" is indicated on the back. Another one from Rembourrage et Décoration M. Paquette, September thirtieth (30th) two thousand three (2003) for three hundred and fifty dollars (\$350).

A- Curtains, I think.

3920 Q- Another one the Bernard Sigouin inc. for ten thousand dollars (\$10,000), September twelve (12th) two thousand and three (2003) indicated "partial payment re: landscaping".

A- Let me see that. Bernard Sigouin, I don't know who

it is.

394 Q- It must be the landscaping contractor. Entreprises  
Bernard Sigouin inc. again, August twenty-ninth (29th)  
two thousand and three (2003) for five thousand dollars  
5 (\$5,000), the indication is "landscaping Earl Jones, Le  
Sanctuaire".

A- Maybe the five thousand dollars (\$5,000) one could be  
because the landscaper's name was Denise. The one who did  
the flowers and the bushes. Maybe this was for the  
10 driveway and the walkway.

395 Q- Okay. Next one is August thirtieth (30th) two thousand  
and three (2003) for five thousand dollars (\$5,000) to  
Meubles Pagé Electroménagers again, indication "for Le  
Sanctuaire furniture - Maxine and Earl Jones".

15 A- Pagé -- yes.

Me DONALD MICHELIN:

Pagé is Village du Soleil Furniture?

Me NEIL STEIN:

Village du Soleil, yes.

20 A- When we left Village du Soleil, we had to replace  
furniture. So, we went to Pagé to get some furniture for  
it.

396 Q- Okay. August twenty-third (23th) two thousand and three  
(2003), Meubles Pagé for five thousand sixty

nine dollars and seventy-eight cents (\$5,069.78) and Village du Soleil Furniture. Again, that's the same thing, okay. August eleventh (11th) two thousand and three (2003), Centre Electrique St-Jovite for four  
5 hundred and ninety-two dollars (\$492), "payment on account".

A- That could be the alarm, wires were plugged...

397 Q- Do you recall who the notary was for the purchase of that condominium? Dupré?

10 A- Dupré, I think.

398 Q- I show you here a cheque dated July twenty-eighth (28th) two thousand and three (2003) made to Dupré Bédard in Trust for the sum of sixteen thousand four hundred and forty-four dollars (\$16,444) from Earl Jones in Trust and  
15 it's marked "partial payment three (3) re: purchase of house unit number seven (#7), forty-nine (49) Allée des..." -- that, as far as you know, is for the purchase of the condominium?

A- Yes.

3990 Q- Okay, again from Earl Jones in Trust. I show you another one dated July twenty-eighth (28th) two thousand three (2003) made payable to Dupré Bédard in Trust from Earl Jones in Trust for sixteen thousand four hundred and forty-four dollars (\$16,444) marked "partial payment  
25 number two (#2)"

for the purchase of the same property and again it is for the property in Mont-Tremblant?

A-A- Right.

400 Q- I show you another cheque dated July twenty-eighth (28th)  
5 two thousand three (2003) for the sum of thirty-one thousand eight hundred and eighty-eight dollars (\$31,888) from Earl Jones in Trust to Dupré Bédard in Trust. This is marked "partial payment number one (#1)" for the purchase of the Mont-Tremblant property. Same thing?

10 A- Yes.

401 Q- Okay. Are you aware of any personal money having been paid by Mr. Jones, your husband, for that property?

A- No.

402 Q- Other than the in trust money?

15 A- No, I don't know.

403 Q- You don't, okay. I show you here a cheque dated September fifteenth (15th) two thousand and three (2003) from Earl Jones in Trust for the sum of three thousand six hundred and four US dollars (\$3,604 US) made payable to Boca Raton Resort and Club. The back reads "social dues two  
20 thousand and three (2003) two thousand and four (2004)". This is for yourself and your husband. This would be the same thing that was

for the social membership for the golf club in Florida?

A- Yes.

404 Q- I show you here a cheque dated September fifteenth (15th)  
two thousand and three (2003) from Earl Jones in Trust to  
5 L. Jones Insurance Agency Inc. for the sum of two  
thousand three hundred sixty-four US dollars and forty-  
six cents (\$2,364.46 US).

A- Insurance for the car?

405 Q- Insurance premium for a nineteen ninety-three (1993)  
10 Toyota. I think it says nineteen ninety-three (1993)  
Toyota. That was insurance for your car in Florida?

A- The Toyota Camry, the old one.

406 Q- Okay. Again, that's from Earl Jones in Trust. Did you  
ever see any of these cheques prior to their issuance?  
15 No?

A- No.

407 Q- Okay. Were you ever made aware that these cheques were  
coming from this so called Earl Jones in Trust account?  
You have to speak again.

20 A- A-No, sorry, I'm sorry.

408 Q- All right, do you know who Four Star Realty is?

A- They would be a real estate company that we dealt with  
when we bought the condo in Florida.

409 Q- Okay. I show you here a cheque for a thousand

dollars US (\$1,000 US) from Earl Jones in Trust dated June one (1) nineteen ninety-two (1992) payable to Four Star Realty Escrow Account. Would you examine that and tell me if you know what it is?

5 A- Well, I don't understand what an escrow account is, so I...

410 Q- It's a trust account. You don't know what that is, but you know that Four Star Realty was a real estate agent that was selling the condo that you purchased, is that  
10 it?

A- Yes.

411 Q- Okay. I show you here another cheque for thirteen thousand US dollars (\$13,000 US) from Earl Jones in Trust dated July fifteenth (15th) nineteen ninety-two (1992),  
15 again made to Four Star Realty escrow account. Do you have any idea what that was for?

A- Something to do with the condo.

412 Q- For just the condo? The only time you used them...

A- I don't know what the purchase price was, but maybe  
20 that's a deposit, I don't know.

413 Q- Okay, but Four Star Realty, as far as you know, was only the real estate agent for the purchase of that condo?

A- Real estate agent for the company.

414 Q- I show you here a cheque from Earl Jones in Trust

dated December sixteenth (16th) nineteen ninety-two  
(1992) payable to the Royal Bank of Canada for six  
thousand four hundred eighty-one dollars and fifty cents  
(\$6,481.50) in respect to purchase any money order for  
5 five thousand US dollars (\$5,000 US) to be payable to  
something of Anita Boca Raton.

A- She did some decorating.

415 Q- Of your condominium in Florida?

A- Yes.

4160 Q- Okay. I show you here a list of what we've compiled as  
cheques having been made to Anita of Boca Raton in  
nineteen ninety-two (1992) and nineteen ninety-three  
(1993) for a total sum of sixty-three thousand five  
hundred US dollars (\$63,500 US). Take a look at that list  
15 and tell me, if according to your recollection, those  
cheques would be for the furniture, fixture, etc. for the  
condominium in Boca Raton.

A- Well, the kitchen was redone. The painting, basically, it  
was the kitchen and for new appliances and for furniture.

4170 Q- Okay, but Anita of Boca Raton represents somebody who was  
working on the Boca Raton condominium that you owned in  
Florida?

A- Yes.

418 Q- Okay, and the total which we have indicated in terms of  
the cash paid for the condominium appears to be forty-  
five thousand and fifty-five US dollars and forty-one  
cents (\$45,055.41 US) that's not including the mortgage,  
5 but just the cash part. Does that sound like the amount  
of money that was originally paid?

Me LEONARD KLIGER:

Either she knows or she doesn't.

Me NEIL STEIN:

10 Well, I'm asking her.

419 Q- You don't know. If you don't know, you don't know, that's  
fine. And those cheques, once again, come from the Earl  
Jones in Trust account. Just for purposes of  
identification, I'm showing you here two (2) cheques, one  
15 dated December twenty-ninth (29th) Nineteen ninety-two  
(1992), the other dated November fifth (5th) nineteen  
ninety-three (1993) from Earl Jones in Trust. One to  
Anita Fortino and the other to Anita of Boca Raton. Just  
for purposes of the record, both those people are the  
20 same person?

A- Yes.

420 Q- Prudential Florida Realty, does that mean anything to  
you?

A- No.

421 Q- Unit number nine zero one (901), Terra Mare. Does that  
mean anything to you?

A- No.

422 Q- Hillary Cummus Management, Fort Myers Beach, Florida.

5 A- Earl had a client in Fort Myers.

423 Q- Okay. So, that would have nothing to do with your  
particular condominium?

A- No.

424 Q- Okay. Again, I'm showing you here a number of cheques to

10 Boca Raton Resort and Club from Earl Jones in Trust.

First one, February twenty-seventh (27th) nineteen  
ninety-eight (1998) for fifteen hundred dollars US

(\$1,500 US). Second is June fifteenth (15th) nineteen  
ninety-eight (1998) for one thousand nine hundred and

15 ninety-two dollars US (\$1,992 US). Third one appears to

be March eighth (8th) two thousand and one (2001) for one  
thousand four hundred ninety-one US dollars and fifteen

cents (\$1,491.15 US). Another, September fifteenth (15th)  
two thousand and three (2003) for three thousand six

20 hundred and four US dollars (\$3,604 US).

Another, September fifteenth (15th) two thousand five  
(2005) for three thousand nine hundred forty US dollars

and fifty cents (\$3,940.50 US). Another, for

forty-one hundred US dollars and twenty-five cents (\$4,100.25) dated September twenty-fifth (25th) two thousand six (2006) again from Earl Jones in Trust -- all these to Boca Raton Resort and Club, I believe it is.

5 A- Social dues and then we played golf, we had to pay extra for the golf, so...

425 Q- The green fees or whatever?

A- Yes.

426 Q- I see. So all those again were for your golf and the golf club in Boca Raton?

10

427 A- Yes.

428 Q- Boca Raton EKG Readers. Do you have any idea what that is? Not that it's a big amount, but for seventy-five US dollars (\$75 US) from Earl Jones in Trust re: Maxine Jones.

15

A- Something to do with my accident maybe. It could be that, I don't know.

429 Q- You have no idea what that is?

A- No.

430 Q- All right. Tenant homecare of Bell Ray, that had to do with your accident?

431 A- Yes.

432 Q- Okay. I show you here a cheque from Earl Jones in Trust dated April twenty-second (22nd) two thousand

and three (2003) for two hundred and six US dollars (\$206 US). Tell us what that represented.

A- Well, I wasn't allowed to leave Florida unless I had a homecare for a while until I was able to walk properly.  
5 That's got to do with the accident.

433 Q- Another cheque dated January fifteenth (15th) two thousand and three (2003) made to the Tides Inn for one thousand three hundred seventy-eight US dollars (\$1,378 US) from Earl Jones in Trust "re: Maxine and Earl Jones  
10 partial payment". Can you tell us what that represents?

A- Well, every year we go down to Goose Rocks and you have to give a deposit by January.

434 Q- So, Goose Rocks in Maine?

A- Yes.

435 Q- All right. So, this is for a vacation in Maine, is that it?

A- We would take the family down every year.

436 Q- I see. Again, from the Earl Jones in Trust account. CNN Textiles. Do you recall using CNN Textiles?

20 A- For material, curtains being made.

437 Q- Material for what?

A- For eight dollars and seventy cents (\$8.70)?

438 Q- It's marked on the back "Village du Soleil".

A- For up North. That's for Grayrocks, Village du

Soleil.

439 Q- Exactly, it is marked "Grayrocks, Village du Soleil".  
Seven thousand one hundred and fifty-four dollars  
(\$7,154) dated November twenty-sixth (26th) two thousand  
5 one (2001) from Earl Jones in Trust. So, that would have  
been for textiles for drapes or refurbished furniture?

A- Not furniture, just for drapes because it's a material  
store and blinds.

440 Q- Tapis Carpet, six thousand one hundred thirty-nine  
10 dollars and fifty-four cents (\$6,139.54) dated November  
nineteenth (19th) two thousand and one (2001), again Earl  
Jones in Trust, that would be for what?

A- Carpets.

441 Q- Again, it's marked "Village du Soleil", so that's  
15 Grayrocks?

A- Yes.

442 Q- Steve Turner, do you know who he is?

A- He is like a contractor that did work in Village du  
Soleil.

4420 Q- Again, a cheque from Earl Jones in Trust for thirty-one  
thousand five hundred ninety-one dollars and sixteen  
cents (\$31,591.16) dated November fifteenth (15th) two  
thousand and one (2001). Steve Turner

would have been a contractor who did what?

A- Doing work in the condo, yes.

444 Q- Havre St-Louis Condo Association. Which condo association was that?

5 A- Eight seventy (870).

445 Q- Eight seventy (870) Dorval Avenue, that was your Dorval residence, not a condo?

A- Right.

446 Q- Okay. I show you here a cheque from Earl Jones in Trust  
10 dated March twenty-second (22nd) two thousand and five (2005) I believe, to that association for eight hundred fifty-nine dollars and eighty-seven cents (\$859.87) marked "special assessment 3X". Which unit would that be?

A- The last unit.

447 Q- The last unit. Okay. Notary André Hébert, do you know what role he played? André Hébert is the notary you used to purchase the Havre St-Louis condo. Do you recall that?

A- Well, I don't recall. I know the name, but I don't know exactly what he did. I know he's a notary, but I don't  
20 know for which condo it was whether it's...

448 Q- I show you a cheque dated November ninth (9th) nineteen ninety-eight (1998) made to notary Hébert in Trust for thirty-two thousand nine hundred forty

two dollars (\$32,942) from Earl Jones in Trust. The notation on the back is "forth payment, phase three (3), condominium Havre St-Louis, unit X3".

A- When we moved from M3 to X3.

4495 Q- So that's the last unit, is that correct X3?

A- Yes.

450 Q- So, that again comes from Earl Jones in Trust. Just take a look at that to make sure. I'm showing you now a cheque dated May twenty-fifth (25th) nineteen ninety-eight  
10 (1998) again payable to notary Hébert for the sum of eleven thousand four hundred and seventy-one dollars (\$11,471) from Earl Jones in Trust marked "second payment, condominium unit X3". That's the same purchase? Take a look at that.

15 A- Yes.

451 Q- Another cheque to Notary Hébert dated July first (1st) nineteen ninety-eight (1998) for thirty-two thousand nine hundred and forty-two dollars (\$32,942) from Earl Jones in Trust marked "third payment - phase 3 - unit X3". It's  
20 the same thing?

A- Yes.

452 Q- I show you here a cheque from Earl Jones in Trust payable to the Caisse Populaire Desjardins for two thousand three hundred dollars (\$2,300) dated January first (1st)  
25 nineteen ninety-seven (1997)

marked "re: condo unit 3N, Havre St-Louis". Do you have any idea what that represents?

A- What the amount is for?

453 Q- Yes, no idea?

5 A- I don't know.

454 Q- I show you here a cheque dated March twenty-second (22nd) two thousand one (2001), again payable to Havre St-Louis Condo Association for unit X3. Can you tell us if you know what that represents?

10 A- I don't know.

455 Q- Okay. I show you a cheque from Earl Jones in Trust dated January tenth (10th) two thousand (2000) for fourteen thousand two hundred fifteen dollars and sixty-two cents (\$14,215.62) payable to Développement Havre St-Louis -  
15 phase 3 inc. marked "condo 3X - payment of UP something, I don't know if you can make out what that is?

A- Upgrades.

456 Q- Upgrades, okay. That was for the unit 3X, again from Earl Jones in Trust. I show you here a cheque dated November  
20 twenty-ninth (29th) nineteen ninety-nine (1999) to Thermix inc. for two thousand one hundred dollars and thirteen cents (\$2,100.13) from Earl Jones in Trust marked "Canadian hockey tickets".

A- To his friend.

457 Q- That's to his friend to buy the hockey tickets.

A- I think they bought season tickets and split them.

458 Q- Cheque dated October twenty-second (22nd) nineteen  
ninety-seven (1997) from Earl Jones in Trust to notary  
5 André Hébert in Trust for thirty-three thousand nine  
hundred sixteen dollars and seventy-six cents  
(\$33,916.76) marked "balance owing condo X3". That again  
must be the purchase price and again for that  
condominium. Ebénisterie Classique, March twenty-sixth  
10 (26th) nineteen ninety-nine (1999) for two thousand eight  
hundred thirteen dollars and forty-four cents (\$2,813.44)  
from Earl Jones in Trust marked "pine mantel for  
fireplace". That was for what?

A- There was a gas fireplace.

4595 Q- Where?

A- In 3X and one in M3. What's the date of this, ninety-nine  
(99), I guess this is for M3, there was a piece of wood  
that we put up, pine is the wood.

460 Q- Again, from the Earl Jones in Trust account.

20 I show you here a cheque to Royal Lepage for six hundred  
and fifty dollars (\$650) from Earl Jones in Trust dated  
April first (1st) nineteen ninety-nine (1999) marked  
"balance of commission 850 Lakeshore Drive, apartment 3M,  
Dorval" and that's for the

purchase of the 3M condominium in Dorval, I presume.

A- We purchased 3M in ninety-six (96). I don't know.

461 Q- You don't know what that is?

A- No.

462 Q- Again, February sixteenth (16th) nineteen ninety-six (1996) from Earl Jones in Trust to Ebénisterie Classique for one thousand dollars (\$1,000), the notation is "deposit - walk-in cup boards". That would have been for the first unit, is that correct?

10 A- Yes.

Me LEONARD KLIGER:

I can find through the record you listed nineteen thousand ninety-six (1996). It's nineteen ninety-nine (1999).

15 Me NEIL STEIN:

I'm sorry.

463 Q- February sixteenth (16th) nineteen ninety-nine (1999) for five hundred dollars (\$500) again to Ebénisterie Classique from Earl Jones in Trust, marked "deposit  
20 fireplace". That's the fireplace that you were referring to. And then, another cheque dated January twentieth (20th) nineteen ninety-nine (1999) again to notary Hébert for Thirty-two thousand nine hundred and forty-two dollars (\$32,942) marked "fifth payment -

condominium unit number X3". That was for the purchase of the last unit, correct?

A- Ninety-nine (99), yes.

464 Q- I show you a cheque dated June twenty-ninth (29th)  
5 nineteen ninety-six (1996) from Earl Jones in Trust to Bedford Interior Limited for five thousand ninety-nine dollars (\$5,099). Can you tell us what that represented?

A- My couch, the love seat or the chair.

465 Q- So, that was the couch?

10 A- Well, it's either the couch, the love seat or the chair or the balloon curtains.

466 Q- In which place?

A- M3.

467 Q- M3 is Dorval, okay. Do you know who Valery Cameron Allan  
15 is?

A- No.

468 Q- I'm going to show you the back of this cheque made to  
Valery Cameron Allan. There's some sort of notation on the back of it. Can you tell me if that is your signature  
20 right on the top over there?

A- No.

469 Q- You don't recognize that? Okay  
JJ Landscaping, you know who they are?

A- I don't remember the name of the landscaper at

Gables Court.

470 Q- That's who it is.  
September fourth (4th) nineteen ninety-one (1991), a  
cheque from Earl Jones in Trust to JJ Landscaping for  
5 eight hundred and fifty-six dollars (\$856), the notation  
on the back is "seventy-eight (78) Gables Court, snow  
removal". That's who that would be?

A- Yes.

471 Q- December seventeenth (17th) nineteen ninety (1990) from  
10 Earl Jones in Trust for four hundred and five dollars  
(\$405) to Imperial Hardware. The back is marked "re:  
seventy-eight (78) Gables". That again would be, I  
presume, for hardware for that house?

A- I believe so.

472 Q- Do you recall the name Construction Richard Danis inc.?  
Cheque dated June first (1st) nineteen eighty-nine (1998)  
from Earl Jones in Trust for three thousand two hundred  
ninety-five dollars and fifty-six cents (\$3,295.56). The  
back is marked "condo 2051, Grayrocks".

20 A- I don't know what they did.

473 Q- But, you recognize the condominium?

A- 2051, yes.

474 Q- That was the Grayrocks condominium?

A- Yes.

475 Q- Le Coq Rouge, does that name mean anything to you?

476 A- Yes.

477 Q- What does it mean to you?

A- It's a furniture store, an antique store.

478 Q- I show you here a cheque dated February seventeenth  
(17th) nineteen eighty-nine (1989) for two thousand and  
twenty-five dollars (\$2,025) made payable to them. It's  
difficult to read. Do you know what that represents?

A- The two thousand dollars (\$2,000)?

479 Q- Yes, from Earl Jones in Trust.

A- No. Furniture, but I don't know for where.

480 Q- You don't recall what furniture you bought from them?

A- No.

481 Q- That would be for furniture up North, or?

15 A- It could be up North, or eight seventy (870) or M3 when  
we first got the condo or his office.

482 Q- I show you another cheque from Earl Jones in Trust dated  
February twentieth (20th) nineteen eighty-nine (1989) for  
one thousand and sixty-two dollars (\$1,062) marked  
20 "mirrors" this time. Do you know what that represents?

A- I guess it's one of the big mirrors that was in the  
hallway going up the stairs. I don't know which

mirror.

483 Q- March second (2nd) nineteen eighty-four (1984) to Couvre-  
Planchers Perreault inc., small amount for a hundred and  
twenty-nine dollars (\$129) from Earl Jones in Trust.

5 Again, Couvre-Planchers Perreault -- can you tell me...

A- It's up North.

484 Q- It's up North, condominium up North.  
Chisom Limited. Do you know who they are?

A- When we lived on Rosedale Avenue, we're to put aluminium  
10 siding on the house, but then I think...

485 Q- Chisom aluminium here, right? Cheque made to Chisom  
Aluminium for fifteen thousand one hundred thirty-nine  
dollars (\$15,139) and the back is "order number whatever,  
seventy-eight (78) Gables Court".

15 A- Well, the other house that we lived in before, we have  
had somebody to do aluminium siding, but then they went  
bankrupt or something, so this is Gables Court. I don't  
remember.

486 Q- July twenty-fifth (25th), Le Coq Rouge for five hundred  
20 and seventy-five dollars (\$575). This one is marked  
"office something - SDR".

487 A- I don't know what that means.

488 Q- May eleventh (11th) nineteen eighty-eight (1988) from  
Earl Jones in Trust to Chisom Aluminium Limited

for twenty-five hundred dollars (\$2,500). The back is market "doors and windows, seventy-eight (78) Gables Court".

A- All the doors and windows...

4895 Q- Okay, that was for your house as well. Cheque made to Campbell Stewart dated November thirtieth (30th) nine thousand eighty-seven (1987) for eight hundred and eighty-one dollars and forty cents (\$881.40) from Earl Jones in Trust, marked "bathroom".

10 A- I don't remember him.

490 Q- Cheque dated November second (2nd) nineteen eighty-seven (1987) for eighty-six dollars (\$86) to Madame Claude Allaire. The back is market "wood - seventy-eight (78) Gables Court". Firewood I presume? Maybe?

15 A- I guess.

491 Q- June thirteenth (13th) nineteen eighty-seven (1987) from Earl Jones in Trust to Québec Antiques inc. for two thousand eight hundred eighty-three dollars and five cents (\$2,883.05). There's a notation on the back which I  
20 can't read.

A- I can't read it either.

492 Q- And then, finally, there's a cheque dated November thirtieth (30th) nineteen eighty-seven (1987) from Earl Jones in Trust to Kim Lawning for one hundred and  
25 seventy-three dollars and sixty cents (\$173.56).

The back is marked "seventy-eight (78) Gables Court".  
Presumably for the lawn at Gables Court.

A- For spraying of the lawn, I guess.

493 Q- Now, were you member of the Royal Montreal Golf Club?

5 A- Yes.

494 Q- You and your husband, I presume?

A- Yes.

495 Q- I show you here two (2) cheques made to the Royal  
Montreal Golf Club dated December sixteenth (16th) two  
10 thousand and two (2002) for one thousand dollars (\$1,000)  
from Earl Jones in Trust marked "initial deposit". Do you  
know what that represented?

A- Christine's wedding.

496 Q- Christine's wedding. So, that was a deposit for you  
15 daughter's wedding at Royal Montreal Golf Club?

A- Yes, the reception.

497 Q- The reception was there. Again, that's from Earl Jones in  
Trust. I show you here another cheque from Earl Jones in  
Trust to the Royal Montreal Golf Club for eleven thousand  
20 four hundred fifty-eight dollars and ten cents  
(\$11,458.10) dated October twenty-ninth (29th) two  
thousand and three (2003). The back is marked "re: Jones-  
Valen wedding". That also represented Christine's wedding  
that was paid for

from the in trust account. I show you another cheque dated June fifteenth (15th) nineteen ninety-eight (1998) for nine hundred and seventy-five dollars US (\$975 US) to Premier Talent Group re: Kim Jones wedding. Can you tell me what that represents?

5

A- Premier Talent Group would have been her D.J., I guess.

498 Q- Again, from Earl Jones in Trust, June fifteenth (15th) nineteen ninety-eight (1998) another cheque to Premier Talent Group from Earl Jones in Trust marked "Kim Jones wedding". Same thing, I presume?

10

A- Yes.

499 Q- A cheque dated June fifteenth (15th) nineteen ninety-eight (1998) from Earl Jones in Trust to the Popponeset Inn for eleven thousand two hundred and seven US dollars (\$11,207 US) again marked "Kim Jones wedding". That was a down payment of what exactly? The reception?

15

A- Yes. Popponeset Inn.

500 Q- Popponeset Inn.

Me LEONARD KLIGER:

20

Mr. Stein, just for the record, we will check about what you're asking the witness to produce or not. The cheque issued by her...

Me NEIL STEIN:

No, I'm just asking her to identify what they were used for...

Me LEONARD KLIGER:

5 I'm not aware if these were the actual cheques. Which is probably what she knows of the funds were used for.

Me NEIL STEIN:

10 There are, as you will note, indications on the back of these cheques as to what they supposedly were used for. I'm not saying that she wrote them or she issued them. They're all from the Earl Jones in Trust account.

501 Q- And I guess I should finalize with the question: Were you  
15 aware that these cheques were being paid from this in trust account?

A- I was aware the cheques were being paid that I didn't know from what account.

20 SHORT RECESS

Me NEIL STEIN:

I would ask you to produce all the cheques to which we just referred to from the Earl Jones in Trust account  
25 (en liasse) as exhibit MJ-10.

EXHIBIT MJ-10

Me LEONARD KLIGER:

Again, clarify that none of these cheques were  
issued by her. You're asking to cheques that she had no  
5 relationship with.

Me NEIL STEIN:

I understand. They're all cheques from the Earl  
Jones in Trust account and it's just to identify who the  
payees are for our purposes.

10 Me LEONARD KLIGER:

The only comment is the cheques speak for  
themselves.

Me NEIL STEIN:

Correct, but I know the cheques speak for  
15 themselves, It's just to identify who the payees were and  
what the purpose of the funds were.

Thank you.

AND FURTHER DEPONENT SAITH NOT

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EXAMINATION SUSPENDED

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