

Court File No. 14107

ONTARIO SUPERIOR COURT OF JUSTICE

(CENTRAL EAST REGION)

IN THE MATTER OF a Contempt Order issued against DONALD BEST
on January 15, 2010, by The Honourable Justice Shaughnessy

B E T W E E N:

NELSON BARBADOS GROUP LTD.

Applicant,

and

RICHARD IVAN COX, et al,

Respondents.

Transcript of the continued crossexamination of DONALD
BEST, taken on the 23rd day of January, 2013, at the offices
of Simcoe Court Reporting (Barrie) Inc., 134 Collier Street,
Barrie, Ontario, commencing at 12:45 p.m.

APPEARANCES:

MR. DONALD BEST On his own behalf

MR. GERALD RANKING and

MR. LORNE SILVER For the respondents

SIMCOE COURT REPORTING (BARRIE) INC.
134 Collier Street, Barrie, Ont. L4M 1H4
Bus: (705) 7342070; Fax: (705) 7342328
simcourt@on.aibn.com

1 1830 Q. I would ask you to put this document to Mr.
2 Shepherd and ask him if he acknowledges that this, in fact,
3 is a certified copy of a certificate of registration which
4 comes from the business names registry in Barbados. Do I
5 have that undertaking, sir?

6 A. I'll take that under advisement.

7 UNDER ADVISEMENT NO. 107: Whether or not to put
8 Exhibit 31 to Mr. Shepherd and ask him if he
9 acknowledges that it is a certified copy of a
10 certificate of registration which comes from the
11 business names registry in Barbados.

12 A. Where does this come from?

13 1831 Q. It comes from the Government of Barbados.

14 A. I see. Okay.

15 1832 Q. And, sir, I'm now handing across to you

16 A. Sorry, what number was that?

17 1833 Q. Number 31.

18 A. 31.

19 1834 Q. I'm now handing across to you a business names
20 registration

21 A. Yes.

22 1835 Q. titled certificate of registration

23 A. Yes.

24 1836 Q. for the name Price Waterhouse Coopers East
25 Caribbean firm.

1 A. No, it doesn't say that, sir.

2 1837 Q. Excuse me.

3 A. It doesn't. It doesn't say that. It says

4 1838 Q. Excuse me. I'm not asking you to interpret the
5 document.

6 A. Ha, ha, ha, ha, ha, ha, ha.

7 1839 Q. You're laughing and that's very I don't know
8 what you find to be humorous but this is my
9 crossexamination, I'll ask the questions. I'm going to
10 mark the certificate of registration which states and I'd
11 ask you to read for the purposes of the record the
12 capitalized letters under the introduction which certifies
13 the firm of and I take it that I'm correct Price
14 Waterhouse Coopers East Caribbean; is that not correct, sir?

15 A. Okay. It says

16 1840 Q. Excuse me, sir. I didn't ask you to read the
17 document, I asked you to confirm that what I read is
18 accurate.

19 A. It says Price Waterhouse Coopers East Caribbean.

20 1841 Q. Don't answer the question. Don't answer the
21 question because you're not being responsive. I'm going to
22 now ask can I have that copy back? Actually mark that
23 32. We're going to mark the certificate of registration
24 with respect to Price Waterhouse East Caribbean firm as
25 Exhibit No. 32.

1 EXHIBIT NO. 32: Certificate of registration with
2 respect to Price Waterhouse Coopers East Caribbean
3 firm.

4 1842 Q. Could I ask you, sir, to please put Exhibit 32 to
5 Mr. Shepherd and ask

6 A. Well, this was filed in June this was filed

7 1843 Q. Excuse me, sir.

8 A. June 23rd, 2011.

9 1844 Q. Excuse me, sir.

10 A. Oh, yes, whatever.

11 1845 Q. Excuse me.

12 A. Yes?

13 1846 Q. I don't need you to start putting evidence on the
14 record. I'm asking you do I have your undertaking to put
15 this to Mr. Shepherd and ask him if he acknowledges that
16 this is a true and proper certificate of registration from
17 Barbados in respect of Price Waterhouse Coopers East
18 Caribbean firm.

19 A. Okay

20 1847 Q. Do I have that undertaking?

21 A. This is

22 1848 Q. Do I have the undertaking?

23 A. You have that I'm sorry. In all your shouting
24 I've forgotten the word, the...

25 MR. SILVER: Under advisement?