

1 Court File No. 14107

2 ONTARIO SUPERIOR COURT OF JUSTICE

3 (CENTRAL EAST REGION)

4
5 IN THE MATTER OF a Contempt Order issued against DONALD BEST
6 on January 15, 2010, by The Honourable Justice Shaughnessy

7
8 B E T W E E N:

9 NELSON BARBADOS GROUP LTD.

10
11 and

12 RICHARD IVAN COX, et al,

13
14
15 _____
16 Transcript of the crossexamination of DONALD BEST, taken on
17 the 11th day of January, 2013, at the offices of Simcoe
18 Court Reporting (Barrie) Inc., 134 Collier Street, Barrie,
19 Ontario, commencing at 9:30 a.m.
20 _____

21 APPEARANCES:

22 MR. DONALD BEST On his own behalf

23 MR. GERALD RANKING and

24 MR. LORNE SILVER For Richard Ivan Cox et

25 al

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1 believe it is. So I'm going to put that on the record and
2 then we'll get to your questions, sir. I am reading from my
3 affidavit of December 10th, 2012 it's one of the ones I'm
4 here to be crossexamined on starting at 144.

5 65 Q. Well, just rather than

6 A. Sir

7 66 Q. No, no, no, no.

8 A. Sir

9 67 Q. Rather than putting reading it, just state the
10 paragraph numbers from that affidavit and then they're on
11 the record.

12 A. Sir

13 68 Q. I'm trying to help you, sir.

14 A. Sir, thank you for your advice.

15 69 Q. Because otherwise you're just wasting my time.

16 A. Sir, thank you for your advice. And I'm going to
17 say this

18 70 Q. Okay.

19 A. Gerald Ranking's and Fasken Martineau DuMoulin
20 LLP's purported client is false and a nonentity. As a
21 person who is facing a conviction for contempt of court
22 which conviction, if it stands, will be the effective end of
23 my ability to earn a living in private law enforcement and
24 investigations and who is facing a sentence of three
25 months in jail and a fine based upon that conviction plus

1 costs I have a natural right to know the exact and detailed
2 legal entity legal identity of any entity or person
3 demanding I be convicted or jailed, fined or assessed. I
4 also have the natural right to know the exact and detailed
5 legal identity of any entity or person submitting evidence
6 or information to the court. If I am to be convicted,
7 jailed, fined and my 30year employment taken from me for
8 the rest of my life it is only fair and just that I know the
9 exact and detailed legal identity of any entity or person
10 participating in the court process against me. It is also
11 only fair and just that I know who are the controlling minds
12 directing any entity and its counsel to seek my conviction
13 and incarceration.

14 71 Q. Okay.

15 A. As a result of my investigations and observations
16 and also

17 72 Q. You're just reading from the just state the
18 paragraph numbers.

19 A. Sir, please.

20 73 Q. Shaughnessy's going to read it all.

21 A. Sir

22 74 Q. And I'm not 'please' isn't sufficient any more.
23 You've exhausted my courtesy.

24 MR. RANKING: For the record, Mr. Best has just read
25 paragraphs 145 through 148 of his affidavit sworn

1 December 10th.

2 MR. SILVER: And now I'm going to

3 MR. RANKING: And I fully support Mr. Silver's
4 position. Make reference to what further paragraphs
5 you intend to draw to the attention of His Honour in
6 particular and allow Mr. Silver to ask his questions.

7 BY MR. SILVER:

8 75 Q. Right. Let's just move along. Come on.

9 MR. RANKING: If there are other paragraphs, Mr.
10 Best, please put them on the record and Mr. Silver

11 BY MR. SILVER:

12 76 Q. You have to they're all on the record. I'm
13 about to mark these affidavits as exhibits to make them
14 formally part of the record. I'm going to help you out in
15 that regard.

16 A. Sir

17 77 Q. You're going to get to make an argument or your
18 lawyer's going to be making an argument to Justice rely
19 on all of this.

20 A. Sir.

21 78 Q. What?

22 A. Sworn evidence was submitted to the court by
23 Gerald Ranking, Faskens and Marcus Hatch.

24 79 Q. What paragraph are you reading?

25 A. 150.

1 80 Q. All right. Okay. Good.

2 A. Further, the use of the false entity
3 'PricewaterhouseCoopers East Caribbean firm' confers
4 potential benefits to its users such as obfuscating
5 liabilities and confusing evidence production in actual or
6 potential lawsuits.

7 81 Q. Okay. Are you done? Because if you're not done
8 I'm leaving. If you read another paragraph from this
9 affidavit I'm leaving.

10 A. I would like to know who Mr. Ranking paid the
11 million dollars costs to because it sure wasn't any client
12 named 'PricewaterhouseCoopers East Caribbean firm'.

13 82 Q. Sir, are you done? Because if you're not I'm
14 leaving. And I'm not threatening that, it's the last time
15 I'm going to say that. And I'm going to bring all of this
16 to the attention of Shaughnessy and seek the appropriate
17 sanctions and orders. Okay, sir? So now you have a
18 decision to make.

19 A. Let me just

20 83 Q. Can I proceed with my cross no. Let me is
21 it enough to have me walk out of here? It's yes or no. Can
22 I proceed with my crossexamination, yes or no?

23 A. So if I say one more word you guys are getting out
24 and walking out?

25 84 Q. Unless the word is yes, that's right, that I can

1 proceed with my crossexamination and you're not going to
2 carry on as you have been up till now.

3 A. Sir, with the greatest respect with the
4 greatest respect, I'm not carrying on

5 85 Q. Well

6 A. I am

7 86 Q. doing what you're doing.

8 A. asking who wants me hanged. Yes, who wants me
9 hanged.

10 MR. RANKING: You're putting positions on the record
11 and you're not allowing Mr. Silver to conduct a
12 crossexamination.

13 THE WITNESS: Can I start

14 BY MR. SILVER:

15 87 Q. Please, Mr. Best

16 A. Please put your voice down. I'm talking.

17 MR. RANKING: My voice is not high. I'm expressing a
18 position: Either Mr. Silver will be permitted to
19 crossexamine you or he won't. Are you prepared to
20 submit to a crossexamination? Mr. Silver's

21 BY MR. SILVER:

22 88 Q. Starting now. I'm just going to start, Mr. Best,
23 because I'm

24 A. My voice is very calm and I'd ask the two of
25 you